

1,2. Convene the Regular Meeting; Introduction of Board Members.

Chairman Binette introduced the Board at 7:04 PM in the Nowak Room of the Town Office and introduced other members of the Board: Mr. Lionel Ingram, Mr. Bob Eastman, Mr. Bill Campbell, and Mr. Russell Dean, Town Manager.

3. Minutes: June 26th, 2006.

Mr. Campbell moved to waive the reading of the minutes of June 26th, 2006 and accept the minutes as presented; second by Mr. Eastman. VOTE: 3-0 (Mr. Pace abstained since he was not present at this meeting)

4. Bid Opening: Sluiceway Repair.

Chairman Binette proceeded with opening bids received for the Exeter Water Treatment Plant Sluiceway Repair. Five bids were received, and they were:

1. Stratham Excavators, Inc. of Stratham submitted a lump sum bid of \$9,950.00.
2. Hartmann Enterprises of Exeter submitted a lump sum bid of \$22,485.00.
3. Rome Construction of Brentwood submitted a lump sum bid of \$15,900.00.
4. Onway Construction LLC of Exeter submitted a lump sum bid of \$32,736.00.
5. K.G. Blood & Son, LLC of Stratham submitted a lump sum bid of \$14,200.00.

Mr. Pace moved to submit these bids to the Town Manager and the appropriate department for review and recommendation; second by Mr. Campbell. VOTE: Unanimous.

5. Meetings with the Board: Nathan Szanton, re: Swampscott Block Project Update.

Before he began, Mr. Szanton distributed materials to the Board which included a Temporary Construction Easement Deed and a draft of the permanent Mutual Cross Easement Agreement.

Mr. Szanton of Exeter Maine Realty, LLC started by reviewing the details of the project. Planning for the project has moved along well and they expect to break ground in September. In order to facilitate the financial closing, they have three items to discuss this evening. First is to discuss the temporary easement, allowing them access to Town property for construction purposes; second is to discuss the permanent Mutual Cross Easement Agreement, and third a request to create temporary parking for Citizen's Bank customers around their site during the construction period. Mr. Szanton noted that after 90 days customers would be able to use the lower level of the garage and there will not be the same parking crunch.

Mr. Szanton then introduced Mr. Jeff Clifford to discuss the first item, the temporary easement. Mr. Clifford again reviewed the plans and showed the second level parking in the garage up against the Town Hall. Parking extends onto the Town Hall property, and it also goes over a couple drains and would require a permanent easement. Mr. Clifford also explained that part of the construction process would require them to shore up the ground for the subterranean parking, and portions of that would extend onto Town property.

Mr. Szanton added that in order to build the building up to the sidewalk, they will have to pour footings into the current sidewalk and then replace the sidewalk once complete.

Mr. Michael Donahue then approached the microphone to summarize the permanent easement. Mr. Donahue referenced the documents Mr. Szanton distributed to the Selectmen prior to their presentation, and he anticipates they will have Mr. Lynn Morse, a local attorney, review this document. He outlined the details of the permanent easement, and envisioned Exeter Maine Realty would monitor the rights for the newly created spaces. Mr. Campbell questioned what would happen if down the line EMR was responsible for maintenance and they do not maintain it and someone slips and falls? Mr. Donahue said they would add each other as 'cross-insured.' Mr. Campbell said they could ask Mr. Lynn Morse about the legal ramifications.

Chairman Binette asked about the easement between the building and Town Hall. Mr. Donahue clarified this would be for temporary usage. Chairman Binette asked if anything would be demolished, and Mr. Szanton reassured Chairman Binette that when construction is complete, everything will be returned as it was.

Chairman Binette then questioned what would happen in November when elections are held. The proposed easement on the side of the Town Hall would interfere with the handicap entrance and exit. Mr. Szanton said with notice of the specific days, he would ensure the handicap entrance is cleared and there will be no construction interference.

Mr. Eastman asked how much of the footing would actually be below the sidewalk. Mr. Clifford responded that he was unsure the exact amount, but he estimated it would be about two feet. Mr. Donahue added that he checked with Ms. Linda Hartson, Town Clerk, and Mr. Keith Noyes, Public Works Director, to determine the levels of interest of the Town, and the Town owns the top level but nothing below that.

Mr. Ingram felt at this point, they should vote to have Mr. Dean bring drafts to the appropriate parties in order to make a recommendation.

Mr. Pace moved the Board of Selectmen to pass along the Temporary Construction Easement Deed to the Town Manager for review with Lynn Morse; second by Mr. Ingram. VOTE: Unanimous.

Mr. Pace moved the Board of Selectmen to pass along the draft of the Mutual Cross Easement Agreement to the Town Manager to review with Lynn Morse and ensure the Town's best interests are preserved; second by Mr. Ingram. VOTE: Unanimous.

Mr. Szanton also wanted to speak with the Board about one additional topic. He had a conceptual meeting with Mr. Dean and was hoping to get agreement on an idea he had on parking for bank customers during the temporary construction. In EMR's original agreement with Citizen's Bank, it was agreed to have 14 parking spaces for Citizen's Bank customers to use. Their original thought was that customers could park where the back section will eventually be built, and then when the lower level is completed, they could have them park in the lower level of the garage while construction begins on the back section. With this plan, the contractor thought it would add an additional three months of construction to the timeline of the project. In addition, they did not feel the bank customers would feel comfortable parking on a construction site.

Mr. Szanton had an idea to use space along Water Street, currently a sidewalk, to create more parking spaces along Water Street. That would create at least eight additional spaces. Mr. Szanton then proposed they rent spaces from the Town for a small fee.

At this time, Mr. Pace excused himself from the discussion, since Citizen's Bank is his employer (although he does not work at this branch).

Mr. Szanton said they have looked to see if they could go to other spots as well, and they are willing to discuss other options.

Chairman Binette asked for clarification for the spaces on Water Street. He asked if they actually needed these spaces. Mr. Clifford explained they were actually for the Citizen's Bank customers. Chairman Binette was concerned that by marking these spaces "Bank Only" they are displacing other residents and shoppers hoping to go into the downtown area. Chairman Binette felt this would congest the downtown area even more, and he wondered if they were going to guarantee having a security officer there to help direct traffic.

Mr. Szanton said they would do their best to schedule deliveries during non-rush hour times. He agreed that construction of this type is tricky and there are a number of parties affected. He assured the Board that they would be in constant communication with all involved residents, town officials, store owners, etc. to try to balance the interruptions.

Chairman Binette pointed out he did not hear Mr. Szanton address the issue of a security officer. He feels it is congested enough downtown and he would hate to see a cement mixer come out and interrupt traffic without an officer present to help control the process. Mr. Clifford felt they could accommodate that request, and Chairman Binette reminded him it would be at their expense. Mr. Clifford added they would be having a detailed meeting with all involved parties, including police, fire, residents, store owners, etc. to keep them abreast of the project. Chairman Binette felt comfortable waiting until after that meeting before making a decision.

Mr. Campbell referenced an idea that was brought up at a previous meeting. He remembered discussing parking at the Presbyterian Church. Mr. Szanton said the Bank was hesitant to have other parking spaces farther away that may deter customers.

Mr. Ingram spoke of his experience on Center Street. He said there are typically 4-5 open spaces to park when he is in that area. He felt if there is not a spot right there, it is usually easy enough to find another. Mr. Ingram felt that since it was only for three months, it would not cause a significant problem for people.

Chairman Binette feels as though more and more is being taken from shoppers and residents. He feels they want to take more and give it to the Bank's customers, and Chairman Binette does not support this.

Mr. Ingram felt the interest of the Town is served by allowing these spots for a short amount of time in order to shorten the total construction time for the project.

Mr. Campbell thought it would be beneficial to look at the other entrance to Citizen's Bank as well. Mr. Szanton said that when looking at the plan, he forgot there was another entrance into the bank.

There are other spots closer to the alternative entrance, so it would be possible to move two spots to Williams Court, near the Lad's Lane intersection. Mr. Campbell felt that seemed like a better idea.

Mr. Szanton reiterated that the goal of finding temporary parking spaces is to get the bank's customers into the new parking garage as quickly as possible.

Mr. Ingram thought our best bet is to do a conditional motion to have Russ continue working on this and come back to the Board with a recommendation. Chairman Binette wondered why they needed agreement tonight on this issue. Mr. Szanton explained he would like to go back to the bank and let them know he has support to make this happen.

Mr. Szanton suggested they approve the plan barring two conditions. First, they move the spots closer to the alternative entrance, and two, provided the meeting with the department managers, safety personnel and residents goes successfully.

Mr. Eastman is fine with that suggestion, but he is concerned with the idea of renting parking spaces from the Town.

Mr. Ingram is very comfortable that the technical team can do their jobs. He has confidence in Jennifer Perry (Town Engineer), the Town Planner, the Fire Chief and the Chief of Police. Mr. Ingram felt if they can get this moving for September and get the three months of construction in before the winter, the Town will benefit greatly.

Mr. Ingram moved the Board of Selectmen support the concept of finding temporary parking spaces for Citizen's Bank customers and authorize Mr. Dean and the technical team to work out the details and bring the Board of Selectmen a recommendation that serves the best interest of the Town; second by Mr. Campbell. VOTE: 3 -1 (Mr. Pace abstained)

6. Authorize Town Manager to Execute Grant Agreement: Water Tank & Distribution Systems Project.

Mr. Dean explained this is a request from the Town Manager for the Board to authorize him to execute paperwork to begin the process for the Water Tank & Distribution Systems Project. Public Works is prepared to submit their application for a grant from the Department of Environmental Services for a revolving loan for this project.

Mr. Eastman moved the Board of Selectmen authorize the Town Manager to apply for and execute an SRF loan agreement with the State of New Hampshire for the Water Tank and pipeline project; second by Mr. Campbell. VOTE: Unanimous.

7. Heritage Commission Appointments.

Mr. Ingram asked the Board if they could delay this discussion until Judy Rowan was present. The Board agreed.

8. Adopt Water & Sewer Advisory Committee Charge.

Mr. Dean referenced the draft of the Water & Sewer Advisory Committee Charge that he read at the last meeting.

Mr. Bob Kelly, Chairman of the Water & Sewer Advisory Committee, was present for questions and stated that there were only a couple changes from that draft – they added that they would provide input on various projects as necessary and as appropriate. Mr. Dean pointed to # 5 on the new charge. Mr. Campbell also mentioned that # 4 was slightly altered from last time as well.

Mr. Kelly added it felt good after 17 years to officially have a charge for their committee.

Mr. Ingram move the Board of Selectmen adopt the charge of the Water & Sewer Advisory Committee as presented; second by Mr. Eastman. VOTE: Unanimous.

9. Review Ambulance Bid Timeline.

Fire Chief Brian Comeau was present with a request to start the bid process for the replacement ambulance sooner than originally anticipated. Typically they start the bid process in October, but there are two main reasons he would like to begin this process now.

First, Ford will be changing the chassis next year, so if the Fire Department waits, they will have the new chassis and because of this, the chassis could be in short supply in 2007 and could increase the build time.

Second, Ford is also changing to a new diesel engine to comply with new standards. This engine is still unproven, and the Fire Department is very happy with the performance of the engine in the ambulance they already have.

By bidding early, they can ensure they will receive the ambulance that they would like, and they will not have to worry about delaying its arrival. If they bid the ambulance this summer, they would not receive it until the end of 2006. Right now the non-bid estimate is \$167,000 and the ambulance fund currently has \$290,000 remaining.

The Board was in agreement that this would make sense and they approved his request.

7. Heritage Commission Appointments.

The Board returned to this agenda item at this time. Mr. Ingram began speaking to Ms. Judy Rowan's recommendations that were given to each member of the Board. After some discussion about whether or not this type of discussion should be held in a public forum, Ms. Rowan arrived and it was decided to continue the discussion as it was related to a public committee and not a personnel matter.

Ms. Rowan discussed how a group of citizens have been meeting in order to establish the Heritage Commission. A number of nominations came in, and the group tried to ferret out a broad range of people.

Mr. Pace was curious about the line in the selection criteria that stated they need to be “preservation-minded.” She said that the majority of the verbiage, including this statement, was taken from paperwork she gathered from the State.

Mr. Michael Lambert approached the microphone and felt that when you’re discussing historical issues, he felt a group like this *should* be preservation-minded. Mr. Lambert felt he would more comfortable to know the history of the downtown is being preserved.

Mr. Campbell asked if this would be different from other Boards in that members did not need to be interviewed by the Board of Selectmen prior to their appointment. Mr. Ingram said it was not, and he pointed out that the only reason it was presented in this fashion was just for efficiency sake. Since the commission is just starting, they felt it would be helpful to make recommendations for the Selectmen and to appoint them all at once and then stagger their terms. Instead of having the Board spend weeks to interview each applicant, they can make one blanket appointment and allow the commission to get up and running. As members’ terms expire, the Board will then interview new applicants as they typically do.

Mr. Pace was not concerned about interviewing candidates, but he was concerned with how the process was handled for those applicants who were interested but not chosen. Mr. Ingram suggested they tabling the discussion and asking Ms. Rowan to contact each applicant and have them apply individually to the Board.

Mr. Ingram pointed out that it is now July, and the voters approved this commission in March. The intention of doing it this was to help get the committee up and running. Mr. Ingram also reminded the Board that this is an advisory committee and they have no authorized power.

Mr. Pace wondered how those individuals not chosen felt about the decision – did they feel slighted or are they expecting to be included in the group? Mr. Ingram did not feel that a decision was required tonight, so he suggested Ms. Rowan call those nominated who were interested and not chosen to make sure they are comfortable with the situation, and then she can report back to the Board and give them assurance everyone is aware of the situation. Chairman Binette agreed that he did not want people thinking they were being included and finding out they were not.

The Board agreed to revisit this discussion at their next meeting in two weeks.

12. Town Manager’s Report.

- Next Board of Selectmen Meeting will be held on July 31st, 2006.
- The Revolutionary War Days (now called the American Independence Festival) will be held this Saturday. Detailed information can be found on the American Independence Museum’s website, www.independencemuseum.org.
- The Town is asking all those with flood damage from last week’s storm to check with their homeowner’s insurance first. There are also extended hours at the Transfer Station. It was open yesterday from 9 am – 2:30 pm and will be open this Sunday, July 23rd, from 9 am to 2:30 pm as well. Additional dumpsters have again been brought in for storm-damaged items. For more information you can contact the Department of Public Works at 773-6157.

- The Office of Energy and Planning sent us information on “What You Need to Know About Federal Disaster Assistance & National Flood Insurance.” (Document Attached) This information will also be available on our web site as well as at the Town Office.
- Thank you to all public safety, public works, and all town departments for their help and response after last week’s storm. It’s left everyone wondering “What’s next?” Short of a tornado, it’s about as intense of a storm as it gets.
- We are happy to report that Walgreen’s is now open for business after much help from the fire department, the building inspector and other contractors who helped them get back on their feet.
- The storm also caused damage to the Water Treatment Plan, which caused problems with production. They weren’t sure if they would be able to get water to people, but with a lot of hard work by the water treatment plant operators they were able to get through. For the second time there was a borderline flooding issue.
- Mr. Dean recognized Mr. Frank Winterer who retired on July 12th from the Police Department. He was a long-time employee and is well-known from his work with the school district and we wish him the best in his retirement.
- The CIP Program is underway and going well. At this time, they are narrowing down the Town Office/Town Hall project and more details will be coming soon.

18. Permits.

Mr. Dean presented the following for action:

- CMS Chamber Choir requested to use the Bandstand and also block off 2 parking spaces next to the Bandstand on September 16, 2006 for a Plant Sale. This is a school event and they requested the fee be waived.
- New Outlook Teen Center requested to use the Town Hall – Main Floor with stage use for a rock and roll show for local acts. The event will be held on August 25, 2006 from 4:00 pm – 11:30 pm. They requested the fees be waived.
- The First Unitarian Society of Exeter requested to use the Town Hall – Main Floor with stage use for a peace concert on August 6, 2006 from 11:00 am to 6:00 pm.
- Jeanette Lackey of 32 Pine Street requested to hold a block party on Saturday, September 9th (rain date September 10th) from 2 pm to 8 pm.
- RCA – Head Start requested to use the Wheelwright Room on Wednesday, August 2nd from 9:15 am – 11:30 am for a Policy Council By-Laws Committee Meeting
- The Quota Club of Greater Portsmouth wanted to alter their previously approved permit for October 21st. In lieu of selling apples and cider as originally planned for the Bandstand, they would like to have live music provided by area musicians.
- The Kiwanis requested to use the Bandstand and block parking spaces off by the Bandstand on Saturday, July 22nd from 8 am – 3 pm to sell hot dogs at the American Independence Festival.

Mr. Campbell moved to approve all permits as stated; second by Mr. Ingram. VOTE: Unanimous.

19. Selectmen’s Committee Reports.

Mr. Pace Historic District Commission is meeting Thursday at 7:00 pm.

Mr. Campbell: Nothing to report at this time.

Mr. Ingram: Safety Committee is meeting Thursday at 9:00 am and the River Committee is also meeting Thursday at 9:00 am. There is no Council on Aging meeting.

Mr. Eastman: Nothing to report at this time.

Mr. Binette: Nothing to report at this time.

Public Comment: Mr. Michael Lambert was upset that an entire meeting went by and there was no mention of the falsification of records at the Water Treatment Plant. He feels this is a very serious situation and due to the lack of comment from the Town, he feels nothing is being done about it. He asked that management do a thorough audit of the entire department as this is not the first time there has been a problem in that department.

Chairman Binette explained his position on this matter and that he has been out of town. Mr. Dean indicated that action was taken when the investigation was completed. The public was informed at the Selectmen's Meeting on June 26th and the newspaper was given full details of the situation. The Department of Environmental Services and the Environmental Protection Agency have visited the Town and continue their investigation. Since it involves a personnel matter, Mr. Dean mentioned further comment was not possible because of due process issues with the affected employee at this time.

Mr. Pace made a motion to adjourn; second by Mr. Eastman. VOTE: Unanimous. Time: 9:05PM.

Respectfully submitted,

Julie A Lund
AA/HR Director

The following was received from the State of NH Office of Energy and Planning on July 17, 2006.

This information is to inform residents about federal disaster assistance, the risks of flooding, and the benefits of flood insurance. One of the most important facts about flood insurance is that all residents of an NFIP (National Flood Insurance Program) participating community, as Exeter is, are eligible to purchase flood insurance regardless of whether you live in the areas with the greatest risk of flooding, called special flood hazard areas on your community's Flood Insurance Rate Map.

What You Need to Know About Federal Disaster Assistance & National Flood Insurance

“Who needs flood insurance? If my home or business is ever flooded, disaster assistance will bail me out”

- Before most forms of federal disaster assistance can be offered, the President must declare a major disaster.
- The most common form of federal disaster assistance is a loan, which must be paid back with interest.
- The average federal Individuals & Households Program (IHP) award is around \$4000.
- To qualify for federal Home Repair Assistance, your home must have relatively minor damage that can be repaired quickly.
- You can't qualify for federal Rental Assistance unless your home has been heavily damaged or destroyed.

“We're not going to be flooded. This area has never flooded.”

- Floods are the most common, and most costly, natural disaster.
- In the past several years, about 60% of all Presidentially declared disasters involved flooding.
- Because more roads, buildings, and parking lots are being constructed where forests and meadows once stood, floods are becoming more severe throughout the U.S.
- In areas with the greatest risk of flooding, called Special Flood Hazard Areas (SFHAs), a building has a 26% chance of being flooded during a 30 year mortgage.
- About 20-25% of all flood insurance claims paid the NFIP are for property outside of SFHAs.

“Flood insurance is too expensive.”

- The average duration of a U.S. Small Business Administration (SBA) disaster home loan is 30 years.
- The recipient of a \$50,000 SBA residential disaster loan must pay back about \$240 a month at 4% interest.
- The average premium for federally backed flood insurance through the National Flood Insurance Program (NFIP) is about \$400 per year.

Flood insurance from the NFIP puts you in control. You won't have to wait in line to apply for disaster assistance. Homeowners, business owners, and renters all can buy flood insurance, as long as their communities participate in NFIP.

Flood insurance claims are paid even if a disaster is not declared by the President. And NFIP claims are paid promptly, so flood victims can recover quickly. If you file a flood insurance claim, you may request an advance partial payment for your immediate needs.

Flood insurance reimburses you for all covered losses. Homeowners can buy up to \$250,000 of coverage; businesses, up to \$500,000. Separate contents coverage is available, so renters can buy protection too.

For more information about the National Flood Insurance Program (NFIP) contact the NH Office of Energy & Planning (State Coordinating Agency for the NFIP) at 603-271-2155 or visit www.nh.gov/oep/programs/floodplainmanagement

Or call the NFIP at 1-800-427-4661 and visit www.fema.gov/business/nfip

For more information about flood insurance contact your insurance company or agent or visit www.floodsmart.gov.

For an agent referral, call 1-888-435-6637 or TDD 1-800-427-5593