

Select Board Meeting  
Monday June 7, 2021  
6:30 PM  
Remotely via Zoom  
Final Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Daryl Browne, Niko Papakonstantis, and Town Manager Russ Dean were present at this meeting.

Members absent: Lovey Roundtree Oliff

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. 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. Gilman moved to enter into non-public session per RSA 91-A:3II(c) to discuss a tax waiver. Ms. Cowan seconded. In a roll call vote, the motion passed 4-0, and the meeting entered non-public session at 6:35 PM.

The meeting reconvened at 6:55 PM.

**MOTION:** Ms. Gilman moved to seal the minutes of the non-public session of 6/7/2021 until the matter has been concluded. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 4-0.

3. Public Comment

- a. Robert Ficara of 6 Columbus Avenue, the owner of Exeter Bowling Lanes and Shooters Pub, said that the construction on the intersection of Columbus Ave, Brentwood Road, and Epping Road will be detrimental to his business. His customers tend to come from 101 to exit 9 and down to Columbus, but now they

must follow a more complicated route. Over 850 cars per week come into the parking lot, two-thirds of which come from Epping Road. The change will also add additional traffic to Washington Street, which is narrow and residential. He would like to come before the Board to address this issue. Mr. Papakonstantis said the construction was a result of a warrant article in 2017, but was delayed until now. He'd like to see this as a discussion item at the next meeting. Mr. Ficara added that he would be willing to serve on a committee that got real community input on these decisions.

4. Proclamations/Recognitions

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

5. Approval of Minutes

- a. Regular Meeting: May 24, 2021

**MOTION:** Mr. Browne moved to approve the minutes of May 24, 2021 as presented. Ms. Cowan seconded. In a roll call vote, the motion passed 4-0.

6. Appointments

**MOTION:** Ms. Gilman moved to appoint Kathy Corson as a full member of the Housing Advisory Committee, term to expire 4/30/2022. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 4-0.

**MOTION:** Ms. Cowan moved to appoint Nick Campion as a full member of the Conservation Committee, term to expire 4/30/2024. Ms. Gilman seconded. In a roll call vote, the motion passed 4-0.

**MOTION:** Ms. Gilman moved to appoint Kristin Osterwood as a full member of the Conservation Committee, term to expire 4/30/2024. Ms. Gilman seconded. In a roll call vote, the motion passed 4-0.

Mr. Papakonstantis mentioned that the Conservation Commission appointments leave two alternate positions open in that group, and encouraged the public to apply.

7. Discussion/Action Items

- a. COVID 19 Updates

- i. Chief Wilking said that Covid numbers in the town as well as the State are looking much better. There were no new cases in Exeter over the weekend, and only two new cases in the past week. Statewide, six people died from Covid, but none from Rockingham County. Vaccinations are exceeding 70%. The State will no longer offer first dose Moderna and Pfizer at the fixed vaccination site; they recommend those seeking a first dose schedule at a pharmacy, their physician, or the hospital. They have the goal of closing the fixed site on June 30. There was a successful student vaccination clinic over the weekend; 160 students signed up, and

132 were vaccinated. They will provide the second dose on June 27. The transition from the mask ordinance to the advisory has been very smooth. There have been no reports of confrontations or shaming.

- ii. James Murray said they held a clinic at the school, and 132 students were vaccinated. They have a couple of second dose clinics to wrap up, and are offering first dose clinics to any business.
- iii. Greg Bisson said that Parks and Rec proposes opening all town facilities for permitted events starting July 1st. FEMA will reimburse the cleaning fees related to Covid-19. There are 22 permit applications in the file right now. The Board did not make a motion, but had a consensus to allow Parks and Rec to open town facilities July 1st.
- iv. Mr. Bisson said that per the NHMA email, the Governor's order regarding virtual meetings will expire June 11. If it expires, Boards and Committees will need to start meeting in person. They don't know if he will let it expire or extend it, but the NHMA seems to anticipate that it will expire.

Mr. Dean said Bob Glowacky, Andy Swanson, and himself went through what they would need to have EXTV do in-person meetings. One issue is that people may want a hybrid-type meeting. When the order ends, they must have a physical location for the meeting. It won't preclude having a hybrid meeting, but it will take some training of the Board and staff if the Board wants to pursue it. He added that they're not required to offer a hybrid meeting.

Mr. Papakonstantis said he liked that the public has had access to every committee that met, and were not restricted with times and rooms. Mr. Dean said it would be difficult to have all of the Boards on TV with the staffing they have today. The Land Use Boards are the priority for TV. Ms. Gilman said meeting virtually makes it easier for the staff to run the meetings remotely. Mr. Dean said EXTV resources are stretched at the moment, which they may need to address in the future. Mr. Browne said he appreciates that the staff can work remotely. Virtual meetings are more accessible. Ms. Gilman said there is more participation in virtual meetings, so she would be in favor of hybrid. There was a State bill that was considering the legality of virtual meetings, but it was knocked down to a study committee, which won't be complete until January. Only the Board itself has to meet in person, not the public. Bob Glowacky said he could meet with any Board members to demonstrate the hybrid model in the Nowak Room. Ms. Cowan asked if members of the Committees could facilitate the meeting so that a staff member didn't have to be there. Ms. Gilman said there would have to be training involved.

Mr. Glowacky said that historically EXTV ran 10 - 12 meetings per month, now they're doing 22. They're hoping to go back to 10 - 12. They would handle the hybrid side of it in the Nowak Room and possibly the Wheelwright Room, but there's no other location equipped for it.

Mr. Papakonstantis said they should add a Select Board meeting June 14th to address the Governor's decision on Friday. Mr. Dean should email all the Board and Committee Chairs about the meeting.

b. 44 River Street - Public Hearing Restoration of an Involuntarily Merged Lot

**MOTION:** Ms. Gilman moved to table the discussion of the involuntary lot merger until June 21, 2021. Ms. Cowan seconded. In a roll call vote, the motion passed 4-0.

c. First Reading of the Animal Control Ordinance

Mr. Papakonstantis said this ordinance change would add Kids Park and Townhouse Common to the areas at which dogs are not allowed. Mr. Bisson said they spent a lot of money on renovating Kids Park and small children use it. It's one of the busiest parks in town. Mr. Dean said this would be the first of three readings.

d. Classification Plan Amendment - Assistant Town Manager/HR Director

Mr. Papakonstantis said he would like to postpone a substantial discussion and vote to the next meeting when they have a complete Board.

Mr. Dean said they came up with this proposal at the Select Board goals meeting in April. The Police and Fire Departments have already reorganized their structures in a similar way. The Assistant Town Manager/HR Director position would be at Grade 13.

Mr. Papakonstantis said the retirement of the HR Director is pending. In April, the Board talked about reorganizing as a whole, but also creating this specific position. The town has growing needs; it's not growing in size, but the demands have changed significantly. There is no succession plan for the Town Manager position. Many communities have created this position. They have a part time HR Assistant that does much of the day to day HR tasks. Because they are replacing the existing HR Director position, it will not cost much more to address the needs of the town; there's no cost issue that must go before the Budget Recommendations Committee.

Ms. Gilman said there are towns half the size of Exeter that have the assistant position. She would like to take more time with these towns. They may want to use the services of MRI for a short period of time. Mr. Papakonstantis agreed, saying they wouldn't rush, but would instead bring someone in on a temporary basis. Ms. Cowan said she supported the reorg in Police, Fire, and DPW, which was about creating a succession plan. This makes sense.

Jay Childs of 7 Hunter Place said that combining the Assistant Town Manager position with an HR Director could be a conflict of interest. They need a contingency plan, but usually they are given notice and they can begin looking for a replacement. If there's a temporary need for someone to step in, maybe someone they already have can do it. The town hasn't grown in population, so how have the needs of the town grown?

Mr. Papakonstantis said regarding a conflict of interest, other communities in NH have this position. He previously asked legal counsel whether there would be a conflict of interest, and they said no. The person taking this role would assume the confidentiality that an HR Director would have. Regarding notice, life is sometimes unpredictable, and they need to take leave unexpectedly. Recently when Mr. Dean had to be out, they were able to tap into other town resources, but when you take a department head away from their responsibilities, the town loses out. MRI could bring someone in temporarily for HR, but for a Town Manager, they will be spending a lot more out of the budget. Any temporary replacement would be an individual with many years of experience. Sometimes the pool of resources is composed of individuals who may be unemployed for a reason. The town benefits the most from an in-house succession plan. They've set this up for Fire, Police, Public Works and Parks and Rec. All were done at open Select Board meetings.

Anne Surman of 14 Cullen Way asked if all these other towns have multi-year contracts with their Town Managers, because Exeter has a seven year contract with the Town Manager. She's not that interested in what other towns do, she's looking for the data as to what is not getting done. She understands the need for a succession plan, but the HR Director should be an autonomous position. A new position should go to the Budget Committee, even if it's not new money. This would give the town the chance to warm up to the idea and better understand it.

Bill Campbell of 111 High Street said they have an HR Director and an Assistant HR person now. That's already 1.5 positions doing HR, so with this proposal they'd be losing on the HR side. He wonders if they will come back later and say they need a full time HR person. The BRC should look at new positions. He added that it's difficult for townspeople to get information about changes like this.

e. Drought Update

Jennifer Perry, the Public Works Director, was present to discuss the drought status. Ms. Perry said they had great rain over Memorial Day Weekend which provided short term relief, but the drought is not resolved. They're down to 33 cubic feet per second in the Exeter River, which is low flow. They're continuing to watch conditions very closely. Most of the State is in a drought condition, but Exeter is moderately dry. The rainfall deficit this year is 6". There should be above-average flows in July and August. For now, they recommend continuing with the alternate day water restrictions, or level 2 restrictions. They will continue to communicate with the public.

f. Surface Water Treatment Plant Lagoon Cleaning Update

Ms. Perry discussed the proposal for Lagoon Sludge Removal. GZA will conduct the sludge removal at the Surface Water Treatment Plant. The sludge is a result of the alum chemical treatment accumulation. Historically, it was

transported to the old lagoons at the Wastewater Treatment Plant, but that's no longer an option. This material needs to be removed from the site to a solid waste facility. They could transfer the sludge to the North Country Landfill in Bethlehem, with a \$112/ton tipping fee, for a total cost of \$250,000. There were some capacity questions, so there is also an option to transport it to Waste Management in Rochester at \$145/ton, or \$273,000. They have \$275,000 in the Water budget for this from the budget process last year. They're recommending to proceed with the work this year.

**MOTION:** Mr. Browne moved to authorize the Department of Public Works to approve GZA Geo Environmental Inc to begin the Surface Water Treatment Plant Lagoon sludge removal services, at an expenditure up to the budgeted \$275,000. Ms. Gilman seconded. In a roll call vote, the motion passed 4-0.

g. Bond Resolutions - FY21 Bond Salem Street Project, Lagoon Cleaning

i. Ms. Gilman read the bond resolution:

*I, the undersigned Clerk of the Issuer, hereby certify that a meeting of the Governing Body of Issuer (the "Board") was held on June 7, 2021. A quorum of the Board was in attendance and voting throughout.*

*I further certify that there are no vacancies on the Board, that all of the members of the Board were duly notified of the time, place and purposes of said meeting, including as one of the purposes the authorization of bonds and the approval of a Loan Agreement between the New Hampshire Municipal Bond Bank (the "Bond Bank") and the Issuer.*

*I further certify that the following is a true copy of resolutions unanimously adopted at said meeting:*

*RESOLVED: That under and pursuant to the Municipal Finance Act, Chapter 33, N.H.R.S.A., as amended, the New Hampshire Municipal Bond Bank Law, Chapter 35-A, N.H.R.S.A, as amended, and other laws in addition thereto, and to votes of the Issuer duly adopted on March 9, 2021 under Articles 3 and 5 of the Warrant for such annual meeting of the Issuer there be and hereby is authorized the issuance of a \$7,700,000 Bond of the Issuer (the "Bond") which is being issued by the Issuer for the purposes of financing (i) the design and construction of water, sewer, drainage, road, and utility improvements in the Salem Street area (\$5,100,000) and (ii) the removal of sludge from the wastewater lagoons at 13 Newfields Road (\$2,600,000).*

*The Bond shall be dated as of its date of issuance, shall be in such numbers and denominations as the purchaser shall request, shall mature in accordance with the schedule set forth in Exhibit A to a certain Loan Agreement hereinafter described (the "Loan Agreement"), shall bear a net interest cost rate (as defined in the Loan Agreement) of two and a half percent (2.50%) per annum or such lesser amount as may be determined by a majority of the Board. The Bond shall be substantially in the form set forth as Exhibit B to the Loan Agreement and otherwise shall be issued in such manner and form as the signatories shall approve by their execution thereof.*

*RESOLVED: That the Bond shall be sold to the Bond Bank at the par value thereof plus any applicable premium.*

*RESOLVED: That in order to evidence the sale of the Bond, the Treasurer of Issuer and a member of the Board are authorized and directed to execute, attest, and deliver, in the name and on behalf of the Issuer, a Loan Agreement in substantially the form submitted to the meeting, which is hereby approved, with such changes therein not inconsistent with this vote and approved by the officers executing the same on behalf of the Issuer. The approval of such changes by said officers shall be conclusively evidenced by the execution of the Loan Agreement by such officers.*

*RESOLVED: That all things heretofore done and all action heretofore taken by the Issuer and its officers and agents in its authorization of the project to be financed by the Bond and are hereby ratified, approved, and confirmed.*

*RESOLVED: That the Clerk and the signers of the Bond are each hereby authorized to take any and all action necessary and convenient to carry out the provisions of this vote, including delivering the Bond against payment therefor.*

*RESOLVED: That the Clerk and the signers of the Bond are each hereby authorized to take any and all action necessary and convenient to carry out the provisions of this vote, including delivering the Bond against payment therefor.*

*RESOLVED: That the useful life of the project being financed is in excess of fifteen (15) years.*

*I further certify that said meeting was open to the public; the aforesaid vote was not taken by secret ballot nor in executive session; that the votes were taken by roll call if the meeting was held remotely/virtually and in accordance with Governor's Order #12; that notice of the time and place of said meeting was posted in at least two (2) appropriate public places within the territorial limits of the Issuer, or published in a newspaper of general circulation in said area, at least twenty-four (24) hours, excluding Sunday and legal holidays, before said meeting; that no deliberations or actions with respect to the vote were taken in executive session; and that the minutes of said meeting have been promptly recorded and have been or will be made open to inspection within one hundred forty-four (144) hours of said meeting, all in accordance with Chapter 91-A, N.H.R.S.A., as amended.*

*I further certify that the above vote has not been amended or rescinded and remains in full force and effect as of this date.*

**MOTION:** Ms. Gilman moved to adopt the FY21 Bond Salem Street Project, Lagoon Cleaning Bond Resolution. Ms. Cowan seconded. In a roll call vote, the motion passed 4-0.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

**MOTION:** moved to accept a yield tax for 113/3 for \$101.27. Mr. Browne seconded. In a roll call vote, the motion passed 4-0.

- b. Assistant Fire Chief Justin Pizon said they had a request from the owner of 7 Oak Street. The owner had previous approval to subdivide his lot, and built a two family condo behind his residence. There were no numbers available on Oak Street. Mr. Healy presented a street name proposal of “Kenmore Court,” and the State approved. This would be a new private way to the subdivided property, 1 Kenmore Court Unit A and B.

**MOTION:** Mr. Browne moved to rename the two unit lot on 63/221 to 1 Kenmore Court Unit A and Unit B in Exeter NH. Ms. Gilman seconded. In a roll call vote, the motion passed 4-0.

- c. Permits & Approvals
  - i. There were no permits and approvals at this meeting.
- d. Town Manager’s Report
  - i. Mr. Dean attended the Arbor Day event June 3rd, and thanked Eileen Flockhart for organizing it. He was able to read the proclamation approved by the Board.
  - ii. He also attended the Memorial Day parade. The organizers did a great job.
  - iii. He’s working on the CIP with the Departments.
  - iv. He met with Tony Callendrello about a fund that the Arts Committee had, which has \$1,700. They would like to rename this fund to the Arts and Culture Commission.
  - v. He thanked Susan Baillargeon, who retired from the Fire Department May 31, after 37 years with the town.
  - vi. The maintenance Sewer Replacement project will start next week at Town Hall.
  - vii. The Legislative Season is getting to the end of the budget season. The SAG projects, including the Wastewater Treatment Facility, are not expected to be included in the budget.
- e. Select Board Committee Reports
  - i. Ms. Gilman had no meetings. At the State House, they passed things she doesn’t think will benefit the town. She showed how to find information on the State House website.
  - ii. Mr. Browne had a Communications Committee meeting, where Mr. Glowacky talked about replacing the town app. At the Facilities Advisory meeting, the Chair was out, and they had a work session on how the Facilities Advisory process should work.
  - iii. Ms. Cowan had a Planning Board meeting where they elected officers, heard and approved a conditional use permit for the Griset property, and heard the beginning of a yield plan for a proposed 12 lot single family subdivision off Watson Road. She will attend a sitewalk there tomorrow morning.



- iv. Mr. Papakonstantis attended the Sustainability Committee meeting, where Mr. Sharples talked about finalizing the grant he and Julie LaBranche have been working on. They worked on a proposal to the Select Board on single use plastics. They're working on a memo to the Town Manager about the Sustainability Coordinator position.
- f. Correspondence
  - i. Several pieces of correspondence on Swasey Park. Mr. Papakonstantis suggested that the Trustees should attend the July Select Board meeting.
  - ii. A memo from the Exeter Farms Homeowners Association regarding their new Board of Directors.
- 9. Review Board Calendar
  - a. The next meetings are June 14 and June 21.
- 10. Non-Public Session
  - a. There was no non-public session at this time.
- 11. Adjournment

**MOTION:** Ms. Gilman moved to adjourn. Ms. Cowan seconded. In a roll call vote, the motion passed 4-0 and the meeting was adjourned at 8:34 PM.

Respectfully Submitted,  
Joanna Bartell  
Recording Secretary