

Select Board Meeting
Monday June 29, 2020
7 PM
Remotely via Zoom
Draft Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 7 PM.

Mr. Papakonstantis said that gatherings of 10 or more people currently pose a risk to our community. The Select Board meeting is imperative to maintaining the Town of Exeter public services, so per RSA 91-A:2(3)b, this meeting will be conducted without a quorum of this body being physically present in one location. He welcomed the members of the public attending remotely, and said the usual rules of conduct and decorum will apply. All votes will require a roll call vote.

2. Public Comment

- a. Anne Surman of 14 Cullen Way said that there is an activity planned July 11 on Swasey Parkway. She is concerned about the safety of having this event and it bringing people to town. Ms. Oliff responded that the event was already approved and they had taken steps to ensure safety and distancing. Ms. Cowan said there has been disturbing news from states that are opening up, so she'd like to discuss it further. James Murray, the Health Officer, said that he has been working with the applicant and the situation is still fluid; they should pay close attention to spikes in other states. Mr. Papakonstantis asked Mr. Dean to discuss what nearby communities are doing. Mr. Dean said some are allowing events, some are cancelling or not allowing rental of town buildings. Primex has said these are local decisions, but recommend that if the events go on they adhere to the State guidelines. Ms. Oliff said the Governor has opened up the State, so this is a chance to work on the requirements and procedures for future events.
- b. Scott Ruffner of 11 Hall Place, the Director of TEAM (the event's organizer), said that they chose to continue with this event because they can embrace social distancing. They have been working with vendors and performers to make sure everyone will follow the guidelines.
- c. Gerry Hamel of 17 Little Pine Lane said he shares Ms. Surman's concerns. He hates to see events being cancelled, but they have to think of the safety of their community.

3. Proclamations/Recognitions

- a. There were no proclamations or recognitions at this meeting.

4. Approval of Minutes

- a. Regular Meeting: June 15, 2020

MOTION: Mr. Browne moved to approve the minutes of June 15th, 2020 as presented. Ms. Gilman seconded. By a roll call vote, all were in favor.

5. Appointments
 - a. There were no appointments at this meeting.
6. Discussion/Action Items
 - a. Police Department Presentation

Stephan Poulin, the Chief of Police, gave a presentation on hiring and training for the Police Department, as well as restraints on the use of force and disciplinary policies. Mr. Papakonstantis said he would like to have a community forum in the future that offers a dialogue with the Police. Ms. Cowan asked what sort of complaints they receive about officers. Chief Poulin said that most initial complaints are more questions about procedures. They really don't receive a lot of public complaints. Ms. Gilman asked about the recordkeeping for complaints. Chief Poulin said the policies regarding complaints are public, and they do have records of everything. Mr. Papakonstantis asked if Ms. Cowan and Mr. Browne could take the lead on working with the Department on further dialogue with the community.

- b. Public Works re: Water Restrictions Recommendations

Jennifer Perry, the Director of Public Works, said that water resources are in a precipitation deficit for 2020. To date, they've had 17" of rain, while the normal is 23", which is a significant deficit of 6". Town Ordinance 16.10 gives the Select Board the authority to establish water use restrictions. The department recommends a level 2, which enacts alternate day landscape watering, depending on address, and restricts the time of watering to between 7 PM and 8 AM. According to the State legislature, this can apply to public and private water use, as well as both residential and commercial; however, Town Ordinance limits the restriction to residential. This excludes small pools (less than 100 gallons) and vegetable gardens. Ms. Gilman suggested putting the information about the restriction on the website and the MyCivic App. Ms. Cowan mentioned the electronic billboards around town. Ms. Gilman asked how they will know the drought is over. Ms. Perry said there are various aspects that the department monitors, but it doesn't change overnight. They will come back to the Board and ask them to lift the water restrictions.

MOTION: Ms. Gilman moved to declare a water restriction level 2 as defined in Town Ordinance 16.10.5 and 6. Ms. Oliff seconded. Ms. Gilman amended her motion to include the level 2 definition: landscape watering by odd numbered addresses is allowed on odd numbered days and even numbered addresses is allowed on even numbered days, and landscape watering shall not occur between the hours of 8 AM and 7 PM. Ms. Oliff seconded the amendment. By a roll call vote, all were in favor.

- c. Westside Drive, Squamscott River Siphons Project Design/Engineering Recommendations

Ms. Perry said that regarding the Westside Drive utility replacement Warrant Article, they recommend awarding the Design and Engineering RFP to Underwood Engineers, based on the company's qualifications. They have a quote for \$97,600 for this work.

MOTION: Ms. Cowan moved to award the design contract for the Westside Drive Area Utility Planning and Preliminary Design project to Underwood Engineers, Inc for \$97,600. Mr. Browne seconded. By a roll call vote, all were in favor.

i. Squamscott River Siphons

Ms. Perry said that the Warrant article approved \$1.6 M for siphons, which are two 8-inch sewer pipes that run under the river to the main sewer pump station. The existing siphons are not adequate for new connections or wet weather flows.

MOTION: Ms. Gilman moved to award the design contract for the Squamscott River Sewer Siphons and Webster Avenue Pump Station Rehabilitation Design Project to Wright-Pierce Engineers, Inc. for \$414,600. Ms. Oliff seconded. By a roll call vote, all were in favor.

d. First Reading: Animal Control Ordinance Amendment

Ms. Gilman read the proposed amendment to Chapter 9 of Exeter Town Ordinance, 9:10 section C, deleting c, Gilman Park off Bell Avenue, and adding a new section, 910.1: *Dogs are prohibited from the fenced-in ballfield confines at the Gilman Park baseball field. Dogs are also prohibited from the Gilman Park Pavilion. This prohibition shall encompass the entire playing fields and Pavilion at each location and shall in effect on a year-round basis, 24 hours a day.*

Dawn Jelley of 4 Nelson Drive said she supports this amendment. It supports the original intent of the former Trustees that the park be dog-friendly.

Anne Surman said she also supports the amendment.

Sally Ward of 72 Park Street said she supports the amendment, as there is a deficit of places for people to take their dogs.

Mr. Papakonstantis said there will be a second reading of the amendment at the July 13th meeting.

e. Sustainability Coordinator Job Description

Mr. Papakonstantis said that at the last meeting, Terry Harmon requested that the Sustainability Coordinator be added to the agenda. Mr. Papakonstantis discussed the history of the position, which was a petition article in last year's warrant which did not appropriate money and did not pass the Budget Recommendations Committee process. The responsibility for sustainability initiatives was given to the Town Planner, Dave Sharples. At the last Sustainability Advisory Committee Meeting, the group voted unanimously to support the job description of the Sustainability Coordinator, which would have to go before the BRC and Board and on to the voters again.

Sally Ward said a great deal of work has already been done on this position, and they don't want to reinvent the wheel by coming back before the BRC. She asked that the Select Board approve the content of the job description

so the BRC could focus on the creation of the position. She added that Mr. Sharples' duties are already a full time job.

Mr. Dean said they don't have a process to add this position to the steps prior to BRC approval. Ms. Gilman said the process is further along this year with the job description.

Terry Harmon of 6 Oak Street said that all the work has been done on this job position, so the easy thing to do is approve the job description now and wait for the finances to come into place later, and amend it at that time if necessary.

Sally Ward said they want to know if in concept the Select Board agrees with the job description. They don't want to redo it as part of the budget process.

Gwen English said this job description is already guiding Mr. Sharples in his work on Sustainability.

Mr. Browne said having a role like this would attract the kinds of businesses that fit with their long-term vision for Exeter to the town. Ms. Gilman said prioritizing the essential duties for Mr. Sharples to focus on may be something the committee could do. Ms. Cowan said she remembered the amount of hard work that went into this job description. The Board should think holistically before they approve the job description, including how this will fit with the Town Planner's role. She would like to hear Mr. Sharples speak on this issue.

MOTION: Mr. Browne moved to accept the job description for Sustainability Coordinator. Ms. Gilman seconded. Ms. Gilman said she appreciates the work the committee put in, but she's not ready to commit to the grade and step. Ms. Cowan agreed that she wouldn't want to commit and not be able to go back. Papakonstantis said he supports the work of the Sustainability Committee, but he's also not ready to approve. Ms. Oliff and Mr. Browne voted yay, and Ms. Cowan, Ms. Gilman, and Mr. Papakonstantis voted nay. The motion failed 2-3.

Mr. Papakonstantis asked Mr. Dean if Dave Sharples could be present at the July 13 meeting to discuss this further.

f. COVID 19 Updates

Justin Pizon of the Fire Department said the State had 120 persons test positive for Covid-19, 3 in Rockingham County. There have been a total of 37 deaths, 5 in Rockingham County. The majority were in long-term care facilities. Two additional Exeter residents tested positive; the total since March is 24, with 5 cases being monitored. The department is back to 8-10 ambulance calls daily. PPE supplies are adequate. Through the CRF Municipal Aid program, they have received \$345,859 in aid. The Safer at Home program from the Governor includes the recommendation that wearing masks in public is important. Regarding masks, they protect others from our own asymptomatic transmission.

Mr. Dean said they're looking at opening the Town Offices, the Library, and other town buildings to the public, which could go forward on July 6th. The narrow hallway in the Town Offices will challenge the social distancing process. The lobby area will allow up to 6 people at a time, while the tax collection area will allow only one person. They will offer hand sanitizer, masks for the public, and shields for employees. They will still encourage the use of online services

and making appointments to limit foot traffic. The Library and Parks and Rec will follow the guidelines.

Mr. Papakonstantis asked if a motion was necessary, and Mr. Dean said no, as long as the Board is generally supportive, they will plan on opening to the public July 6th. He clarified that the Town Offices have been open, just not accessible to the public.

Mr. Bisson said that the CareKids program currently has 27 registrants; they can take up to 45 kids. The program qualified as emergency child care with the State of NH, and received PPE and cleaning supplies. They are hoping for financial assistance as well. The drive-in movies and concerts have been outstanding. The movies sold out the first two weeks with 45 cars, and they are almost sold out for the next movie. They're averaging 85-100 people for the concerts.

Ms. Roy said they will be running a "traveling senior center" in mid-July. They purchased 28 folding TV tables and chairs and will go play Bingo at different senior housing sites in a socially-distanced way.

Mr. Dean said Farmer's Market is interested in going back to Swasey Parkway. Mr. Papakonstantis said they should also consider keeping the Parkway closed to vehicular traffic through Labor Day. Ms. Oliff said if they approved the TEAM event, she doesn't see why the Farmer's Market can't be there.

MOTION: Ms. Cowan moved to close Swasey Parkway to vehicular traffic through Labor Day. Mr. Browne seconded. By a roll call vote, all were in favor.

Mr. Papakonstantis said regarding the Farmer's Market, the new phase from Governor Sununu may warrant revisiting the issue. The Select Board granted Dorianne Barr of the Farmer's Market, an East Kingston Resident, permission to speak.

Ms. Barr asked the Board to let the Farmer's Market resume their permit at Swasey Park as soon as possible.

Mr. Murray said he had observed the Farmer's Market at the Tuck Campus, and they have been conducting business in a safe manner. He believes that they could operate just as safely at Swasey.

Ms. Oliff said Tuck is a destination, but Swasey has people already and the attendance may be much higher. She thinks they should give themselves at least another week to develop a plan. Mr. Papakonstantis agreed. Ms. Barr said in May, they looked at having all vendors on one side of the street with space in between, as well as an external exit on the sidewalk. Mr. Murray said he is happy to work with the Farmer's Market on a possible increase in attendance, and monitor the first week.

MOTION: Mr. Browne moved to allow the Farmer's Market to return to Swasey Parkway next Thursday, July 9th. Ms. Oliff seconded. By a roll call vote, all were in favor.

Mr. Dean said the new Executive Order 56 deals with a procedure relative to appropriations and tax payments. The town can enter into agreements with taxpayers to pay on a schedule. There's a reduction of appropriations as well. As the fiscal year progresses, they will have a revenue update, taking into account the state of the Meals and Rooms Tax, etc.

Mr. Dean added that Executive Order 52, "Safer at Home," runs through August 1st.

Ms. Gilman asked if they should vote on the new extended date for the TEAM event, and if it has been as planned out as the Farmer's Market. Mr. Murray said he has been working with Mr. Ruffner, but he hasn't seen logistics for the event. Ms. Cowan asked if Mr. Murray was comfortable recommending the event go forward, and Mr. Murray said he is concerned about spikes in Florida and other states. Ms. Oliff said if they are allowing some events, they should allow all events that follow the guidelines. Ms. Cowan said the Farmer's Market had a plan in place to open in Swasey Parkway, and they've had several weeks to see what works. Ms. Oliff said that they should find a way to do events safely, rather than not doing them at all. Mr. Bisson said Parks and Rec put together a seven page checklist of guidelines events need to adhere to, although the situation remains fluid.

Scott Ruffner of TEAM said they will comply with every guideline. They always submit detailed maps prior to events and work with all town employees necessary. Ms. Gilman said the Governor's Executive order for festivals just came out, and this will be the town's first festival. The town employees have a process in place, so she would go with their recommendation. She added that the Farmer's Market is an essential service, not a festival. Mr. Papakonstantis asked Mr. Ruffner if the vendors or artists are from out of state. Mr. Ruffner said no one is from out of state. There are only 20 vendors total, with 15-20 feet planned between each vendor. They will comply with whatever recommendations are made at the site walk with town employees.

MOTION: Ms. Oliff moved to change the permitted date of the TEAM festival event from June 26th to July 11th, providing that all protocols are met. Ms. Gilman seconded. By a roll call vote, all were in favor.

7. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Veteran's Credit in the amount of \$500 for 85/88/4. Ms. Oliff seconded. By a roll call vote, all were in favor.

Regarding a denial recommendation, Mr. Dean read a letter from the assessors stating that the applicant has not met the burden to show that he paid more than his share. The applicant has until December to appeal to the BTLA if denied.

MOTION: Ms. Gilman moved to deny an abatement for 72/17/4. Mr. Browne seconded. By a roll call vote, all were in favor.

b. Permits & Approvals

Mr. Dean said that regarding the Emergency Management Grant, they're in the process of putting together a plan and need an extension. He asked the Board to approve and the Chair to sign.

MOTION: Ms. Gilman moved to approve the extended application for Emergency Management Performance Grant CFDA #97.042, and further move the Chair sign the extension. Mr. Browne seconded. By a roll call vote, all were in favor.

c. Town Manager's Report

- i. They're In the middle of the Capital Improvement Program work. They're doing a deeper dive into the Public Safety Facility Staffing Analysis. He recognized Dave Sharples, the author of the Mixed Use Zoning Amendment, which received the project of the year award from the NH Planning Association.

d. Select Board Committee Reports

- i. Ms. Oliff said the Swasey Parkway Trustees met, but she wasn't there. They discussed the Pocket Park proposal, a sewer project, the music festival, tree watering and mowing. They heard an update from Dave Short on the pavilion that needs work, for which they need an extra \$2,000.
- ii. Mr. Browne said the Communications Committee met. They are starting work on a Master Plan and coming up with questions to ask the public. The Facilities Committee had a meeting, where they welcomed him and went over a study done for the Police Department.
- iii. Ms. Gilman had a Heritage Commission meeting, where they discussed Heritage Neighborhood Districts. They will have a presentation for the Select Board on this in the future. The Historic District Commission met with the developer and owner of the loka, and had a good back and forth. Next month the developer will submit a formal application.
- iv. Ms. Cowan had a Planning Board meeting where they discussed the TIF project, and had a debate about protected species in the parcel, specifically irises and fairy shrimp. They voted to have an independent study look for the presence of vernal pools.
- v. Mr. Papakonstantis had no meetings.

e. Correspondence

- i. A notice from Xfinity on changes to the cable service.
- ii. A letter from Commissioner Scott. Mr. Dean said this is the response from correspondence to the State on the role of DES in removal of tributaries out of the Great Bay permitting process. Nothing is final yet.

8. Review Board Calendar

- a. The next meetings are July 13 and July 27.

9. Non-Public Session

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

10. Adjournment

MOTION: Ms. Gilman moved to adjourn. Ms. Oliff seconded. By a roll call vote, all were in favor, and the meeting adjourned at 10:42 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary