

Select Board Meeting
Monday May 20th, 2019 7 PM
Town Offices, Nowak Room
Final Minutes

1. Call Meeting to Order

Members present: Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Niko Papakonstantis, and Russ Dean were present at this meeting. The meeting was called to order by Ms. Corson at 6:55 PM.

2. Board Interviews

- a. The Board went downstairs for an interview and the meeting reconvened at 7:02 PM.

3. Proclamations/Recognitions

- a. Town Clerk Andie Kohler announced the winners of the Top Dog contest.
- b. Ms. Corson said National Public Works week proclamation, May 19th through 25th. Mr. Papakonstantis read the proclamation:

Whereas, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the Town of Exeter, New Hampshire; and,

Whereas, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

Whereas, it is in the public interest for the citizens, civic leaders and children in the Town of Exeter to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and, Whereas, the year 2019 marks the 59th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

Resolved, we, the Exeter Select Board, do hereby designate the week May 19 - 25, 2019 as National Public Works Week; we urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

MOTION: Ms. Surman moved to adopt the National Public Works Week proclamation. Mr. Papakonstantis seconded. All were in favor.

4. Public Comment

John Donnell of 25 High Street opposed a proposal to turn an unoccupied PEA-owned house and property at 31 High Street into a satellite parking lot, because of its potential negative effects on his residential neighborhood and the PEA Observatory.

Lucy Sun, a junior at PEA, spoke in support of the sustainability office.

Jennifer Bracket Piskovitz of 22 Forest Street reminded the Board that on July 24 2017 the Board signed the Paris Climate accord, and read minutes from that meeting. That motion passed 4-0-1 with Ms. Surman abstaining, saying that citizens should be given the chance to vote for the agreement. Ms. Bracket Piskovitz pointed out that In the last town meeting, the citizens voted overwhelmingly in favor of Article 31 regarding the Sustainability Office, which the Board should see as a positive thing. She would like to see the Board make the sustainability advocates an official town committee.

Denise Short of 4 Sanborn Street spoke in support of the Sustainability Office. She said that in a prior meeting the Board had asked about the definition of sustainability, and she said that the UN defines the term as the ability of present generations to act in their interest while not compromising the ability of future generations to act in their interest. She also invoked the Precautionary Principle, saying that sometimes it's too late if we wait until we have absolute evidence that we need to act in order to prevent harm. As a town governing entity, lot of people are asking the Select Board for decisions, and a longer view of sustainability isn't the top priority. She argued that the Sustainability Office is a way to maximize the potential for focusing on sustainability.

Herb Moyer of 51 Westside Drive asked for an update on the progress of the creation of the Sustainability Office.

Ms. Corson responded that the advocates had been asked to meet with Mr. Dean and Ms. Corson last week, but that was cancelled, so rescheduling that meeting is next. The Board doesn't oppose it, they are trying to work with it. The Board wants to be clear on what the committee is and what the goals are, and the committee should include town staff. Ms. Corson wants this process to happen in a way that is good for all taxpayers and townspeople, which takes a little bit longer.

Mr. Papakonstantis said they'd had a good discussion on the sustainability office in the previous Select Board meeting, when the Energy Committee was on the agenda. The Board all thinks the sustainability effort is a positive thing, and the individuals should come back and work with Mr. Dean. He added that the position would have to go through the budget process.

Ms. Gilman said she is waiting to hear the sustainability advocates' proposals for staffing a sustainability office or committee.

Mr. Dean said that he has been able to review some material from the advocates, and the Town Planner has put together a few pages on sustainability initiatives in the town. There are several examples of other communities that have done sustainability offices, and he'd like to talk about their experiences.

Beverly Tappan, who lives at RiverWoods F214, spoke in support of the Right to a Healthy Climate ordinance. She said there are over 300 RiverWoods residents who receive alert letters on environmental issues, such as making less use of garbage disposals and creating river pollution.

Caroline Room of 69 Park Street spoke in support of the Sustainability Office.

Ms. Corson decided to address the Right to a Healthy Climate Ordinance at this time. She said that the people who put this ordinance on the warrant have asked to be on the agenda.

Maura Fay of 13 Forest Street, a member of the group that put the ordinance forward, provided a letter regarding this matter from Keira Kelly, an attorney at CELDF. Ms. Corson asked Ms. Fay to read the letter into the record, and Ms. Fay read the following:

Dear Exeter Select Board:

I am writing on behalf of Citizen Action for Exeter's Environment, which engaged the Community Environmental Legal Defense Fund in October of 2018 for assistance in drafting the Right to a Health Climate Ordinance. As CELDF's New Hampshire counsel, I have carefully reviewed the applicable law and our opinion is that the law requires you to sign and date the "Right to a Healthy Climate Ordinance" by following the procedure that NH RSA 31:128 outlines: "Certification shall be by the town or city clerk, or by the official enacting the legislation, or by the chairman, secretary or clerk of the board or body enacting the municipal legislation."

Standing alone, NH RSA 31:128 does not require a select board or a town clerk to sign and date all ordinances. The procedure outlined in RSA 31:128 does become mandatory, however, when laws that do impose binding obligations upon a select board or town clerk incorporate the RSA 31:128 procedure into their directives.

Both State law and the Exeter Select Board Operating Procedures require you to sign and date the Right to a Healthy Climate Ordinance.

NH RSA 41:8 requires select boards to "manage the prudential affairs of the town and perform the duties by law prescribed." The ordinance itself is a law that prescribes a duty to the Select Board: to sign and date the ordinance as outlined in RSA 31:128. Even if the decision to sign an ordinance is normally a prudential affair over which a select board has discretion, townspeople may override this discretion with a majority vote. Moulton v. Beals, 98 N.H. 461,464 (1954). By enacting an ordinance that prescribes a specific method for adopting the ordinance, Exeter voters have overridden any discretion that the Select Board may have had in this matter.

The Exeter Select Board Operating Procedures reiterate the Board's duty to abide by town ordinances. The Select Board "derives its authority from NH RSA 41:8, other NH RSA's, and Town Ordinances." (Operating Procedures, § 3). "Board members must abide by all Board decisions, policies, procedures, and ordinances." (Operating Procedures, § 8).

The Right to a Healthy Climate Ordinance prescribes a nondiscretionary duty to the Board to be "signed and dated by the town selectmen in accordance with NH RSA 31:128."

According to state law, Exeter Select Board's operating procedures, and this properly enacted local ordinance, the Select Board must sign and date the Right to a Healthy Climate Ordinance.

Neither the personal nor the legal opinions of Select Board members regarding the content or enforceability of the ordinance allows any Board member to violate this legal mandate.

*Thank you for your time and consideration of this matter,
Sincerely,
Kira Aakre Kelley
Attorney at Law*

MOTION: Mr. Papakonstantis moved to go into non-public session under the exception to RSA 91-A that allows consultation with legal counsel. Ms. Cowan seconded. Ms. Cowan asked if they could have a discussion with Mr. Mitchell in public. Mr. Papakonstantis said he'd like to talk with attorney Mitchell and come back to public session. Ms. Surman said that the letter from attorney Kelley only addresses the signature part of it, but she thought it was going to address the larger question. Ms. Fay said her group's only request and requirement was that the Board sign to certify the ordinance. Ms. Cowan repeated that she wanted to speak to attorney Mitchell in public. Mr. Papakonstantis rescinded his motion and Ms. Cowan rescinded her second.

Walter Mitchell of Mitchell Municipal Group, the Town Counsel, spoke regarding attorney Kelley's letter, saying that nothing in that letter causes him to change the opinion that he voiced earlier. He believes that attorney Kelley is misreading the purpose of 31:128. She reaches for support to an old case, *Moulton v Beals*, but a careful reading of that case would lead someone to the opposite conclusion of the one she reaches. That case had to do with whether a town meeting had the power to take over the responsibility for a litigation that the town was involved in. The Select Board's duties are to run the prudential affairs of this town. In 1954, the Court decided that the management of litigation was outside the prudential affairs of the town. He suggested that with a careful reading, attorney Kelley may change her opinion on it. The Board could sign the ordinance as a political statement, but in his opinion they have no legal obligation to sign. Signing of a piece of town legislation is not a normal step, 31:128 doesn't have anything to do with the Board in the adoption process of a Town Meeting ordinance. In fact, that statute has instead to do with verifying that the ordinance exists and has been legally adopted if someone wants to try to prove that in some other litigation. In that case, the Town Clerk would certify it.

Ms. Cowan asked whether deciding not to sign it prevents anyone from taking any of the actions prescribed in the article. Mr. Mitchell said that if there are actions that can be legally taken in that ordinance by individuals, the Board's signing has nothing to do with it. Ms. Cowan then asked what risks lie in signing it. Mr. Mitchell said that he could speculate that people may try to suck the town into an enforcement action. If a third party who owns property and wants to do something with it feels the need to defend himself by challenging the validity of the ordinance, that challenge, to make it binding on the town, would have to be against the town. Their signatures could be pointed to as the Select Board supporting the ordinance. Also, if that property owner were successful in invalidating the ordinance, he could potentially seek legal fees from the town.

Ms. Fay said that this is a statement of values by the citizens and voters of this town, and if they don't sign it, the Select Board is not acknowledging the decision-making power of

this town. Mr. Papakonstantis said the Board does take what the voters said seriously, and he's excited to continue the conversation with the advocates of the ordinance. His reservation regarding signing is because the legal counsel for the town is advising against it. Mr. Mitchell suggested that attorney Kelley misinterpreted the case law, and she's not here to speak to that.

Ms. Cowan asked Ms. Fay if the citizens who passed this petition lose anything by the Select Board not signing it. Ms. Fay responded that as attorney Mitchell stated, no. It's more of a symbolic gesture. Ms. Cowan said it's frustrating that it's devolved into a legal standoff, when what everyone wants is a good thing that passed by the voters. She's worried about potential harm to taxpayers and voters whether signing or not.

Ms. Surman said that the Board has to look at a potential lawsuit. With or without signing the ordinance, it's already binding, since the town legislative body voted it in. She would rather err on the side of the practical aspect; if someone did sue the Town, she would rather not have that extra certification.

Ms. Corson opened the discussion to the public.

Herb Moyer of 51 Westside Drive said he didn't hear Mr. Mitchell say that without signing, the Town has the same obligation to bring this warrant article into fruition. Mr. Mitchell said he would have to be asked that question by the Board. Ms. Cowan said this was the same as her question about not signing it. The citizens still have the rights described in this article.

Paul Royal of 3 Pumpkin Circle said that his reading is that the ordinance was effective immediately. He resents that if they don't sign it, it's interpreted as symbolic that they don't support the ordinance. Rather, it's symbolic that they take their responsibilities to the town very seriously, and don't want to put the town at further risk. He recommends that they don't sign. As a citizen, he doesn't want them to take on that risk to the town.

Ms. Corson closed the discussion to the public.

Mr. Papakonstantis said he's looking forward to working with the advocates of this ordinance, and he respects and takes seriously all of the voters and the fact that this passed. The desire to have the board certify this is symbolic, and he respects that, but asked what precedent this would set for future ordinances that aren't as positive.

MOTION: Ms. Gilman moved that the Board of Selectmen certify the vote on article 30 as passed at Town Meeting. Mr. Papakonstantis seconded for discussion. Ms. Gilman said that she sees how 31:128 could be interpreted in different ways, but what she sees in the RSA is that they should sign the ordinance. Ms. Gilman voted yea, and Ms. Cowan, Ms. Surman, Mr. Papakonstantis, and Ms. Corson voted nay. The motion failed 1-4-0.

5. Approval of Minutes

a. Regular Meeting: May 6th, 2019

Mr. Papakonstantis said that on page 2, he wanted the minutes to state that Rob Corson is the chair of the Facilities Committee. On page 7, in the Town Manager's report, he asked to correct Chief Poulin's first name to Stephan.

MOTION: Mr. Papakonstantis moved to accept the meeting minutes of May 6th 2019 as amended. Ms. Surman seconded. All were in favor.

6. Appointments - Planning Board

a. Appointments

MOTION: Mr. Papakonstantis moved to appoint Chris Weeks to Facilities Committee, term to expire 4/30/21. Ms. Gilman seconded. All were in favor.

MOTION: Mr. Papakonstantis moved to appoint Peter Steckler alternate position on the Planning Board, term to expire 4/30/22. Ms. Cowan seconded. All were in favor

MOTION: Ms. Cowan moved the Board appoint Briana Brand to the Energy Committee, no term. Mr. Papakonstantis seconded. All were in favor.

b. Resignations

MOTION: Mr. Papakonstantis regretfully accept Anne Torrez's resignation from the Rec Advisory Board. Ms. Surman seconded. All were in favor.

Nick Gray resigned as the HDC alternate from the Planning Board. Ms. Gilman said the Planning Board would handle that. Ms. Corson said they will move it to the Planning Board to discuss.

7. Discussion/Action Items

a. Right To A Healthy Climate Ordinance [see above]

b. Adopt Facilities Committee Revised Charge

Peter Lennon of 20 Cullen Way, a Facilities Committee member, spoke on that committee's revised and reformatted charge. One change they made to remove the language about a facilities renewal policy, since there were some questions about what "renewal" meant and how it was different from the facilities policy. The administrative details are the same as previous charge. The revisions eliminate a series of considerations, but they will still be considering those, they just want to incorporate other considerations as well. They would like the Board to approve the chart with goals and objectives for FY 19 and 20 and proposed timeline, with them fully involved in 2020 budget process. Ms. Surman asked if the Budget Committee knows how the Facilities Committee will be involved, and Mr. Lennon responded that they will be reaching out to all committees in the charge and seeking liaison positions. Mr. Papakonstantis said the Facilities Committee will be a great resource in the budget process, and he suggested introducing them at the budget kickoff meeting.

MOTION: Mr. Papakonstantis moved to adopt the Facilities Committee's revised charge. Ms. Surman seconded. All were in favor.

c. Public Works Project Updates

Ms. Corson asked Jennifer Perry, the Director of Public Works, to give an update on Public Works business around town, since the Board is getting a lot of phone calls. Ms. Perry said that there is a lot going on. Starting late Tuesday May 21 into early Wednesday morning, JA Polito will be doing the connection of the temporary forcemain in front of the Public Works driveway. This work must be done before they can start construction. When they're done work, they won't be returning until Thursday morning. SUR is going to be paving on Epping Road on Wednesday, so traffic will be delayed on Epping Road. There's still some shoulder work and

striping, but after Wednesday Epping Road delays will be minimized. The contractor will be returning in the late summer to install traffic lights. When Polito returns Thursday, they will commence construction of permanent sewer forcemains on Newfields Road. A detour will be in effect: Route 85 will be open to no outbound traffic on 85 and only open to local southbound traffic, there will be no through traffic until November.

Ms. Corson asked her to reiterate why this this project is important, and Ms. Perry said these sewer forcemains are part of the overall wastewater plant improvements. New forcemains will double our capacity, which will alleviate most sewer overflow. This is important to the Squamscott River and Great Bay. They have had breakage of the old forcemain, which was installed in 1968. The temporary forcemain is to make sure there is no breakage during construction, which is a strong possibility with heavy equipment on a fragile main. They will have beneficial use of the new forcemain by the fall. In the spring they'll have the final cleanup and paving. The wastewater treatment plant itself is nearing startup, planned for June 24th.

The Lincoln Street utilities have been installed, but there's still a lot of work on sidewalks and curbing. They're waiting until the students are gone. They're working closely with all businesses to ensure they have the best access possible.

The Washington Street water main paving was completed this spring.

The design and permits are complete for the shoulder widening and sidewalks on Kingston Road, and they are obtaining temporary construction easements and a few permanent easements, but it must be reviewed by NH DOT. Construction is planned to take three months, during this construction season. This project shouldn't require major traffic detours.

The LED Streetlight conversion project is underway. Affinity Lighting of Dover is working with VHB engineers to do a field verification of Unitil's ledger, which takes a couple weeks.

Ms. Cowan asked how the switchover to chloramine has gone. Ms. Perry said that the switchover was a month ago, and it went very smoothly. They're very pleased with the results. Test results are an average, so they probably won't be out of violation on water quality until next year, but they haven't received any complaints at Public Works. She encouraged anyone with complaints to contact them. She's only heard some anecdotal reports that the water tastes better.

Paul Royal of 3 Pumpkin Circle thanked the Public Works department. He hears some complaints but the people he talks to are pleased with the work that Public Works does, and suggested they be given raises. Mr. Dean said that Public Works, Town Office staff, and other administrative employees had a three year contract approved by the voters in March, and will be getting raises.

d. Parks/Recreation Parks Capital Reserve Fund Requests

Greg Bisson, Parks and Rec director, said that he is bringing four memos to the Board.

First, he discussed the Town House Common fencing. He's looking for \$9,862 from the Parks Capital Reserve fund for decorative fencing that meets the historical nature of the area. This would be granite posts with green timbers between them.

MOTION: Mr. Papakonstantis moved to allow the Parks and Rec department to expend \$9,862 out of the Parks Capital Reserve fund. Ms. Cowan seconded. All were in favor.

Second, Mr. Bisson discussed the ADA lift at the Daniel R. Healy Pool. The law requires that all pools have an ADA lift. They purchased one years ago, but it has sat in storage; modifications to the pool, specifically a gutter that created a six foot lip all around the pool, make it challenging to install. A structural engineer must create a plan for a pad to support it, and then Public Works has offered to install it.

MOTION: Mr. Papakonstantis moved to allow the Parks and Rec department to expend \$4,350 from the Parks Capital Reserve Fund for engineering plans to install the ADA lift as well as parts and material required for compliance. Ms. Surman seconded. All were in favor.

Thirdly, Mr. Bisson discussed the dock expansion. Last year the Lions Club donated \$1,800 for a kayak cradle, but they had to get a wetlands permit through DES, which is still ongoing. The original dock was constructed and installed by the state of NH and turned over to the town. When going to DES, they need an engineering plan for the current dock and the conditions for the kayak cradle.

MOTION: Mr. Papakonstantis moved to allow the Parks and Rec department to expend \$3,300 from the Parks Capital Reserve Fund for engineering plans of the existing dock and future expansion. Ms. Gilman seconded. All were in favor.

e. Parks/Recreation Design/Engineering Recommendation

Finally, Mr. Bisson discussed the Design and Engineering RFP. On April 16th, Parks and Rec had a pre-RFP meeting, where 22 firms showed up. Six proposals were submitted. They had interviews with five; the sixth, Allen & Major Associates, was not selected because they missed the scope of the RFP and came in too low. The committee interviewed the five, and all were very strong proposals. The finalist was Tighe & Bond, which has a history of work in Exeter, having done the High School fields. Four out of the five proposals came in under budget, and the finalist was at \$205,125. If they progress to know where a building may go within that budget, they can do further exploring, like borings to make sure the ground is stable, or sound mitigation testing.

Ms. Surman asked if this includes looking at whether the area behind the tennis courts is good for fields and look at drainage as well as what to do about Planet Playground. Mr. Bisson said yes. Hopefully they will find a new location for Planet Playground, Parks and Rec didn't leave anything off the table. He'll come back to the Select Board before the final project completion.

MOTION: Mr. Papakonstantis moved that the Board approve the award of the Recreation Park engineering to Tighe and Bond for \$205,125 and authorize Russ Dean to be the signatory on the contract. Ms. Cowan seconded. All were in favor.

f. Epping Road TIF Update

Darren Winham, the Economic Development Director, said that as of April 30, 2019, the TIF account balance is \$972,419. They're paving this Wednesday, and the water and sewer are all in. The light will go in in August/September. They're within budget. By the end of May, all work except the light will be completed. The TIF current valuation is \$104,891,414, increase of

26.3 million, which is great news. Ms. Corson asked if this meant the bond would be paid off quicker. Mr. Winham said that's up to the Board, and Mr. Dean said he will get the board a report on their options.

Mr. Winham said that on Epping Road, the proposed Dunkin/Sandwich Shop and Firehouse Subs deal fell through. The developer and end user were not able to make it work with site costs and development. They're negotiating with a grocery store just south of the TIF road. The Shafmaster project will have 116 Housing units in four buildings, as well as another clubhouse building. Down Continental Drive, the Unitil deal is very close to being closed, construction could start quickly. A 116,000 square foot building approved by the Planning Board, but they were looking for an occupant. There's also an opportunity for a 400,000 square foot building with 800 employees. If this deal went through, that would complete the construction on Continental Drive. There's a project at the ZBA tomorrow night regarding the building of a mixed use facility, which is currently not allowed. They have challenges with wetlands, there are 7 or 9 vernal pools on the property. In order to build on the most advantageous location, they are willing to give away or set aside 33 acres. This was raised before the town voted in March to disallow assisted living facilities in the C-3 district, so they could do it, but the biggest need for this company is workforce housing. The developer shifted gears and is looking at building 224 units of housing; 56 of those units, which is 25%, would be workforce housing to accommodate this company. Other companies have sent letters of support, which are in the ZBA's package. Osram, Cobham, and Sig Sauer all said that it's difficult to get employees, and that's what Mr. Monahan is trying to do with this parcel. There would be a YMCA, a daycare on first floor, and offices on top. The project is upwards of \$40 million value. Ms. Cowan asked if they could encourage them to do more workforce housing than 25%, but Mr. Winham said there are challenges in numbers. 25% is a start. Ms. Corson asked if these would be apartments and Mr. Winham said yes, half one-bedroom, half two-bedroom.

8. Regular Business

a. Tax, Water/Sewer Abatements and Exemptions

MOTION: Mr. Papakonstantis moved to approve a Timber Tax in the amount of \$79.54 for 47/8. Ms. Surman seconded. All were in favor.

MOTION: Mr. Papakonstantis moved to approve a Timber Tax in the amount of \$571.64 for 104/70. Ms. Surman seconded. All were in favor.

MOTION: Mr. Papakonstantis moved to approve a Timber Tax in the amount of \$4603.88 for 42/1. Ms. Surman seconded. All were in favor.

MOTION: Mr. Papakonstantis moved to approve the issuing of a Doomage Letter for 101/32. Ms. Surman seconded. All were in favor.

Mr. Dean explained that a Doomage Letter is issued when an intent to cut has been filed by the assessors and they do not have a report in a timely manner. This would charge two times the amount of timber generated on the site, in order to prompt a report.

MOTION: Mr. Papakonstantis moved to approve a Tax Warrant First Bill 2019 for \$24,487,771.37. Ms. Cowan seconded.

MOTION: Mr. Papakonstantis moved an intent to cut at 46/3. Ms. Gilman seconded. All were in favor.

- b. Permits & Approvals
 - i. Ms. Corson said she heard that Mayor Pete was coming to Town Hall, but she checked with Melissa Roy at Parks and Rec and it was not fully approved.
- c. Town Manager's Report
 - i. Helen Perrier had her last day last Friday, and is now retired. Mr. Dean wished her all the best.
 - ii. Mr. Dean spent part of last Friday conducting interviews with two potential candidates for a summer internship. Bobbie Burgess will be with the Town for 400 hours. She'll be introduced to everything that they do at the Town Offices and help with the Public Safety study.
 - iii. Mr. Dean went to the Downeaster ambassador lunch in Portland. They showcased Exeter to the rest of the Downeaster Communities. 88,000 trips originated out of Exeter last year, it's the busiest station in NH by far.
 - iv. He received a letter from Kate McCaffery-Pomerleau, a 2nd grade teacher at Main Street School on behalf of students regarding the environment and conservation, particularly about the use of styrofoam.
- d. Select Board Committee Reports
 - i. Ms. Gilman said she met with the Conservation Commission to review applications for a Conditional Use permit for Unutil, replacing utility poles near Raynes Farm. The Heritage Commission met and had a public hearing regarding the demolition of a house on 7 Oak Street which was done before anyone knew about it. They would have recommended that it be preserved. As part of their regular business, they discussed putting more incentive into people not demolishing. There's a Heritage Fund set up, and the Chairman will talk to the Town Planner and the Code Enforcement Officer about whether there can be a fine to be paid into that fund. There's nothing in the zoning ordinance that the Heritage Commission can do it directly, but it would allow them to assist with education and grants.
 - ii. Mr. Papakonstantis said he attended the Planning Board meeting. The Unutil project and the Varsity Wireless project were both tabled, they will talk about them again this Thursday night. They had a citizen letter from December which led to a robust discussion on cul de sacs, which they will continue to discuss.
 - iii. Ms. Cowan said the Housing Advisory Committee was putting the finishing touches on a photo project to look at existing C-1 mixed use housing. They also debriefed about the meeting on MTAG grant.

- iv. Ms. Surman said she'd met with the E911 Committee, which will be coming before the Board with recommendations soon.
- v. Ms. Corson said that the Communications Committee was discussing how to move forward, creating one, two, and three-year goals for communicating. They were looking at a survey to see how people want them to communicate. She had her first HDC committee meeting, where they discussed the doors at Citizens Bank. She has a scheduling conflict with Exeter River Advisory Committee meetings, and asked if anyone will take over. Ms. Gilman offered to fill in when she can't make it.
- vi. Mr. Dean mentioned that the Memorial Day parade is 9:30 AM Monday the 27th at Swasey Parkway.
- vii. Mr. Dean offered thanks to Sheri Riffle, who is leaving Town Manager's office after 7 years. Her last day is May 31st.
- e. Correspondence
 - i. A letter from the EPA, a notice of intent for coverage under the 2017 NPDES general permit for stormwater discharges for small municipal separate stormwater systems in NH. The application appears to be complete.
 - ii. The NH Legislative Bulletin for May 17th. Ms. Gilman said that paying for retirees' COLA has been a hot topic, there is an amendment covering some state employees. They're trying to override the veto the governor gave to repealing the death penalty. A bill about arsenic in drinking water levels passed the senate. Ms. Corson said that this new regulation will put many municipalities at risk.
- 9. Review Board Calendar
 - a. Next meeting is June 3rd, June 17th.

10. Non-Public Session -

MOTION: Mr. Papakonstantis moved to enter non-public session pursuant to RSA 91-A:3, 2-a, b, and d. Ms. Surman seconded. By a roll call vote, all were in favor.

An attendee at the meeting pointed out that they hadn't opened the bids for Dewatering.

MOTION: Mr. Papakonstantis moved to come back from non-public session. Ms. Surman seconded. All were in favor.

Ms. Corson opened the bids for dewatering:

- Waste Management in Rochester. Biosolids \$137.55 per wet ton, screening and grit \$137.55.
- Cassela Organics, Concord, Biosolids \$151.20 per wet ton in full size dump trailers. \$182.30 in 30 yard roll off containers, no bid on screening and grit.
- RMI of Holderness NH, Biosolids \$214.10 wet ton, 30 ton minimum, fuel surcharge when diesel exceeds \$4. Screening and grit no bid.

MOTION: Ms. Cowan moved to go back to non-public session Mr. Papakonstantis seconded.
By a roll call vote, all were in favor.

11. Adjournment

Respectfully Submitted,
Joanna Bartell
Recording Secretary