

TRUSTEES OF THE TRUST FUNDS
CITY OF PORTSMOUTH, NEW HAMPSHIRE
MINUTES OF APRIL 5, 2012 MEETING

A regular meeting of the Trustees of the Trust Funds for the City of Portsmouth, New Hampshire was held on April 5, 2012 at the 4th Floor Law Library at Portsmouth City Hall. The meeting was called to order at 7:30 a.m.

Present were Trustees Phyllis Z. Eldridge, Dana S. Levenson and Thomas R. Watson. Also present were Michael I. Warhurst; City Manager John Bohenko; Daniel W. O'Connor; Robert M. Snover; Virginia Skevington; Shannon Marshall; and Anna Nuttal.

The minutes of the March 22, 2012 meeting were reviewed. Mr. Levenson noted that the minutes require correction because they indicate that he was present for the meeting when he was out-of-town. Thereafter, upon motion duly made and seconded, the minutes, as corrected, were approved.

Payroll and operating expense checks were reviewed and signed.

Virginia Skevington, Shannon Marshall and Anna Nuttal addressed the Trustees on behalf of Arts in Reach ("AIR"). They gave an overview of the organization and its mission of mentoring young women in the arts as a method of developing confidence and life skills and helping the girls discover new and creative means of self-expression. They stated that AIR has developed a six-week summer arts series for 50 area girls. The goal of the series is to foster a level of commitment by the girls to their communities. Part of the series will be a collaborative effort by the girls to develop a piece of art that would be displayed publicly. The theme of the piece is "Women Revealed". They would like to display the piece in Prescott Park. AIR proposes to initially install the piece on July 19th for a brief period of public viewing to be removed the following weekend. AIR would like to reinstall the piece on August 17th or 18th for a couple of days in conjunction with an arts performance which AIR would like to hold in the stage area.

Ms. Nuttal described the concept of the art piece in more detail, emphasizing that the concept would encompass durability, esthetics, safety and placement. It would be secured to the ground in a fashion to minimize any damage to the grounds. AIR wishes to install it at a location which is proximate to the stage so that it would be visible to attendees during the performance. After further discussion, upon motion duly made and seconded, the Trustees unanimously voted to approve AIR's request to install the art piece in the park on condition that (a) AIR coordinate its dates for the installation and performance with Prescott Parks Arts Festival and (b) the actual location of the piece and its installation would be subject to approval by the park superintendent, Mr. Warhurst.

Robert M. Snover and Daniel W. O'Connor of Tighe & Bond, Inc. addressed the Board with respect to the dock replacement project. They provided an overview of the history of the project to replace the concrete floating docks currently adjacent to the park which were installed

in the 1980s. That history included inspection, development of cost projections, and efforts to locate a funding source. With respect to the last item, last year, the Trustees retained Joan LeBlanc of Kittery to write a grant request to the US Wildlife Service. Ultimately, the grant application was rejected because the project, as then designed, did not meet that agency's criteria. Mr. Snover and Mr. O'Connor were thereafter able to revise the design to meet the criteria. However, the deadline for submissions had passed.

Discussion then ensued about resubmission of an application for the next round of grants to take place in fall 2012. A number of questions were raised concerning final design of the project, the source of the permit fee (estimated to be approximately \$1,000) and the most appropriate applicant. Discussion also ensued concerning ownership of the docks after their construction, their management and method of repaying the difference between the total cost and the amount of available grant money. Mr. Bohenko joined in this discussion.

At the conclusion of the discussion, it was determined to arrange a meeting of the Trustees with Mr. Bohenko, City Attorney Sullivan and other City staff to examine issues associated with this project and to thereafter develop a concerted plan of action. That meeting was scheduled for May 3, 2012 at 7:30 a.m. In the interim, the Trustees resolved to engage the services of Joan LeBlanc for the next round of grant writing.

Ben Anderson of Prescott Parks Arts Festival then addressed the Trustees in support of the request set out in his letter of April 2, 2012 that PPAF be granted permission to use a dock slip during the 2012 season to house a 17' vessel used by the festival to assist with staff retention, morale, and performer and guest artists hospitality. Mr. Anderson proposed that permission to use the slip be incorporated into the annual agreement between the Trustees and PPAF. Ms. Eldridge noted that the Trustees are still waiting for responses from PPAF to their draft of the 2012 agreement and that she has been trying to coordinate a meeting with PPAF president, Sandi Hennequin, to discuss that agreement and the status and scope of the new power and concession buildings. After further discussion, the Trustees determined that Mr. Anderson's request should not be considered an isolation but, rather, be part of the discussion concerning the 2012 contract.

Ms. Eldridge reported her receipt of proposed dates from Ms. Hennequin for a Trustee-PPAF meeting. Of the dates presented, the Trustees chose April 23rd at 5:00 p.m. for the joint meeting. Ms. Eldridge will communicate this choice to Ms. Hennequin.

A discussion then ensued with respect to the Trustees schedule of meetings for April and May. With the addition of special meetings now scheduled for April 23rd and May 3rd, it was observed that it would not be necessary to have two regular meetings during the month of May. After further discussion, it was resolved to cancel the May 10th and the May 24th meetings and schedule a regular meeting on May 17th at 7:30 a.m.

Mr. Warhurst presented his update on the park. He reported the receipt of a repair estimate from Arron Sturgis of Preservation Timber Framing, Inc. in Berwick, Maine to raise the foundation and repair/replace the sills in the Shaw Building at a cost of \$26,240.

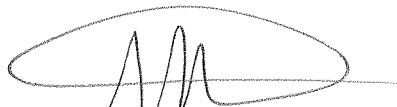
Mr. Warhurst reported that the reconstruction of the sidewalks on Marcy Street, previously scheduled for this spring, has now been rescheduled for the fall.

Finally, Mr. Warhurst reported receipt of a request from the New Hampshire Association for the Blind to hold a 100th anniversary celebration on Four Tree Island on May 31, 2012. This request has already been presented to and approved by City Attorney Sullivan. After further discussion, upon motion duly made and seconded, the Trustees resolved to approve the Association's request for the event subject to the proviso that there be no on-house financial solicitation associated with the event and that the Association otherwise comply with the park's usual rules and regulations.

By way of old business, Ms. Eldridge reminded the Trustees that there were two outstanding requests from the previous Board meeting which were then taken under advisement and which now required action. The first was the request of the New Hampshire Art Association to hold an art sale in the park. The second was the request of the Gundalow Company to set up a table in the park to sell Gundalow related materials, such as hats, tee-shirts, etc. An extended discussion then ensued with respect to the Trustees' concern about the growing requests for commercial activity in the park and the need to re-examine the policies governing park usage. The Trustees resolved to begin that process at the end of the current summer season. In the interim, it was discussed and determined that it would inappropriate to expand commercial-related activity in the park. Whereupon, upon motion duly made and seconded, it was unanimously voted to reject the request of the Gundalow Company and NHAA.

The chair reported that the next meeting will take place on April 19, 2012.

There being no further business, upon motion duly made and seconded, the meeting was adjourned at 9:21 a.m.

A handwritten signature in black ink, appearing to read 'T. Watson', is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval.

Thomas R. Watson, Secretary