

TRUSTEES OF THE TRUST FUNDS  
CITY OF PORTSMOUTH, NEW HAMPSHIRE  
MINUTES OF JUNE 19, 2014 MEETING

A regular meeting of the Trustees of the Trust Funds for the City of Portsmouth, New Hampshire was held on June 19, 2014 at the Planning Department Conference Room, 3<sup>rd</sup> Floor at Portsmouth City Hall. The meeting was called to order at 7:37 a.m.

Present were Trustees Phyllis Z. Eldridge, Dana S. Levenson and Thomas R. Watson. Also present were Peter Torrey, Michael Warhurst, Robert Sullivan, David Allen and Jeff McMenemy.

The minutes of the June 9, 2014 meeting were reviewed and, upon motion duly made and seconded, approved.

Payroll and operating expense checks were reviewed and signed.

Mr. Torrey presented his financial report. He presented a check in the amount of \$108,500 payable to Portsmouth Public Media, Inc. as the distribution to that entity from the proceeds received from Comcast under the cable agreement with the City of Portsmouth. He also presented a check from the Futures Fund in the amount of \$31,852.47 payable to the Portsmouth School Department as payment for its administrative role regarding the Futures Fund. He also reported on the receipt of a request by the Futures Fund to move \$5000 from its cash account to the investment account with H.M. Payson. After discussion, each of these disbursements was unanimously approved by the Trustees and the checks endorsed.

Mr. Torrey next reported on the receipt of a request by the City Manager to prepare for significant disbursements from the African Burying Ground Trust toward the cost of constructing the Memorial Park, scheduled to begin shortly. Mr. Allen confirmed that the City expects to sign the construction contracts within the next day or so. Mr. Torrey reported that, in order to prepare for the disbursements, it will be necessary to move funds from the money market accounts maintained for the African Burying Ground Trust into the trust's cash account. Mr. Torrey presented the documentation necessary to withdraw and transfer \$200,000 from the account at Provident Bank and \$200,000 from the account at First Colebrook Bank. After discussion, the transfers were unanimously approved by the Trustees and the documentation executed.

Mr. Torrey reported that final approval for the proposed increase in docking fees at the Park has been confirmed to be effective July 1, 2014. Consistent with the Trustees' earlier resolution, the increases will be deferred until the new docking system has been installed.

Mr. Warhurst presented his Park Report. He stated that a request has been received from Mr. Pennington to acquire and install in the Park a new style granite bench with a memorial engraving. A rendering of the proposed bench was distributed. Mr. Watson noted that there are still several of the Park's existing benches available for memorial engraving. Ms. Eldridge expressed her concern that approving a request for a new style of bench would establish precedent for other requests for new bench styles, thereby detracting from the uniformity of the park furniture currently in place. After further discussion, the Trustees unanimously resolved to

deny the request but invited Mr. Pennington to consider utilizing one of the current benches in the Park for his proposed memorial.

Mr. Warhurst advised the Trustees that there is a large tree on property abutting the Park which has been determined to be in advanced stage of disease. He noted that if it was to fall, it would likely cause substantial damage either falling in the direction of the formal garden, falling upon the new concession building or falling on the building which sits on the same property as the tree. He indicated that Public Works is aware of the situation and will offer to remove the tree at no cost to the owner as a matter of public safety.

Mr. Warhurst reported that he has received another inquiry from a potential seasonal boater on which he will follow-up. If this person chooses to rent a slip, that will leave one slip of those dedicated to seasonal rentals without a vessel. He reported that the individuals who had earlier expressed an interest in tying jet skis to the dock have not followed through.

Mr. Warhurst gave an update on the state of the fence in the vicinity of the whale sculpture. He reported on the estimated cost of replacing the fence but recommended that the fence be stabilized, instead of replaced, in anticipation of the sea wall upgrades that are expected in the next one-two years.

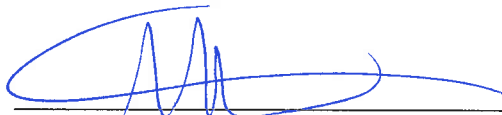
Ms. Eldridge reported that PPAF representatives were unable to attend this morning's meeting and, thus, she is unable to report on PPAF's acceptance of the proposed bathroom maintenance agreement. Ms. Eldridge reported on her receipt of a suggestion from a high school student to PPAF to broadcast World Cup soccer matches involving the United States in the Park. She noted that PPAF has not formally requested the right to add the matches to its programming. Because the next two U.S. matches will occur before the Trustees again meet, the Trustees discussed the concept of such additional programming and unanimously agreed to approve the broadcast of the next game on June 22<sup>nd</sup> should PPAF wish to do so. It was noted that the next U.S. game following the June 22<sup>nd</sup> match falls on June 26<sup>th</sup> and would conflict with a production of Shrek that evening.

A discussion ensued concerning PPAF's request for certain signage within the Park. Its request for installation of a "ice for sale" sign on the entrance gate to the docking areas (facing the docks) of the design and size earlier requested by PPAF was unanimously approved subject to the requirement that the rear side of the sign be painted a dark color. The Trustees declined to consider the request received by email from PPAF for a large sign to be installed on the perimeter fence which surrounds the backstage area because of a lack of detail about the dimensions and location of the sign. Ms. Eldridge will request that PPAF come forward with a specific proposal at a future meeting of the Trustees.

Ms. Eldridge next noted the request by PPAF to install a contributor plaque on the side of the new concession building listing donors to the project. Attorney Sullivan advised the Trustees that any signage on a city building involves public policy considerations and requires a city administrative review. Ms. Eldridge also noted that such signage is contrary to Park policies.

The chair reported that the next meeting will take place on July 10, 2014

There being no further business, upon motion duly made and seconded, the meeting was adjourned at 8:41 a.m.

A handwritten signature in blue ink, consisting of a large loop followed by several sharp peaks and a trailing line.

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Thomas R. Watson, Secretary