

1. Convene the meeting.

Chairman Scafidi convened the Board at 7:02 PM on the above date. Also present: Joseph Pace, Robert Eastman, Robert Rowe and Paul Binette. Town Manager George Olson was absent.

2. Minutes of meeting of June 18, 2001.

Mr. Binette moved to waive the reading of the minutes and to accept them as submitted; second by Mr. Rowe. VOTE: Unanimous.

3. Bid awards: gasoline & diesel fuel.

Based upon the attached memo from Maintenance Supt. Kevin Smart, and concurred by the Town Manager, it is recommended the Town accept the bid from Irving Oil Corp for a two year contract. Mr. Binette noted he assumed they reviewed the bids carefully in protecting the Town's interests. *Mr. Binette moved to accept the recommendation and award the bid to Irving Oil Corp for both gasoline and diesel, for a two year period; second by Mr. Pace. VOTE: Unanimous.*

4. Cars parked in driveways, partially blocking the sidewalks.

Chairman Scafidi invited Police Chief Richard Kane to address the Board concerning the issue presented by Mr. Rowe at the previous meeting. Chief Kane reported that the issue of parked vehicles blocking sidewalks is handled on a case-by-case basis – it is not an issue for an automatic ticket. The officers seek out why the violation is taking place and it may be handled through discussion and/or a warning. Repeat offenders, however, receive tickets. Complaints regarding the issue are generally handled immediately, but the issue is at the officers' discretion: it is not a 'black and white' issue. Do we enforce parking? Yes, and since 7/1/99, 6500 tickets have been given from our Parking Enforcement Officer, Neal Jones, alone.

Mr. Rowe commented the issue is not just in his neighborhood but he has seen many more. With an increased number of residents walking for their health, he's concerned over a safety issue of having sidewalks clear so pedestrians need not walk into the street to pass. Chief Kane noted if a car is in a driveway and hanging out onto the crosswalk area, they may get a ticket. His department could write more tickets on this issue but he feels it is not a good idea. He prefers the 'case-by-case' issue. Mr. Rowe noted there are habitual offenders, particularly in the Front Street area. Chief Kane noted tickets are given and the matter goes away for a while. It then resurfaces: more tickets are given.

Mr. Binette asked of the matter (discussed at the last meeting) of the truck parking off Portsmouth Avenue. Chief Kane stated the resident was spoken to the day following the meeting, noting "enough is enough". The resident moved his camper out of the driveway and the truck now has space to park.

Mr. Binette expressed concern over the 'case-by-case' handling, noting if a policy is on the books, it should then be enforceable. He feels the enforcement of the offense should be increased or it should be removed. Mr. Eastman noted it can't be removed as it is a State Statute [RSA 265:69]. Mr. Binette stated the Board makes the policy and has the final say.

Mr. Pace thanked Chief Kane for his comments and feels the Chief will bring the Board's concerns back to the department for handling.

5. Sale and distribution of Leaf Bags.

This was the second round of discussion concerning the change to the Town's leaf bags. Mr. Olson recommended selling the brown leaf bags to resident for 45 cents each. The cost to vendors will be 42.5 cents each. Currently, the Town is the only available place to receive the bags and we request a donation of 30 cents. This was to be the second and final reading for the fee schedule, but Chairman Scafidi noted this is the first reading where money has been discussed. The second and final reading will be at the next meeting (July 16th).

6. Second reading of amendment to Health Dept. Reg. 1204.3.12 'Expiration of Licensees'

Chairman Scafidi read the amendment which states a 'license will expire when there is a change of ownership: when 50% or more of the facility's actual owners, partners or the corporation officers or association's officers change at the same time". Third and final reading will be on July 16th.

7. Request to address the Board re Jolly Rand Road Class A Trail – Gwen English.

Ms. English, representing the Coalition to Preserve Jolly Rand Road, requested signs be placed at each end of Jolly Rand Road to restrict motorized vehicles, noting on several occasions motorcycles and a jeep have been seen using the road. Since March 2000 Town Meeting, when the Town voted to convert Jolly Rand to a Class A Road, there has been increased use of the Road by foot traffic, including walkers, joggers, bicycles, cross-country skiers and snow shoers. The Conservation Commission included a letter of support for the Board also. Ms. English noted the vehicles degrade the trails with 4-wheeling, etc., as well as place the safety of the pedestrians in jeopardy. Jolly Rand Road also provides a safe trail to a variety of points without a person traveling on a main road to get to a destination.

The Board was provided with a copy of RSA 231-A:4 giving the Board the authority to regulate the use of the trail ("local governing body"). Mr. Binette asked what could we do with a Class A Road? Abutters can use the road to access their property vs. that of Class B which would prohibit any type of vehicle use. Mr. Binette asked if we would be stepping out of bounds now by placing signs up if the issue was not discussed when presented for Town Meeting? Donald Clement, Conservation Commission, noted the issue was discussed numerous times during Conservation Commission meetings and the Deliberative Session of Town Meeting. He also noted the issue is similar to that of the Town Forests, noting the Board has the authority to regulate them, without going before Town Meeting.

Mr. Scafidi commented that when the Town voted the Road as Class A, it came under the RSA's and State regulations. Mr. Pace about 'legislative body' vs. 'governing body'. The Board is the 'governing body'. Mr. Eastman asked of the abutters to Jolly Rand Road, noting probably only the Fraumani and Eno property owners could use the road to log, etc., Ms. English noted the use must be existing and cannot be any new property.

Mr. Binette stated he would prefer to wait till Town Meeting to decide on signage and *to refer it to Town Counsel. Mr. Rowe moved to ban motorized vehicles on a Class A Road, with the exception of landowners as allowed under State Statute; second by Mr. Pace. VOTE: 3-1.* Mrs. Blenk asked if the Board wished to refer to Counsel? Chairman Scafidi stated no.

8. Non-emergency requests to over-expend line items: air quality & roof repair.

A memo was received from Keith Noyes, Public Works Director, concerning three projects leading to over-expenditure of their respective line items. Mr. Olson has recommended the Board authorize the over-expenditure and to proceed. Mr. Noyes was present to answer questions.

Air Quality: Carbon Monoxide has been infiltrating the public works office areas and attempts to correct this have been futile. With the assistance of a mechanical engineer and heating/air conditioning contractor, Kevin Smart has developed a plan for improvements. The estimated cost is \$14,000. Mr. Noyes proposes 25% be paid from water building maintenance (21-2620), 25% from sewer building maintenance (31-2717) and 50% from public works complex building maintenance (1-2306). They will hold off replacing the salt shed room to offset the public works portion. The water & sewer portions would be absorbed by their operating budgets.

Mr. Binette asked if Mr. Noyes knew that money may be taken from these accounts during the preparation of the 2001 budget? Mr. Noyes noted money was put into the budget for exhaust fans but they were not effective. It also included manual controls for when the issue arises and measures needed to be taken. He did not know of the extra expenses. Mr. Binette asked what would he do if something else drastic happens to those line items? Mr. Noyes noted he prioritizes events, noting the salt shed roof was planned for this year but will be held off till next year because there is a safety issue involved here. Mr. Pace clarified that the 50% of the cost to the Public Works budget would be \$7000 (estimated)? Yes.

Mr. Rowe moved to authorize the expenses as noted, with 25% each from water and sewer and 50% of the expense from Public Works; second by Mr. Eastman. VOTE: 3-1.

Senior Citizen's Roof: The bid price for replacing the roof came in \$10,299 higher than the \$32,000 estimated and budgeted, contrary to the Public Safety Complex roof bid that came in \$20,000 less than estimated. This project should be completed as soon as possible. Mr. Noyes proposed the Board agree to proceed with the project and over the over-expenditure by holding off applying an asphalt shim to the lower part of High Street until next year. We are not able to pay the over-expenditure from the Public Safety roof account as those funds were through a warrant article.

Mr. Scafidi suggested the option of expending the overage from the Fund Balance, thereby still being able to shim High Street. Mr. Noyes noted we could also finish Haven Lane, as that area was not completed when the crews were in the area.

Mr. Pace moved to authorize \$10,299 be charged to the Fund Balance and to not under-expend the paving account and applying it to the overage; second by Mr. Rowe. VOTE: Unanimous.

Landfill Monitoring: A residential development is planned for property located adjacent to the closed landfill and ground water quality concerns have been raised. Our landfill environmental consultants have recommended we install monitoring wells between the landfill and the adjacent development for monitoring purposes. The estimated cost could reach \$45,000. Mr. Pace asked if the costs would be 100% on the Town and none with the developer? Yes. Mr. Rowe asked if this would come under "Superfund" monies? Mr. Noyes noted it could IF a problem was found, though we are low on the priority list.

Mr. Rowe moved to allow the \$45,000 from the Fund Balance for the wells and hydro-geologist expenses; second by Mr. Eastman. VOTE: Unanimous.

9. Permits:

- Project Prom/Graduation 2002 requested use of the Town Hall on September 14 & 15th for their annual yard sale and requested the rental fee be waived. **Mr. Pace moved to approve; second by Mr. Eastman. VOTE: Unanimous.**
- Exeter Chamber of Commerce requested use of the Town Hall main floor for the Festival of Trees from November 26 through 30th. **Mr. Pace moved to approve; second by Mr. Rowe. VOTE: Unanimous.**
- Maureen Barrows requested permission for a banner across Water Street to advertise the David Barrows' NH Bike Road Race from September 27 through October 8th. **Mr. Rowe moved to approve; second by Mr. Pace. VOTE: Unanimous.**
- Chamber of Commerce requested placement of bunting at the Bandstand from July 1 – 31st. **Mr. Rowe moved to approve; second by Mr. Pace. VOTE: Unanimous.**
- Chamber of Commerce requested place of bunting flags across Water Street in celebration of the Revolutionary War Days, July 1-31st. **Mr. Rowe moved to approve; second by Mr. Rowe. VOTE: Unanimous.**

10. Town Manager's Items: None

11. Selectmen's Committee Reports:

Mr. Binette – none.

Mr. Rowe – Safety Committee meeting was held and the air quality at DPW was discussed.

Mr. Eastman – the problem with the traffic lights at Alumni Drive were again discussed at the Planning Board meeting. The Attorney for the Hospital apologized, noting the Hospital owns the lights. The matter will be rediscussed at the next meeting.

Mr. Pace: Historic District met on June 21st. Their booklets will be distributed door-to-door soon.

[Mr. Scafidi asked if a permit had been received.] Conservation Commission meets July 10th.

Mr. Scafidi: No meetings to discuss, though he had several town announcements to make:

- The Town's offices will be closed Wednesday, July 4th.
- Trash and recycling will be delayed a day on Wednesday, Thursday and Friday.
- Band Concerts, at Swasey Bandstand, begin tonight and continue till July 30th, beginning at 7:30PM.
- Revolutionary War Days will be held July 20th and 21st, with fireworks on the 21st. The Chamber of Commerce invites all to attend and participate.

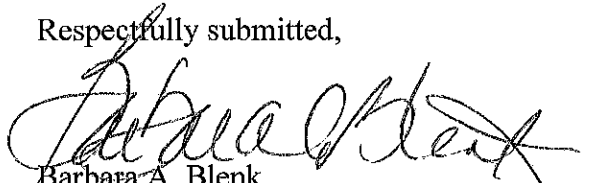
12. Public Comments:

- a. Front Street will be paved July 3rd beginning at noon. It should be open in the afternoon.

b. Dave Burden, 4 Charron Circle, asked if a 'turning arrow' could be placed in the left lane on Water Street that directs motorists around the Bandstand. Mr. Noyes had not noticed it hadn't been done and will check on it.

Mr. Rowe moved to adjourn; second by Mr. Eastman. VOTE: Unanimous. Time: 8:12PM

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara A. Blenk". The signature is written in black ink and is positioned above the printed name.

Barbara A. Blenk

:attach