

MINUTES OF THE DECEMBER 21, 2009 BOARD OF SELECTMEN'S MEETING

MEMBERS PRESENT: Chairman David Canada, Selectmen Bruno Federico and Tim Copeland, and Town Administrator Paul Deschaine.

The meeting was opened at 7:34 PM.

TREASURER'S REPORT: Kevin Peck reported he had \$6,802,138.32 in the general checking account.

DEPARTMENT REPORTS:

Fire Department: Bob Law and Derrick Hall were present to discuss specific purchases to finalize the equipping of the newest ambulance. There is approximately \$7,500 left over from the warrant article, which appropriated money for this purpose. Mr. Copeland asked if any of these items to be purchased could be reimbursed using the Ambulance billing account or with the replacement arrangements made with the area hospitals. Mr. Hall stated that any expendable materials could be reimbursed via the Ambulance billing fund. Mr. Copeland further asked if we should be billing extra for unreimbursed supplies. Mr. Hall replied that our billing was currently sufficient to cover supply costs. Mr. Deschaine explained that our base price included money for incidental supplies. The total sum of the items requested was \$4,641.39 plus shipping. Mr. Canada moved to authorize these final expenditures of \$4,641.39, plus any shipping costs, from the Ambulance purchase account from the 2008 warrant. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Law reported that the State is moving forward with the requirement that all residential buildings be sprinkled by the year 2011. This would only apply to new construction. The grace period between now and 2011 allows for proper implementation of the requirement.

The discussion next turned to the status of the fire suppression system at Parkman Plaza, or the former Shaws' building. The cistern consists of a bladder system, which apparently has a leak in it, because water cannot be maintained in the cistern. The owner has made several efforts to refill the cistern, but the first fill of water by the trucking company placed the water on top of the cistern tank cover instead of inside the bladder. Buxton Well Company, who delivered the water, has been instructed on the proper way to fill the cistern. Mr. Canada asked what the extent of the problem is. Mr. Law was told that they were adding water every eighteen months; however, the recent observations show that a more frequent delivery is required. He is still exploring the nature of the issue with the owners. The owner of the plaza has been responsive to date but has not been able to determine the exact cause at this time.

Planning: Lincoln Daley was present to give his monthly report. The Form-Based Code is progressing and the Planning Board has been meeting diligently to draft the final version to go to public hearing. The first public hearing on the code was scheduled for January 13, 2010.

Mr. Daley has been working with Wright Pierce on the water study they were conducting and on the evaluation of the wells on the Scamman property. A pump test has been attempted of the wells at this location; however, ground conditions have limited access to the property. In addition, Mr. Daley has been working with Wright Pierce to gain access to the existing fire pumpshouses in the commercial district to evaluate their capacity. The owners of Kings Highway Plaza have been very cooperative in this effort, while the owners of the Shaws' supermarkets have been less so. To date, he has not been able to talk to anyone about gaining access to the Shaws' property assets.

Lastly, Mr. Daley, at the request of the Board of Adjustment, has been working on a zoning amendment to increase the enforcement of home occupations once granted. There has been ongoing concern about home occupations outgrowing their original approvals. Enforcement only occurs now when there is a complaint lodged. Mr. Daley is also exploring a business licensing ordinance, which would trigger an annual inspection, along with a license fee for home occupations.

Mr. Federico announced the awarding of the Town's participation in the NH Municipal Energy Assistance Program being funded by the NH PUC under the Greenhouse Gas Emissions Reductions Fund. The program is being administered by five different agencies/groups of which Clean Air-Cool Planet is one. They will be assisting us in applying for an Energy Efficiency and Conservation Block Grant Program run by the Office of Energy and Planning, which was funded by the ARRA Stimulus money. Clean Air-Cool Planet is asking for a contact person to interact with that agency. Mr. Federico suggested Mr. Daley since he worked on the grant application. Mr. Deschaine agreed since Mr. Federico and Mr. Daley worked collaboratively on the application and the remaining Board members agreed.

Mr. Canada asked about the status of the Fire Pond Inspection Program starting with the pond at Heron Way. Mr. Daley said that the owners of that development were very receptive to the plan that he drafted with the exception of being responsible to contact the Fire Department to test dry hydrants. Mr. Daley felt that the plan requires this interaction. Mr. Canada observed that part of the response from the Homeowner's Association could be that they contacted the Fire Department and it has not been tested, if that is the case. Mr. Federico asked who was responsible to continue monitoring and maintaining the fire pond. Mr. Canada and Mr. Daley said that the Homeowner's Association would be monitoring the pond while the Fire Department and the Town are responsible for maintenance.

Mr. Canada asked Mr. Daley to report on the Planning Board's discussions about re-instituting an Economic Development Committee. The Planning Board had asked Mr. Daley to develop a charge and mission statement for the Planning Board to consider. He is working on that request.

CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR: Terry Barnes was present to give his monthly report. Mr. Barnes explained the examination of the Avitar building permit program. He said that after a presentation by Avitar, he still had some reservations about the Avitar system. He noted that there is also an annual licensing fee that his current software, Black Bear, did not require. Mr. Daley explained his observations of the Avitar program. It did appear to be overly oriented towards helping the Assessor and not, as a practical matter, a help to the

Planning Department. Mr. Barnes asked to take a year to more fully evaluate the available software that might be integrated for all the departments to use, including Mr. Deschaine's office. Mr. Daley suggested investigating the software available to see if there is something more cost-effective and productive for the entire land use department. Mr. Copeland asked what Mr. Daley used in New York in his former position. Mr. Daley said that he had that information in his office and that the software was very comprehensive. Mr. Canada did not object to taking another year to study the matter. Mr. Federico supported that notion, but a project study group should be formed to include Andrea Lewy, Terry Barnes, and Lincoln Daley who will plan, evaluate, and report on this issue. Mr. Federico asked also that the Accounting Department be included if there is going to be a comprehensive solution identified. Mr. Barnes and Mr. Daley agreed with that assessment. The Board agreed to extend the research period for software that supports the land use department and the accounting functions of the Town. Focusing on the more immediate issue, Ms. Lewy had provided Mr. Barnes an invoice for the annual licensing of the building permit program from Avitar. It was her belief that if Mr. Barnes was using the software, it should be included in his budget. Mr. Barnes; however, felt that if he was not going to use the software this year it should not be taken from his departmental budget. The Board agreed to consult with Ms. Lewy concerning the need for the software in light of the decision the Board just made.

Mr. Banes explained the results from his inspections of the new construction at the Lindt Chocolate Factory. Most of the building elements are done; however, as the internal equipment installation continues, it is even more complex.

Mr. Barnes also reported that Planet Fitness is almost ready for a temporary Certificate of Occupancy. There is some complication with the pet store proposed next to Planet Fitness. They share a common second means of egress in the rear of the building; however, this egress has not been adequately designed for the shared use by the two entities. He also questioned the adequacy of the fire system supporting the sprinkler system for the building. Mr. Canada concurred that further expansion of the fire load to that building without addressing the issues with the cistern would be inappropriate. Mr. Federico asked if Planet Fitness should be withheld their Certificate of Occupancy due to the cistern problem. Mr. Barnes felt that the Planet Fitness Certificate of Occupancy should not be withheld, at least the temporary issuance of one. A temporary Certificate of Occupancy would be good for twenty-one days. Perhaps the cistern will be corrected by then. Mr. Barnes said he could withhold issuing the building permit for the pet store until the issues with the cistern were resolved.

Mr. Barnes then reported on various other construction activities within Town. He also noted that he would be taking vacation time on December 23, 24 and 31, 2009. The Board thanked him for making his request known.

Administration: Mr. Deschaine gave his report. He discussed a request by A. J. Dickinson to use the Morgera Meeting Room at the Fire Department. It was noted that he is a member of the Fire Department but is a resident of the Town of Exeter. The nature of the use was a team meeting of an adult football team to which Mr. Dickinson belongs. Mr. Canada was hesitant to open the Fire Department building to that type of use. He moved to deny the request. Mr. Copeland seconded the motion, which passed unanimously.

There was a discussion concerning the proposals to repair the chimneys at the Gifford Farm House. There is a leak in at least one of the chimneys due to a fracture in the flashing and degraded points between the bricks. Mr. Canada said that a seven-year warranty proposed was not a long duration. A more permanent repair should last twenty-five to fifty years by replacing the flashing and re-doing all the pointing, instead of just patching it. Mr. Canada will ask a contractor he knows who does this type of work to inspect the job. He estimated that it might cost up to \$1,000 per chimney to do the work correctly.

Mr. Deschaine presented an abatement request from Jeffrey Comeau, which Andrea Lewy recommends approving. There were various adjustments to the size and quality of his home resulting in the abatement. Mr. Federico moved to approve the abatement request. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine presented an abatement request by Anne Buchanan that applied to the 2007 tax year. Mr. Deschaine explained how this application became inactive but warrants approval by the Board as recommended by Ms. Lewy. Mr. Federico moved and Mr. Copeland seconded to approve the abatement, which passed unanimously.

Mr. Deschaine presented an internet solution called Event Keeper as a possible item to enhance the Virtual Town Hall website that the Town is implementing. Event Keeper is an online calendar and room reservation service. The Wiggin Library currently uses the calendar portion of the service. Mr. Canada had observed a demonstration with Mr. Deschaine of the Event Keeper service. He moved to allow Mr. Deschaine to enter into a contract with Event Keeper for "Event Keeper Rooms" and to collaborate with the Library Director to share the calendar. Mr. Copeland seconded the motion, which passed unanimously. Mr. Deschaine also noted that the new website for the Town, which is strathamnh.gov, should be up and available to the public by mid-January.

OTHER:

The Board postponed action on the pending minutes until the next meeting.

The Chair reported on the alternate dates for trash and recycling collection. On Christmas Day and New Year's Day, which are both on Friday, the collection day will be moved to Saturday.

The Chair then reviewed the meetings held during the last week and the meetings scheduled for the coming two weeks due to the impending holidays.

PARK PERMITS/MUNICIPAL CENTER RENTALS:

Jim Peplinski on January 23, 2010 for a wedding reception in the large cafeteria room in the Municipal Center. The request was approved.

A request to use Stratham Hill Park by the Cub Scout Pack for a Winter Fun Day on February 13, 2010 was presented. The Board thought, with the number of people expected, at least one

porta-potti would be needed. The Board asked that representatives of the Cub Scout Pack be present at the first meeting in January, at which time the Board would continue consideration of their requested use.

OLD BUSINESS:

Bob Law and Michael Keane were present to discuss the encumbrances proposed for the Fire Department Building Construction Bond. Mr. Keane explained the specific request for enhancements to the building. First, was a window treatment upgrade to the existing window frames with a shatterproof film to protect the EOC and the Radio Room from flying debris at a cost of \$330 each. He proposes the window treatment for eight windows. Any windows that were replaced, the sashes could be retained for future use since many of the existing windows are interchangeable. Mr. Keane stated the manufacturer still does not have this specific window available; however, the manufacturer has suggested an aftermarket product be used to treat the windows to make them shatterproof.

The second item, Mr. Keane explained, was to address a concern with the auto-closing feature of the overhead doors closing while the trucks are leaving. Due to a "Traveling" feature, the existing photo eyes on the doors may not, in some circumstances, react fast enough to stop and reverse the door to prevent a collision with an outgoing truck. Placing a fixed eye on either side of the door should alleviate that problem by creating redundancy and by simultaneously monitoring both high and low portions of the door.

The third item being requested was a guttering down spout that needs to be placed at the entrance of the turnout near a room door to eliminate an icing issue. The roof over that entrance holds snow, which slowly melts and ices the walkway leading to that door.

The fourth item requested was a rubber floor to finish out the exercise room. Department members will be installing the floor, so this request is only for the cost of materials.

The fifth item requested is a valance for the existing window treatments in the meeting room. It has been noted that the rolling shades in the building are exposed and not very attractive. This request would put valances in the Morgera Room to improve those appearances.

Lastly, the Department had a request for approximately \$8,000 for audio/visual equipment in the Morgera Room. The cost of this equipment has been included in the Office of Emergency Management's Performance Grant; however, it is unclear at this point in time, if that grant request will be honored. In terms of the priority in the grant, Emergency Management Director David Emanuel had placed this audio/visual equipment as his lowest priority since it only supports the EOC and is not part of the EOC. If the grant were not awarded for this, then the Department would still like to proceed and acquire the equipment.

Mr. Canada asked what was the specific need for the window treatment upgrade. Mr. Keane explained that the windows are a commercial grade, but are not rated for debris impacts. The advantages and disadvantages of the upgrade to the windows were discussed. It was observed that the total requests being made exceeded the balance available by approximately \$10,000.

Mr. Canada asked about prioritizing the request in case the Emergency Management Performance Grant was not awarded. For instance, Mr. Canada asked the members present what were their feeling about the preemption light at the intersection of Winnicutt Road and Portsmouth Avenue. Mr. Keane stated he always supported the preemption light as a safety consideration. Mr. Law agreed that it was highly desirable to the Department. Mr. Canada suggested to at least decide if any of the items being considered would be contingent on the EOC grant. Mr. Copeland could not identify anything as being contingent, but we would have to prioritize the given requests if the grant was not approved. Mr. Federico agreed with that assessment. Mr. Canada moved to approve the items predicated on receiving the Emergency Management Grant. Mr. Copeland seconded the motion, which passed unanimously. Mr. Deschaine clarified that this motion made the list as the final items to be considered for funding with bond proceeds. Mr. Canada concurred that was the intent of his motion.

Mr. Canada asked if progress had been made on a report to employees fully defining their compensation including the cost of benefits. Mr. Deschaine replied that a first draft had been completed and was waiting for his review.

NEW BUSINESS:

Colleen Lake was present to discuss the possibility of applying for a Community Development Block Grant, or CDBG, project with the Rockingham Economic Development Corp. She wanted to see if the Board supported her making an application to that program which involves participation by the Town. The Town is compensated for any of the administrative costs associated with making that application. Mr. Canada moved to support the application for Ms. Lake's project. Mr. Copeland seconded the motion, which passed unanimously. Mr. Daley asked how the CDBG application might impact the timing of her development. He noted that her project had already received a one-year extension in October of 2009. He was concerned that the CDBG application might take the start of that project past this deadline. Mr. Deschaine said the application process should not delay her project beyond the project deadline set by the Planning Board, if Ms. Lake pursues it on an immediate basis.

At 10:35 PM, Mr. Copeland moved to go into non-public session to discuss a compensation issue related to an employee. Mr. Canada seconded the motion, which passed unanimously. At 10:55 PM, Mr. Copeland moved to come out of non-public session and to seal the minutes due to the matters of personnel discussed. Mr. Federico seconded the motion, which passed unanimously. At 10:56 PM, Mr. Federico moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Norma Corrow
Recording Secretary

Paul Deschaine
Town Administrator