

1. Convene the meeting.

Chairman Binette convened the Board at 7:05PM on the above date with all present: William Campbell, Lionel Ingram, Joseph Pace, Robert Eastman and Town Manager George Olson. It was noted there was no television coverage as of yet.

2. Minutes of Selectmen's meetings of September 8 and September 15.

Mr. Pace moved to waive the reading of the minutes and to accept them, noting September 15th is amended (p. 6 2nd line under 'Jean Pynn' to read 'incline' not 'include'); second by Mr. Campbell. VOTE: Unanimous.

3. Bid openings:

Raynes property barn repair: No bids were received.

Vac-Con Truck sale: One bid received from Kent Clean Septic of Auburn NH for \$18,500. ***Mr. Eastman moved to award the truck to Kent Clean for \$18,500; second by Mr. Ingram. VOTE: Unanimous.***

Town Reports: Five bids were received (results attached). ***Mr. Pace moved to have the Town Manager and staff review and return with a recommendation; second by Mr. Campbell. VOTE: Unanimous.***

The Board took a brief hiatus while the TV crew arrived and set up for televising at 7:15PM. They reconvened at 7:24PM.

4. Bid award – Swasey Parkway lighting.

Mr. Olson recommended the low bid, Scarponi at \$61,675. He noted the work is being paid from the Warrant Article of 2002 for \$75,000 which was a carryover to 2003. The bids were opened on the 15th at 4PM with the Town Manager, Town Engineer and a Swasey Parkway Trustee present. ***Mr. Campbell moved to award the bid as recommended for \$61,675; second by Mr. Ingram. VOTE: Unanimous.***

5. Third and final reading of changes to ordinance 301 – Clifford Street to two-way.

Kathy Gallant, thanked the Board for their dedication and numbers of hours served in their positions, as well as their time in the review of this action and trusts whatever decision they make comes with great thought. However, on behalf of her Blue Moon store, the 425 petitioners urging the road back to 2-way, she stated what benefit it would be to return the road to its original 2-way.

Chairman Binette read a letter from Deborah Woods, Woods Law Office on Franklin Street (attached), as he has read others at previous meetings.

Mr. Ingram asked Ms. Gallant if she had reviewed DPW's recommendation of using the right-of-way? Ms. Gallant spoke with Al Lampert (of Al's Automotive) and there was concern over liability

of use by Blue Moon customers through his lot. A certificate of insurance could carryover to his lot as a rider but with large trucks entering and exiting, there is a concern for safety.

Al Lampert, spoke also of the liability issue as it's a private lot in a public way and any problems would fall back to Al's as the owners. The Town would not be taking the risk but his business would.

Mr. Binette commented to Ms. Gallant that following his review of her proposal for a delivery truck to back into her lot and be off road, he believes it would not fit. He noted even the loading zone, which would disappear if the road reverts to 2-way, is too small. Also, when the State reconfigured Portsmouth Avenue, many businesses along the Avenue faced traffic problems, with people now not able to take a left from their businesses, or those coming to their business must go past and return via a different route.

Mr. Eastman moved to return Clifford Street to two-way traffic; second by Mr. Ingram. VOTE: 2-3, motion defeated.

Ms. Gallant asked what steps could be taken to improve the situation on Clifford i.e. (a) all day parking vs. 2-hour parking; (b) directional signs; (c) Blue Moon signage (she has maxed the allowed square footage for signs and now her signs face the wrong direction); (d) the blue directional signs for Blue Moon. Mr. Binette stated a request to be placed on an agenda would appropriate, noting her concerns. Mr. Campbell asked if signage should go to DPW. Zoning Board would review her business signs; the blue directional signs are through the Board of Selectmen.

6. Second reading of change to parking on High Street.

The Board is considering changing to no parking the south curb line from 180' east of Gardner Street to Portsmouth Avenue, making the entire south curb line no parking from Portsmouth Avenue to Hampton Road.

Anthony Zwaan, 7 Marlboro Street, noted the dynamics of the traffic and parking in the neighborhood have been working better and expressed concerns:

- Everyone is happy as it is and why would there be change? The street abuts the PEA soccer fields and the Day School and there is a good balance between parking and traffic, after having met with parents of both events;
- Having High Street as no parking would make the area more dangerous as parking creates a traffic 'calming' – slowing traffic down;
- There are good intentions with the no parking and how it relates to the bike paths and pedestrian walkways, in principal, but these intentions are not always all good. He referred to the bike paths on Hampton Road, which is a good thing, but the downside of the paths and the widening of the Road is that the bike path is now being used as a passing lane on the right of people turning onto Guinea Road.

Kit Cornell, 69 High Street, noted she was stunned when she heard of the proposal for no parking in front of her home, particularly with no advance notice. There are only two dead-end roads in that area off High Street, presenting a very bad parking situation. She has a pottery business, as well as teaching classes and, contributes to the cultural and economics of the Town as an 'Arts Community' asset. She has spoken with the Town Manager and Phyllis Duffy, Engineering Technician, concerning the project and, though congratulated them on the Town being awarded a grant for the

funding of the Hampton Road/High Street project, she also noted the area under consideration this evening is not in the proposed plan of that grant. There are businesses in this area that do not have off-street parking (businesses granted prior to that requirement), as well as apartments – also granted prior to the requirement. There will be a hardship if the parking is removed.

Joan Gearty, Principal of the Exeter Day School, deals with 165 families and the School has been in place for 65 years. She expressed several concerns: (a) Safety, noting the car pool procedure has worked well and they do not block driveways but some do park on High Street; (b) they are not just a business but a service to the community, noting special events held with families bonding for lifelong friendships. Marlboro Street has parking on one side and she feels eliminating the parking on High Street would be a disservice to many. Everything now works – she can't see that it will if this is approved.

Mr. Campbell asked Ms. Gearty about parents picking up students, noting the cars wait in line on High Street and a jam is created. If the parking is taken away on High Street, the parents could then pull over and idle, forming a line from High Street to the School, making the area safer, with cars then able to pass along the cars heading out of town. Ms. Gearty noted it will make the line longer as many park their cars and walk to the School.

Helen Crowe, 65 High Street, suggested the Board consider other ways to communicate changes that will impact residents, noting she happened to view Channel 22 and saw a brief snippet mentioning this proposed change. Perhaps a colorful sign posted in the area for all to see, suggesting they come to the meeting in order to comment on the proposed change.] She suggested the change would be significant to her property, as Gardner Street would become more congested with increased parking. So far, the participants of the soccer clubs (using PEA property) have been responding well concerning parking in this residential area, as well as those involved with the School. This change would put a wrench in it.

Dick Miller, 30 High Street, stated his offices have been at that location for 36 years and includes dental and oral surgery and has been a good neighbor to the Town, with clearing out drains, fixing his lawn after winter damage from the plows, etc. He asked the Town to now be a good neighbor and not take the parking spaces away. The Day School uses his lot in the evenings and special events to help alleviate parking problems. He feels the congestion in that area is mostly caused by traffic coming down High Street waiting for the lights, with little congestion caused by those going up. The bike path is used mostly in early mornings or early evenings, not much during business hours and, in the area being considered, most use the sidewalks. More problems will be created then solved if the parking spaces are removed.

Carl Stevens, 61 High Street, supports the parents at the Day School and their parking and traffic patterns, even though he is greatly affected by the back-up of traffic at the lights.

Donna Hermann, 72 High Street, has off-street parking at her business but there is a different need among neighbors. The main problem with removing the spaces would be drivers using it as a three-lane road and the higher speeds it would bring on.

Roger Smyth, 66 High Street, thanked the board for their time and spoke of the traffic backup. Though he hates dealing with it, as a father of six he is more concerned of safety. If the parking spaces are removed, he feels the vehicle speeds will increase.

Mr. Campbell, who originally brought up the suggestion to remove the parking, noted the police do a great job of but are not able to be at one location all the time. He suggested the dynamics of the parking for both the Day School and the soccer be reviewed, as well as the other concerns stated this evening be reviewed over the next week. A question was raised on the soccer fields. Mr. Zwaan noted the Academy rents the fields to the Seacoast United Leagues, EHS for try-outs and the Exeter Youth Travel soccer leagues, all with very long seasons. He has contacted the Academy for help with dealing with safety noting that though Marlboro and Gardner are public ways and it's legal to park there, those involved must also respect the neighborhoods.

Mr. Ingram expressed concern that though the removal of the parking spaces would be an advantage to bicyclists, perhaps this should be taken off the agenda and revisit it again with a viable solution. Mr. Binette referred to the discussion last week of the High School parking and abutters. Mr. Ingram noted there is lots of time to discuss that issue if people actually park there. These residents will be affected with no parking. Perhaps DPW could review the change and recommend what the Board should do.

Mr. Campbell stated there may be people affected by the changes approved at the last meeting for upper High Street. Mr. Ingram stated yes, but no one showed up to voice their concerns. Discussion followed on how to remove the issue for discussion via withdrawal of motions, etc. It was decided to schedule a third reading with the Board voting not to favor a change.

7. Request to address the Board – Peter Bielicki, Pres., Captain's Meadows Homeowners Assn.

Mr. Bielicki, representing 52 homeowners, addressed the Board and requested the Board order DPW to complete Phase II of Captains Meadow and to make a claim against the letter of credit established as part of the June, 2003 agreement between Park Avenue Development and the Town of Exeter, which stated the completion date would be September 19, 2003. The residents do not wish to go through another winter as last year, noting the Town would not plow as the road had not been accepted and the developer only plowed a thing path through. There are major safety concerns to be addressed. He noted the manhole covers are above grade and sidewalks are not complete. He urged the Board to put pressure on DPW to complete. There has been no activity in the area by the developer within the last week.

Mr. Binette noted the Town Planner and Town Engineer are working on the request and should have a recommendation to the Board at their 29th meeting. Mr. Bielicki just wanted it on record that they need and request something be done.

Charles Griffin, attorney for Park Avenue Development, stated they have received recent correspondence and, though they did not meet the September 19th deadline, the contractors should be on site Tuesday or Wednesday to complete the work by the end of September. He will be in contact with Lynn Morse, the Town's attorney, within the week to review the punch list of items to be completed: 7-8 required by the Town, 4-5 of Homeowners' concerns and 2-3 administrative items. A new letter of credit was signed in June and is good through September, 2005. Road related items should be complete within two weeks.

Chris Demogenes, owner of Park Avenue, stated he was in total concurrence and will finish the project forthwith. He does not wish to plow again this year and noted there have been issues with the contractor. The contractor just finished Park Avenue's Beech Hill project, noting it was completed

last week but the Town required them to return with issues of headwalls. He assured the Board the asphalt work would be done by the end of this week or the next.

Mr. Demogenes stated all have the work schedule and he is not sure why the Town would be calling in the credit, noting he is committed to finishing the project. Money is not the issue but man-power is.

Mr. Binette asked if Mr. Demogenes understood everyone's frustrations and he must understand how the Town must react to residents' complaints. The Town is awaiting employee's reports on the project.

Mr. Pace stated there is a problem only if we meet again on the issue and it is not complete.

Mr. Eastman moved to table the issue till October 6th; second by Mr. Pace. VOTE: Unanimous.

8. Personnel Plan amendments.

Mr. Olson reminded the Board they have been routinely reviewing minor changes to the Personnel Plan. These changes have ranged from typos to the addition of language resulting from union negotiations. Some changes are warranted but should be acted upon by the Board.

Barbara Blenk, AA/HR Director, reviewed the few changes that may require board action (copy of memo attached). After discussion, it was decided that 9.9(g) and 13.3.2(d) would be further discussed by the sub-committee to develop appropriate language. With 9.9(g), there appears to be a distinct difference between the referenced PT recreational employees and those hired as seasonal full-time. With the Domestic Partner rider as referred to in 13.3.2 (d), the Board suggested a separate notation under "Definitions" that refers to the inclusion of a domestic partner in all areas of benefits when 'spouse' and 'immediate family' are referred.

Mr. Ingram moved to approve those changes noted in the June 11, 2003 memo except 9.9(g) and 13.3.2(d), and to return with proper language regarding those two; second by Mr. Campbell. VOTE: Unanimous. [Ed. note: 9.9(g) should reference 3.30 and not 3.29]

9. First reading of updated dog ordinance.

The ordinance has been re-written to reflect the NH RSA's more closely. There are actually few changes but it now reads like the RSA's and addresses the issue of fines, the primary concern of the Board from a meeting earlier this year. This is the first of three readings.

Mr. Pace noted the State should reexamine their fines noting they are extremely low.

10. Charging inspection fees for regional school district projects.

Mr. Olson reported this issue arose after last week's public hearing concerning the new High School. Historically the Town has waived any inspection fees for school or Seacoast School of Technology projects, probably the belief that it is all taxpayer money regardless of who is sponsoring the project. The question is: should the residents of Exeter cover the cost of inspections for a new high school that is being paid for and used also by other communities? At \$5 per \$1000 of constructions cost – if construction costs were as low as \$15 million, the fee would be \$75,000. Mr. Olson reminded the

Board that the Building Department expenses are covered by property taxes not income from fees, even though fees have exceeded expenses over the past few years.

Mr. Eastman reported he had requested discussion of this matter and feels adamant the construction costs should be shared by the five other SAU towns. He suggested the Planner could come up with a fee necessary to cover costs for all the reviews involved.

Mr. Ingram suggested this may be a 'cash cow', similar to that of the ambulance. Mr. Eastman reported that fees have been paid in the past for building permits relating to the school – some \$300-\$2500 range – though he did not have specifics. Mr. Ingram asked if it was possible to pass the expenses along to the other five towns with the Exeter taxpayer not paying at all. Mr. Pace stated, accounting-wise, it would be tough, as the School could then take the reduced figure and still split it among the six towns. It was noted that Oyster River was charged the fees from the town of Durham.

Mr. Pace stated it is basic fairness, noting a \$500 renovation and waiving the fee is certainly different with \$15 million spent and waiving those fees. ***Mr. Pace moved to inform the school we will be collecting the relevant building-related construction fees for the new high school; second by Mr. Eastman. VOTE: Unanimous.*** Mr. Eastman suggested bonding Old Town Farm Road and consider, also, the fire impact fees. Mr. Olson noted pictures are now being taken of the Road for comparison.

11. DES agreement for funding under Public Water System Emergency Interconnection Grant.

Mr. Olson reminded the Board that Keith Noyes, along with the Water/Sewer Advisory Committee, has been looking for financial assistance for a study of the Town's water rights to the Exeter River: an important element of the effort to build a new water treatment plant. A \$15,000 grant was sought and authorization from the Board is needed to accept this from DES. ***Mr. Pace moved to enter into and approve a grant agreement with the DES in the amount of \$15,000 to Exeter, and to authorize the Town Manager, George Olson, to sign such grant agreement on behalf of the Town; second by Mr. Ingram. VOTE: Unanimous.*** Mr. Pace noted this is a water study but called 'emergency interconnection'. Mr. Olson stated the grant will study our rights under the feasibility of outside emergency sources.

12. Proposed budget for 2004.

Mr. Olson presented the Board with his budget memo (copy attached), a copy of the proposed budget and the CIP package. The Board will review during this next week, comment and ask questions of department heads at next Monday's meeting and then vote to send along to the Budget Recommendations Committee for their review and recommendation back to the Board.

Mr. Eastman noted a five-year history will include revenues (last para. of 2nd page) along with expenditures. Mr. Campbell asked about the Water Treatment Plant inclusion. This effects water and sewer rates and not the tax rate.

Chairman Binette reminded the Board to chose which sub-committee they wished to participate on. This was decided prior to the meeting: Mr. Eastman – DPW; Mr. Campbell – Police/Fire; Mr. Pace – Social Service Agencies; Mr. Ingram – Town Office/Recreation/Library.

13. Permits:

- ❑ Exeter Rotary requested permission to block parking spaces in the vicinity of the Town Office for their annual apple/cider/pie sale on Friday, October 10th and Saturday, October 11th. **Mr. Eastman moved to approve; second by Mr. Campbell. VOTE: Unanimous.**
- ❑ Exeter Kiwanis requested permission to block spaces for their hot dog/beverage sale on October 11th, to work with Rotary on a suitable location. **Mr. Eastman moved to approve; second by Mr. Campbell. VOTE: Unanimous.**
- ❑ Exeter United Methodist Church requested the Town Hall on October 29th from 8-4 and October 30 from 8-10PM for an 'alternative to trick or treating'. With a religious flavor, they will conduct games associated with Halloween and pass out toys and candy at the conclusion. A certificate of insurance should arrive soon. **Mr. Pace moved to approve pending receipt of insurance and requiring floor protection; second by Mr. Eastman. VOTE: Unanimous.**
- ❑ Scarlett Ridgeway-Savage requested use of the Town Hall in her efforts to revitalize the Exeter Players, on December 11-14, 18-2, February 20-22, 27-29, March 20-22, 26-28. Mr. Olson noted there are still outstanding issues on the insurance and rental price. He asked for permission tonight to reserve the space and dates. **Mr. Eastman moved to approve; second by Mr. Pace. VOTE: Unanimous.** Mr. Binette asked to note they must stay out of the area out back behind the stage.

14. Town Manager's Items:

- ❑ Household hazardous waste pick-up is Saturday, October 4th from 8:30AM to 12 Noon at DPW on Newfields Road. Mr. Olson reviewed the items that could and could not be accepted, noting a 10 gallon limit.
- ❑ Fall pick-up (bulky items) is the week of November 3 through 7 with \$2.50 stickers available at the Town Office and Public Works.
- ❑ The Christmas Parade committee is still seeking someone to 'take the reins' and lead the charge. Interested persons may contact Kay Matthews at 772-5090.

15. Selectmen's Committee Reports:

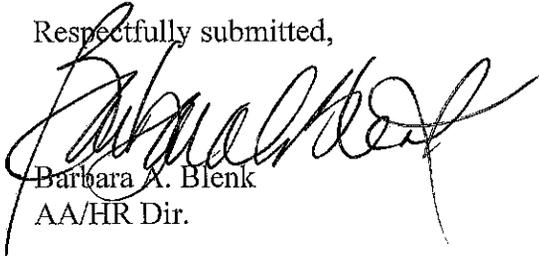
- ❑ Mr. Pace attended a Historic District Commission meeting viewing preliminary plans for the IOKA conversion, currently under a purchase and sales agreement. The potential owners hope to maintain the integrity and continue as a historic theater, but also enhance the inside, possibly with dinner-style seating while viewing movies & events. They plan on having a functional craft brewery.
- ❑ Mr. Ingram attended a meeting in Portsmouth with Rock. Planning Commission concerning Portsmouth's Master Plan. Portsmouth was asked to consider the effect of traffic on surrounding towns when considering growth. A Council on Aging meeting will be held Thursday, following the celebration of 25 years of Senior's luncheons.
- ❑ Mr. Eastman had a Planning Board meeting on Thursday where the CIP was discussed.
- ❑ Mr. Campbell attended a Water/Sewer Advisory meeting on Wednesday, reviewing options for the water treatment plant bond (length, rates, etc.).
- ❑ Mr. Binette had none but urged attendance at the Exeter-Winnacunnet football game this Saturday – a long-standing rivalry.

16. Public Comments:

Arthur Baillargeon, Tremont Street asked about the new building at Public Works. Does the building have a name (named after anyone) and will there be an open house? Probably – will check.

Mr. Pace moved to adjourn; second by Mr. Eastman. VOTE: Unanimous. Time: 9:43PM.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Barbara A. Blenk', is written over the typed name and title.

Barbara A. Blenk
AA/HR Dir.

attach.