

Select Board Meeting  
Tuesday, February 18, 2020  
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. Public Comment

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

3. Proclamations/Recognitions

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

4. Approval of Minutes

- a. Regular Meeting: February 3rd, 2020

**MOTION:** Mr. Papakonstantis moved to approve the minutes of February 3, 2020 as presented. Ms. Surman seconded. All were in favor.

5. Appointments

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

6. Discussion/Action Items

- a. Recycling Overview - DPW

Jennifer Perry, the Public Works Director, gave a presentation on recycling correctly. There is further information on the town website. The Board would like to see her presentation shown on Channel 22 and social media, and to have a similar presentation given in schools and to committees such as the Sustainability Committee.

- b. Intersection Improvements Contract - DPW

Ms. Perry said that Public Works recommends VHB for the intersection improvements program that was approved at Town Meeting last year. This study will address traffic, pedestrian, and bike safety at several locations: Pine Street/Linden Street, Front Street/Water Street, Clifford Street/Water Street, Winter Street/Columbus Ave/Railroad Ave, and others. At \$50,000, this project will identify the areas of highest need and nail down planning-level costs, but not fund the actual improvements. The recommendations could be ready for this year's round of CIP.

Ms. Cowan asked about the outreach to neighbors in this process. Ms. Perry said meetings are included in VHB's process, but she's not sure if they're public meetings or just staff and stakeholder meetings. As they move forward with any project there would be public outreach. Ms. Surman asked if this project went out to bid. Ms. Perry said to be compliant with State funding laws, they procure engineering services not by going out to

bid, but through QBS or Qualifications Based Selection. In this process, they determine the highest qualified contractor, then negotiate the scope and fee.

**MOTION:** Ms. Surman moved to authorize VHB for the Intersection Improvements project at a cost of up to \$50,000 and to authorize the Town Manager to sign the contract. Mr. Papakonstantis seconded. All were in favor.

c. EPA Draft Great Bay Total Nitrogen Permit

Mr. Dean discussed a proposed permit to be issued by the NH EPA, which changes the schematic of nitrogen loading to 100 kg/hectare/year for all of Great Bay. He and Ms. Perry are attending a public hearing on this issue to express their concern about the new restrictions and the timeframe involved. There is a petition that asks that the State do a peer review of the science behind this measure. Even with our new Waste Water Facility, the reduction of 45% over 23 years is not possible given the current technology or without spending millions or even billions.

Ms. Perry added that this permit would require ambient monitoring for the 12 Waste Water Treatment Plants on Great Bay, which would have a shared cost of \$1.5M in the first year for monitoring costs alone and \$1M each year after. A reduction of 15% might be achievable, but not quickly. This permit sets an extremely high bar and is not attainable. By the provisions of the Clean Water Act, they couldn't reduce the standards after they're implemented.

The Board was in agreement that they would like to see further review before this permit is implemented.

d. Public Hearing - TAP Program Easements

**MOTION:** Ms. Surman moved to open the public hearing on the Transportation Alternatives Program. Mr. Papakonstantis seconded. All were in favor.

Dave Sharples, the Town Planner, discussed the TAP grant, which was received in 2017 and will connect three sidewalks on Epping Road, Winter Street, and Spring Street. Voters approved a 20% match, and it was federally funded at 80%. During design, they realized they needed some permanent and temporary construction easements to install the sidewalks. He just got the last landowner to sign off, and now has signatures from all involved. He read from RSA 41-14(a), which applies to any sale or acquisition of land:

*The Select Board shall have the authority to acquire or sell land, buildings, or both; provided, however, they shall first submit any such proposed acquisition or sale to the Planning Board and to the Conservation Commission for review and recommendation by those bodies.... After the Select Board receives the recommendation of the Planning Board and to the Conservation Commission...they shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition or sale.*

He said he appeared before the Conservation Commission February 11 and the Planning Board February 13, and both were unanimously in support. March 2 could be the second hearing and on March 16 the Board could vote on the Easement acquisition.

The Board has already authorized the Town Manager to sign the documents, but this goes beyond that. They will go to bid in the spring and construct this year.

Ms. Corson opened the hearing to the public, but there was no comment.

**MOTION:** Ms. Surman moved to close the public hearing on the Transportation Alternatives program. Mr. Papakonstantis seconded. All were in favor.

e. E-911 Updates - E-911 Committee

Mr. Sharples discussed the E911 Committee's final recommendation on duplicate street names, to disambiguate Spruce Court and Spruce Street. The State audit recommended renaming Spruce Court, which is a small street off of Spruce Street; if they were naming that street today, they couldn't name it Spruce Court, as names must be unique. The Committee recommends changing it to Cape Lane. He met with a resident there who talked to the neighbors and the name was their suggestion. It meets the requirement. For houses #1-3, the number won't change but the name will; the other house will have both a name and a number change, because it's required to have a new number every 50 feet.

Ms. Corson opened the discussion to the public, but there was no comment.

**MOTION:** Ms. Surman moved to change the name of Spruce Court to Cape Lane and renumber the structures in accordance with Chapter 14 of the Town Ordinance, "Assigning Street Names and Numbers." Mr. Papakonstantis seconded. All were in favor.

f. Facility & Swasey Parkway Fees

Mr. Papakonstantis said he and Ms. Surman recommend simplifying the Swasey Parkway fees by breaking them down by profit and non-profit. For non-profit, they recommend charging \$100 per event, and for-profit at \$150 per event. They propose eliminating the capacity criteria, so an event with 1 or 100 attendees is the same fee. To distinguish between resident and non-resident, they propose a cap on events: residents can hold up to 6 events per year, non-residents up to 4. They recommend grandfathering the Farmer's Market as previously proposed.

Ms. Surman said the Swasey Parkway Trustees should have been invited to give input, but Duane Staples is present and should be allowed to speak. Ms. Corson opened the discussion to public comment, but said that Mr. Staples must speak as a resident, not on behalf of the Trustees.

Duane Staples of 32 Ashbrook Road asked how it will be determined that an organization is a resident or non-resident. Mr. Deans said that organizations should have their location in their bylaws.

The Board gave Beth Duppell, a non Exeter resident, permission to speak.

Ms. Duppell asked whether the frequency limitations would apply to other town facilities as well. Mr. Papakonstantis said he would like to see the limit for all facilities, as he doesn't want a few organizations to monopolize the facilities. Ms. Cowan suggested they limit only Town Hall and Swasey Parkway, the flagship events locations. Ms. Corson said there's a difference between events and meetings. Ms. Duppell said that she disappointed in their recommendation, as it only impacts her event [Swag on Swasey market]. The inability to charge a ticket price or solicit donations on Swasey

already limits the number of events. They didn't turn the Farmer's Market away 43 years ago, and it has added a lot to this community. Swag on Swasey Markets are similarly good for the downtown and the businesses there.

Ms. Corson asked if \$150 event fee is still an issue, and Ms. Duppell said the vendors have stepped up and will help pay. The frequency is more of a concern, since there needs to be a series in order to market the event effectively.

Ms. Gilman said the idea of a limit on the number of permits is attractive because she would like to see more new events, but she can understand the expectation that something that's been around for a couple years will still be there. To limit the market to four or five in a year would be tough. Mr. Papakonstantis said there are only so many weekends available in the season. Ms. Surman said that Swag on Swasey is not that different from the Farmer's Market when it first started, and brings a lot to the town. To limit or end it could hurt the public relations of the Parkway. Ms. Corson said she felt that six events are enough for any one organization, resident or non-resident, and Ms. Cowan agreed. Mr. Dean said he could write up a new draft and have a public hearing on fees at the next meeting.

Mr. Staples said they grandfathered in the Farmer's Market, so why not grandfather Swag? Ms. Corson said there's a defined list of what's grandfathered, and a lot of other events would have to be considered. Mr. Dean added that the Egg Hunt and the fireworks at the AIM Festival in July are on the grandfathered list.

**MOTION [not voted]:** Ms. Surman moved to set the number of events for Swasey Parkway and the Town Hall for one organization to be no more than six per calendar year. Ms. Gilman seconded. Ms. Cowan suggested they add the 30 day resident advantage on applying. Mr. Dean pointed out that the Policy for Use of a Town Facility or Park already had the 30 day provision in section 7.0 subsection 5, but they could still add it to the motion. Ms. Surman withdrew her first motion, and Ms. Gilman withdrew her second.

**MOTION:** Ms. Surman moved to set the number of events for Swasey Parkway and the Town Hall for one organization to be no more than six per calendar year, and that resident organizations receive a 30 day advance application period for all permit requests. Ms. Cowan seconded. All were in favor.

Fees and other issues will be discussed at the next meeting, March 2nd.

The Board gave permission to allow Craig Salomon, a non-resident, to speak.

Mr. Salomon is the Treasurer of an AA group which has been meeting at the Senior Citizen's Center for 30 years. They are now being charged \$20 per week for their meetings, which he feels is an unrealistic fee given their organization's structure and attendance. They have a back rent balance of \$440, which they would like forgiven.

He argued that an AA group is not a typical nonprofit. One basic tenet is that it is self-supporting, declining outside contributions. They do no fundraising, and there is no requirement for members to pay anything. After getting money in and paying other expenses, there's not much left over. Last week, they collected \$27 and the coffee receipt was \$16. A \$10 fee would be more reasonable.

Mr. Dean said they have three AA groups, and the ones on Friday and Saturday are both current with what they owe. Mr. Salomon said that the other AA meetings get more people; Saturday night can get 100, but if they get 35 on Sunday it's a good day. Ms. Cowan asked if the three meetings could share costs. Mr. Salomon said it would be unusual, as they are supposed to be loosely organized, but they do have some connection as they currently share the costs of the insurance between the three groups. Mr. Papakonstantis said he would like a reminder from Parks and Rec why they needed the extra \$10 in fees. Ms. Cowan suggested that the normal fee could still be \$20 but Sundays could be \$10. She doesn't want to make the cost prohibitive for AA.

Ms. Corson said they need a public hearing to change any fees, and she would like to speak with Parks and Rec about this issue.

Mr. Dean said the cleaning of Town Hall has been a challenge, especially for large scale events. During a recent event, there was a broken door at the front. They also need to purchase a cleaning machine. His recommendation is to give Parks and Rec the ok to take maintenance items from the \$10,000 building maintenance account. The fees give it an offset in case they go over. There's currently no provision for a facilities revolving fund for the Town Hall. Ms. Corson suggested they put in an automated key system at the Town Hall so that they no longer have to pass out keys.

Ms. Corson tabled these issues until the public hearing.

## 7. Regular Business

### a. Tax Abatements, Veterans Credits and Exemptions

**MOTION:** Mr. Papakonstantis moved to approve a Veteran's Credit for 90/18/28 in the amount of \$500. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve a Disabled and a Veteran's Credit for 80/6/49 in the amount of \$2,500. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an Elderly Exemption for 104/79/420 in the amount of \$152,251. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an Elderly Exemption for 95/64/193 in the amount of \$152,251. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve a Disability Exemption in the amount of \$125,000 for 104/79/616 and 95/64/342. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 61/22 in the amount \$774. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 64/105/80 in the amount of \$360.69. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 35/3/7 in the amount of \$1,742.92. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 64/10 in the amount of \$2,531.78. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 85/89/1 in the amount of \$537.54. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 95/64/193 in the amount of \$97.93. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 73/280 in the amount of \$144.27. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 87/8/A-20 in the amount of \$55.85. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement for 110/2/102 in the amount of \$60.82. Ms. Surman seconded. All were in favor.

b. Permits & Approvals

- i. A sample letter of support for the Coalition Against Big Trucks. Ms. Gilman explained that there is a new trend in shipping trucks, to have a double trailer with an increased weight and length of each trailer. Mr. Dean said they would like to send a letter to our delegation reflecting concern about this.

**MOTION:** Ms. Surman moved to have Mr. Dean send this letter to our Senators and Congressmen. Mr. Papakonstantis seconded. All were in favor.

c. Town Manager's Report

- i. The Town Report is at the printer, and he's hoping to have a hard copy by Friday.
- ii. He recognized the efforts of the Board and staff at the Presidential Primary.
- iii. They're updating the Vision system in Assessing, and it's going fairly well.
- iv. They're changing the flooring in the Town Offices; the new flooring won't trap particulates, which is an air quality issue. He's expecting that to be underway in the next week or two.
- v. He had a meeting last week with the Energy Committee and the Director of the Clean Energy Fund, on trying to leverage those funds for local fossil fuel reduction.
- vi. Tomorrow night is the public hearing on the proposed NHDES permit.

d. Select Board Committee Reports

- i. Ms. Gilman said she had no committee meetings. In State legislation, her committee discussed licensing dogs and the process of renewing the licenses. Another proposed bill would affect hunters by committing a wide swath of land around public facilities off-limits for hunting. Some towns wouldn't be able to have hunting at all. The ban on single-use plastic bags is going forward.
- ii. Mr. Papakonstantis said the Planning Board met last Thursday and heard two continued cases: a subdivision request from IS Realty Trust and a subdivision request from the Harbor Street Limited Partnership, both of which were approved with conditions. There will be no meeting at the end of February. The Sustainability Advisory Committee will meet on March 3rd. He'd like the town to get "I Voted" stickers for the next election. Ms.

Corson said she'd like there to be volunteers to pass them out, rather than have someone hired for that purpose.

- iii. Ms. Cowan said the Housing Advisory Committee met Friday, and the multifamily home charette is almost ready.
- iv. Ms. Surman said E911 met, as previously discussed. Voting day was amazing, although maybe a little shorthanded. Everyone asks for stickers.
- v. Mr. Dean said the Library is under construction, and Board members can visit or tour.

e. Correspondence

- i. The Planning Board/Department schedule for submittals.

8. Review Board Calendar

- a.

9. Non-Public Session

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

10. Adjournment

**MOTION:** Mr. Papakonstantis moved to adjourn. Ms. Surman seconded. All were in favor and the meeting adjourned at 9:52 PM.

Respectfully Submitted,  
Joanna Bartell  
Recording Secretary