

Select Board Meeting  
Monday, July 27, 2020  
6:40 PM  
Remotely via Zoom  
Draft Minutes

1. Call Meeting to Order

Members present: Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Russ Dean were present at this meeting. Julie Gilman was not present. The meeting was called to order by Mr. Papakonstantis at 6:40 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. Board Interviews

- a. The Board interviewed Connor Barry for a position on the Recreation Advisory Board.
- b. The Board interviewed Jackie Ojala for a position on the Sustainability Advisory Committee.

3. Town Moderator Re: Upcoming Primary Election

- a. Paul Scafidi, the Town Moderator, spoke about the elections. They're encouraging everyone to get absentee ballots to protect the voters and poll workers. Those who come in person will be socially distanced, so voting will take a little longer. Do not bring water or hand sanitizer. Everyone should wear a mask, although the town can't require it. Ms. Oliff suggested creating a visual representation of the procedures and sharing it via social media.

4. Public Comment

- a. There was no public comment at this meeting.

5. Proclamations/Recognitions

6. Deferral of voting

**MOTION:** Ms. Oliff moved to postpone the four items up for voting at this meeting to the August 10th meeting, when Ms. Gilman is present. Ms. Cowan seconded. The motion passed unanimously.

7. Appointments

- a. There were no appointments made at this meeting.

8. Discussion/Action Items

- a. David Ryan, SAU16 Superintendent - Draft Return to School Plan

Dr. Ryan said that reopening plans are changing frequently, but they do have a draft plan. 88 people worked on four separate back to school committees,

each focused on a different approach for returning to school. They're looking at ways of socially distancing learning and restricting movement. In the absence of a defined school day, it becomes very difficult for the towns to resume economic activity. Competency-based education and social emotional learning are the beacons they follow. Their scenario for return is "In-Person with Safety Requirements." All adults and students above grade 2 will be wearing masks, with some exceptions for student limitations. There will be more outdoor learning, and masks can be removed outside with 6 foot distancing. Screening, hygiene, and disinfection protocols will be in place. Lunch will take place in elementary classrooms; they will continue with free food distribution for all for middle and high schools, but not hold a lunch. They will have limited school bus transportation to the elementary school, with one child in each seat. If families are not comfortable sending their children back, they would have to enroll the child in a virtual learning platform such as VLACS. They've asked families to provide masks, but they've also ordered over 100,000 disposable masks, so they can provide one if students don't have one. The details continue to evolve.

b. Wastewater Facility and Main Pump Station Asset Management Presentation

- i. Matt Berube, the Water Sewer Manager, Chris Berg of Wright Pierce, Sharon Nall of NHDES Wastewater Management, and Jennifer Perry the Public Works Director, were present to discuss the asset management program that Public Works follows.

Mr. Berg said that information about the town's stormwater assets is entered into a database to aid decisions about repair or replacements. They're looking to make the most value-conscious decisions while maintaining the level of service for the customer. They set performance goals, some of which are dictated by regulation, and track how they are meeting them. Currently, all the assets are new, but they've built in calculated replacement dates. There will be \$14 million in renewals in the next 30 years to keep the facility operational.

Mr. Berube said that the big investment of the new treatment plant has pushed them into an asset management program to protect it. When they go out to do repairs, they're able to grade equipment to gauge their lifespan.

Ms. Nall said asset management is a valuable tool to help Select Boards make data-driven, cost-effective decisions. The town is coming up for another round of asset management loan forgiveness for the new wastewater pump stations. NH also offers an audit for optimizing energy efficiency at no cost.

c. Third Reading - Animal Control Ordinance Amendment

Ms. Cowan read the amendment: Amend Chapter 9 of the Exeter Town Ordinances, delete 910 (section c):

*910 Prohibition in parks and commons*

*No person, firm, or corporation shall allow to have in their physical control any dog while in the geographical confines of the following parks and commons:*

- a. Founders Park*
- b. Library grounds*
- c. ~~Gilman Park – off Bell Avenue~~*
- d. Hampton Road Recreation Park*
- e. Park Street Common*
- f. Swasey Parkway*
- g. Brickyard Pond fields*

*Add new section, 910.1:*

*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 be in effect on a year round basis, 24 hours per day.*

Mr. Papakonstantis asked for public comment, but there was none. They will vote on this amendment at the August 10th meeting.

- d. New England Municipality Sustainability Network (NEMS) - Town Planner

Dave Sharples, the Town Planner, said that he was invited to become an active member in the New England Municipality Sustainability Network (NEMS). Mr. Dean said this will get the town engaged in the regional sustainability network. Mr. Sharples said this interaction will inform what Exeter does with sustainability. There may be some expenses to participate, but it would be covered under his existing travel and training budget. He needs a commitment letter from the town to proceed. Mr. Papakonstantis said they are in support, but will make a motion at the next meeting when Ms. Gilman is present.

**MOTION:** Ms. Cowan moved to table the vote on NEMS membership until the next meeting. Ms. Oliff seconded. By a roll call vote, all were in favor.

- e. 53 Water Street Correspondence (The Ioka Marquee)

Mr. Papakonstantis said they'd received legal correspondence of July 21 which included an engineer's findings that the Ioka marquee is not in a safe condition, given various structural problems in the building. A significant amount of structural reinforcement will be necessary to support it. Following an HDC vote, Ioka Properties LLC is not allowed to remove the marquee. This letter asks that the Select Board authorize temporary removal of the marquee for storage offsite for safety, or block off the sidewalk and parking spaces in front

Mr. Dean said Sharon Somers of Donahue Tucker spoke with the Mitchell Group and will seek further clarification from the HDC on whether they can remove the marquee temporarily to make repairs. The Select Board does control the public right-of-way, so they have the authority to block it off if necessary. Mr. Papakonstantis asked if "temporary" removal had been defined, but Mr. Dean said no.

Patrick Gordon, the Chair of the HDC, said that according to the application submitted to the HDC, significant work must be done to the facade of the building. He would like to see the developers come back before the HDC with more information. The commission made the decision to save the marquee, but the work above will pose risk to the right of way below. They will likely have to block off the sidewalk area. If the applicant presents a finding that they can't protect the marquee and they must remove it temporarily, they will consider it at the HDC. He asked that if the Select Board were to act, they create an agreement with binding language that if the applicant does not put the marquee back up within a defined period of time, it would be considered a zoning ordinance violation of Article 8 from the HDC with subsequent fines. His fear is if the marquee comes down, it won't go back up. Mr. Papakonstantis asked if they would rehear the case, rather than getting the Select Board involved. Mr. Gordon said yes. They would look for expert testimony on both sides as far as safety and process.

Laurie Couture, who is spearheading efforts to save the marquee, but is not an Exeter resident, indicated that she wished to speak.

Mr. Papakonstantis asked if the Board would allow a non-resident to speak to this. Ms. Oliff said nay, while Mr. Browne, Mr. Papakonstantis, and Ms. Cowan said yes, so she was allowed to speak.

Ms. Couture said she had received an email from Carrie Vaughn of Portsmouth Sign, who did a "drive-by" and photo assessment of the sign. In this email, Ms. Vaughn stated that the marquee is permanently affixed to the building, and any rehab work must be done on-site; she believes it's part of the framing of the building. She estimated a rehab cost of \$25,000. Ms. Couture also heard from an anonymous expert who said that in the 1940s the then-owner had to drill into the building to brace the sign; the bracing was confirmed by Portsmouth Sign in their letter. Support beams could be put under the marquee to reinforce it if there is concern about the structure during construction. The parking is already blocked off because of the large dumpster in front.

Michelle Norton, a non-Exeter resident, wished to speak. Ms. Cowan conducted a roll call. Ms. Oliff said nay, while Mr. Browne, Mr. Papakonstantis, and Ms. Cowan said yes, so she was allowed to speak.

Ms. Norton said the word "temporary" scared her when she watched the HDC meeting. She is glad that they agree that it's an issue.

Mairead Carr of 4 Cross Road said that it's very possible that if the marquee were taken down, it would be irreparably damaged. Research should be done to see if there would be damage if removed.

Attorney Sharon Somers, a non-Exeter resident, asked to speak. Ms. Cowan conducted a roll call. Ms. Oliff said nay, while Mr. Browne, Mr. Papakonstantis, and Ms. Cowan said yes, so she was allowed to speak.

Attorney Somers said the purpose of the legal letter is to notify the Board about information they recently came by. The engineer's report came in after the HDC decision. They're looking to contact the HDC to get clarification on whether

the decision they made precludes them from having a temporary removal of the sign or buttressing the sign in some way. She appreciates concerns about the mechanics of doing so, but their primary concern is safety.

Mr. Dean said he has not yet had a chance to speak with the Building Inspector on this issue, but will do so tomorrow.

Patrick Gordon, the Chair of the HDC, said as a stopgap before the next HDC meeting, they would support temporary bracing, but they can't grant the authorization to do that. Mr. Papakonstantis asked Mr. Dean to raise that option with Mr. Eastman.

f. COVID 19 Updates

i. Eric Wilking, the Fire Chief, said that Rockingham County has remained steady with infections. They're doing a good job of managing transmission, and seeing a plateau with minor numbers, less than 20. There were spikes over the weekend in the 40s and 50s, but there were only 7 today, the fewest in months. They're seeing positive trends. Exeter's total is now 30 infections, although they're continuing to monitor 5 people within a 30 day threshold. They're doing the run volume they did last year, and revenue is beginning to come back into line. The Fire/EMS PPE supply is steady, as vendors have been able to keep up with demand. He spoke with Emergency Management and organized to pick up all of the materials that the town will get for voting. The Health Inspector James Murray and his children are quarantined, and their Covid test has not yet come back. Mr. Murray is available remotely. In Municipal Relief Fund monies, they were notified that FEMA has processed their first application and they should see those funds soon. A second application will be going in for their costs from May through July.

ii. Melissa Roy of Parks and Rec said they received guidelines from the state regarding Fall Sports, which will allow them to happen. After discussion within the Department and a community survey with 200+ respondents, they are proposing a five week season for soccer and flag football. They will increase teams to 10 or 12, and play 30 - 40 minutes of skills and drills, and 50 - 60 minutes of intrasquad scrimmage. They will not be playing against other teams, to minimize the risk of exposure.

Ms. Oliff said anything that allows for kids to be athletic and social while being safe is positive. Mr. Browne was also in favor of athletics. Ms. Cowan said she'd like to hear more about the proposal. Ms. Roy said they would hire a field supervisor to help with temperature screenings, social distancing. There would be signs and field paint to mark social distancing. Mr. Papakonstantis added that James Murray is in support of this plan. Mr. Papakonstantis would like to hear more about what other towns are doing. Ms. Oliff said she'd also like to hear about what other countries which are keeping their numbers down are doing.

Ms. Roy said that the CareKids program is going well, the kids are having a good time despite the heat. There has been good communication with parents. She's happy they were able to service these families with childcare.

There was a Rec expenditure request, but the Board agreed to postpone discussion of the request to the next meeting.

- iii. Mr. Dean said that regarding mandatory masks and the Nashua case, he will check if there is any new news. Portsmouth, which is a city rather than a town, created a mask order. The relevant RSA is 147, a public health RSA, similar to one the town of Salem looked at when contemplating a mask order. If the Board wanted to contemplate something more significant, the Health Officer would make a recommendation to the Board, then there would be a hearing. Town counsel feels that's a potentially viable avenue if they wish to pursue it.

Mr. Dean said that Town Offices have been running without issues. They have had people in the building regularly, and everyone seems to be wearing masks. Masks and hand sanitizer for the public are restocked every day.

Ms. Oliff suggested they should have signs in the Town Office encouraging people to apply for absentee ballots.

## 9. Regular Business

- a. Tax Abatements, Veterans Credits and Exemptions
  - i. There were no abatements, credits, or exemptions at this meeting.
- b. Permits & Approvals
  - i. There were no permits or approvals at this meeting.
- c. Town Manager's Report
  - i. Mr. Dean said they're working on the CIP. The FY21 budget instructions are going out the door. The BRC is getting ready for their first meeting August 12.
- d. Select Board Committee Reports
  - i. Ms. Oliff said the Housing Committee was supposed to present at the Select Board meeting this week but needed an extension until the next meeting. The Swasey Parkway Trustees meeting will take place Wednesday in person on the Parkway. Renay Allen will be present to discuss the Pocket Park proposal.
  - ii. Mr. Browne attended a Communications Committee meeting. The main discussion was about a survey on digital assets for the town. In the Facilities Committee, they had a Public Works Complex planning discussion.
  - iii. Ms. Cowan had a Planning Board meeting where they discussed the Gateway Project and heard from an expert on wetlands. They will add an additional meeting to the schedule to wrap things up.
  - iv. Mr. Papakonstantis did not have any meetings.
- e. Correspondence

- i. An update on applicants for the Exeter Police Stakeholders Committee. Ms. Cowan encouraged further people to apply. Meetings could start at the end of September.
- ii. A letter from the NH Municipal Bond Bank to the finance director regarding a successful bond sale. The true interest cost for a 15 year loan is 1.37%. They got a good rate for the library bond issue and surface water assessment.

10. Review Board Calendar

- a. The next meetings are August 10 and August 24. Mr. Papakonstantis suggested adding an extra meeting on August 31st, prior to the town voting session. Ms. Oliff said she may not be available.

11. Other Business

- a. Mr. Browne discussed an email re monarch butterflies, which asked the public not to pull milkweeds. Mr. Dean said he will look at which department to share it with.
- b. Mr. Browne said the length of Select Board meetings is making them inaccessible, and he suggested setting time limits on presentations and public comments.

12. Non-Public Session

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

13. Adjournment

**MOTION:** Mr. Browne moved to adjourn. Ms. Cowan seconded. By a roll call vote, all were in favor, and the meeting adjourned at 9:55 PM.

Respectfully Submitted,  
Joanna Bartell  
Recording Secretary