

RECEIVED
11/26/03
TOWN CLERK'S OFFICE
MINUTES

1. Convene the meeting.

Chairman Binette convened the Board at 7:00PM. Also present: Robert Eastman, William Campbell, Lionel Ingram, Joseph Pace and Town Manager George Olson.

2. Minutes of Selectmen's meeting of November 17, 2003.

***Mr. Pace moved to waive the reading and to accept them as submitted; second by Mr. Campbell.
VOTE: Unanimous.***

Chairman Binette spoke of the Town's loss this date with the fire taking the Presbyterian Church. The Church was built in 1845 by the Universalistic Society of Exeter for \$4,000. With declining membership they joined with the 1st Unitarian Society in 1854. Cranes are working to remove the bell, which was installed in 1849, designed by George H. Holbrich. The Board sends its sympathy to the parishioners.. He thanked the Salvation Army of Portland, ME for assisting with food for the firefighters throughout the day. He noted the food was donated by St. Michael's church. Today showed a strong community spirit and the board wishes the church members the best of everything.

3. Presentation on plans for the new Water Treatment Plant – Bob Kelly, Chairman-W/S Comm.

Robert Kelly, Chairman of the Water & Sewer Advisory Committee, spoke of the hard work the committee has done with the Public Works Department in detailing information to explain why the plant is needed. He presented a slide presentation on the various areas of concern.

Facilities: A portion of the plant was built in 1886 and the last upgrade was made in 1994. Most of the Plant does not meet codes – building, fire or electrical. The Plant is located in the 100 year flood zone but actually saw those floods in both 1954 and 1996, causing shut down of the plant and potential health problems. It was determined most feasible and cost-effective to move to higher ground.

Quality: Currently violates the Federal Safety Drinking Water Act revisions, which we have till 2006 as a grace period to better the situation. If not there will be significant fines.

Waste: The required backwash may take as much as 30% of the daily use (the standard is 10-15%). This adds costs and wastes resources at a cost of some \$500 per day.

Operator Safety: Access to most areas is through a confined, unsafe area. There should be a 24-hour attendant, which would currently be unsafe with only one on duty. There is also poor ventilation.

Fire Protection: The flow of water is inadequate in some critical areas of town (downtown, east end of town) and the current Plant is unable to regenerate water rapidly to those areas. He noted the Operator worked minute by minute today, during the fire, with the Foreman and Fire Chief to adequately keep water flowing.

Pump Station: The station, located by the PEA stadium, was built in 1974.

Conclusion: The existing plant is obsolete and unsafe; its vulnerable to flooding; it wastes water and it violates current standards. He noted the water is still good and safe to drink but may not be for long.

To do nothing but make improvements would cost an estimated \$16 million, which does not include the use of an alternate system while the reconstruction is on-going, but does include an estimated 25% contingency.

Recommendation: The Committee suggests building a new plant, outside the flood zone, on town land, sized for the projected town-demand. The design would include flexibility and new technology, as well as maintaining efficiency. The estimated construction cost is \$15.51 million.

Location is proposed east of the existing plant, east of Osram Sylvania, with access off Holland Way. There would be a 300' buffer zone from the Reservoir.

Mr. Ingram asked if there is that much of a buffer, would the Sportsmen's Club need to move? Mr. Kelly noted viewing the footprint, probably not but for safety and, in part, with Homeland Security and site issues, yes, they should. Mr. Binette thanked Mr. Kelly for the presentation.

4. Second reading – permitting hunting on the Raynes' Farm property.

Mr. Olson reported the first reading was on October 20th and was omitted on the last two agendas. This will add the Raynes' Farm property to those areas in Town where people may hunt (Section 705.3(c)). This includes all limitations that apply to the other areas in town. Final reading will be next week.

5. Third & final reading of 2-hour parking – school hours – Rockingham Feed parking lot.

Mr. Olson reported the spaces have been re-marked and the abutter's property lines have been designated. ***Mr. Campbell moved to approve posting the location as 2-hour parking-school hours; second by Mr. Ingram. VOTE: Unanimous.***

6. Cost adjustment for Planning Documents – Fee Schedule Change.

Mr. Eastman noted he was to present information on costs but the Planning Secretary is on vacation and was unable to retrieve that information. ***Mr. Eastman moved to table the issue till the next meeting when the information is available; second by Mr. Campbell. VOTE: Unanimous.***

7. Request to locate directional signs – Seacoast Mental Health Center

Dan Young, Facilities Manager at Seacoast Mental Health Center, was present to describe locations of directional signs he is requesting due to losing their access from the Exeter Hospital campus. The signs would be placed at the corners of Prospect Street (amended from the request of Highland Street) and Portsmouth Avenue, Prospect Street and Prospect Avenue, High Street and Buzell Avenue, Buzell Avenue and Auburn Street and at Auburn and Prospect Avenue – five in all. These would be signs purchased by the Town of Exeter according to Town specifications, installed by the Town and the Town would invoice Seacoast Mental Health. ***Mr. Pace moved to authorize placement of the five signs in response to Seacoast Mental Health's amended request, with the cost borne by them; second by Mr. Ingram. VOTE: Unanimous.***

8. Action to call Park Avenue Development's letter of credit for Captain's Meadow Phase II & to accept Captain's Meadow Phase II roadways.

Mr. Olson reported that, based upon correspondence received from the Developer's attorney, Charles Griffin dated November 21, 2003 (3rd para. "... Park Avenue Development Corp. now agrees that the roads should be turned over to the Town of Exeter in their "as is" condition."), he recommends the Board call the letter of credit.

Chris Demongenes, owner of Park Avenue, provided various documents describing why he came to this decision, noting it was political and not mechanical for not completing the roadway. He noted workers were deployed to do the roadway and they made adjustments to the catch basins but, based on a 'confrontational' visit with Mr. Noyes who stated there was "no way he would allow paving on Wednesday and Thursday..", as well as follow-up meetings regarding the issue, he was left with no choice. He stated he was shut down, based on a punch list of 41 uncompleted items, by the same person who just last week told him all was ready to go once catch basins and overlay were complete. He questions the legality of the Town calling the letter of credit and will contact his attorney. If called, he expects to be compensated for the work he has completed. He suggested handling this peacefully by him instructing the bank to turn over the balance to the Town, after he is compensated, and not involve the letter of credit.

Peter Bielicki, Moore Lane, President of the Association presented a timeline of events since 1997, which showed a pattern of not completing work on time. The issue is completing the roads. Public works has been there and knows the conditions – the punch list problems are massive. If this had been started when they were supposed to, it would be resolved by now. Now the manholes are raised and there are problems with the height – and the developer has graciously turned them over to the Town.

Mr. Demongenes replied by stating he is losing close to \$1 million in Captain's Meadows but he was intent on finishing what he started. There was much pressure to build the roads to be accepted.

Mr. Eastman moved to call the bond for Captain's Meadows Phase II; second by Mr. Pace. VOTE: Unanimous. Mr. Eastman moved to accept the roads in Captain's Meadows Phase II; second by Mr. Ingram. VOTE: Unanimous.

9. Acceptance of Windemere Lane, Squamscott Circle & Dearborn Brook Circle as Town roadways.

Mr. Olson reported the roadwork has been completed, inspected and the associated paperwork has been received. He recommends the roads be accepted. ***Mr. Pace moved to accept the roads, as noted, as Town roadways; second by Mr. Eastman. VOTE: Unanimous.***

10. Acceptance of Walter Scott Way as a Town roadway.

11. Acceptance of Blackford & Eno Drives as Town roadways.

Mr. Olson reported that in all cases, the roadway is complete and the paperwork has been received. The deeds, however, have not yet received. ***Mr. Pace moved to accept the roads as Town roadways but no action will be taken to maintain them till the appropriated deeds are accepted by Town Counsel; second by Mr. Campbell. VOTE: Unanimous.***

12. Authorization to lease space on Cross Road water tower to AT&T.

Mr. Olson explained the Water & Sewer Advisory Committee, along with Keith Noyes and Town Counsel, have been discussing the matter for several months. The Committee agreed to the concept in September and Mr. Noyes has been negotiating. Counsel has been involved and has reviewed and approved the agreement. The offer from AT&T is to pay the Town \$24,000 per year to use the Cross Road tower as a cell phone antenna. The Committee requests the proceeds go to the utility and not to the general fund since the water tower was constructed using utility funds.

Mr. Ingram asked what the area would look like. The nine antennae will not protrude above the tank and will be 4-5' high and 6" wide. The Town retains the ability to put antennae on the structure that may handle pump alarms in the future. Mr. Pace noted the price is \$24,000 in the first year with a 3% increase each year thereafter.

Mr. Eastman prefers the revenue go to the Town's general fund and not the water fund as that belongs to the users. Mr. Olson noted the tank was paid for by utility funds, generated by the sale of water and the appropriate revenues should go to the utility, but that's a board decision. Mr. Eastman noted they are all town facilities, regardless of the separate funds. He noted the antennae will serve all cell phones, not just those of water users. **Mr. Pace moved to authorize the Town Manager to execute a contract with AT & T to lease space on the Cross Road tower with all revenues going to the water fund; second by Mr. Campbell. VOTE: Unanimous.**

13. Permits:

- Exeter Toy Drive requests permission for a banner across Water Street, advertising to bring a toy to the Christmas Parade, from November 24 through December 8th. **Mr. Campbell moved; Mr. Pace seconded, to approve. VOTE: Unanimous.**
- Chamber of Commerce requested use of the Nowak Room on December 15th from 10:30-12 to announce the results of the Chamber Children's Fund. **Moved by Mr. Campbell, second by Mr. Pace, to approve. VOTE: Unanimous.**

14. Town Manager's Items:

- Next meeting is December 1st at 7PM
- Town's offices are closed Thursday and Friday of this week for the Thanksgiving holiday.
- Rubbish & recycling will not be collected Thursday. Thursday's collection will be Friday, Friday's will be Saturday.
- Parking ban begins December 1st through March 15th. There are currently 3 spaces left on Pleasant Street – come to the Town Office for a permit.
- Exeter Fire Department is accepting new, unwrapped toys along the Christmas parade route on December 6th, as part of their Toy Drive. For information, call 773-6133.
- DPW announced some discoloration will be found in residents' water due to the excessive amount of water used during today's fire. This is not a health hazard. Questions, call 778-0591 ext 157.

15. Selectmen's Committee Reports:

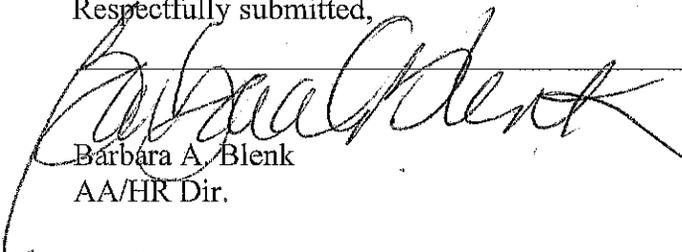
- Mr. Eastman: Planning Board met for the second time on the Watson Road development. They will be back next meeting. He asked on an update of the Bandstand. Mr. Olson reported the Bandstand will be available for Santa on the 4th and the parade on the 6th but not for decorating and the tree. They are still fabricating the roof.
- Mr. Campbell – none.
- Mr. Pace – Saturday, December 6th at 11:30, the elevator at the Town Hall will be dedicated. Also, this past Saturday, EHS Blue Hawks defeated the Winnacunnet Warriors to receive their second straight Division II championship. Congratulations to the team
- Mr. Ingram – Council on Aging met. The Linden Street Building Re-Use Committee is preparing a report.
- Mr. Binette – 25 fire departments participated in today's fire, from NH and Massachusetts. He would like to send thank you letters to all, with a few weeks, once the list is available.

16. Public Comments:

Mr. Noyes reminded residents of the meeting Tuesday, November 25th at 7PM in the Nowak Room where the engineers will present 2 designs dealing with the Water Street/Main Street intersection project. Once a consensus is determined, the project will be presented to the Board for action.

Mr. Pace moved to adjourn; second by Mr. Campbell. VOTE: Unanimous. Time: 8:30PM.

Respectfully submitted,



Barbara A. Blenk
AA/HR Dir.

attach.

AMENDMENT TO TOWN'S ORDINANCE:

Amend 103.2 Two-Hour parking limit – School Hours

Add to Front Street: Town parking lots adjacent to Front, Kossuth and Garfield Streets

Signed this 29th day of November, 2003.

Paul A. Biette

William E. Campbell

D.H. Estabrook

Lionel M.

J.W. Ben

Board of Selectmen

effect. 12/01/03