

Select Board Meeting
Monday March 29, 2021
7 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 7 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 March 26, 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. Public Comment

Chetana Parmar asked for an update about using Swasey Park for Exeter Power Yoga classes. Mr. Papakonstantis said Swasey Park has a permit process that would go through Parks and Rec and then to the Select Board. Town staff is working with Exeter Power Yoga, and it's still in progress. Ms. Parmar said other towns are allowing similar programs and waiving the fees to support local businesses. Mr. Papakonstantis said he's happy to speak with owner Tracey Coviello offline to help her with the process. There are complexities using the Park because of the Trust, which need to be worked through with the Trustees.

Ms. Cowan asked if a permit application has been filed. Mr. Papakonstantis said he spoke with Mr. Bisson this afternoon, and the answer was no. Ms. Parmar said the fees were the crunch point for submitting the permit, as they would like the fees waived.

Dwayne Staples, the Chair of the Swasey Park Trustees, said they have not yet met regarding this request.

Anne Surman of 14 Cullen Way said Swasey Parkway, meaning the road, has always been the responsibility of the Select Board. The park is the purview of

the Trustees, although the Select Board has assumed the permitting responsibilities.

3. Proclamations/Recognitions

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

4. Approval of Minutes

- a. March 15, 2021 Regular Meeting:

MOTION: Ms. Gilman moved to accept the minutes of March 15, 2021 as presented. Ms. Cowan seconded. Mr. Browne abstained as he was not present at the previous meeting. In a roll call vote, the motion passed 4-1.

5. Appointments

- a. Zoning Board of Adjustment

Mr. Papakonstantis said the Board had a memo from Bob Prior of the Zoning Board of Adjustment that the ZBA recommends Ms. Esther Olson-Murphy, currently an alternate, to replace Joanne Petito, whose term expires April 30, 2021, as a full member. Mr. Papakonstantis said the ZBA can appoint their own members, and he will coordinate with Mr. Prior.

- b. Arts & Culture Advisory Committee

- i. Mr. Papakonstantis said that due to irregularities with the voting, they decided to revote and reappoint the members of the Arts & Culture Advisory Committee. There will be seven members and two alternates.

MOTION: Mr. Browne moved to appoint Tony Callendrello to a 3 year term. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Oliff moved to appoint Scott Ruffner for a term of 3 years. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Cowan moved to appoint Mary-Paige Provost for a term of 3 years. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to appoint Dawn Amey for a term of 2 years. Ms. Oliff seconded. In a roll call vote, the motion passed 5-0.

MOTION: Mr. Browne moved to appoint David Drouin for a term of 2 years. Ms. Oliff seconded. In a roll call vote, Ms. Cowan, Ms. Gilman, and Mr. Papakonstantis voted no, and the motion failed 2-3.

MOTION: Ms. Gilman moved to appoint Anne Kenny for a term of 1 year. Ms. Gilman seconded. In a roll call vote, Mr. Browne voted no and the motion passed 4-1.

MOTION: Ms. Cowan moved to appoint Marissa Vitolo for a term of 2 years. Mr. Papakonstantis seconded. In a roll call vote, Ms. Gilman voted no, and the motion passed 4-1.

MOTION: Ms. Cowan moved to appoint Todd Hearon to a term of 1 year. Ms. Gilman seconded. In a roll call vote, Mr. Browne voted no, and the motion passed 4-1.

MOTION: Ms. Cowan moved to appoint Bruce Jones to an alternate position. Ms. Oliff seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Oliff moved to appoint David Drouin as an alternate. Mr. Browne seconded. In a roll call vote, Ms. Cowan voted no, and the motion passed 4-1.

6. Discussion/Action Items

a. COVID-19 Updates – Fire Chief Eric Wilking, James Murray, Health Officer

- i. Chief Wilking said there was a fire on High Street Saturday in a garage, but it was quickly extinguished. Covid numbers continue to rise, and they're not sure why. He's seeing a lot of people downtown without masks on, and he thinks people may be tired of restrictions. Rockingham County had 6 deaths in the last week, and there are 24 new cases in Exeter, all trending in the wrong direction. The EHS vaccination site has been vaccinating 900+ people daily. An agreement was reached to move the vaccination site to the old Sears store at the Fox Run Mall, effective today. Many who had appointments this morning thought it was a short notice change, but it sounded like all went smoothly at the new site today. Indoor operations are far more efficient than those outdoors; they can vaccinate $\frac{1}{4}$ - $\frac{1}{3}$ more people. The High School is trying to get back to in-person learning. They were an outstanding host since late December. Some Exeter residents were disappointed about the distance, but residents can go to Dover or Salem instead if that's more convenient. The fixed site uses Pfizer and Moderna vaccines, not Johnson & Johnson. Ages 40-49 can register today and tomorrow; on Wednesday, ages 30-39. After Friday, anyone 16+ can register. The FD and EMS have also been vaccinating hundreds of people living at senior housing.

Ms. Gilman said regarding the vaccination roll-out for the elderly population, are they tracking those who live at home? Chief Wilking said they maintain a list of at-risk elderly people at home. They've also partnered with Seabrook and Portsmouth to identify underserved populations.

- ii. James Murray said he's presenting the mask mandate for approval of a continuation. Mr. Papakonstantis said the Governor extended the State mandate for 3 more weeks. Mr. Browne asked how the State mandate relates to the town. Mr. Murray said they're very similar; it's a safety net in case the State does not reinstate their mandate. Ms. Gilman said they

took the approach of having the mask mandate before the Governor did, and she's comfortable extending it.

MOTION: Mr. Papakonstantis moved to extend the Town of Exeter mask ordinance from March 29, 2021 through May 29, 2021, to be in effect under the language of the ordinance or until the Governor of NH declares the State of Emergency over. Ms. Gilman seconded. In a roll call vote, Mr. Browne voted no, and the motion passed 4-1.

Mr. Murray said that Dragon Mosquito Control is the new mosquito control contractor. Starting in April, residents may see crews going into the woods. The town is still technically in a drought, but the year after a drought is heavy on mosquitoes, so they may have more this year.

b. Pocket Park – Swasey Parkway – Renay Allen

Renay Allen gave a presentation on her proposal for Swasey Park. She would like the town to move forward with the creation of a two bench "pocket park" in honor of Exeter's historical African American population, to be placed just inside the entrance to the park. She asked about the possibility of closing the Parkway to facilitate the park. Mr. Papakonstantis said that closing the Parkway permanently has not been discussed; there is a Trust, so it would need to go through some legalities at the State level. He doesn't think the status of the Parkway affects the project.

Mr. Staples said the Trustees haven't yet talked about the Parkway closure as a group. He would like to see a compromise and allow people to continue to drive in and park if they wish, perhaps by making the road one-way or blocking it off only on certain days.

Ms. Cowan said she's supportive of this project, and doesn't want to get held up on whether they close the Parkway or not, which has to go up for a town vote. She would like to see them come up with two plans.

Jennifer Martell of 22 Woodridge Lane, the Landscape Architect of Ironwood Design, who is working on this project, said she can look into whether there's another entrance to that location that would be appropriate or whether another location would be better. She would not recommend this location without closing the Parkway, as there's no crosswalk associated with the curb cut. They could put a crosswalk there, but from a traffic standpoint it's not recommended to have crosswalks so close together.

c. Impact Fees – Dave Sharples, Planning Director

- i. Dave Sharples, the Town Planner, said at the November 23, 2020 Select Board meeting, Bruce Mayberry presented the Board with options for updating the School and Recreation impact fees schedule. The Board recommended Option A for both, as they were the most conservative estimates. The Planning Board held a hearing and recommended going forward with the Select Board's recommendation. Now it comes back to the Select Board for approval.

MOTION: Ms. Gilman moved that the Select Board, as recommended by the Planning Board, adopt Option A as the update to our School Impact Fees as set forth in the table in section H.1 on page 17 in the 2020 Impact Fee Update Public School Facilities Town of Exeter NH dated October 16, 2020 by Bruce Mayberry. The updated fees shall be effective immediately. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Mr. Browne moved that the Select Board, as recommended by the Planning Board, adopt Option A as the update to our Recreation Impact Fees as set forth in the table in section A, Executive Summary, in the 2020 Impact Fee Update Public Recreation Facilities, Town of Exeter NH dated October 16, 2020 by Bruce Mayberry. The updated fees shall be effective immediately. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

d. NHDES Household Hazardous Waste Agreement

- i. Mr. Papakonstantis said this is the updated version of last year's agreement with changes noted to Exhibit B.

MOTION: Ms. Gilman moved to accept the Household Hazardous Waste Collections Grant Funds, and to enter into a grant contract with NH DES and further authorize Melissa Roy, Interim Town Manager, to execute the necessary documents for this grant contract. Ms. Cowan seconded. In a roll call vote, the motion passed 5-0.

e. House of Representatives Update – Selectwoman Julie Gilman

Ms. Gilman discussed several House bills. CACR 9 is a resolution which is a tax cap of 2% for citizens and 1% for the elderly, which could limit large projects. HB 67 is relative to town warrants; if a citizen's petition is amended at the Deliberative session, both versions would have to go on the warrant. If the vote is tied, it's deemed that the original warrant article was proved. HB 111 says that municipal agents – elected officials, employees, or volunteers - may be named in lawsuits against the town. The agent would not be liable for the costs, but could be personally named. She feels that this would be detrimental to employees and volunteers. HB 167 is relative to net metering, and includes an increase to 5 MW of power generation. HB 266 prohibits sanctuary policies and requires Police Departments to act as immigration officers; they're also required to be trained but no money is given to towns for that training. HB 341 is related to affordable housing and density bills. HB 588 defines tiny houses, and enables water and sewer action. Each municipality would have to adopt it. HB 544 defines divisive concepts related to sex and race and prohibits disseminating information on the concepts that are defined there. SB 130 is relative to education freedom accounts, which are grants to students attending non-public schools. This bill has been controversial.

Ms. Gilman discussed how to search the State website and how to communicate with representatives.

- f. Representation of Select Board Members to Committees
i. Planning Board - Ms. Cowan

Mr. Browne nominated Ms. Cowan as the Select Board rep to the Planning Board. Mr. Browne is willing to continue to serve as Alternate. Mr. Papakonstantis said no vote was necessary, as there was only one member interested.

Recreations Advisory Board: Ms. Gilman will be the rep, and Ms. Oliff the alternate.

Conservation Commission: Mr. Browne will be the rep, and Ms. Gilman the alternate.

Heritage Commission: Ms. Gilman

Historic District Commission: Ms. Gilman

Rockingham Planning Committee: Ms. Gilman; she is already the State Rep, so she can represent both groups.

Swasey Parkway Trustees: Ms. Oliff

Communication Advisory Committee: Mr. Browne

E911: Ms. Cowan

Energy Committee: Ms. Gilman

Facilities Advisory Committee: Mr. Browne

Housing Advisory: Ms. Oliff

River Advisory Committee: Mr. Papakonstantis

Sustainability Advisory Committee: Mr. Papakonstantis

Water/Sewer Advisory Committee: Ms. Cowan

Police Stakeholders Committee: Ms. Cowan and Mr. Browne. There was discussion on whether the Committee had a defined term. Anne Surman, the Chair of the ESPC, said they were to go through the five goals in their charge and make recommendations to the Select Board. They didn't see this going long-term.

Arts and Culture Advisory Commission: Ms. Oliff

7. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a tax abatement 110/2/13A in the amount of \$191.02. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve tax abatements for 104/79/904 in the following amounts: \$877.93, \$799.78, \$605.09, \$580.14, \$613.79, \$609.61, \$799.87, and \$744.50. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve tax abatements for 104/79/226 in the following amounts: \$169.50, \$277.97, and \$222.86. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

Ms. Gilman read the solar exemptions: 74/8, 33/14, 82/24, 24/1, 62/50, 73/312, 82/5, 104/48, 82/3, 63/65, 61/8, 70/57.

MOTION: Ms. Gilman moved to approve Veteran's Credits in the amount of \$500 for 101/37 and 94/15. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly exemption for 104/79/323 in the amount of \$152,251. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/221 in the amount of \$236,251. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/307 in the amount of \$152,251. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/911 in the amount of \$183,751. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to deny an elderly Exemption for 52/84/10. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Land Use Change Tax 72/67 in the amount of \$770. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 5-0.

b. Permits & Approvals

- i. Greg Bisson, the Parks and Rec Director, special event application for Parks & Rec to hold summer concert series on Swasey Parkway. Last year drive-in, but with proper protocols feel they can offer it safely on the Parkway. 100 - 150 people attended previously, so not large crowds.

MOTION: Mr. Papakonstantis moved to approve a permit for the following dates for Exeter Parks and Rec Summer Concert Series: June 24, July 1, July 8, July 15, July 22, July 29, August 5, August 12, and August 19. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

Mr. Bisson athletic facilities permits for the following: all three local sports organizations - soccer, baseball, softball - and a specialty permit for the adult softball league for a cancer awareness tournament. These will all follow state guidelines. He and Mr. Murray reviewed their protocols and approved.

MOTION: Ms. Gilman moved to approve the permit for Exeter Youth Soccer Association for their Spring 2021 program from April 15 to June 15, 2021 to be held at the Recreation Park. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Cowan moved to approve the permit for Junior Baseball and Softball League for their Spring 2021 program from April 15 to June 18, 2021 to be held at the Recreation Park. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve the permit for the SAU 16 Softball League to be played at the Recreation Park for April through September 2021. to be held at the Recreation Park. Mr. Papakonstantis seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve the permit for the Mary & Jackie Cancer Awareness Tournament to be held July 17 and 18, 2021 to be held at the Recreation Park. Ms. Cowan seconded. In a roll call vote, the motion passed 5-0.

Regarding the ADA Pool Lift request, Mr. Bisson said he found models that could be mounted normally onto the pool deck without ruining the integrity of the pool. He's requesting \$7,416 out of the Parks Improvement Fund to contract with All-ways Accessible Inc of Concord NH.

MOTION: Ms. Gilman moved to allow Parks & Rec to expend up to \$7,416 out of the Parks Improvement Fund to contract with All-ways Accessible Inc to install the Aqua Creek Scout Excel at the Daniel R. Healy Pool. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

Mr. Bisson said the fireworks were cancelled in 2020, but they're looking at starting the process again. They will take Covid concerns seriously. Ms. Gilman asked if they could consider this for New Year's Eve instead. Mr. Bisson said winter fireworks are difficult because of access. The display doesn't go up as high, so people have to be closer. Mr. Papakonstantis asked about State restrictions on fireworks, and Mr. Bisson said they're covered under the restrictions on gatherings. He mentioned other towns which are moving forward with their fireworks displays. He's looking for approval to begin the RFP process. By a general consensus, the Board had no objections.

Mr. Bisson said there is a change order for the approved roof project on the Pavilion at the Recreation Park. They encountered more damage than expected. More sheathing had to be replaced and the trim work was not salvageable.

MOTION: Mr. Browne moved to allow Parks and Recreation to expend an additional \$1665 out of the Parks Improvement Fund to contract with Refined Roofing on replacement of the trim on the Recreation Park Pavilion. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

Mr. Bisson said that in order to preserve the new trim and sheathing, they are looking to paint the pavilion. They got 5 bids, and are recommending McInnis Custom Solutions (formerly 5 Star Painting), which they have contracted with before. This would require \$3100 from the Parks Improvement Fund for the Gilman Park Pavilion.

MOTION: Ms. Gilman moved to allow Parks and Rec to expend \$3100 out of the Parks Improvement Fund to contract with McInnis to paint the Recreation Park Pavilion. Mr. Browne seconded. In a roll call vote, the motion passed 5-0.

- c. Town Manager's Report
 - i. Ms. Roy thanked the Department heads for helping to keep everything going.
- d. Select Board Committee Reports
 - i. Mr. Browne didn't attend the Facilities Advisory meeting, but he read the minutes. There was discussion of the Public Safety RFP. They're waiting on Debt Servicing information from the Town Manager. At the Exeter Police Stakeholders Committee, they heard from the FTO training officer on professional development.
 - ii. Ms. Oliff said the Housing Committee has not met. The Swasey Parkway Trustees had an emergency meeting about a woodpecker that's damaging trees.
 - iii. Ms. Gilman had no report.
 - iv. Ms. Cowan had a Planning Board meeting, where they approved conditions for the Ford Dealership on the corner of Portsmouth Avenue and Holland Way, and a small adjustment for a private residence.
 - v. Mr. Papakonstantis had no report.
- e. Correspondence
 - i. A letter from the Rockingham County Commissioner outlining the County's achievements over the past year.
 - ii. A thank you letter from Court Appointed Special Advocates [CASA] for the town's donation of \$1,500.
 - iii. A thank you letter from the Richie McFarland Children's Center for the town's donation of \$10,000.
 - iv. A letter in favor of keeping Swasey closed to vehicular traffic
 - v. A letter advocating for food trucks
 - vi. 22 letters in support of having yoga in Swasey Park
 - vii. Correspondence from Neil Bleicken regarding meetings with Select Board members. Mr. Papakonstantis pointed out that these meetings were held separately so were not a violation of 91-A. They will address this issue on a future agenda.
- 8. Review Board Calendar
 - a. April 12 and 26. Goal setting workshop will be Monday April 5 at 5 PM in the Novak Room.
- 9. Non-Public Session

MOTION: Ms. Cowan moved to enter into non-public session for wage information RSA 91-A:31(a). Ms. Gilman seconded. By a roll call vote, the motion passed 5-0 and the meeting entered into non-public session at 9:34 PM.

10. Adjournment

Respectfully Submitted,
Joanna Bartell
Recording Secretary