

1. Convene the meeting.

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

2. Minutes of Selectmen’s meeting of July 26, 2004.

Mr. Binette moved to accept the minutes of the regular session of July 26th, as well as the non-public session prior to that meeting and the non-public session following the regular meeting, noting a change in date of the second non-public meeting from 7/27 to 7/26; second by Mr. Pace. VOTE: Unanimous.

3. Appointments to Boards and Committees.

Clerk Binette read the proposed appointments, based on interviews conducted on July 26th. They include:

Thomas DeVouton, Arts Committee	Regular position with term ending 4/30/07
Marc Carbonneau, Board of Adjustment	Alternate position with term ending 4/30/05
Jay Sullivan, Conservation Commission	Alternate position with term ending 4/30/06
Sandra Cross, Council on Aging	Regular position with term ending 4/30/07
Cynthia Childers, Planning Board	Alternate position with term ending 4/30/07

Mr. Ingram moved to accept the slate of appointments as presented; second by Mr. Pace. VOTE: Unanimous.

4. Creation of and appointments to Exeter River Committee.

Following discussion at the July 26th Selectmen’s meeting, and a meeting on July 22nd attended by Mr. Eastman and Mr. Ingram along with folks concerned about flooding, it was agreed a Committee would be formed to look into the issue of flooding on the Exeter River and the variety of demands placed upon the River. The suggested name would be “Exeter River Advisory Committee”.

Mr. Binette asked which Selectman of those two present at the meeting would like to serve on the Committee and serve as Chairman. It was recommended the Committee consist of 12 members: a selectman, three citizens, W/S Superintendent, Town Engineer, Fire Chief (representing the Fire Department) and a representative each from the Conservation Commission, Planning Board, Water & Sewer Advisory Committee, Phillips Exeter Academy and The Mill, the latter two because of their dependency upon the River. Mr. Ingram noted the various representatives of the boards and commissions are also citizens, not just Town reps.

Mr. Pace moved to create the “Exeter River Advisory Committee” with 12 members to serve, appointments to be made at a later date, following the charge to the Committee; second by Mr. Binette. VOTE: Unanimous.

Chairman Campbell asked residents interested in serving to contact the Town Manager.

Mr. Pace suggested the following charge: "A 12-person committee charged with providing direction to the Board of Selectmen in matters relating to the management of the Exeter River including, but not limited to, flood control, public and private water supplies, land use, environmental habitat, water use, public safety and water quality." Mr. Ingram noted "including but not limited to" could cover a variety of other items.

Brian Griset, 26 Cullen Way, suggesting changing the wording to stress the Little River and tributaries be included, as well as all 3 dams (Pickpocket and Colcord Pond) and not just the Great Dam. Pickpocket Dam has always been used in conjunction with the Great Dam and is critical to the ecosystem. He suggested the Committee be asked to:

- view how the water as supplied by all 3 dams and how the River is affected by each;
- review the water rights issue (back many years) and start forward
- review procedures on file with the State and if Town departments are in compliance with these procedures;
- have the authority to meet with State officials, to include discussions of quality and dam control, along with Fish & Game situations;
- survey property owners along the rivers;
- make concise evaluation of everything that has transpired, in order to make a recommendation to the Town;
- recommend immediate policy changes;
- suggest use of personnel @ Fire & Emergency Management with 24/7 coverage, rather than on-call personnel with DPW.

Mr. Griset stated the Town is under State order to reconstruction the dam but there is currently nothing listed in the Capital Improvement Plan or budget to handle this.

Don Clement, Conservation Commission Chairman, asked if 'recreation' was included in the charge, i.e. use of boats, fishing, etc., on the River. Mr. Pace suggested keeping the charge as a general statement and the Committee, once convened, should set their objectives to be approved by the Board.

Mr. Pace's suggested wording was discussed and several changes were brought forward for consideration.

Carol Waleryszak, 188 Court Street (Exeter Elms Campground) asked if flooding concerns were to be a part of the charge? Yes. She asked if current concerns could be discussed here or under "Other Business". Chairman Campbell suggested at the end.

Mr. Pace moved the amended charge to the Committee as "A 12-person committee charged with providing advice to the Board of Selectmen in all matters relating to the management of the Exeter River, its tributaries and watershed including, but not limited to, flood control, public and private water supplies, land use, environmental habitat, water use, recreation, public safety and water quality; second by Mr. Ingram. VOTE: Unanimous.

It was suggested that River issues be discussed now, with personnel present who could be answer questions.

Mrs. Waleryszak thanked the Board for forming the Committee but asked what was to be done in the interim, what procedures are in place concerning flooding. She stated the Campground had a very challenging weekend and, though the Great Dam was open and helpful, the dam was closed too soon and the river rose, flooding more sites. She noted the campground has been on site for 25 years and, as they are related to former Town Manager Ted Nowak, they feel they should receive some relief when they ask for it. DPW is closed on the weekend and the dam is not watched. The Police Department was not watching and nothing was done till her husband urgently requested the dam be opened.

Mr. Olson stated when there is a sense of a heavy rain fall, the plan is to reduce the level of the river to 1 foot below the top of the dam. Though this is not guaranteed, it is watched. It was dropped to the 1' mark this weekend. Mrs. Waleryszak called for common sense rather than the 1' mark, if a tropical storm is forecast. Chairman Campbell noted that policies are in place but dealing with the River is not always a precise science. Attempts are being made to gauge and the Town is not waiting for the committee to be appointed to address the items.

Mr. Olson explained the events for this past weekend: At a meeting Friday of Town personnel, it was decided to maintain the 1' mark due to the approach of Hurricane Charley. A DPW crew checked the dam at 10PM on Friday night and were asked to check again on Sunday afternoon in anticipation of the storm's arrival. The Police Department was also asked to check the level during shifts. Because the rains did not appear at the extent anticipated, the level went to 18" below. When the level goes below 1', Police Dispatch is to call Mr. Noyes and DPW crews will be sent to close the dam. Records are being kept regarding the impact and the number of inches of rain.

Mr. Noyes noted the dam was open to varying degrees all weekend when closed at 3:45PM on Sunday. Mrs. Waleryszak stated the river was up to the 1' mark on Saturday morning and the water was very high at her sites. Mr. Pace noted the Town is being responsive and working as effectively as they can, and they appreciate the responsiveness of citizens when they call and state the river is up and there is a problem. The Town will respond to inquiries.

Mr. Griset noted the Exeter River group met with the Town recently. Discussion involved a 3' drop at Great Dam is necessary to control flooding. However, the rainfall is up stream and when the rivers converge, it is important to include the operations at the Pickpocket Dam and Colcord Pond Dam. If all 3 dams are dropped 1', rather than just the Great Dam at 3', there would be better control of the river. He was told nothing is done with the other two dams, but he feels they are even more important than the Great Dam. He suggested using the data at the Haigh Road area by Pickpocket, which reports back 31 days, allowing 'real time' monitoring. He noted this is all part of the procedures on file with the '97 agreements.

Seth Waleryszak, 188 Court Street, asked if the Board plans to make the information regarding dam closings public. Yes, available from the Town Manager. He noted Exeter Elms is more than a private business, with 1000+ visitors during the season they add to the local economy. He asked the Board to please consider this when making decisions.

5. Request to put new Water Treatment Plant out to bid in fall of 2004.

Mr. Olson reviewed a memo from Robert Kelly, Chairman of the Water & Sewer Advisory Committee (attached) requesting the Board approve the release of \$50,000 from the Water reserves to

provide bidding services. The Committee feels a more accurate construction cost would provide for a more concise user rate, as well as for better figures to be available for the Town Meeting vote.

Victoria Del Greco, W/S Supt, noted by bidding now it would also add 3 months to a very critical construction season, which would be lost if bid after Town Meeting in March. With the bid in hand, and approval at Town Meeting, construction could begin in the spring. She reminded viewers the plant is getting older and more costly to run.

Mr. Pace noted the Board has been criticized in the past when a project is approved at Town Meeting but the bid costs come in higher. This will remove the guesswork. It was noted that if the bid is accepted but the project not approved, the Town is not held responsible to continue with the process

Herb Moyer, member of the W/S Advisory Committee, expressed concern on whether a fixed bid price could be held for that period of time (from bid opening till after Town Meeting). Bill Meserve (CDM representative) noted prices are usually locked for 6+ months and with bids due in November and the project to begin in April, the issue shouldn't be a problem.

Ms. Del Greco noted the \$50,000 provides for plans and mapping provided for contractors, hours spent preparing the package as well as any addendums, the pre-bid conference and reviewing the bids once opened. Arthur Baillargeon, Tremont Street, asked if the bidding process should exceed the \$50,000 what would be done. Ms. Del Greco noted it will not exceed the \$50,000, as CDM has been put on notice of same.

Michael Lambert, Locust Avenue, noted he voted against the Plant for a number of reasons. He stated the project is not just the Plant but includes intake pipes and increasing the water from the River. With increased capacity comes higher rates and the possibility of extending water to others which would increase development. He understands discussions continue between the Town and Aquarian concerning a Hampton hook-up. He reminded the Board that with the higher capacity at the Plant and development in the area, if the Town sells water outside the Town, the State's Utility Commission becomes involved in the rate structure.

Mr. Lambert stated the Plant has only flooded twice and perhaps there are other ways to protect the plant, such as dikes, etc.

Mr. Noyes reported there is no on-going discussion with Aquarian or anyone else about selling water outside of Exeter. He noted the sizing of the new plant will meet the Town's needs for the next 20 years.

Mr. Griset stated he supports the concept of the new plant but projects refer to the plant design at 3 million gallons, which would include the entire town. Based on population models, "which are outdated", the worst case scenario would require 3 million. He also noted the Capital Improvement Plan calls for \$4.4M for a new tank, storage capacity and additional designs. There are a series of issues: building something to capacity but not wanting it empty. The current average per day is 1.3 million gallons. There may be 3 million gallons at peak, in 20 years, if all of the Town is connected.

Mr. Griset's concerns also include building a plant to handle that capacity involving the Exeter River and it would cause a conflict between rates and moving water. He noted the dam was raised to allow for additional storage and the Master Plan calls for interconnect with Hampton. He asked the Board to give assurances on rates, based on the plant size and not cause a new battle in flooding properties again.

Mr. Olson corrected Mr. Griset: the dam has not been raised to provide more water. He noted the dam was raised by the State Fish & Game for their fishery, through an earlier arrangement with Fish & Game and Milligan. The Town has not done this. Mr. Griset stated he thought he said the water level standards and procedures have changed. Mr. Moyer reiterated there is no on-going discussion with anyone about selling water. He invited Mr. Griset to the next meeting of the Water & Sewer Advisory Committee in order to ask the appropriate questions and receive answers.

Mr. Pace moved to authorize the release of \$50,000 from the water reserve for pre-bidding the Water Treatment Plant in preparation of the March Town Meeting; second by Mr. Ingram. VOTE: Unanimous.

6. Permits:

- Exeter Firefighters requested permission to block spaces by the Bandstand for their annual MDA Boot Drive on Saturday, August 21st from 8AM to 12 Noon.
- Seacoast Progressive Alliance requested use of the Town Hall on August 22nd from 2-5PM for the showing of a film involving prescription drug programs. They requested a waiver of the rental fee;
- Exeter Rotary requested permission to block spaces by the Bandstand for their apple sale on October 22nd from 8A-6P and the 23rd from 8A-2P;
- Seacoast Wind Ensemble requested use of the Town Hall on December 3rd from 6-10PM.

Mr. Pace moved to approve the 4 permits as read; second by Mr. Ingram. VOTE: Unanimous.

One World Language School of Lee requested permission for a banner to be placed over Water Street to advertise their upcoming language classes for kids, with the banner up August 20th through September 3rd. Discussion included the issue of marketing services and goods vs. fund raising by groups that consistently request banners. Though the school is a 501C3 (non-profit), they are working for themselves and not for the public. No action taken.

7. Town Manager's Items:

- The Town's offices will be closed on Labor Day. Trash & recycling will be one day late all week;
- Bandstand Medallions are on sale at the Town Office reception desk for \$20.00, with proceeds to benefit the Swasey Parkway Pavilion Fund;
- Yellow magnetic "support our troops" ribbons are on sale at the reception desk for \$5.00. A new shipment should be received this week. (note: Mrs. Blenk is working with the National Guard on needs and addresses).
- A recipe book, sponsored by the GFWC and includes recipes by Town residents and officials, is now on sale for \$20. To order, call 778-1827.

- Extra Town Reports covers were ordered and are available for pick-up as supplies last. Suitable for framing or safe-keeping.

8. Selectmen's Committee Reports:

- Mr. Binette noted the Recreation Advisory Committee has not met since last September and is looking for members to serve. In speaking with Recreation Director Mike Favreau, Mr. Binette noted they are looking at quarterly meetings. If interested, contact the Recreation Department for information. Also, the pool will be closed on Friday, August 20th for required filter work with the anticipation of reopening on Saturday. It is possible, however, that use for the remainder of the season is tentative pending the completion of the work.
- Mr. Pace noted the Town Manager Search is on-going and many resumes have been received both locally and nationally. The deadline is September 10th. Also, the Presbyterian Church will come before the Historic District Commission this Thursday at 7PM for plans review.
- Mr. Ingram: none.
- Mr. Campbell stressed citizens interested in serving on the Exeter River Advisory Committee should contact the Town Manager.

9. Public Comments:

Art Baillargeon, expressed concern over a safety issue on String Bridge, noting people continue to walk in the street 2 to 3 abreast and not use the sidewalk. He asked if better signage could be added to the area to promote using the sidewalk. Mr. Olson noted they could ask the Police to remind walkers they shouldn't be in the street but it's tough to dissuade people if they're foolish. The Board thanked Mr. Baillargeon for his input.

Donald Clement had several issues:

He thanked the Board for the creation of the Exeter River Advisory Committee and bringing components together. He stated he is currently a member of the Exeter River Local Advisory Committee which includes representation of all towns along the river.

At the Board's last meeting, Alan Bailey asked about inventory of Conservation Easements and property (see copy attached of "Public Comments"). Mr. Clement noted they are on file as well as being listed in the Town Report each year. They may also be viewed on the Planning Board's map of Exeter, showing both Town easements and any private easements and conservation land on record in town.

He reiterated the Conservation Commission IS the Town of Exeter, so when residents question what the Town owns and what Conservation owns and manages, they are same. Original easements are available for viewing in the Town Clerk's office and copies may be obtained in the Assessing office – the easements are public records.

Mr. Bailey questioned legal noticing of a meeting concerning the easements discussed at the 7/26th meeting. He has a copy of the News-Letter's tear sheet regarding the legal notice, as well as the notice posted at Town buildings. The notice includes specific parcels and are described by tax maps and lots.

Mr. Bailey also alluded that the Conservation Commission buys land to block development and 'though clever, it does not appear to be ethical'. Mr. Clement noted the Commission has no sinister plans. If a parcel is landlocked, there are not a lot of options for developers. If the Town purchases the land, usually to continue open space land, a developer could certainly approach the Town also – just as if contacting another property owner. The “motives” of the Commission are to protect land, as well as connect to larger contiguous properties.

Mr. Ingram moved to adjourn; second by Mr. Pace. VOTE: Unanimous. Time: 8:45PM.

Respectfully submitted,



Barbara A. Blenk
AA/HR Dir.

attach.