

Select Board Meeting
Monday November 1, 2021
6:35 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Town Manager Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:37 PM.

2. Board Interviews

- a. There were no interviews at this meeting

3. Non-Public Session

MOTION: Ms. Cowan moved to enter into non-public session under RSA 91-A3II (a) and (c). Ms. Gilman seconded. In a roll call vote, all were in favor, and the Board went downstairs for a non-public session at 6:37 PM. The Board emerged from non public session. Selectwoman Cowan moved to seal the minutes of the non public session until matters were resolved. Selectwoman Oliff seconded. The motion carried unanimously.

The Board reconvened in the Nowak Room at 7:12 PM.

4. Public Comment

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

5. Proclamations/Recognitions

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

6. Approval of Minutes

- a. Regular Meeting: October 18, 2021

MOTION: Ms. Gilman moved to approve the minutes of October 18, 2021 as presented. Mr. Browne seconded. All were in favor.

7. Appointments

MOTION: Ms. Cowan moved to appoint Herb Moyer to the Communications Advisory Committee, term to expire 4/30/2024. Ms. Gilman seconded. All were in favor.

MOTION: Ms. Cowan moved to appoint Kyle Welch as an alternate member of the Conservation Commission, term to expire 4/30/2023. Ms. Gilman seconded. All were in favor.

MOTION: Mr. Browne moved to appoint Stephanie Marshall to the Community Power Aggregation Committee, term to expire 12/31/2023. Ms. Gilman seconded. All were in favor.

8. Discussion/Action Items

- a. COVID 19 Updates

Fire Chief Eric Wilking said the state is having some issues with its data collection system. About 500 people a day are testing positive for Covid. Exeter has seen some positive change, and has settled back to about 14 people a week testing positive after a small spike. There have been 1,170 total cases in Exeter. Exeter has one of the highest vaccination percentages, 81%. The State data says it's down to 75%, but he's comfortable saying 81%. The decisions of the Select Board and the community have resulted in a lower rate than other communities, such as Claremont, Raymond, Berlin, and Plymouth. He's hopeful that we'll have a healthy holiday season. We're asking residents to seek vaccinations if they haven't, continue to wear a mask when gathering in groups, and get the seasonal flu shot to stay out of hospitals grappling with Covid cases.

Health Officer James Murray said the State updated its standing orders on boosters. The town can now issue Moderna and J&J boosters; before, we could only give Pfizer. Starting tomorrow, we can plan booster clinics, such as with the local Housing Authority and to town employees. The vaccine has been approved for children 5 - 11 years old, and he has been working with the schools to organize vaccines. The pharmacies and local PCPs have plenty of Covid-19 vaccines.

Ms. Gilman said the DHHS database has been in question, but we're basing the recommendations of rolling out boosters based on community transmission. Are those numbers accurate? Mr. Murray said he thinks it was mostly the vaccinations that weren't accurate. The CDC has given enough leeway for the booster, and about 85% of people meet the criteria to get it.

Mr. Browne asked if there are contraindications for the vaccine on the 5 - 11 age group. Mr. Murray said he'd have to look into it further.

Mr. Papakonstantis asked if we can work with the schools to give the vaccine to children 5 - 11 who don't have the resources to get to a pharmacy. Mr. Murray said the Seacoast Health Network is running a study on how many families would be interested.

Mr. Papakonstantis asked if there is data to support stronger recommendations for masks because the efficacy of the vaccine might be waning. Mr. Murray said the CDC still recommends wearing masks generally when in a crowded area and indoors. He doesn't have further information on that. Mr. Wilking said we've seen significant breakthroughs among vaccinated people. He doesn't think another mask mandate will come from the State of NH, so some towns are starting to discuss it again.

b. CATV Fund Equipment Request and Fund Update

Bob Glowacky was present remotely via Zoom to discuss a proposed purchase of upgraded and new equipment for the Nowak Room. IT Director Andy Swanson was present in person.

Mr. Glowacky said that last month, we had some issues with the wireless microphones cutting out. An audio tech came in to diagnose the problem, and we need to purchase new microphones. This new system, which is \$15,600 for

equipment and install, will future-proof the Nowak Room. Right now, the mics that we're using are running through the portable system, so we can't mic the Wheelwright Room, Town Hall, etc when the Nowak Room is in use. If we order this month, we should get them mid-December for a January installation. The price just went up, and that trend and production delays will likely continue, so we should purchase now.

Mr. Papakonstantis asked what happened a year or two ago, when we replaced the speakers. Mr. Glowacky said when we added table microphones, we tied into an existing system. This new system and the replacement microphones should have better sound quality and less feedback. We're looking for this to come from the Cable Fund.

Mr. Papakonstantis asked if we're comfortable with the exact figure. Mr. Dean said the Board should approve up to \$16,000.

MOTION: Mr. Browne moved to authorize Exeter TV IT Department to expend up to \$16,000 from the Cable TV fund to purchase and install the wireless microphone system. Ms. Oliff seconded. All were in favor.

Mr. Glowacky said in the 2nd quarter financial report, per his memo of August 16th, the sustainability of the CATV fund was highlighted as an issue. We have been spending more money than we've received in franchise fees since 2017. We had to replace a lot of old equipment, and the hours of employees have increased. There's also been some mission creep in services, we took back public access coordination from the schools, and we are creating more content. During Covid, the IT staff kept all the Zoom meetings going. The franchise fee numbers have gone down a little as well, by about \$30,000. The town takes half of the franchise fund and puts half in the CATV fund. We should evaluate what the operations look like.

Mr. Swanson agreed that there's been mission creep. The original expectation was to do a few meetings live and a few repeats, until about 2010. Now there's streaming, video on demand, and new programming, but the funding has been the same since 2010. Things have gotten more expensive and we've added more tasks. Now, we work with almost every committee to broadcast. Zoom is a huge time eater because a staff member must be present and monitor the meeting for any issues. We don't have enough money in the fund for labor. Hiring people is difficult. If we got rid of the extra obligations, we'd have enough money, but he likes the improvement. We just can't afford them on the current funding.

Mr. Glowacky said since he started in 2017, we've raised wages to make it possible to hire people. When he started, we had 5 - 6 employees, but now we only have 2 - 3. We have more responsibilities and less staff.

Mr. Papakonstantis said during Covid, they were able to air meetings and committees that weren't previously aired, which people enjoyed. We want public engagement. We understand that Zoom is expensive.

Mr. Glowacky said Zoom is now being used more for Boards to have members attend remotely than for the public, who rarely attend. We're spending a lot of time troubleshooting the Zoom connection.

Mr. Dean said part of adjusting the CATV fund is changing expectations. In 2014-2017, we were turning surpluses back to the Cable Fund. It's only in 2018 - 2021 that the numbers have gone the other way.

Mr. Glowacky said we went from televising 11 meetings a month to 22 meetings a month, but now we're back down to about 15. With fewer hours to offer, we may have to lower some expectations. Sometimes there are three meetings at the same time, and we think it should be two a night max. We can't be as flexible as we used to be, since we're relying on part time people.

Ms. Oliff said if there's an additional meeting that hadn't been on the schedule, they shouldn't expect to have it videotaped. It could be a subcommittee meeting instead, which doesn't need to be public.

Mr. Dean said the Cable Fund was set up as a 50/50 split with the General Fund and the Cable Fund. We could ask the town via town meeting to make a change to that, although it would likely be unpopular.

Mr. Browne said regarding equipment, everyone at the meetings has a phone, and they could broadcast using that. Mr. Glowacky said if we cut out the actual cable channel, it could save a lot of money, but if we want it on Comcast, we need to use the specific equipment. Some other towns only stream their meetings to YouTube. Mr. Dean said we need the Comcast piece, since the franchise fee is related to the Cable portion of the bill. Mr. Papakonstantis said we'd want to keep that, as that's some peoples' only access to the meeting.

Mr. Papakonstantis said fine tuning the frequency of when Boards and Committees meet may help.

Mr. Dean said this is a monitoring situation for now, he'll continue to work on it.

Mr. Papakonstantis asked if the cost of Zoom is worth continuing with. Mr. Glowacky said Zoom for TV production has been great. The money is justified by the amount of content we got. The cost is related to the amount of hours a staff member has to be there for the government meetings. Mr. Swanson said there are bad actors out there, and they're not going to change their ways. Regarding phone access, Exeter TV does the broadcast straightforwardly with no editing, unlike private recordings.

c. Tree Ordinance Second Reading

Natural Resources Planner Kristen Murphy was present to discuss the Tree Ordinance. Ms. Murphy said we had legal counsel review the document, and she's presenting a revised draft. The changes relate to the fact that some are town owned rights of ways, and some are privately owned. There have been lawsuits about public management of trees on private land.

MOTION: Ms. Cowan moved to open the public hearing on the second reading of the tree ordinance. Ms. Gilman seconded. All were in favor.

Eileen Flockhart said Zoom provided the Tree Committee with more audience and more expertise, and the Tree Ordinance may not have been possible without it. She thanked everyone who worked on the Tree Ordinance.

There were no further public comments.

MOTION: Mr. Browne moved to close the public hearing. Ms. Gilman seconded. All were in favor.

Ms. Gilman thanked the Tree Committee and Ms. Murphy for all the work they'd done in making Exeter a Tree City USA. She said she didn't think the information about funding belonged in the ordinance. Mr. Papakonstantis said perhaps the Tree Committee can work with Ms. Murphy to find funding in the budget. Ms. Murphy said Jay Perkins has some limited funding. This year, we were trying to identify some uses for that funding.

Mr. Dean said "Town Warden" should read "Tree Warden."

Mr. Papakonstantis said the third reading of the ordinance will be at the next meeting, November 15th.

d. Riverwoods Tax Agreements 2021

Mr. Papakonstantis said the Board heard a presentation from the Riverwoods Executive Management at the last meeting. Mr. Browne said regarding point 6, "Riverwoods offers its services to an indefinite segment of the public", he feels that the \$300,000 - \$600,000 entry fee makes it a definite segment of the public. Ms. Cowan said she doesn't know how much we could do about it even if we didn't agree. Mr. Dean said that's how Riverwoods does its business. This agreement is about the percentage of tax that the entity pays for its various holdings. The town can't issue a tax bill until we have the agreement in place. The issue at hand is more of a relational issue, and it's up to the Board whether to reach out about that. Ms. Cowan said revisiting this agreement could result in lawsuits and legal spending on both sides. Other agreements could be revisited, such as the agreement with PEA. Mr. Dean said that it was a court case back in the 1940s that determined the Academy's formula. Mr. Papakonstantis asked Mr. Dean to look into these types of agreements for next year. Mr. Dean said we can engage in a conversation with Riverwoods. Ms. Oliff said she would like to change the language of the agreement, specifically "offers services to a substantial and indefinite segment of the general public." Mr. Dean said those elements are part of the letter, not the agreement, so the Board would want to address it outside of the agreement. This is about how units are paying the tax rate. It's about 83% taxable.

MOTION: Mr. Browne moved to approve the 2021 Riverwoods tax agreements for The Woods, The Ridge, and The Boulders, respectively. Ms. Gilman seconded. All were in favor.

e. Outdoor Dining

Mr. Dean said this is an amendment to the current ordinance for licensing of alcohol use on town property. We would strike out the “voluntary not for profit” as the only type of organization can be licensed. There would be a change to refer to ordinance 178.24; currently it refers to 178.22I, which pertains to non-profits only. Mr. Papakonstantis asked if the Health Officer and Public Safety would still weigh in on applications, and Mr. Dean said yes. There’s also a change from a \$100 fee to a \$1 per square foot for each calendar year.

MOTION: Ms. Gilman moved to open the public hearing on the outdoor dining ordinance. Ms. Oliff seconded. All were in favor.

There was no public comment on this issue.

MOTION: Ms. Gilman moved to close the public hearing. Mr. Browne seconded. All were in favor.

Mr. Papakonstantis said the second public reading will be on Nov 15.

f. Municipal Station Agreement - NNEPRA & Amtrak

Mr. Dean said the Northern New England Passenger Rail authority and Amtrak have an agreement with the town on how the station is governed. This is the year that the agreement expired. The new agreement outlines the terms and conditions the town must abide by to operate a train station in Exeter. We’re subsidizing the existence of the station in maintaining the parking lot, platform, and roof area. We will continue to be required to have liability insurance. The agreement has been in place since 2001. We would keep this new agreement until it’s replaced or updated.

Mr. Browne asked if the ticket machine is ADA accessible. Ms. Gilman said yes, it’s in a new location on the platform. Mr. Browne asked if there are still 76 parking spaces, and Mr. Dean said yes.

MOTION: Ms. Oliff moved to authorize the town manager to sign the municipal station agreement. Ms. Gilman seconded. All were in favor.

g. Cemetery Setback Request: 37 Linden Street

Mr. Papakonstantis said the Board received correspondence from the owner of 37 Linden Street. Ms. Gilman said the resident is not available, but she will speak on their behalf, as she knows the situation. It’s required to have a 25 foot setback from a cemetery wall according to State Law of 1994, but the town never adopted it, but someone wanted to build within 25 feet, and the zoning ordinance was changed to add that in. This applicant is asking for the Trustees of the Cemeteries to give approval or reject this request. In 2017, the Select Board was designated as the Trustees of the Cemetery. Exeter Cemetery is not town property, but we still have to abide by the 25 foot setback. This is at Linden and Gill Street, and the property has been there. The rest of the street is developed. There’s no reason not to grant this special exception. The purpose of the request

is to make the home accessible for a disabled partner. If we approve, the request must go to the ZBA.

MOTION: Ms. Cowan moved as the Cemetery Trustees and Select Board approve the proposed use which is a special exception to a State regulated 25 foot setback while abutting a cemetery at 37 Linden Street as presented by the petitioner. Mr. Browne seconded. Ms. Gilman abstained and the motion passed 3-0-1.

9. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a solar exemption for 91/22 in the amount of \$10,000 for 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve a solar exemption for 72/219 in the amount of \$10,000 for 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve an intent to cut for 5/1. Ms. Cowan seconded. All were in favor.

b. Permits & Approvals

Parks and Rec Director Greg Bisson said that historically it takes 200,000 gallons to fill the pool, but we discovered in the last bill that we expended 1.2M gallons of water due to a leak. We have located the leak, and are trying to work with a contractor to fix it. It rained 23 days in July, so the pool ran at a deficit, but we knew that it likely would run at a deficit going in to the season. This unexpectedly large bill would be an added expense in a tough year. Last year, we asked for an abatement to fill the pool from Water/Sewer, but were told the request should go before the Select Board.

Ms. Gilman asked if neighboring properties noticed the leak or extra water, and Mr. Bisson said no. There was no evidence of erosion or any issues.

Mr. Browne asked if there's a way to prevent similar issues in the future. Mr. Bisson said we don't get a water bill until August. We could ask the Water Department to monitor it. Once we repair the leak, it will be back to normal usage. We believe the water pipe froze and cracked, and we will install a mechanism to blow water out of the pipe at the end of each season.

Mr. Papakonstantis asked Mr. Dean if the Water Department monitors town buildings the way they do private residences, and Mr. Dean said he doesn't know.

MOTION: Ms. Oliff moved to grant an abatement to Parks & Rec in the amount of \$20,687.13. Mr. Browne seconded. All were in favor.

Mr. Bisson said the town received a Cultural Conservation Grant, which money comes from the "moose plates". The Arts Committee collaborated on this grant. We plan to spend \$20,000 to restore the sculpture in Founders Park. We could only find one contractor which was qualified, Inspired Ornamental. We will

come up with a plan to have maintenance of the sculpture so it doesn't deteriorate in the future.

MOTION: Mr. Browne moved to accept the Cultural Conservation Grant from the NH State Council of the Arts in the amount of \$20,000 and to authorize the Town Manager to sign the grant agreement. Ms. Cowan seconded. All were in favor.

Mr. Dean presented a draft analysis by our Municipal Resources contractor. The sales price median ratio decreased by 11%. Mr. Dean said it's 89% to 79.3%. MRI reports this is similar to other communities for real estate values. The Board must sign the data certificate, but there is no motion required.

c. Town Manager's Report

- i. He's going full bore with the Budget Recommendations Committee. The full day meeting was October 22nd, the DPW General meeting was October 27th, and this Wednesday is Police and Fire.
- ii. He's working through the Collective Bargaining process with the three unions, and should have an update soon.
- iii. The tax rate is \$24.01 per thousand, a drop of 48 cents from last year. The town rate is \$5.79 per thousand, a drop of 12 cents. The county tax rate is up 2 cents, the State Education tax is \$1.99 per thousand, and the schools had a decrease of 38 cents per thousand. Most residents should see a small decrease in the second tax bill.
- iv. There's a new hire, Gail Morin, in Finance. She's the new HR and Payroll accountant.
- v. He participated in a virtual press conference on the bipartisan infrastructure bill, and spoke about the siphons project again.
- vi. We received a notice from Pan AM about work at the Salem Street crossing next week. We also have the sewer project going over there.
- vii. The Transfer Station has extended fall hours, from 8 AM - 2:30 PM Saturdays, and noon - 4 PM on Sundays. The fall leaf pickup will be Nov 22 - 27.
- viii. Congratulations to Exeter Women's Blue Hawk Field Hockey team, who won the State Championship.

d. Select Board Committee Reports

- i. Mr. Browne was not able to attend the Facilities Advisory Committee. They're looking for a Select Board rep that can better meet their hours, which are twice a month Thursday at 4:30 PM. Ms. Gilman said she can take it if he takes the Conservation Commission, which is the second Tuesday at 7 PM.
- ii. Ms. Gilman said she attended the Heritage Commission and HDC. Both are having special meetings. The HDC made themselves flexible to an applicant who wants to do a replacement window project before

December. The Heritage Commission has an extra meeting on the 8th to review a demo request for 35 High Street.

- iii. Ms. Cowan attended the Planning Board. They delayed the continued public hearing on a multifamily site on Newfields Road because the applicant must file for a wetlands permit. They approved a conditional use permit for replacing service poles for Eversource in the median of 101. That work will take place this winter.
 - iv. Ms. Oliff was not able to attend the Housing Advisory meeting, but they continued the discussion of the roundtable event for workforce housing needs, and started a conversation about the storyboard map.
 - v. Mr. Papakonstantis attended the DPW BRC meeting, where they had a very thorough conversation about CIP items.
- e. Correspondence
- i. A memo from Eversource, with a copy of the NHDES notice of petition for license to construct equipment on State Land.
 - ii. A DES notice for action at Pickpocket Dam. Mr. Dean said there's a warrant article proposed for Pickpocket Dam.

10. Review Board Calendar

- a. The next meeting is Nov 15 with the Swasey Park Trustees. There is also a meeting on Nov 22.

11. Non-Public Session

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

12. Adjournment

MOTION: Ms. Gilman moved to adjourn. Mr. Browne seconded. All were in favor and the meeting was adjourned at 8:55 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary