

1/2. Convene the regular meeting/Introduce Members of Board

Chairman Ingram convened the regular meeting at 7:08PM and proceeded to introduce members of the Board present: William Campbell, Joseph Pace, Paul Binette and Town Manager Russell Dean. Absent: Robert Eastman

3. Minutes

Mr. Binette moved to accept the minutes of July 11, 2005 as submitted; second by Mr. Campbell. VOTE: 4-0.

4. Bid Opening: Pipeline Inspection Equipment/Recreation Items

Chairman Ingram reported there were no bids received for the Recreation truck and two backstops for sale. Two bids were received for the Pipeline Inspection Equipment.

C.N. Wood., Woburn MA	\$39,860.00
Cues Inc., Orlando, FL	\$34,250.00

Mr. Binette moved to accept the bids and forward them to the Town Manager and appropriate department for review and to return with a recommendation; second by Mr. Campbell. VOTE: 4-0. Mr. Dean will have the amount budgeted for the project at the next meeting.

5. Presentation: Open Space Committee:

Donald Clement, Chairman of the Conservation Commission stated the Commission held a public hearing last month and voted to proceed with presenting the two parcels to be discussed this evening. They are very excited about these prospects. Peter Dow was in attendance to present the information.

Parcel 1: Owner William White, tax map 104, Lot 3; outright purchase of 5.8 +/- acres for \$9,000. This is often referred to as "White's Field" and is located on the north side of Exeter River, past the 'second bridge'. This land is in the floodway, not just flood zone and is not posted but footpaths would connect this is conservation land surrounding it, owned by the Town. There is ½ mile of riverfront to access. It is appraised as 'high value, low dollars'.

Mr. White's requirements include (which will be conveyed as warranty deed to the Town of Exeter):

- (a) not allow hunting, motorized vehicles except by Town to monitor land;
- (b) mow as necessary in keeping with 'wet meadow';
- (c) access continues via Exeter Conservation land.

Mr. Dow noted the Town currently mows the abutting Perry property and this would be added to the process, paid through conservation funds. Boating access is available up and down the river.

Acquisition costs are \$1,070 (appraisal \$300; legal services \$770). There are no structures or former building foundations on the property and it not recommended a survey be completed, as the land is surrounded by Town land.

Parcel 2: Also belonging to William White, 16 acres (tax map 103, Lot 1) with easement to be held by the Town. Purchase price is \$210,000. Property is located on south side of Exeter River and he will keep 2 acres around his home. He continues to own the land and access to cutting trees, but will be subject to “best management practices” concerning his method of cutting. Any future owners must abide by these restrictions.

Mr. Dow reported 8 acres will be open to the public, to prime area along the River and pedestrian access. The Town will have access to all 16 acres for maintenance purposes.

The purchase of parcel 2 is only achievable via a grant. Last spring the Town applied for a grant for the Jones property and was not successful (only 4 towns received funding). With the State’s new budget, \$1 million is available. They will reapply and combine this \$210,000 with the Jones property of \$225,000, in order to receive 25% from the grant, or about \$120,000. Acquisition costs are \$8,930 (appraisal \$1200; Legal services \$980; Survey \$5000; Environmental Assessment \$1750).

Mr. Pace moved to authorize the purchase of William White’s property at tax map 104, lot 3 with proceeds from the Conservation Bond, as recommended by the Conservation Commission and Open Space Committee, for a total of \$10,070; second by Mr. Campbell. VOTE: 4-0.

Mr. Dow noted additional funds have been added to the fund, with the purchase of the Field property, Mr. Field gave back \$50,000. Mr. White knows the purchase of the second parcel is contingent upon state funding and our option remains open till 12/31/05, with an additional 60 days following that to close.

Mr. Campbell moved the Board authorize the Chairman to sign the application for funding from the Water Supply Land Protection grant to purchase conservation easement for tax map 103, lot 1 of William White and property of Dan Jones as specified in the previous application; second by Mr. Binette. VOTE: 4-0.

Mr. Campbell moved the Board authorize the purchase, upon awarding of the state grant, of conservation easement of 16 acres, map 103, lot 1 from the conservation bond as the Treasurer sees fit, with costs not to exceed \$218,930; second by Mr. Pace. VOTE: 4-0.

6. Presentation: Downtown Restoration Committee

While awaiting PowerPoint to be set up, Tracey McGrail (Executive Director of the Chamber) gave a brief overview, noting the Committee was formed out of discussions concerning water & sewer projects on Water Street and coordinating utility work while the roads were open. Public hearings have been held, along with site reviews of area communities who have proceeded with this work.

Reuben Hall provided the Board with power point presentation of the ‘Exeter Historic Downtown Restoration Program’, showing streetscape and overhead utility reconfiguration (to underground). (some photos attached).

Arthur Baillargeon, Tremont Street, asked if any towns now use the raised brick crosswalks. Mr. Hall noted Derry, at their center with raised intersection. Durham’s looks like it’s raised, but it is not.

Mr. Binette noted the costs are high for utility work to go underground and is concerned with the digging and coordinate with water and sewer. He also expressed concern that with some sidewalks

proposed wider and green areas jutting into the streets, the traffic area would be narrowing and, being a truck route, more congestion would occur. Of concern also is the lack of loading zones. Mr. Pace suggested this discussion be interjected into future comments and not be the bulk of the discussion at this point. Mr. Binette stated they are problems now and need to be addressed now. Mr. Hull noted there are select locations of 'bump outs' and not the full length of the street.

Mr. Baillargeon asked who would be responsible for the utility poles. The Town would own the poles, utilities would provide service.

Peter Dow explained the schedule of events, noting this was not the final plan. The Committee has visited communities, spoken with economic committees, businesses, highway departments and Chambers of Commerce for their pros and cons on what is supported or whether the public does support. The Committee will keep the Board informed as they work toward bond authorization for March Town Meeting, under the CIP, for 2006, with the dollar amount, project area etc., for Board support. There will be more outreach to the public, with A-frames planned for the downtown area featuring concept pictures and estimated costs. There is an outreach to speak with residents and any groups wishing to learn more.

Chairman Ingram noted if approved as presented, it has been estimated a \$300,000 home would pay \$100 per year for 20 years for the bonding. The Committee needs to help owners understand how it affects them, particularly those living outside the downtown area. Mr. Dow stated they may shop outside the downtown area but they are affected by how the enhancement of our downtown makes an impression on those wishing to relocate and distinguishes Exeter from others.

Mr. Pace stated those moving here look at the downtown area; voters like ideas but want to know what other contributors will there be, such as businesses in the downtown area, vs. all improvements being made by taxpayers. He urged the Committee to explore other options, such as grants, surcharging merchants, etc. Mr. Dow stated these are common points in all towns and the ideas have been thought of before.

Sylvia von Aulock, Town Planner, added her thanks to the Committee for their great job and noted the project is in the CIP and under its own scrutiny, and the Board will be kept posted on events.

Mr. Baillargeon asked if another public meeting would be held by the Committee. Ms. von Aulock stated as many as civic groups would like to sponsor and any public forums available.

6. Presentation – Patricia Douglas, NNEPRA

Ms. Douglas was present to update the Board on happenings with the DownEaster, as well as the latest information on the federal Congestion Mitigation Air Quality (CMAQ) grant. She reported there are currently 4 round trips daily, with the contract being held by Amtrak. The infrastructure is not owned by the Authority but by Guilford Transportation and Mass Transit. [Synopsis of her briefing is attached.

Mr. Campbell noted it is a great railroad experience but thought the first priority was for excursion and now it appears to be for commuters. Ms. Douglas stated there are different markets for each trip. Commuter traffic is growing and the Authority is looking at the entire package, developing niches for all trains to have a rider-ship base.

Ms. McGrail noted New Hampshire paid nothing for the train service except a \$10,000 match to Maine's \$10,000. Maine has picked up the bulk of the expenses. Mr. Campbell noted Exeter continues to pay for insurance and maintenance for the station platform and parking lot. Ms. McGrail stated NH DOT should pay the costs and not individual towns. Mr. Campbell reported the State pays insurance for the Park and Ride areas.

Mr. Pace moved the Board support the allocation of federal CMAQ funds from the GACIT in order to upgrade the railroad in New Hampshire to allow the DownEaster to increase the number of trips operated daily and to enter into a discussion with Dover and Durham, local officials and State Representatives and seek reimbursement for Town's expenses, including a letter to the Governor's Council urging support; second by Mr. Campbell. VOTE: 4-0.

8. Public Hearing: Emergency Funds Request: Stewart Park Wall.

Chairman Ingram opened the public hearing at 9:10PM with all present from the regular session.

The Stewart Park wall is in need of emergency repair work. The project was identified as part of the FY06-11 Capital Improvement Plan but the work needs to be completed sooner. Town Manager Dean is recommending over-expenditure of the FY05 budget up to \$62,500 with Department of Revenue Administration approval. The funds would come from the Town's undesignated fund balance, currently estimated at \$2.8 million. Of the funding, \$2,500 will be for emergency repair work and \$60,000 will be set aside for engineering services to begin the permitting process with the NHDES in order to have a permanent solution ready for the 2006 election in March.

Mike Favreau, Parks & Recreation Director, explained the scenario that the wall sustained substantial damage over this past winter. To not do the repair would be guaranteeing wall and park failure in the not too distance future. Emergency repairs would buy us time to get through the permitting process and approval process in order to bid the work out next March. He has received an 'Emergency Authorization Verification' from NH D.E.S. and has called to confirm this is all we currently need. The Coastal Regions Wetlands Inspector will return this week for confirmation. Mr. Favreau noted once permits are approved, they are good for 5 years.

The \$2,500 would be for the emergency repair work; \$60,000 for engineering and there is a current construction estimate of \$350,000.

Chairman Ingram opened the hearing up for public discussion:

Donald Clement, Conservation Chairman, reminded the Board there are specific rules of what to do and not do and the Commission would like to view emergency repairs. They work well with DES and have reviewed river plans in the past (i.e. PEA's dredge operation). He noted replacement/repairs without dredging and filling is exempt from wetlands permits.

Mr. Favreau noted the permitting process is extensive and it has been suggested we try to repair with similar material to what is there. DES will assign a file number to our emergency authorization. We must notify Conservation Commission and Town prior to beginning the work.

There were no further questions. Chairman Ingram closed the public hearing at 9:26PM.

Mr. Pace moved to approve up to \$62,000 from the Fund Balance for emergency repairs and engineering costs, subject to RSA 32:11 and Department of Revenue Administration approval; second by Mr. Campbell. VOTE: 4-0.

9. District Court update.

Town Manager Dean noted the July 31st deadline for towns to respond to our letter regarding one court vs. 2 courts has passed and a majority support the one State-funding court suited to meet the needs. Hampton has received a majority response for the one court at a centralized location and State-funded.

Mr. Campbell suggested a letter to the Chief Justice explaining the results of our 'poll'. Mr. Pace suggested a joint letter with Hampton and suggested the letter include the issues discussed and not something in the letter we didn't ask the other towns about. Mr. Campbell noted the letter should suggest a Committee be formed, soon, for review of this situation, as discussed by our State Representatives at the joint meeting in Hampton.

10. Acceptance of grant for Used Oil Collection Center.

The Public Works Department has been awarded a grant from the NH DES in the amount of \$2,500 to create a "do it yourself" used oil collection center at the transfer station. State law requires the Board to formally accept the grant.

Mr. Binette moved to accept the grant from NH DES for \$2,500 for the purpose of creating a 'do it yourself' used oil collection center at the transfer station; second by Mr. Pace. VOTE: 4-0.

11. Adopt new Standard Operating Procedure: Flag Lowering.

Mr. Dean suggested that in order to provide guidance on the issue of flag lowering, a policy has now been developed (draft attached). Policies require a first reading by the Board, with adoption at the second reading. Chairman Ingram noted the policy is in line with the Federal Government, which also allows the Town to handle some issues on a local level. Mr. Dean thanked Barbara Blenk for developing the policy from appropriate background information.

12. Town Manager's Items:

- Next meetings are August 15th and August 29th, followed after Labor Day by 9/12 and 9/26;
- Yard Sale season is upon us and a pleasant reminder to people to remove their signs following their sale.
- The Town Office/Town Hall RFP's are out and due back August 26th. The Technical Committee will then review those received.
- The CIP Sub-Committee meets Wednesday afternoon, getting the final questions answered and a priority ranking set.
- Street reconstruction begins August 15th (7AM to 5PM) on the following streets: High Street to Buzell, Buzell and Prospect Avenues and Auburn and Highland Streets.

13. Permits:

- Town Hall with stage is requested by the Library for a caged reptile presentation on August 17th from 12-3PM;
- Nowak Room is requested by the Local Government Center for a Government Treasurer's Training session on September 9th from 5:30-8:30PM;
- Bandstand with PA system is requested by the Christmas Parade Committee for December 3rd (storm date of the 4th) from 2:30PM till end of parade;
- Ladders on the sidewalk on Long Block/Franklin Street were requested for August 4-8;
- Jr. Women's Club requested a banner across Water Street from November 7 through 19 to advertise their annual Yuletide Fair. [later adjusted for 1 week maximum allowed: 11/14-19]
- Request to block off a street by the Phillips Exeter Academy for electrical upgrade. Williams Court on August 4 & 5 from 7AM to 5PM;
- Big Brothers/Big Sisters requested permission to sell raffle tickets on August 12th at their fund raiser at Shooter's Pub.
- Sierra Club requested to canvass the Town on August 11 and 12 from 4 to 9PM. We are awaiting Police Chief approval and receipt of the \$25.00 per day payment.
- Request by Deanna MacDonald, 45 Pine Street to have the live band at their private party go past the 11PM deadline (to 11:30PM) on August 25th. The Board expressed concern over whether the neighbors have been canvassed, particularly with this being a Thursday. It was suggested they provide evidence they have spoken with all neighbors. Mrs. Blenk noted in her conversation with the Police Chief, the concern is not the lateness of the hour but the noise level. If the level is too loud and complaints are received, the police will visit them and ask them to lower the sound. If they don't, they will shut them down irregardless of what time it is.

Mr. Campbell moved to approve all permits except the MacDonald waiver of 11PM live music; second by Mr. Binette. VOTE: 4-0.

14. Selectmen's Committee Reports:

Mr. Binette: none
Mr. Pace: none
Mr. Campbell: none
Mr. Ingram: none

15. Public Comments: None

Mr. Campbell moved to adjourn; second by Mr. Pace. VOTE: 4-0. Time: 9:46PM.

Respectfully submitted,

Barbara A. Blenk
Admin. Asst/H.R. Dir.

enc.