

Select Board Meeting
Monday March 18th, 2019, 6:50 PM
Town Offices, Nowak Room
Final Minutes

1. Call Meeting to Order

Members present: Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Niko Papakonstantis, and Russ Dean were present at this meeting. The meeting was called to order by Ms. Gilman at 6:50 PM. The board went downstairs for interviews and the meeting reconvened at 7:07 PM.

2. Board Interviews

3. Introduction and Swearing In Of Elected Officials

Paul Scafedi, the Town Moderator, swore in Elizabeth Canada, Budget Recommendations Committee; Nancy Belanger, Budget Recommendations Committee; Bob Kelly, Budget Recommendations Committee; Linda Tober, Library Trustee; Susan Drinker, Library Trustee; Duane Staples, Swasey Parkway Trustee; Julie Gilman, Select Board; and Niko Papakonstantis, Select Board.

4. Select Board Reorganization

- a. Ms. Cowan nominated Kathy Corson to be Chair; all were in favor.
- b. Mr. Papakonstantis nominated Molly Cowan for Vice-Chair; all were in favor.
- c. Ms. Gilman nominated Niko Papakonstantis for Clerk; all were in favor.

5. Public Comment

- a. There was no public comment at this meeting.

6. Proclamations/Recognitions

- a. Ms. Gilman recognized Don Clement for his many years of service to the town.
- b. Ms. Cowan recognized the Exeter Blue Hawks for their undefeated season.

7. Approval of Minutes

- a. Regular Meeting March 4th 2019

MOTION: Ms. Cowan moved to approve the meeting minutes from Monday March 4th. Ms. Surman seconded. Mr. Papakonstantis abstained and the motion passed 4-0-1.

8. Appointments - Planning Board, Budget Recommendations Committee, River Advisory Committee

MOTION: Ms. Cowan moved to appoint Marcia Moreno-Baez as Alternate member of the Planning Board, term to expire 4/30/2019. Ms. Surman seconded. Ms. Corson explained they will renominate her after that date, for a term until 2022. All were in favor.

MOTION: Ms. Cowan moved to appoint Warren Biggens as the PEA Representative to the River Advisory Committee, no term. Ms. Surman seconded. All were in favor.

MOTION: Ms. Cowan moved to appoint Enna Grazier to the Budget Recommendations Committee for a one year term. Mr. Papakonstantis seconded. All were in favor.

9. Discussion/Action Items

a. Contract 2 Bid Award Recommendation

Jennifer Perry, Public Works Director, presented memos from the department and Wright-Pierce Engineers, who reviewed the bids of Feb 25th. 5 bids were opened. In the interim, the apparent low bidder Jamco asked to withdraw their bid due to substantive errors. She recommends that they award the bid to the second lowest bidder, JA Polito and Sons, at \$3,031,250, and recommended rejection of the bid from Jamco.

MOTION: Ms. Gilman moved to reject the application from Jamco Excavators for the contract to bid due to nonresponsiveness. Ms. Cowan seconded. All were in favor.

Ms. Surman said that JA Polito's past work was described as "satisfactory" and asked how that was defined, since there had been issues such as cost overruns in past projects. She also asked if Public Works checked JA Polito's references to see how well their other projects were executed, and if there be a performance bond or other guarantee. Ms. Perry said that they had had positive experiences with JA Polito; they were the contractor on the Jady Hill project and the Portsmouth Ave sewer project, both of which were positively successful. Wright-Pierce has had other positive experience with them. Their bid is in line with other bids, and is reasonable and appropriate.

Andy Moll of Wright-Pierce added that he had called JA Polito's references, including projects in Whitinsville MA and Shrewsbury, and different water projects, and they had really good references. He had also worked with them on the Jady Hill project, which was a difficult project involving work on private property, with storm drain and water services. He said that JA Polito get a good response from people, including homeowners. He added that Matt Berube and others at Public Works have a good working relationship with them. Ms. Perry said there will be a performance bond, the project is state and federally funded so that's a requirement.

Ms. Corson said in response to Ms. Surman's concerns that there had been cost overruns at the Wastewater Treatment Plant but they were within contingency, and in Ms. Corson's experience most construction projects have similar issues. Ms. Perry said that the project is slightly over engineer's estimate but there are still adequate funds to complete it, with \$800,000 - \$900,000 remaining in contingency. Ms. Surman said there were two financial consequences due to mistakes by Wright-Pierce; they were covered by contingency but they still didn't have to happen.

MOTION: Ms. Gilman moved to award the contract for Wastewater Facility Contract #2 to JA Polito and Sons in the amount of \$3,031,250. Mr. Papakonstantis seconded. All were in favor.

Ms. Perry said they are still in discussions with NH DOT regarding the section of Newfields Road where this work will occur. DOT strongly recommends the town assume ownership/maintenance responsibilities for this section of roadway, which would move the Urban Compact from the end of Swasey Parkway up to the Public Works driveway. DOT will

give them \$550,000 towards this project if the town will take over this section, which would more than pay for all drainage-associated work and paving.

Ms. Surman asked why the town must take over the roadway from DOT. Ms. Perry responded that the town is putting in two sewer forcemains and a 12 inch water main, and there is an existing 16 inch sewer forcemain, which is a lot of utilities in a DOT roadway. Private property owners will want to connect to the mains and permits will be required, and DOT doesn't want to deal with this extensive utility work. DOT roadways are usually more rural and less intensive with utilities.

Ms. Surman asked whether they will avoid the historic stone walls along this road. Ms. Perry said the mains will be located as far from the rock wall as possible, since they don't want any damage to that feature. Mr. Dean added that this will be part of the insurance for this project, so they will be sensitive to it.

Ms. Corson asked the Board for their response to the \$550,000 figure. Ms. Cowan asked about the costs of plowing and maintenance for this road going forward. Ms. Perry responded that this section of road represents a 0.6% increase in the town's volume of roads, and they estimate a cost of around \$15,000 per year for the maintenance of this percentage, with everything included (plowing, salt, sand, wages, benefits, and contractors). Ms. Corson pointed out that when trucks go out to plow, they're going along that road anyways. Ms. Perry said they don't typically plow that stretch, although if the conditions are slippery they'll put a plow down without applying salt or sand. Ms. Cowan calculated that \$550,000 would pay for 37 years of maintenance; that's not what it's paying for, she noted, but that's the equivalent. Mr. Dean said they will have a separate agreement and process to accept the 3,200 linear feet. They will work out details and bring back a formal agreement. Ms. Corson observed that the Board was generally positive towards the proposal.

Mark Damsell of 10 Newfields Road said that local residents had had a productive meeting with Public Works about the project, and asked that before construction begins they reconnect with the residents to discuss concerns. Ms. Perry said that they will hold project information meetings consistent with other Public Works projects. For example, on Wednesday night there is a public meeting on the Lincoln Street Project, which is about to start up again. They'll do the same thing with the Newfields Road area.

b. Quarterly Financial Report period ending 12/31/2018

Doreen Chester, the town Finance Director, presented the quarterly financial report. The General Fund revenue was \$19.67 million for 2018, \$826,000 higher than the previous year. The property tax revenue was \$48.8 million, but the town retained only \$12.6 million after the school assessment of \$33 million and the county assessment of \$2 million. Motor vehicle revenues were up 5%, \$145,000 more. There was a decrease in building and permitting fees of 65%; building projects in 2017 were not replicated in 2018, resulting in a \$374,000 decrease. Other permits and fees had a slight drop of \$12,000. State grants were a little higher. Income from departments increased, \$989,000, up \$102,000 more than anticipated, including reimbursement for the Varsity Wireless legal fees and an increase of \$65,000 for blue bags to offset increases in the Waste Management contract. There was revenue of \$30,000 from Liberty Energy Utilities. The Property Use tax had a one-time influx of \$300,000 from the Shafmaster project.

Ms. Chester then described the expenditures. The General Fund was 95% spent against budget, at \$18.1 million. In the General Government group, legal expenses were up a little, with an offset of \$14,000 from Varsity Wireless. In the Finance Group, there was a savings of \$7,600 due to a reduction in office supplies and having no deputy treasurer. In Planning, Other Boards, and Building Inspection Departments, there was \$39,000 in savings, some attributable to the part time wages budgeted at 29 hours per week averaging only 23 hours. The Police Department had savings of \$88,000 due to turnover in staff and some replacement at a lower rate. Communications had an \$83,400 surplus in the current year, due to retirement. Fire had a \$121,000 surplus over budget, due to another retirement and replacement later in the year at a lower rate. There were changes in the insurance plans, which decreased health insurance by \$79,000. There was a \$15,000 increase for thermal imaging.

Public Works had a \$339,000 surplus; the snow and ice budget had a deficit but not as high as prior year when it was \$45,000. DPW Administration was slightly overspent due to the timing of fuel delivery. Maintenance had a surplus of \$61,000 due to the open maintenance superintendent position, which was vacant June 2017 through October 2018. They also had \$100,000 budgeted for maintenance projects, but \$84,000 was not spent due to re-prioritization and doing projects in-house. Highways and Streets was \$237,000 underspent; there was a contract they were waiting to sign and by the time it was complete many of the contractors were booked. There were decreases in temporary help and health insurance plans. A new Stormwater Department was created in 2018, allocated from DPW Administration. This was underspent slightly at year end, but had a \$20,000 encumbrance for an asset management program for CWSRF in 2019. Parks and Rec was \$8,900 under budget, due to health insurance decreases from plan changes, as well as changes in landscaping.

Overall the General Fund had \$1.56 million in income, vs \$0.9 million for the prior year.

The Enterprise Water and Sewer Fund had \$3.7 million collected against the current year budget, up \$363,000 over prior year due to rate increases. Consumption charges were up by \$350,000. For expenses, Water Administration was \$55,000 underspent, due to the timing of the replacement of a Water/Sewer engineer. In Water Distribution, there was a surplus of \$25,000, due to retirement and replacement at a lower rate. In Water Treatment, there was a \$49,000 surplus, due to \$29,000 not spent for basin and lagoon cleaning. Overall, the Water Fund had a net income increase of \$331,000 from prior year.

The Sewer Fund had \$3.6 million revenue vs \$2.9 million in the prior year, due to Sewer rate increases in anticipation of large debt service. The Sewer Fund expenses were \$2.47 million or 95% spent. Sewer Administration was underspent by \$81,000, due to a deferral of Water/Sewer engineer replacement for an additional year. Sewer Collection was \$606,000 spent, with a surplus of \$54,000 partly due to a retirement. Sewer Treatment was overspent, with overtime wages up slightly but offset by savings in full time wages and benefits. This was affected by the hiring of new sewer treatment operators approved in the FY18 budget. Electricity was overspent by \$61,200, offset by a decrease of \$10,700 in lab testing. The Sewer Fund debt service increased by \$83,000 from prior year, due to the Lincoln Street debt service. The Sewer Fund Net Income was \$1.2 million vs \$0.44 million in the prior year.

Ms. Chester then discussed the Revolving Funds. The Cable TV Fund is revenue from Comcast, with 50% going to the General Fund and 50% to CATV. CATV revenues are \$153,000 for 2018. Wages were \$108,000 vs \$80,000 in the prior year; the change was due to the full

time status of someone partially allocated to this fund. Expenses were higher because of the creation of a new studio in Town Hall, with \$67,000 in equipment for this purpose. The fund had a net deficit of \$83,700, with an ending fund balance of \$208,744.

Ms. Surman asked why the Cable Fund was overspent. Ms. Chester said they needed capital to furnish the new studio. Mr. Dean added that over the years, the Cable Fund has been bringing in revenue, \$153,000 going into that fund, and in prior years there was no need for the kind of capital expense to furnish a studio. This was a one-time expense that cuts into the fund balance that was available to begin with. The department is more aggressively marketing and promoting EXTV, and offering more coverage of events. The fund is negative for the year but the overall fund balance is still positive. Mr. Papakonstantis observed that there was a recommendation to follow up on the fund's status in 2019, and asked when and by whom. Ms. Chester said she will follow up. Mr. Dean said it's worth having the conversation at the board level with department heads, and he can arrange that for a future meeting.

Ms. Chester continued with the report. The Recreation Revolving Fund had revenues of \$607,000 this year vs \$633,000 in prior year; there was a \$25,000 decrease due to less impact fees in the prior year. They spent \$133,000 to cover capital expenditures: a new Ford van, softball field work, fencing and repairs. Wages were \$250,000 vs \$195,000 prior year, since the new director staffed the pool more heavily for safety. The Rec Revolving Fund had a small net income of \$6,000, after realizing the impact fees to offset the capital.

EMS Revolving Fund was up \$44,000, at \$552,000. Wages taxes and benefits are \$157,000. There were two new EMT Firefighters hired in 2018, and the Fire Chief said they had a direct impact on results because they didn't have to backfill with overtime. This fund had a net income of \$226,000.

Regarding the Water & Sewer Aging reports, Ms. Chester said the position in collections for AR for utilities is in pretty good shape. Shut-offs keep the balances down in Water and Sewer utilities. The Tax Department sends out lien notices. They're doing better than in prior years.

c. Review Town Ballot Voting Results

Ms. Corson said that she was pleased with the clear and concise information on the articles that EXTV and the Communications Committee put in front of the public, which she felt influenced residents to vote.

Mr. Dean said that the next steps are to dive into the more tangible projects such as LED streetlights and to move money into the Capital Reserve Funds created. The ADA article will go through the Planning Office. Intersection Improvements and Pickpocket Dam will be with Public Works. There were two bargaining agreements, and his office will work to get them completed based on voter approvals. They'll look to do the Rec Park and Salem Street Design Bond Issue. He has a meeting with Library Director Hope Godino on Wednesday to talk about the Library project. The library has already forwarded Mr. Dean a couple of contracts, so they're active on this project; he sent the contracts to Primex to have them reviewed.

Ms. Surman said she wants to see Police and Fire involved in the Public Safety study. Mr. Papakonstantis asked if that project will be completed in time for budget season. Mr. Dean responded that they will try, and their next step is to get the RFP out to 4 or 5 targeted consultants.

Robin Tyner, an Exeter Resident, spoke on the Sustainability Office article. She said that the article was advisory in nature, but bears heeding now. The group that put the article together has been collaborating with other sustainability officers and are ready to meet with the Select Board and start acting.

Mr. Dean said that when they created the Economic Development position, they took time to understand what that program was going to be and had a lengthy discussion on its responsibilities. Regarding sustainability, other places such as Hanover have more aggressively pursued this, and he's had preliminary conversations with the town manager there. The next stages do the work of figuring out the office's role would be and what the reporting relationships would be. If they're going to create new positions, they need to have that lengthy discussion about the role and responsibilities. Ms. Corson added that Economic Development went through a process with the Economic Development Commission that encompassed several meetings, and wondered if the Energy Committee could do something similar and present it to the Select Board. Ms. Tyner said she'd work with Mr. Dean and the Energy Committee. Ms. Cowan said she's interested in having the group who wrote the article look at a list of articles that passed this year with a sustainability lens, to find ways to make them energy efficient while waiting for this position to be created. Ms. Tyner said they could take a look.

Ms. Corson discussed a letter from Town Counsel Mitchell on Article 30. Ms. Gilman said there's also movement on rights-based ordinance at the state level, as there's a constitutional amendment proposed for rights-based ordinance. She believes that the goal is to get parties together if there is a concern about impact to water, air, etc., but this amendment was not recommended by her committee. People are concerned about it being "home rule." She suggested they ask the proponents of this article to come to a meeting or work session. Joan Pratt of Wentworth Street, a member of the group that proposed Article 31, was present at the meeting and asked for a copy of the letter in order to address it in a future Select Board meeting.

d. 2019 MS-232 Report of Appropriations

Mr. Dean said they must file a form with NH Dept. of Revenue, a financial summary of what was just approved at the town election.

e. Select Board Representatives to Town Committees

- i. Communications Committee: Ms. Corson and Ms. Cowan
- ii. Conservation Commission: Ms. Gilman
- iii. E911 Committee: Ms. Surman
- iv. Economic Development: Ms. Corson
- v. Energy Committee: Ms. Gilman
- vi. Facilities Committee: Mr. Papakonstantis
- vii. Heritage Commission: Ms. Gilman; Ms. Cowan will come to a meeting
- viii. Historic District Commission: Ms. Cowan and Ms. Corson
- ix. Housing Advisory: Ms. Cowan
- x. Master Plan implementation Committee: Ms. Corson
- xi. Planning Board: Ms. Surman and Mr. Papakonstantis were interested, so the Board took a vote. Ms. Surman and Ms. Gilman voted for Ms.

Surman, while Ms. Corson, Ms. Cowan, and Mr. Papakonstantis voted for Mr. Papakonstantis, so Mr. Papakonstantis will be the rep and Ms. Surman will be the alternate.

- xii. Recreation Advisory Committee: Ms. Cowan
- xiii. River Advisory Committee: Ms. Gilman, with Ms. Corson as alternate.
- xiv. Rockingham Planning Commission: Ms. Gilman
- xv. Safety Committee: Mr. Papakonstantis
- xvi. Swasey Parkway Trustees: Ms. Corson
- xvii. TIF: Ms. Surman
- xviii. Water and Sewer Advisory Committee: Ms. Cowan
- xix. Library Building Committee: Ms. Gilman

Mr. Papakonstantis suggested creating a Cultural Committee, similar to the Arts Committee but with a broader focus. Ms. Corson said that it took her a year to create Communications Committee; she put together a charge using the Housing Advisory Committee as a template and brought it to the Board, and suggested he do the same.

- f. EXTV proposal, letter from EXTV regarding equipment for purchase.

Bob Glowacky of Exeter TV said that the system which controls the cameras mounted to the walls of the Nowak room has died. It was 7 years old, and they previously sent it out to get fixed, so now they are looking to replace it. Having newer cameras will improve the picture quality. They'll also replace the microphones. They've been exploring providing iPads or Chromebooks to Board members so that they won't have to print out the packets each time. They would also like to purchase an add-on teleprompter that will work with an iPad. Ms. Corson said that they're asking for \$21,203.15 from the Cable Revolving Fund. Ms. Surman asked if there are any other major expenses planned. Mr. Glowacky responded that there may be regular camera replacement for around \$1000, but nothing else this big. Mr. Papakonstantis asked if they could look into an extended warranty.

MOTION: Mr. Papakonstantis moved \$21,203.15 to be paid for the audio equipment and installation to WHB and also B&H photo for the Teleprompter. Ms. Surman seconded. All were in favor.

10. Regular Business

- a. Tax, Water/Sewer Abatements and Exemptions

MOTION: Mr. Papakonstantis moved to approve a Veterans Credit of \$500 for 61/13, 11/7, 54/4/105, 72/110/10, 65/65, and 26/5. Ms. Surman seconded. All were in favor.

MOTION: Mr. Papakonstantis moved a Blind Exemption of \$15,000 for 72/112/1. Ms. Cowan seconded. All were in favor.

MOTION: Mr. Papakonstantis moved an Elderly Exemption of \$152,251 for 95/64/318. Ms. Cowan seconded. All were in favor.

MOTION: Mr. Papakonstantis moved to approve the intent to cut for 47/8. Ms. Cowan seconded. All were in favor.

b. Permits & Approvals

MOTION: Ms. Cowan moved to approve a Road Race application for Ragnar RTB LLC for an event on 9/19/2019 8 AM to 5:30 PM. Mr. Papakonstantis seconded. All were in favor.

MOTION: Ms. Cowan moved to approve the Exeter Summer Concerts series for Exeter Parks and Rec Department on Thursdays 6/20/2019 - 8/15/2019 from 6 PM to 9 PM. Ms. Gilman seconded. All were in favor.

MOTION: Ms. Cowan moved to approve the Powderkeg Beer and Chili Festival on 10/5/2019 between 7 AM and 6 PM for Exeter Parks and Rec Dept. Mr. Papakonstantis seconded. All were in favor.

MOTION: Ms. Cowan moved to approve Exeter Fireworks and Concert on 7/13/2019 5 PM to 9 PM for the Exeter Parks and Rec. Mr. Papakonstantis seconded. All were in favor.

MOTION: Ms. Cowan moved to approve the Easter Egg Hunt 4/20/2019 from 9 AM to 12 PM for Exeter Parks and Rec. Ms. Gilman seconded. All were in favor.

c. Town Manager's Report

- i. Mr. Dean thanked those who attended Chief Shupe's retirement party, and offered best wishes to the retired Chief. Stephen Poulin is the interim Chief of Police. In other retirement news, Pam Darlington is retiring from the library; Eve Quinn is retiring in May from Town Clerk's office; and Neil Jones is retiring from the Police Department on May 31st.
- ii. On March 27th there will be a NH Clean Energy Outlook talk at Town Hall.
- iii. On April 1 is the first Senior Community Forum, at Town Hall at 5:30 PM. The goal of those forums is for those 50+ to give input on what programming they'd like to see. Ms. Gilman added that the committee is searching for an appropriate name; they would like a mix of generations to participate so they don't want to use the word "elderly."
- iv. Mr. Dean gave recognition to the Public Works Department for work on the sewer break of March 10th. This incident was well-publicized and there was a good emergency response.
- v. The town got funding approval for a new fire engine last year; when the vehicle is complete it will be delivered and there will be a commissioning ceremony.
- vi. Construction is set to begin April 1 on Epping Road.
- vii. Mr. Dean thanked everyone involved in the Town Election, saying there were no incidents.

- viii. Finance is busy working on loading the new budget and the bond bank application for the Rec Park and Salem Street design.
 - ix. The Lincoln Street project community meeting is Wednesday, and is open to the public.
 - x. The Blue Hawk boys' varsity basketball team were the undefeated state champs.
 - xi. Darren Winham, the Economic Development Director, testified in Concord on an amendment to a bill, a 79E type reduction for construction based on a proven public benefit. He added that Mr. Winham had a lot of involvement in creating that legislation.
- d. Select Board Committee Reports
- i. Ms. Surman attended the Conservation Commission meeting, where they heard an application from Palmer & Sicard on a property on Holland Way. The Commission recommended to the Planning Board to give them the approval.
 - ii. Ms. Gilman will attend the Heritage Commission and HDC this week.
 - iii. Ms. Corson had no report.
 - iv. Ms. Cowan attended the Housing Advisory Committee, where they're working with Mr. Sharples for listening sessions on the MTAB Grant. There was no Communications Committee meeting.
 - v. Mr. Papakonstantis had no report.
- e. Correspondence
- i. An email which Ms. Corson described as being from Paul Royal regarding his personal issues with a citizen
 - ii. A notice on PEA Marston street parking. Ms. Corson would like this to be on a future agenda. Mr. Dean said that for ordinance amendments, there is a three reading process, but they can have a preliminary discussion as well. Ms. Corson said she would like to review it before proceeding with the ordinance process. Mr. Dean said this request is supported by director of facilities at PEA and residents, and the Police Chief has signed off. Ms. Corson said that since it's not a through street, she didn't want to prolong the process with a separate discussion, so they should start with the three-reading process.
 - iii. An email from Ms. Surman asking the Board to adhere to 91A by including two letters in the packet, an email from Dave O'Hearn regarding the Swasey Parkway Trustees Meeting and the email from Paul Royal mentioned previously.
 - iv. A notice that Naomi Butterfield has started at Mitchell Municipal Group.
 - v. A letter written to Mary Jane Wallner regarding House Bill 352. Mr. Dean said this would restore 20% grant funding for wastewater projects. Exeter would be the second largest beneficiary. This could mean \$14 million for Exeter, and would reduce the increases on Sewer rates.

- vi. A NH municipal Association bulletin. Ms. Gilman discussed a few of the proposals: a change in how an SB2 is adopted; a bill to prohibit fluoride everywhere in NH; Budgets in mid-April; and short-term rental legislation which would allow the town to charge \$2 a night on a hotel room. They are voting this week on repeal of contract language in the default budget that messed with towns this year. The Sanctuary Cities bill was tabled. Mr. Dean mentioned the 15% retirement restoration, revenue sharing, and wastewater grant program. These are funds that aren't new money, they were existing programs that were eliminated.

11. Review Board Calendar

The Select Board will be meeting March 25th, April 8th, and April 22nd.

12. Non-Public Session

- a. There was no non-public session at this meeting.

13. Adjournment

MOTION: Ms. Gilman moved to adjourn. Mr. Papakonstantis seconded. All were in favor and the meeting adjourned at 9:44 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary