

Select Board Meeting
Monday April 12, 2021
6:30 PM
Remotely via Zoom
Final Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Interim Town Manager Melissa Roy were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:30 PM.

Mr. Papakonstantis read a statement:

As Chair of the Select Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 this public body is authorized to meet electronically.

Public notice of this meeting was posted on the town website and on the bulletin board of the town offices at 10 Front Street on April 9, 2021. As provided in that public notice, the public may access the meeting online and via phone. The usual rules of conduct and decorum will apply.

Please note that all votes taken during this meeting shall be done by roll call vote. Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting and who that person is (son, daughter, spouse, etc...), which is required under the Right-to-Know law.

2. Non-Public Session

MOTION: Ms. Cowan moved to enter into non-public session under 91-A:3II(e). Ms. Gilman seconded. Ms. Oliff was not yet present. By a roll call vote, the motion passed 4-0 and the meeting entered non-public session at 6:35 PM.

The meeting reconvened at 7:01 PM. Ms. Oliff was now present.

3. Public Comment

- a. Jeff Brubaker of 20 Main Street thanked Public Works for restriping the crosswalks on Water and Main Street.

4. Proclamations/Recognitions

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

5. Approval of Minutes

- a. Regular Meeting: March 29, 2021

MOTION: Mr. Browne moved to approve the minutes of March 29, 2021 as presented. Ms. Cowan seconded. By a roll call vote, all were in favor, and the minutes were approved 5-0.

6. Appointments

- a. There were no appointments at this meeting.

7. Discussion/Action Items

a. COVID 19 Updates

- i. Chief Eric Wilking said Covid cases are still trending in the wrong direction. In the past week, there have been almost 2,900 new cases statewide, and Exeter had 44 new cases. He thinks it's partly Covid fatigue and more people getting out and about. On the positive side, the fatality rate is not as high as earlier in the pandemic. People should continue wearing masks until more of the population is vaccinated. At the new vaccination site, they're vaccinating 1,500 people per day. There are still some spots available, so those with appointments for later in the month should check for availability to go earlier. Chief Pizon is leading the mobile vaccinations, and they will be finished with staff and teachers at all SAU schools by the end of the week. Mobile clinics were also able to vaccinate all town employees. James Murray is working closely with Chief Pizon to identify underserved populations in the community. They're looking to put an emphasis on the hospitality industries, such as restaurants and hotels. They haven't yet been offered Johnson & Johnson "one and done" vaccines, but they're hoping to use that in the hospitality industry.
- ii. James Murray said that on April 19th, vaccinations will be open to all people age 16 or older, regardless of residency. He will be working to identify restaurant workers in the community and those populations that suffer health inequity. They're pushing for the Johnson & Johnson vaccines, since it's difficult for these populations to find transportation and arrange the second shot. They're looking for the Fire Department to sunset their vaccination program and for Mr. Murray to run the program and find those harder to reach populations.

b. Epping Road Corridor Study by VHB

Mr. Sharples said that to address ongoing development on Epping Road, the town approved TIF funding for a corridor study to determine what improvements will be needed to accommodate growth. VHB conducted the study, and Greg Bakos and Jason Plourde from VHB were present to discuss the study. With full build out of all the surrounding land, the area will need 8 signalized intersections, 2 of which would be at the Route 101 interchange. Their recommendation would be two northbound continuous lanes, two southbound lanes, and two turn lanes, but that was considered infeasible; they also suggested roundabouts, with traffic signals just at the Route 101 section. For a more moderate approach, they suggested a single center turn lane. In the near term, they recommend improving the segment between Continental Drive and the approach to the Route 101 ramps by widening this segment to create a continuous turn lane.

Ms. Gilman asked where the Epping Road Corridor zoning ordinance would fit in with this. Mr. Sharples said he doesn't believe it affects the right of

way. Mr. Browne asked how these improvements relate to the timeline for commercial development. Mr. Bakos said it would not be critical for it to occur first, but certainly it would need to be in place before full buildout. Mr. Browne asked about State responsiveness. Mr. Bakos said they should look to get into the State's 10 year plan for development. Traffic signals will be needed at the ramps.

Mr. Sharples said funding to do these improvements is in the TIF, and was approved; the next step is that Paul Vlasich will come forward with a contract to engage VHB to create the design.

c. Squamscott Sewer Siphons Project

Ms. Perry said there are multiple alternatives that they are considering for the siphons project, with the intention of expanding the capacity. They can't move forward with trying to repair the siphons, as that is too much risk. A phased approach would be more expensive than doing it all at once. They're looking at a total of \$2.3M for three new barrels; this means an additional \$942,000 for that work. They're exploring all possible funding alternatives, such as State emergency funding, the Sewer Reserve, EPA, and NH DES. The design team from Wright Pierce continues to work on this design. In July they will have final plans available, and they will go to bid in August, begin construction as early as the fall, with a winter shutdown, resuming in the spring and be finished in Spring, 2022. Contingencies are not included. If there were a failure, the least expensive option would be \$400,000, to the most expensive at \$1M. They don't anticipate that it will be needed, but they want to have a plan in place.

Mr. Papakonstantis asked Ms. Roy when the money through Chris Pappas would be available, and she said 2022. Per the American Recovery Act, the State has until May 1 to distribute funds, but has three different extensions that they can apply for. The town would get half now and half before the end of the year. Mr. Papakonstantis asked if there are adequate funds in sewer reserve if they can't find other funding. Ms. Perry said yes, but they've been building up the fund in advance of paying the Wastewater Treatment Plant loan. A scheduled sewer rate increase was deferred last year due to Covid.

Bob Kelly, the Chair of the Water/Sewer Committee, said that the Committee supported option 3B of the six options. He said he had asked Ms. Perry to do a cash flow analysis to see when they would need the extra funds, and it would be in the middle of construction. They could put a warrant on for next March.

d. Kingston Road Sidewalks

Ms. Perry said they had a warrant article this spring that extended the timeline for the Kingston Road project to December 2025, but they intend to move forward as quickly as possible. There are 12 property owners for sidewalk and shoulder widening easements. So far they have received the approval from seven owners; the other five have made contact, but the town hasn't received the final packages. Once they're complete, they'll submit the easement package to NH DOT for authorization to go out to bid. It could happen this year.

e. Downtown Parking

Darren Winham, the Economic Development Director, discussed a potential study of downtown parking changes. In 2019, Exeter voters approved the planning and implementation of paid parking in Lincoln Street Corridor, although that was put on hold due to the pandemic. They're unable to use Lincoln Street funds for downtown, but he recommends using ARPA money, at a cost of \$15,000. The ARPA funding will provide the town with \$1.516M total. They received a quote from John Burke, who conducted the Lincoln Street study, of \$15,000 for a study for downtown.

Mr. Papakonstantis asked if Mr. Winham had talked to downtown businesses about parking. Mr. Winham said their opinions vary. They're more positive about it now than when the town looked into it years ago. They're using Dover as a benchmark, where paid parking has been very successful. Mr. Papakonstantis asked if Mr. Winham could get more feedback, and Mr. Winham said he can send a survey to all of the businesses. Mr. Browne said he's observed that a lot of downtown parking spaces are used not by customers and passersby, but by residents and store staff.

f. Mobile Vending

Mr. Winham presented his proposal for a mobile vending area near Townhouse Common. He was looking to grandfather Clyde's Cupcakes to allow them to use the more central space by the bandstand, but a lawyer told him if that is the case the Town will be sued and lose, since they must treat all businesses equally.

Ms. Oliff said she would like to see a specific location for multiple food vendors either near the Police Station or elsewhere. The location next to the bandstand is unique, and perhaps they should consider rotating that space. She is ok with healthy competition, and thinks more business brings more people downtown. They should charge less for a parking lot space than the space by the bandstand. Ms. Gilman expressed concern for the safety of the patrons of the mobile businesses at the bandstand. Ms. Cowan said mobile vendors bring vitality to the town and it helps businesses. Town House Common is underutilized, so she would like to see more going on there. Ms. Oliff said she doesn't think the mobile vendors are contributing to safety issues downtown, as people cross unpredictably anyway.

Scott Ruffner of 11 Hall Place said when people are set up in the center space downtown it does create some safety issues, but it can be worked with. The spaces along Town Hall in the bank parking lot are also underused.

Ms. Cowan said they should also consider the Rec Park or Gilman Park, especially when there are baseball games.

Mr. Papakonstantis asked who should manage the permitting. Mr. Winham said himself, Parks and Rec, or Pam McElroy. Ms. Roy said they also require the Police Department to sign off on permits.

Mr. Winham will come back with a more detailed proposal including fees.

g. American Recovery Plan Act

Mr. Winham read information on the American Recovery Plan Act (ARPA). NH is receiving \$960M, Rockingham County \$60M; Exeter will get \$1.516M. They could use it for the Sewer Siphons project, perhaps by creating a Revolving Loan Fund.

h. Town of Exeter Boards and Committees Discussion

Mr. Papakonstantis opened the discussion on policies around boards and committees. Ms. Oliff said they should look into limits on the number of years members can serve. They should do a better job of advertising the openings available to attract more diverse applicants. Ms. Cowan said she appreciates diversity on boards, but there's also value in long-term experience. A position on the Planning Board went unfilled for almost a year, so she is concerned about filling those positions if they have limits.

Mr. Browne said the way that committees meet excludes people who don't have the time, so he would like to find an alternative. Ms. Gilman said they could offer childcare so younger families can participate.

Caroline Piper of 8 Forest Street, a Non-Profit Consultant, said that institutional turnover is accepted as good governance policy. The town does have term lengths for Boards and Committees. They could encourage members at the end of their term to leave one Board and join another. They're not discouraging volunteering. A number of people have served 15 or 20 years. She suggested a term limit of two consecutive terms with one additional term as an alternate.

Neil Bleicken of 11 Tamarind Lane said he supports term limits for town boards. Appointed boards can have a significant impact on residents, and they are unelected officials; their only oversight is the Select Board. The Select Board should ensure a diversity of people and opinions. He thinks that members should be limited to two terms.

Laura Knott of 15 Tamarind Lane said that the Planning and Zoning Boards have a lot of power as regulatory boards. Lack of term limits discourages new volunteers from applying. Term limits would make it apolitical.

Anne Surman of 14 Cullen Way said some towns have the Planning Board and ZBA as elected positions. For the ZBA, the power is in the regulations, it's not about whether someone on the board likes or dislikes an application. Ms. Gilman said other NH towns have elected Planning Boards, but it's the same people who run every year, so it's not that different.

Bill Campbell said 15 or 20 years ago the town did have term limits; a member would serve for two terms and then become an alternate. Ms. Gilman said she thought that it was a general practice, not a policy, and fell off the map at some point.

Caroline Piper said having everything as an elected position could serve as a deterrent to recruiting.

Ms. Cowan said she would like to see a group formed on the topic of civic participation in Exeter.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

Ms. Gilman read the list of solar exemptions: 19/16/5, 76/13, 73/314, 95/3, 85/39, 17/5.

MOTION: Ms. Gilman moved to deny an Elderly Exemption for 73/100. Mr. Browne seconded. In a roll call vote, all were in favor, and the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption of \$152,251 for 104/79/135. Mr. Browne seconded. In a roll call vote, the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/36 in the amount of \$183,751. Ms. Cowan seconded. In a roll call vote, the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 65/58 in the amount of \$152,251. Ms. Oliff seconded. In a roll call vote, the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/325 in the amount of \$236,251. Mr. Browne seconded. In a roll call vote, the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve a Veterans Credit in the amount of \$500 for 55/18, 63/260, 68/6/217, 62/7, 95/64/130, 90/12, and 69/3/307. Mr. Browne seconded. In a roll call vote, the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve abatements for 95/64/242: \$151.22 for 2013, \$128.72 for 2019, and \$100.01 for 2020. Ms. Cowan seconded. In a roll call vote, the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve a Jeopardy Tax for 104/79/226 in the amount of \$15. Ms. Cowan seconded. In a roll call vote, all were in favor, and the motion was approved 5-0.

MOTION: Ms. Gilman moved to approve a Jeopardy Tax for 104/79/904 in the amount of \$15. Ms. Cowan seconded. In a roll call vote, all were in favor, and the motion was approved 5-0.

b. Permits & Approvals

- i. Exeter Fire Department is putting forward a voluntary change of address request. 286 Water Street would like to subdivide the property, 286 will be changed to 284 Water Street, and the newly created lot will be 286. This is in compliance with the E911 safety requirements and supported by the E911 committee.

MOTION: Ms. Gilman moved to renumber 286 Water Street to 284 Water Street, with the new lot to be named 286. Ms. Cowan seconded. In a roll call vote, the motion was approved 5-0.

- ii. 47 Hampton Road would also like to subdivide. The number will be changed to 41 Hampton Road, and the new lot will be 43 Hampton Road.

MOTION: Ms. Oliff moved to renumber 47 Hampton Road to 41 Hampton Road, and name the new lot 43 Hampton Road. Ms. Gilman seconded. In a roll call vote, the motion was approved 5-0.

iii. Exeter Power Yoga event permit

The Board discussed the special event application filed by Exeter Power Yoga. They would like to hold daily outdoor yoga classes at noon Monday through Friday on Swasey Park, starting ASAP through September.

Tracey Coviello, a Kingston Resident, indicated that she wished to speak, and the Board had no objection. She said the request is reasonable. It's for the far field, not near the bandstand.

Mr. Papakonstantis said there's a limit of six events per year per permit. There's also language in the trust that prohibits commercial businesses from operating on the Parkway. He understands that Gilman Park was another option, had Mr. Bisson consulted with SELT about doing it there? Mr. Bisson said yes, any program that is under the auspices of Parks and Rec can be held at Gilman Park. Mr. Papakonstantis asked if that's an option they would consider, and Ms. Coviello said no, it's buggy and inconvenient. Swasey Park would be the ideal location. These are not normal times so she doesn't understand why they can't waive fees and allow her to use it. Mr. Papakonstantis said the obstacle is that Swasey Park is a trust, and there's language in the trust that prohibits business. The fee structure was set at a Public Hearing.

Chetana Parmar said Ms. Coviello presented the situation last year ahead of the summer. It's frustrating that they seem to be going around in circles. She wants the Select Board to be proactive in supporting this.

Ms. Cowan said last year they were able to use the Town House Common for free. Ms. Coviello said the Town House Common was loud and busy, it didn't work for them. Ms. Cowan said she could see waiving the condition of having only six events per year, but a class every day goes against all of the things in the Trust. It doesn't fall within the scope of what Swasey Parkway was intended for. There's no commercial business to be held in the park, and that's something they can't just undo. Ms. Coviello said it's not an event to hold a yoga class.

Mr. Browne asked about a group that does Tai Chi on the Parkway. Mr. Bisson said the Tai Chi society at Tuck Learning Center closed because of the pandemic last year. The seniors wanted to get together and practice Tai Chi. He's looked into it, and there is no money involved.

Scott Ruffner of 11 Hall Place said Swag on Swasey is a for-profit venture, so there's precedent for people doing for-profit events on the Parkway.

Laura Knott of 15 Tamarind Lane said Brickyard Park is another underutilized park, or maybe the Rec Center has another area in their fields.

Chetana Parmar asked if the roadway at Swasey was under different rules rather than the green space. Perhaps the yoga studio could hold classes in the road while it was closed.

Ms. Gilman said that regarding Swag on Swasey, she thinks they made a mistake in not following the restrictions of the Trust. Nonprofits have used the roadway.

Ms. Cowan said she's not comfortable tying up the Parkway Road five days a week. Ms. Coviello said it's just for one hour. Ms. Gilman said this might be a good compromise. Ms. Cowan said she would support having Exeter Power Yoga on the Parkway Street, but she's uncomfortable with five days a week because other groups may want to use it. She would support three days a week. This would be until the Governor's Emergency Order is lifted.

Mr. Papakonstantis said they should consider if this opens them up to a lot more requests.

Ms. Gilman asked if this would be a road closure permit, and if they charge for that. Ms. Roy said all Parkway events use the road, so they haven't had a discussion about using just the road.

MOTION: Ms. Oliff moved to allow for provisional 5 days a week usage from noon to 1 PM for Exeter Power Yoga for the road at the end of Swasey Parkway for yoga classes, that will last either until the road closure, which expires June 30th, is renewed, or until August 28, the end of the summer. This is solely a Covid provisional access to classes on the roadway. They will waive the fee. A renewal after August 28th would require a new discussion. Mr. Browne seconded. Ms. Cowan and Mr. Papakonstantis voted no, and the motion passed 3-2.

- iv. Permit for the Seacoast Growers association, annual application for the Farmer's Market, starting Thursday, May 6 through Oct 28, 2021. Dorianne Barr of the Farmer's Market is not a resident of Exeter but the Board had no objection to her speaking. Ms. Barr said it supports local businesses and provides healthy food to residents of Exeter. They have a SNAP program that helps people get food.

MOTION: Ms. Oliff moved to approve the Farmer's Market permit. Mr. Browne seconded. In a roll call vote, the motion was approved 5-0.

- v. Mr. Bisson said Parks and Recreation would like to replace the tire swing at the Recreation Park small playground next to the Pavillion, which is important to the summer camp.

MOTION: Ms. Oliff moved to allow Parks and Rec to expend \$717.88 from the Park Improvement Fund to contract Landscape Structures Inc for playground renovations. Ms. Gilman seconded. In a roll call vote, all were in favor and the motion passed 5-0.

- vi. Mr. Bisson said Parks and Recreation would like to replace the mini playground's surfacing, which is non-compliant. The motion is different from the one in the packet, as the DPW agreed to install the chips.

MOTION: Ms. Gilman moved to allow Parks and Recreation to expend \$2,500 from the Park Improvement Fund to contract with PR Russell of Brentwood to get certified playground chips. Mr. Browne seconded. In a roll call vote, all were in favor and the motion passed 5-0.

- vii. Mr. Bisson said that they'd like to put rubber mats under the swings, since divots in the wood chips make the surfacing non-compliant. They're requesting \$1,650 of Recreation Impact Fees to contract with New England Recreation Group to purchase wear mats for the Recreation Park Mini Playground and Kids Park.

MOTION: Mr. Browne moved to allow Parks and Recreation to expend \$1,650 from the Recreation Impact Fee to contract New England Recreation Group to purchase wear mats for the Rec Park mini playground and Kids' Park. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

- viii. Mr. Bisson said they would like to contract for the removal of invasive plants, specifically bittersweet and poison ivy, as well as tree trimming at the Recreation Park. Organic solutions didn't touch the problem; last year they had to have someone remove it by hand. They're looking to use \$6,150 from the Parks Improvement Fund to contract with Yeti Landscaping for removal of invasive plants and tree trimming. Ms. Gilman asked if they'd talked to the Natural Resources Planner about invasive species removal. Mr. Bisson said they worked with her years ago when the teen adventure camp did community service, but the kids didn't like it.

MOTION: Ms. Oliff moved to allow Parks and Recreation to expend \$6,150 from the Park Improvement Fund to contract with Yeti Landcare for removal of invasive plants and tree trimming at the Recreation Park. Ms. Gilman seconded. In a roll call vote, all were in favor and the motion passed 5-0.

- c. Town Manager's Report
 - i. Philips Exeter Academy is allowing supervised trips downtown for their students. They're taking precautions and being very careful. It's good for downtown businesses.
 - ii. Ms. Roy presented two projects for infrastructure funding to Congressman Pappas's committee last week, the Siphons Project and the Linden Street Sidewalk renovations. She will update as they hear more.
- d. Select Board Committee Reports
 - i. Ms. Cowan had a Planning Board meeting; they had a planning session which was really helpful. There are updates coming from the Water/Sewer Advisory Committee.
 - ii. Ms. Oliff said the Housing Committee had 2 presentations scheduled that did not go through. The Arts & Culture Committee had their first meeting last Tuesday, voted on officers. They discussed big projects that they'd like to see happen, such as events at Town House Common. At the Swasey Park Trustees meeting, they discussed the yoga proposal.

- iii. Mr. Browne had a Facilities Advisory meeting, where they discussed the milestone spreadsheet. At the Police Stakeholders meeting, they heard from a town resident, Dr. Nicole Sawyer, who works on mental health and employee retention.
 - iv. Ms. Gilman had a Recreation Advisory Board meeting, where they heard about the ADA Lift Chair at the pool and summer camps. At the State level, budget tax cuts, losing some opportunity for federal funding. Defeated the 2% tax cap and supported the position of unions. Regarding the budget, the Governor's emergency powers are changing so the State Legislature would have to sign off on his emergency orders.
 - v. Mr. Papakonstantis had a Sustainability Committee meeting, where they went over their goals for the upcoming year.
- e. Correspondence
- i. A letter from the Arbor Day Foundation congratulating Exeter on becoming a 2020 Tree City USA.
 - ii. A request from a resident at 277 Water Street to keep the Parkway closed to vehicle traffic.
9. Review Board Calendar
- a. Monday 4/19 at 5:30 PM the Board will have a goal setting session in the Nowak Room at the Town Office Building. The next regular meetings are April 26, May 10, and May 24.
10. Non-Public Session
- a. There was no non-public session at this meeting.
11. Adjournment

MOTION: Ms. Oliff moved to adjourn. Ms. Gilman seconded. In a roll call vote, all were in favor and the meeting adjourned at 10:41 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary