

Select Board Meeting  
Tuesday, November 12, 2019  
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 7 PM.

2. Board Interviews

- a. There were no interviews at this meeting.

3. Proclamations/Recognitions

- a. Ms. Gilman mentioned a proclamation at the State House recognizing November as National American History and Founders month.
- b. Ms. Corson said that the Girls soccer team won the state championship, and she would like to have them in at a future meeting.
- c. Ms. Corson recognized Veterans Day and thanked veterans for their service.
- d. Ms. Corson reported that former Police Chief James Gilmore passed away. The town is grateful for his service.

4. Public Comment

Maura Fay raised the issue of the Rights Based Ordinance, saying that recently Joan Pratt had asked at the Town Offices about the status of the ordinance, and was told by Mr. Dean and Chair Corson that the ordinance was not valid because the Select Board chose not to sign it. Ms. Fay referred to the video of the May 20 2019 Select Board meeting, at which this was discussed; in minute 26 Attorney Mitchell said that whether the Select Board signed the ordinance had no bearing on whether it was valid or not. Mr. Dean said he would have to ask Town Counsel to weigh in on Ms. Fay's comments.

Mr. Dean said that Joan Pratt came to the Town Offices asking for a copy of Article 30, and discovered that it is not recorded by the town. Pam McElroy wrote to her that the Select Board did not adopt the ordinance, ie sign it; per counsel's advice, the ordinance is non-binding, so it would not become an official town ordinance. Ms. Pratt wrote back that the ordinance's passage was not contingent on that certification process. Mr. Dean said there is a proposed state legislation, CACR8, which would allow for local adoption of laws, but currently NH is not a home rule state. He would need to ask Mr. Mitchell if he has anything to recommend to the Board.

Ms. Cowan said she was not in favor of signing the article because she didn't want the town to be a party to or liable for legal actions. However, she's surprised that they're not considering this a town policy, since that's what was passed. Mr. Dean said since it was a warrant article, will always be on file with the Town Clerk. Mr. Papakonstantis said that most of the conversation at the meeting was around why the Board was not going to sign.

Erin Steckler of 4 Locust Ave asked why Joan was unable to get a copy of the ordinance from the town offices. Ms. Surman asked if part of the issue was that they weren't sure how they were going to enforce it or where it would live.

Mr. Dean read the opinion letter of Attorney Mitchell from March 18. Mr. Papakonstantis said there was further discussion following that letter, that wasn't the last word.

Jordan Dickinson said that the most important opinion is that of the voters, which was to adopt the ordinance.

5. Approval of Minutes

a. Regular Meeting: October 28th, 2019

**MOTION:** Mr. Papakonstantis moved to approve the minutes of October 28 2019 as submitted. Ms. Gilman seconded. All were in favor.

6. Appointments

a. There were no appointments at this meeting.

7. Discussion/Action Items

a. 29-35 High Street Parking Survey Results - Darren Winham

Darren Winham, the Economic Development Director, discussed the parking survey. Following input regarding parking and traffic issues in the town, his office looked at partnering with PEA to use 29-35 High Street as parking for the downtown. They created a Google Forms survey on this issue. Of 272 respondents, 41% thought that the downtown would benefit from additional parking, but 67% said Exeter should not consider the proposed parking plan at the intersection of High Street and Portsmouth Ave. As a result, they're not going forward with this plan.

Ms. Gilman said that the parking study was defeated in the past, but the survey comments suggest that a parking/traffic study is still needed. Ms. Cowan thanked Mr. Winham for involving the public in this decision.

b. Epping Road TIF Update - Darren Winham

Mr. Winham discussed the TIF project. Exeter has an ERZ (Economic Revitalization Zone) of 587 acres along Epping Road, and they put the TIF on top of it. A TIF is where a town bonds and borrows money and implements public infrastructure that spurs development, and the tax revenue from the development pays off the bond. The Epping Road TIF is doing very well, with a current value of \$121,863,709. There's a lot of money left the town can borrow. The TIF Advisory Board, which is made up of property owners as well as Ms. Surman and Mr. Winham, met to discuss what further projects to recommend to the Select Board. Mr. Dean mentioned that the TIF statute requires property owners in the district to sit on the advisory board.

Mr. Winham said that the original plan was to extend the water and sewer infrastructure down Ray Farm Road; it's currently halfway along that road. There's \$3 million left that would pay for the extension, but there's no project on that parcel yet, and the owner has specific uses he'd like to see on that property.

Another project they could consider is addressing an issue with the westbound exit 9 from Route 101 to 27. There are more accidents there than in other places in Exeter. One company considering this area could bring in 800 employees, which would exacerbate the problem with the exit. However, the town does not own that road, and it's not in the urban compact. If the state were to pay to address the issue, it would be a long process. They could potentially try to contribute to that process.

Mr. Winham summarized the options for the TIF project next steps. 1) Stand back and see where development goes. There may be a new item that comes in to use the money on. 2) Don't bond the \$3.2 million; he does not recommend this. 3) Try to find a solution with DOT on exit 9.

Tom Monahan, a property owner in this area and a member of the TIF Advisory Board, said that he bought 150 acres at Garrison Glen in 2003; as a developer, he liked that most of the utilities and infrastructure were already there. He decided to wait until Pease was built out and occupied before developing the area. In 2014, he started to get more interest in these properties. He sold Unitil 10 acres. At the King property, he's looking to donate 45 acres of the 63 acre parcel to the Town of Exeter for conservation land. The addition of the traffic light has proved beneficial for this area, and created more interest among major organizations. There could be seven figures of tax revenue to the town. There could be legislation to give towns more authority on TIF areas and workforce areas. They should keep the TIF alive and see what happens.

Mr. Dean explained that for the TIF Financing, they borrowed \$4.73 million against a \$7.45 million authority. For the payback schedule, the first payment of \$670,193.25 was in August 2019. There will be a second payment in February of 2020, an interest-only payment. August 2020 is a big payment with principal and interest. They will pay it off over 10 years. There's no prepayment penalty.

Ms. Corson said she wants to involve the governor on the exit 9 issue; this is a safety issue affecting everyone in town, including young people driving to school. Mr. Monahan said he can ask the governor about it. He suggested that the town could approach the state to have the TIF pay for the work and get reimbursed, but he doesn't know if that's been done before. It's a question of safety, but also of economic development. This new development will pay state taxes as well. Mr. Winham said he's also talking to the DOT.

#### c. Quarterly Financial Report Q3 - Finance

Doreen Chester, the Town Finance Director, discussed the 3rd quarter results for the Town of Exeter. As of 9/30/19, General Fund revenues are \$11.4M, or 58% collected. This is low, but they will see results in the 4th quarter due to the November tax billing. Other revenues are Motor Vehicle, which had an increase of \$101,000 to \$2.3 million; Building & Permit fees, which increased by \$258,000 from the prior year; Other Permits and Fees, up \$2,000; and State Highway Grants, which had a slight increase. Income from Departments is up \$79,000, an increase of 13%. Blue Bag revenue is up \$67,000. There was an increase of \$14,000 in Transfer Station permit fees. Brush dump fees brought in \$5,000. State Grants were flat. There was a sale of town property at Garrison Lane for \$132,000 in revenue. Interest Income is at \$105,000 YTD, an increase of \$103,000 over the prior year due to better interest rates at Citizens Bank.

General Fund Expenditures are running 71% overall, at \$13.8 million spent. In the General Government Group, expenditures are at \$663,000 or 75% spent. There are some variances, a lot of it due to timing. In the Finance Group, expenditures are at \$635,000 or 72% spent. IT is underspent due to a timing issue for computer purchases; they're only 55% spent at the end of quarter, but the budget will be spent. Planning and Other Boards is at \$396,000 or 73% spent. One item of note is the grant matching expenditures of \$9,200; this is the MTAG Grant that Dave Sharples is working with. It looks like it's overbudget, but there's a

reimbursement. This grant allows a study of affordable housing and infill development. In the Police Department, expenditures are at \$2.5 million or 65% spent; it's low due to staff turnover in the department and a decrease in wages. The Fire Department is at \$2.6 million or 68% spent. In Fire Suppression, sick/replacement wages are overbudget by \$6,000 due to an unforeseen long-term illness. The outstanding Capital Outlay last quarter was \$18,000, which has now been spent. Public Works is at \$3.8 million or 70% spent. Road paving/highway is 90% complete at \$722,000. Maintenance of Other Town Structures is at \$190,000 or 70% spent; Town Hall and Senior Center spending is lower due to the timing of bills. Welfare and Human Services is at \$47,000 or 70% spent in Welfare. There was an offset from Wentworth Trust of \$14,700. Parks and Rec is at \$402,800, or 75% spent. There was an 89% expenditure in Contracted Services, those are vendors payments for mowing, seeding, raking, and fertilizing. In Debt service, all budgeted payments are paid. The General Fund net deficit is at \$2.5 million, which is timing related for property tax revenue.

Mr. Papakonstantis asked if the Contracted Services line was offset by the previously budgeted seasonal staff as discussed at the BRC, and Ms. Chester said she did do the transfer.

Water Fund revenue is at \$2.7 million or 83% collected. Water Consumption and Services fees are at \$2.2 million and \$435,000, a \$24,000 decrease from last year. Water Assessment fees are down by \$20,000. They're reviewing this decrease. Water Consumption and Water Services fees were increased for the October 30th billing. In expenses, the fund is \$2.6 million spent, or 80%. Water Admin had a decrease of \$11,000 due to less property insurance, which was offset by an \$18,000 increase in Wages/Benefits. The Water debt service increased by \$342,000, due to payments for the Washington Street Water line. The net is \$68,000 this year vs \$493,000 for last year.

The Sewer Fund budget had revenues of \$2.75 million or 96% collected. The prior year was \$2.69 million. There was an increase in March 2018, so the fund is in a better position. The payments for the Waste Water Treatment plant are coming online this December. Any billings will reflect the new rates and service fees. In Sewer Fund expenses, they are \$199 million or 69% spent, with an increase of \$211,000 in Sewer Treatment, due to the hiring of new Waste Water Treatment Plant operators. Electricity to operate the WWTP is up by \$60,000. The Sewer Fund debt service decreased from the prior year due to a payoff, but they will have the payment for the WWTP in December. The net is \$752,000 vs \$929,000 last year.

In the Revolving Funds, EMS revenue was at \$421,000, vs \$418,000 last year. In General Expenses, they were \$174,000 spent. There was an increase due to prepayment for a new ambulance. The fund had a net income of \$114,000, a decrease of \$71,000 over the prior year. In CATV, the revenues are \$75,000 vs \$76,000 last year. Comcast has paid us two quarters of four for revenue. They will accrue a payment in December, then another in 2020. Wages Taxes and Benefits is at \$75,000 vs \$80,000 last year, due to turnover in part time staff. General expenses is at \$80,000 vs \$68,000 last year; there was a \$12,000 variance for Tricaster Equipment. There is a net deficit of \$79,900 vs \$72,000 last year. The Recreation Revolving Fund had revenues of \$589,000 vs \$500,000 in the prior year. Wages taxes and benefits were up slightly. It has a net deficit for now, but revenue collected from the Powderkeg Festival in October is not reflected.

Mr. Dean said the numbers should be around 75% on most fronts, so they're within targets. They're about to get the tax fund revenue.

d. Social Media Policy Amendment

Mr. Dean said that the town's social media policy is over six years old, and needs updating. The question is how to address issues of Boards, Committees, and Commissions having their own social media pages. Currently, the Conservation Commission has a Facebook page, the Energy Committee is in the process, and the Sustainability Committee has expressed interest. There were concerns that if a majority of committee members post on a Facebook page, it could be considered to constitute a meeting; also, if comments are deleted, it could raise legal issues. In response, they came up with an amendment to the policy, the new section 5.9:

*In order to maintain consistency and proper identification with the town, any board, committee and commission page of any officially established town board shall be assigned to a staff person to administer. The establishment of any board, commission, or committee Facebook page or any similar page shall have a staff member assigned and the approval of the Select Board. Any board, committee or commission page established that does not meet this criteria will not be considered affiliated with the town and may not use the town seal. Records of official social media pages of boards, committees, and commissions shall be kept on file with the Town Clerk.*

Mr. Dean said this was an attempt to ensure the Board knows of an official committee requesting a page. The concern is opening up 30 - 40 committee pages. If the Board adopts this amendment, they should think about their own policy towards these situations. In other places, where city councils or other elected entities have pages, if comments are deleted, it can result in litigation.

Ms. Gilman asked how often they would need to capture the records of official social media pages for the Town Clerk. Mr. Dean said they don't have to capture records, he envisioned a form with the Committee name that would be registered, after the Select Board decided to ok it. Any other pages would be unofficial. The town needs to be able to tell a third party which pages are official and which aren't.

Ms. Gilman asked about the workload of staff and their level of interaction with the committee; for example, the HDC and Heritage don't have assigned staff. Mr. Dean said they don't have an answer for that yet. For the Conservation Commission page, postings go through Kristin Murphy. He doesn't think they get a lot of activity or comments on the page, but that may not be the case for other boards. Ms. Gilman asked about the use of the town seal by unauthorized pages. Mr. Dean said their town seal policy allows only authorized users to display the seal. There was an Exeter NH Twitter account using the seal, which they got Twitter to take down.

Mr. Papakonstantis said that social media will continue to grow. Certain departments need to have social media pages to alert the public to safety issues and concerns. If they open this up, there's a potential for violating 91A, discriminating, or taking away a person's First Amendment rights; it has to be administered by a town employee. If the town of Exeter has a Facebook page, is it possible to have places for individual committees or boards to post there? Also, the town has an app, could that be used in this way? People want to see what's going on, and committees want to publicize what they're doing.

Mr. Dean said that volunteers sign paperwork and are covered under the town's liability policy, but only if they don't do something negligent. Also, the membership of boards, committees, and commissions changes. If a volunteer runs a Facebook page and leaves the town, how can they get it back under the town umbrella? The goal is to have it be developed through the town itself.

Ms. Cowan said social media is where people go to look for updates. She wondered if there was a way to say "this page is run by volunteers". A staff person could have a master list of the pages' information and could make other people admins and take them off when they're no longer part of the committee. If you make it so that employees have to monitor and administer this, they could get in fights in public comment about town employees. They don't want to be liable for fifty peoples' thought processes. It's fine to pass this now, but they need to have a deep dive into what a social media presence looks like for the town. Mr. Dean said that a lot of social media platforms are third-party, and it feels like the Wild West. Most town pages now are just service announcements, but they can't control editorial comments.

Ms. Cowan asked if adopting this policy would mean that the Sustainability Committee would have to send something to Dave Sharples for it to be posted. Mr. Dean said yes, or someone in the Planning Department. Ms. Cowan asked what happens if he doesn't want to post it? Mr. Dean said they'd have to rely on the policy to look at it. Ms. Cowan asked how soon does the staff person have to post it? What if it's a time sensitive issue? Mr. Dean said that's not defined. Ms. Surman said she doesn't want staff to do it, that's not the best use of their time.

Ms. Gilman asked what other towns do. Mr. Dean said he can look at that, but Exeter might be ahead of the curve on involvement with social media.

Mr. Papakonstantis suggested looking at the SAU16 PTO page, which is run by the PTO, as an example. Ms. Gilman pointed out that the PTO is not a public body.

Ms. Cowan said that if they don't have a fast enough response time, it's not worth it, they might as well not have Facebook pages. They could have unofficial pages, which do not represent the town; otherwise monitoring/administering them would be a full time job.

Ms. Corson asked if the public had comments, but there were none.

Ms. Corson said she'd like to hear what other towns have done before voting. The Conservation Commission only posts events, perhaps they could limit it to that? Mr. Papakonstantis said the Sustainability Committee want to use it for promoting other forums related to sustainability, not just town-sponsored events. Ms. Corson said she has no problem with that, but does have a problem with opinions and actions.

Ms. Corson said every committee would like someone in the town offices to do this, but they can't create a new staff position. Mr. Dean said the goal was to distinguish something officially the town from not officially the town; anything having the town seal could be an official designation. Ms. Cowan and Ms. Gilman will work with Mr. Dean to develop this further.

#### e. Seacoast Farms Products Proposal

Bob Kelly was present to continue discussing the proposal for the Transfer Station, which was raised at the previous meeting. Mr. Dean said he talked to Town Counsel, who reviewed the agreement and recommended a one-year license. He added some language for the payment of real estate taxes and working with the town to provide dust control. This agreement would allow for one year of operation; Seacoast Compost may need Zoning Board

and Planning Board approval to have it extended beyond one year. They want to ensure a clear delineation between Mr. Kelly's operation and town employees, operating equipment, etc.

Ms. Surman said this is sustainability, but questioned whether they want to be doing this on town property. The scale of the business is huge. This would be a major impact to that neighborhood, so they should do a public hearing. She was concerned about nitrogen levels, since that's what compost can be. It doesn't make practical sense in this location. It could be a situation like the Sportsman's Club, she's not a fan of town property being leased to any private entity. She asked what this business would actually be doing and what the impact would be.

Ms. Cowan said at the last meeting, they talked about one truck coming per day. Mr. Kelly said there would be up to 8 - 10 trucks a day during busy periods, but the intent is not to impact the neighborhood at all. The trucks will come in off Route 111; the only residential traffic would be residents and commercial landscapers as now. Their operations would be only 5 days a week, other than Saturday hours as required by the town. They're there to facilitate, not be a problem. They have residents near their facility in Fremont, and they have coexisted there for 20 years.

Ms. Corson asked about the smell and nitrogen levels. Mr. Kelly said there's no smell; 99% of the composted material is leaves. They're allowed to take animal manure, but there's not that much of that around; everyone with a horse farm keeps it. From a nitrogen perspective, they have four monitoring wells in Fremont, and the water tests at drinking water quality every time. Nitrogen is not a concern with leaf recycling.

Mr. Papakonstantis said he understands Ms. Surman's concerns, but Mr. Kelly has met with Public Works, they're only doing 8 - 10 trucks a day at peak times, and there's minimal animal manure. He asked whether Primex had reviewed the proposal. Mr. Dean said Primex suggested what insurance changes they should make. There is indemnification language in the agreement.

Ms. Gilman asked if they could put monitoring wells at the transfer station like they have in Fremont. Mr. Kelly said that the concern in Fremont was that they are surrounded by a large wetland. When they started the operation there, part of the process was to put in monitoring wells. They still test every other year or third year, but it's always been the same, there's nothing they're generating that's more than background levels. At the transfer station, there are monitoring wells as part of the landfill; the landfill itself is more of a concern. If necessary they could put something in. Any water running through that area is not providing primary drinking water, since the grade of the residential area is higher. Ms. Corson pointed out that that neighborhood is on public water.

Ms. Gilman asked if they'd consider a cap on the number of trucks. Mr. Kelly said that this would be a one year operation gets everyone comfortable. Public Works is excited. The townspeople could be in support. It's only for one year if it doesn't work out.

Ms. Corson asked if they are planning to take food waste. Mr. Kelly said they can work with what the town wants. It doesn't need to be in the agreement. Ms. Corson said they could leave it up to him and Mr. Perkins to work out. She would like to take out the animal waste. Ms. Gilman said they have a year to work out the position on food waste. Mr. Kelly said nothing will happen until next spring, so they have four months to plan.

Mr. Papakonstantis said this is a win for the town. The DPW endorses it. Mr. Kelly has satisfied his questions about traffic, insurance, and animal waste. This is a very significant sustainability initiative.

Ms. Corson asked if anyone from the public would like to speak.

Dwayne Staples said there's little nitrogen in Mr. Kelly's compost, and suggested he provide an analysis so they can see what the nitrogen levels are, which may calm some nerves. He asked if residents of Exeter will still get the compost service for free, and if contractors could also get compost. Ms. Corson said they would get one truckload per year as now. Mr. Kelly said they test the compost material a couple times a year, and he's happy to provide the results. People don't use organic compost for nitrogen, it's less than 1%. Regarding the relationship with residents, the intent was to load resident trucks, rather than have them load it, for free. They would offer wholesale pricing for town residents for volumes beyond one yard of material. They're a commercial operation, so the compost is not limited to residents. Any landscaper can come and they will sell them material.

Gerry Hamel of 17 Little Pine Lane said he saw a show about Seacoast Farms on Chronicle, and they're quite an operation, something that's needed. His only problem is them operating on town land, and the size and scope of the operation. Last year, Public Works said they were running out of room at the landfill and had to start chipping brush, but now there's room to expand? This is a major commercial operation, and it should go to the Planning Board. The project needs to be vetted and the neighborhood should know. Mr. Hamel presented pictures from the Seacoast Farms website to give an idea of the scope. Mr. Kelly reviewed the pictures and said they haven't done grinding at the site in about 12 years, so at least some of them were old pictures. Mr. Hamel said the pictures were taken from their website.

Mr. Kelly said that regarding food waste, they can do it, but haven't done a lot of it. There would be 3 - 5 larger trucks a day during an 8 week period. The trucks would not be carrying manure; they don't have to take that in, it would not impact operation to exclude it. There are residents ringing that area, but it's an old gravel pit and landfill. The space issue reported by the DPW was related to equipment and personnel on the site, so the brush got out of hand. His company could help in managing those areas and creating a better orientation.

Ms. Surman asked how they are getting around seeking relief from ZBA and the Planning Board. Mr. Dean said that the company is working with a tight timeline at their current site. In the interim one year period, they would have a revocable license in place, then Mr. Kelly would take his company through one or both of those boards and have the process complete by one year in. They could operate on a temporary basis. Ms. Surman asked if the town had done that before, and Mr. Dean said this is something new. The Sportsman's Club predates the Planning Board and ZBA. If the Select Board agrees, this acts as an operating permit for a year. If the other board approvals are not in place, it doesn't go forward after the first year.

Mr. Kelly said his original proposal was a private/public partnership, where the town would hire a private company that acts as an agent for the town. Ms. Surman said that is outsourcing. Mr. Kelly agreed, and said if the town wants to put out an RFP, they can, but his company is the only one looking for this type of partnership in the area. Ms. Surman said that they are skipping a bunch of steps. She likes the idea, but it's too rushed. Ms. Cowan said they're taking care of that by putting it in for one year. There's a clear benefit to the town. There have been concessions by the vendor with what the town wants to be processed. This site is not



going to be used for something different than currently. They are enhancing what the town currently does and being more environmentally friendly, which was supported by a large margin of voters at the last elections.

Ms. Corson said she was concerned that neighbors would be adversely affected. Mr. Kelly said that all commercial traffic would be coming in off the state highway. Any impact would be from existing town residents using the transfer station as now.

Ms. Surman asked whether the money involved is just real estate taxes. Mr. Dean said yes, but he doesn't have an amount on that. Mr. Kelly said the current brush grinding contract is \$20,000, and they're there only there once or twice a year. To hire someone to do this operation would be far in excess of that number, and his company is offering it for free.

Dwayne Staples said the area where the composting areas are now floods, and asked if there are plans for improved drainage. He also asked if there would be lights installed. Mr. Kelly said there would be no lights on at night. As far as the flooding, Mr. Perkins mentioned that, but people don't do yard work when it's raining, so the business goes dormant. He could work with Mr. Perkins to see if any work needs to be done. It's an old gravel pit, and drains quickly.

**MOTION:** Ms. Cowan moved to enter into the MOU by and between the town of Exeter and Seacoast Farms Compost Products Inc with an expiration date of a year from when they pass this into effect. Mr. Papakonstantis seconded. Ms. Surman asked if they could strike "five years" from the MOU. Mr. Dean said yes. Mr. Kelly asked that they make the effective date through December 31st, not November. Ms. Cowan amended her motion with the expiration of Dec 31st, 2020. Mr. Papakonstantis seconded. Ms. Corson said she has some reservations, but it's only for one year. They can work through any issues of noise or disruption, or end the contract. Mr. Papakonstantis said he's comfortable with the one year period, Mr. Kelly worked with the DPW, and they were here at the last meeting and offered their endorsement. Ms. Surman voted nay and the motion passed 4-1-0.

## 8. Regular Business

### a. Tax, Water/Sewer Abatements and Exemptions

Mr. Dean said this abatement represents receivables that are not going to be collected. It's not money going back, it's just to clear the books of obligations on a property.

**MOTION:** Mr. Papakonstantis moved to approve the abatements for 103/6/3: for 2010, \$1904.07; for 2011, \$1825.03; for 2012, \$1,715.92; for 2013, \$1,603.09; 2014, \$1,462.10; for 2015, \$952.53; for 2016, \$860.80; for 2017, \$767.94; for 2018, \$439.63; for 2019, \$446.78. Ms. Cowan seconded. All were in favor.

### b. Permits & Approvals

#### i. Swasey Parkway Fees

Mr. Dean said that Parks and Rec had a permit from an organization with multiple uses of the Parkway requested. This is a for-profit organization, and the fees associated if the events are treated as single events would have doubled their previous payments. There are 9 events at \$250 per event, which gets them over \$2,000 for the season. If they can be considered as a single seasonal vendor, it would be under \$1,000.

Ms. Corson said that Beth Dupell, who runs the Swag on Swasey flea markets, is concerned that the usage fees have gone up to \$250 per event, and they're not going to make

that. She is asking that they be considered a multiple seasonal vendor like the farmer's market, which pays \$1,200 to use the Parkway every Thursday. If they don't do it this way, there will be no Swag on Swasey. Ms. Corson talked to shop owners about whether Swag brings people to town, and they said yes. Mr. Papakonstantis asked if this is a seasonal use. Ms. Gilman said if seasonal means "not year round," then yes. Mr. Papakonstantis said they need to define that carefully, or they are going to have other organizations who will ask to be considered seasonal.

The Board approved Beth Dupell, a non Exeter resident, to speak.

Ms. Dupell said there were seven flea markets and two art and craft shows in 2019. The antiques shows were once a month and the art and craft shows were interspersed. Her main concern is the flea market, although they enjoy doing both. Ms. Corson said they don't have a definition of seasonal, and they may have to fix that - does it require another hearing? Mr. Dean said this would not be a change in the fee, it stays the same as adopted, they would just add a seasonal definition. Ms. Corson said they could decide to grant this as a seasonal multi-vendor event for this year and continue to work on this. This would not be a new exception, just a ruling that this event is seasonal. Mr. Papakonstantis said they have to define seasonal.

Ms. Corson said they knew going in there would be some changes to be made. Ms. Surman said they should make it a real agenda item, and Ms. Corson agreed that it should be put it on the next agenda. Ms. Dupell said it's no hardship for her to come back, but she would like to be considered first for the dates she's already applied for. She's avoiding town events and regional antique markets. Ms. Corson said they will have a public hearing, work on language, and discuss it at the next meeting. Ms. Gilman said she would like to look at Town Hall fees at the same time.

Dwayne Staples said there was a permit put in last Friday for a candidate to use the Parkway, which could draw 1,000 people or more. The permit was pulled because of weather, but it's worth a discussion. Ms. Corson said they could discuss that case at the Swasey Parkway Trustee meeting on November 20th.

ii. Article 17 - Hook Lift Truck for Water-Sewer Department Lease/Purchase

Mr. Dean said per article 17, the Hook Lift truck is ready to go. They have three quotes for lease comparisons. Tax Exempt Leasing's quote is very favorable, with a 2.8% interest rate. They're looking to move ahead with a five year lease.

**MOTION:** Ms. Surman moved to authorize the Select Board to accept the financing terms of Tax Exempt Leasing for a five year lease purchase agreement for hook lift truck for the Water/Sewer Department for the amount of \$145,490 with a lease interest rate of 2.68%, and to authorize the Town Manager to sign any documents. Ms. Gilman seconded. All were in favor.

iii. Wastewater Facility Payment and Reserves Request from Sewer Fund

**MOTION:** Ms. Surman moved that the Select Board accept the payment of \$301,030.26, to be offset by \$60,197 in State Aid grant funds. Mr. Papakonstantis seconded. All were in favor.

iv. Small Business Development Center

Darren Winham said that while his office would like to provide business counseling, he's not qualified to do that, and as a town employee it would put town in jeopardy. Instead, he refers businesses to SBDCs. There's an SBDC in Portsmouth with which he discussed providing the

businesses of Exeter better service by providing a satellite service in town. They will meet with businesses, go through their finances, give them the best possible advice, and follow up, all for free. This is an SBA funded operation. The town would allow them to use Mr. Winham's office on the first Thursday of the month, from 8 AM to 4:30 PM, to provide counseling by appointment. The MOU would say the SBDC provides office hours for counseling small businesses, an SBDC media kit, a stand for media materials, announce this partnership in the quarterly newsletter, promote the office hours via social media, and obtain insurance. The town will provide office space, the promotion of SBDC services, offer a consistent monthly schedule, and provide space to hold their materials. This is for a one year term with no automatic extension. This is a good opportunity to provide this to local businesses. Ms. Gilman suggested putting the materials in a more prominent place than Mr. Winham's office. Mr. Dean asked when this would start, and Mr. Winham said it could start the first Thursday in December.

**MOTION:** Ms. Cowan moved to approve the MOU between the NHSBDC and Exeter Economic Development department. Ms. Surman seconded. All were in favor.

c. Town Manager's Report

- i. Tax bills are in the mail. The due date is December 9th. He encourages people to contact the tax office for a walkthrough of their bills. In person, they are accepting MC, Visa, and Discover for payment.
- ii. He thanked all veterans for their service. Town offices were closed on Veteran's Day.
- iii. He will attend the NHMA conference tomorrow and Thursday in Manchester.
- iv. He went to the Building Together event at the WWTP last Saturday, and it was well attended.
- v. Town Offices are closed on Thanksgiving and the day after, November 28th and 29th.
- vi. The holiday parade is Saturday December 7th.
- vii. Leaf pickup is November 25th. He suggests mulching leaves on your lawn.
- viii. There's a Clean Energy Conference in Concord on Friday
- ix. The town has a new animal control officer, Julia Doane. Her start date will happen shortly.
- x. The Budget Committee CIP meeting is tomorrow night and November 18th.

d. Select Board Committee Reports

- i. Ms. Gilman had no town meetings. Tomorrow the BRC is talking about the CIP, but the Rockingham Planning Commission also has a legislative conference. Other members will be at the BRC, so she will probably go to RPC. A new bill on a statewide ban on single use plastics will be in the House in January.
- ii. Mr. Papakonstantis attended the BRC meetings. At the Planning Board meeting last Thursday they heard one case, and lot line adjustment at 83

Main Street/12 Jacks Court, which was approved, and reviewed the meeting schedule for 2020. At the Sustainability Advisory Committee meeting on Tuesday November 5th, the agenda was robust and all seven members were present. They heard a Tree City presentation, and discussed the Clean Energy Forum tomorrow at the HS, social media, and the BRC addressing the possible position in the draft budget. Mr. Papakonstantis went through the budget process with them, explaining that the BRC is just the first step. There were three other positions proposed, and two in the FD and one in Public Works were also declined. The BRC considers the overall budget, they can't just look at one line. The BRC Subcommittee had all the relevant information on the position.

- iii. Ms. Cowan had a Rec Advisory Committee meeting last Tuesday where they talked about the Rec Park project. They haven't seen final numbers yet.
- iv. Ms. Surman said E911 met, and their work on the duplicate name issue is complete. Now they're into the issues with incorrect numbering.
- v. Ms. Corson did not have an update.

e. Correspondence

- i. A notice that NHDES accepted the application for the Library and for Parks and Rec.
- ii. A notice that the King Property submitted a dredge and fill to the NH Department of Environmental Services.
- iii. A notice from Comcast about the Internet Essentials program for low-income residents.
- iv. Mr. Dean said there is a Building Committee meeting Thursday and a Facilities and Housing Advisory meeting Friday.

9. Review Board Calendar

- a. The next meeting is Monday, December 2nd.

10. Non-Public Session

- a. There was no non-public session at this meeting.

11. Adjournment

**MOTION:** Mr. Papakonstantis moved to adjourn. Ms. Cowan seconded. All were in favor and the meeting was adjourned at 10:38 PM.

Respectfully Submitted,  
Joanna Bartell  
Recording Secretary