

1. Convene the meeting.

Chairman Campbell convened the Board at 7:00PM on the above date in the Nowak Room, and introduced the members present: Lionel Ingram, Joseph Pace, Paul Binette, Robert Eastman and Town Manager George Olson.

2. Minutes of February 14, 2005 Selectmen's meeting.

Chairman Campbell noted a correction to #4, noting Clerk Binette read the proclamation, not Chairman Campbell. Mr. Eastman also noted, in the 7th line from the bottom of page one, he stated the "Open Space Committee" had meetings in public, not Rockingham Land Trust.

Mr. Pace moved to accept the minutes as amended; second by Mr. Binette. VOTE: Unanimous.

3. Bid award – Blue Bags.

Mr. Olson recommended the low bid from Resource Bag Co., for \$160.00 per 1000 for 33 gallon and \$100.56 per 1000 for 15 gallon bags. This will not necessitate an increase in the bag costs to residents. ***Mr. Ingram moved to award the bid as presented; second by Mr. Pace. VOTE: Unanimous.***

4. Report on banking and bonding for open space acquisition – Don Brabant & Jack Sheehy.

Mr. Pace stepped down from the discussion, as he is an employee with Citizen's Bank and, though does not work in governmental finance, does not wish this to look improper.

Mr. Brabant, Town Treasurer, was present to review his findings for seeking bank services from another bank. He and Finance Director Jack Sheehy met with representatives from Ocean National, Citizens' Bank and Bank North. They reviewed their banking services, how they handle municipalities, etc. Bids will be sent to them. An RFP is available for Board review. They also reviewed other communities vs. what we need and what their costs of banking services are. The final bids will come to the Board.

Mr. Campbell asked how the current process was going. Mr. Brabant noted money is being put into the accounts to be sure checks are covered. Mr. Binette asked if the current bank, Bank of America, suspected us leaving their services. Mr. Brabant stated they have been told we are checking elsewhere.

Mr. Pace came back to the table.

Bonds: Mr. Brabant noted there are 4 ways to handle bonding: (1) contract with a representative to prepare the statement going to investors, at an estimated cost of \$15,000; (2) negotiate a bid to borrow, but he noted he does not like that direction, as you don't know if you have the best deal; (3) handle our own bid; (4) go to the Bond Bank. Mr. Brabant has contacted the Bond Bank concerning both the open space bonds and the water treatment plant bids, if passed at Town Meeting. There is not much in the market till June, so he would negotiate a Bond Anticipation Note and pay by June. He noted the Town is at an AA rating.

He will prepare the bid request and send to the 3 noted above, plus others, in order to see the type of results. If they are good he will make a recommendation to the Board. If not, he will go to the Bond Bank.

Mr. Eastman noted the Board is authorized to make decisions regarding Tax anticipation notes but had not heard of Bond anticipation notes. Mr. Olson stated it is an option the Board can legally make and have done so in the past. Mr. Brabant noted the banks won't lend without legal opinions involved. Mr. Brabant will be back at the next meeting for the Board to approve the bid and sign, hopefully.

5. Open Space Committee – Recommendation to acquire Jones, Amundsen & Field properties.

Don Clement, Chairman of the Conservation Commission, noted the Commission was presented the 3 properties at a public hearing on February 8th and unanimously voted to approve the purchase of the conservation easements on the properties, to be held by the Town of Exeter and to have pedestrian access in some form on each, and to present the purchase proposal to the Board. Members of the Open Space Committee were present (Gwen English, Jody Pellerin, Peter Dow, Tom Chamberlain), along with land owner Karen Amundsen.

Peter Dow, representing the Open Space Committee, presented the information to the Board (copies of information on each attached).

Jones' property: The Committee is applying for a competitive grant for partial payment of the purchase price at about 25%. The first round is due March 4th, with full application due by April 1st. The option agreement on this parcel is in effect till June 30th. Because of several key grant details already in place, and appraisals done, timing for the grant is good. The parcel, though large, does not meet Town standards for development of house lots, and access is available also via the River, with 2000' of abutting land to the river.

The property is not 'posted', though the Jones' have had some problems with camping in the past. They do want to continue logging on the property and will still own the land but must comply with Wetlands River Management. The property is in Current Use: the owners are responsible for taxes.

Mr. Pace asked about the handling of the easement. The Town will hold, particularly where it abuts other Town-owned land, and the Commission will work in conjunction with the Simpson land and closed landfill properties, particularly when they are developed for recreation. Because of the close proximity to the closed landfill, an environmental assessment with the State continues, with monitoring wells on site.

Mr. Eastman asked if this is a first option agreement. Not on this piece as it's: (a) has public, pedestrian access already allowed; (b) this is part of other holdings and they do not intend to sell them separately – they may look to sell all at once, not in pieces.

Mr. Dow reported the Town has 60 days to close (after the 6/30th option deadline), bringing this to end of August. They expect results of the grant by mid to late April. It was noted the Commission requests purchase of the easement even if the Town doesn't receive the grant, as it's a great buy.

Much discussion followed concerning public hearings required. Mr. Dow noted RSA 36-A states the Conservation Commission will hold public hearings, following posting and legal notices (done). State law does not call for a second public hearing by the Board once the matter comes before them. It does

take two votes to approve: Commission and Board of Selectmen. Mr. Eastman stated he disagrees with that, based on correspondence with NHMA and their varying views.

Amundsen: (Info attached). Mr. Dow noted the landowner is anxious to sell quickly, by April 15th, and has agreed to the survey work being done at their expense and risk (\$6,500). He noted Attorney Morse has stated title work can be done on time, though surveying may be delayed due to the amount of snow (viewing rock walls, posts, etc.).

Mr. Binette asked of access could be from along the brook. Mr. Dow noted this area is posted as it's so close to the house. He noted access could also be via Old Garrison Lane, with the Town's right-of-way. There has been a small bridge installed there, though it needs to be reset in place.

Mr. Eastman asked about the statement "under threat of immediate development", noting he has a problem with the statement. Mr. Dow noted the goal is a timing issue, with many landowners being approached by developers. If this is sub-divided, there is no public access. He also noted this is a great chance for the Town to get a River access at a great price. He stated "threat" means "time constraints". If 'no intention of development', we would hold off pursuing the property now. If developed, it's over.

The easement will be held by the Town, administered by the Conservation Commission, and it abuts the largest parcel of Town-owned property, also administered by the Commission. The Commission has also agreed on the purchase of the easement.

Alan Bailey, 7 Green Street, asked of the proximity of this with the parcel at Brentwood and Garrison and how it interacts with the River. And, are boundaries involved across the River? Mr. Dow noted this is the former Jankowski land which has been fully surveyed, and boundaries are not across the River. We will survey to concur – usually to center of the River unless a deed says to include with one parcel or the other. The owner believes the boundary is to the center of the River also.

Field: (info attached). Mr. Dow stated the Town of Brentwood is investing in property across the Town line which abuts this property. The option is till March 30th with 2 months to close. He noted this abuts the Town property along Dudley Brook and, with the Field land setting higher, it will provide an easier walk along the river.

Mr. Binette asked approximately how much of the 43 acres is wetlands. Mr. Dow stated it is not flagged or mapped but he guesses a minority – lot less than 40%. Wetlands, however, would not stop any development. Over 1000 acres of Conservation land along rivers would connect to this, with Brentwood also purchasing along the river.

More discussion followed concerning what the \$3 million authorized, concerning whether parcels must be presented to Town Meeting individually or not. Mr. Olson stated the discussion at the 2003 Deliberative Session leads him to believe the Board can act and is authorized by Town Meeting to purchase, and was confirmed by Town Meeting vote.

Mr. Eastman quoted RSA's regarding the various subjects [31:3, 36-A:4, 41:11-a; 41:14-a, 41:14-b, 41:14-c, 477:16, 477:47, 477:3, 477:3-a] as to why he is expressing concern. Mr. Pace stated he believes Mr. Eastman is correct IF Town Meeting hadn't acted, but the voters, both at the Deliberative Session and Town Meeting, delegated the authority to the Board.

Mr. Pace moved the Board authorize the expenditure of \$230,290 for the acquisition of the Jones property and related transaction costs, to be held by the Town of Exeter and administered by the Conservation Commission; such funds to be disbursed by the Town Treasurer and, ultimately, from the related bond; second by Mr. Ingram. VOTE: 4-1.

Mr. Pace moved the Board authorize the expenditure of \$409,840 for the acquisition of the Amundsen property and related transaction costs, to be held by the Town of Exeter and administered by the Conservation Commission; such funds to be disbursed by the Town Treasurer and, ultimately, from the related bond; second by Mr. Ingram. VOTE: 4-1.

Mr. Pace moved the Board authorize the expenditure of \$829,340 for the acquisition of the Field property and related transaction costs, to be held by the Town of Exeter and administered by the Conservation Commission; such funds to be disbursed by the Town Treasurer and, ultimately, from the related bond; second by Mr. Ingram. VOTE: 4-1.

Mr. Campbell thanked Ms. Amundsen and those property owners not present for their patience and thanked the Open Space Commission for their terrific job over the past two years.

6. Action to approve grant application – NH Water Supply Land Conservation Grant: Ground Water Source Protection Program.

Mr. Dow presented the Board with the attached information regarding the grant.

Mr. Pace moved to authorize the Board's Chairman to sign both the eligibility and full applications pending Town legal review of restrictions on the grant; second by Mr. Ingram. VOTE: 4-1. Mr. Dow noted Town Counsel drafts the easement and the State review so all can 'live with it'.

7. Request to close Clifford Street April 23rd – Kathleen M. Gallant.

Ms. Gallant sent a request to block thru traffic on Clifford Street on April 23, 2005 from 8AM to 4PM to ensure safety during their 10 Year anniversary Earth Day Eco-Fair being held at their establishment. Mr. Olson stated both the Police and Fire Chiefs review the request and agree with the request; Mr. Olson recommends approval.

Meadow Lang, representing Blue Moon, noted the Fair has been held the last 5 years with a great turn out. With the parking lot closed down and the sidewalk across the street, the safety of the patrons was of concern, hence the request to close the street.

Mr. Ingram moved to approve closing Clifford Street to thru traffic on April 23 from 8AM to 4PM for the Eco-Fair 2005; second by Mr. Eastman. VOTE: Unanimous. Signs informing motorists of this closure should be plainly posted at Bow Street – to prevent those who avoid Front and Water from attempting to cut through, noting if they continue to South Street, there is no exit on Water from the one-way Franklin Street.

8. Appointment of new member to Benefits Review Committee.

Rebecca Brownell, Dispatch Supervisor, requested appointment to the Committee to replace Jay Perkins, now a salaried employee. The Committee Chairman recommended this appointment. **Mr. Binette moved to appoint Rebecca Brownell to the Benefits Review Committee; second by Mr. Ingram. VOTE: Unanimous.**

9. Permits:

- Gary Hinz requested permission for area churches to hold their Lenten Stations of Cross on March 25th from 11:45-2PM at various locations in the downtown area.

Mr. Ingram moved to approve; second by Mr. Pace. VOTE: Unanimous.

10. Town Manager's Items:

- Town declared a snow emergency from Midnight this evening to 9AM tomorrow;
- Town Meeting is next Tuesday, March 8th, featuring elections, budget and warrant articles. Polls are open from 7AM to 8PM at the Town Hall.
- Spring pick-up (bulky items) is the week of April 4 through 8th. Stickers for \$2.50 are available at the Town Office or Public Works during regular hours.
- Positions are available on many boards and committees. Letters of interest should be submitted to the Board of Selectmen. Appointments will be made the end of April.
- The Town's new Manager begins tomorrow March 1st and will be sworn in on March 28th to officially take over April 1st. Russ Dean was present in the audience and invited to the front table.
- Town Reports are in and available at the Town Office. Mr. Campbell noted the Report is dedicated to the retiring Manager, George Olson.
- The next board meeting is March 14th.

11. Selectmen's Committee Reports:

Mr. Eastman: Planning Board met and discussed the NE Workforce Housing and preliminary retail/multi-family project by Citizen's Bank and the Town Hall. The issue of parking came up and is still being discussed. This matter will also be discussed at the Zoning Board meeting next week.

Mr. Binette: None

Mr. Pace: None but hopes to see all residents at the polls next Tuesday.

Mr. Ingram: Council on Aging met and discussed the Town warrant.

Mr. Campbell: None but noted this was his last meeting as Chairman. He thanked the public for their interest and comments and thanked the Board for their support.

12. Public Comment: None.

Mr. Ingram moved to adjourn; second by Mr. Pace. VOTE: Unanimous. Time: 8:50PM.

Respectfully submitted,

Barbara A. Blenk, AA/HR

(attach)