

Select Board Meeting
Monday January 3, 2022
7 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Niko Papakonstantis, Lovey Roundtree Oliff, and Town Manager Russ Dean were present at this meeting. Swasey Park Trustees Dwane Staples and Darius Thompson were also present.

The meeting was called to order by Mr. Papakonstantis at 7 PM.

2. Board Interviews

- a. There were no interviews at this meeting.

3. Public Comment

- a. Cliff Sinott of 84 Park Street, a member of the Energy Committee and the Energy Aggregation Committee, gave an update on their progress. The NH Coalition for Community Power Organizations reviewed the plan and provided formal comments, which have now been incorporated. The plan has been approved by the Committee and we recommend that it be submitted for Town Meeting. There are two options for implementation, a public procurement process or going through the coalition. The Board was comfortable with the Committee working with the Town Manager on a draft warrant article.

4. Proclamations/Recognitions

Mr. Papakonstantis said the Board received an email from the US EPA congratulating Public Works and the WW treatment plant, which were the recipients of the 2021 Excellence award.

5. Approval of Minutes

- a. Regular Meeting: December 20, 2021

MOTION: Ms. Oliff moved to approve the minutes of December 20, 2021 as submitted, Ms. Gilman. All were in favor.

6. Appointments

- a. There were no appointments at this meeting.

7. Discussion/Action Items

- a. COVID 19 Updates

Fire Chief Eric Wilking gave an update. The Covid numbers are as bad as they've been. Our vaccination rate is nearly 80%, but since Christmas, 97 residents have tested positive. There are 101 active cases in town. There were 8,600 patients this week in NH. 75 people died in the past week, 28 of whom

were from Rockingham County. The “Booster Blitz” is at EHS this Saturday; 4,000 people are registered, with a capacity of 5,000. Chief Wilking said that Mr. Murray [who was not present] told him that he receives 2 - 4 calls per day asking or complaining about the mask ordinance, about 50/50 pro- and anti-mask mandate. Mr. Murray will be working Saturday at the Booster blitz and the Police will be doing site work. We’re seeking more test kits for the FD staff from the State. PPE is being used and replaced at a pretty good rate. We’ve been asked if town staff can get N95 masks, and we will try to make that work. We get a 100% reimbursement from FEMA for those purchases.

Ms. Oliff said she hopes that those who have chosen not to vaccinate will do what they can to protect themselves and those around them.

Chief Wilking said that about 75% of people entering Exeter Hospital are unvaccinated. Ms. Gilman said they’ve had fewer patients over Christmas and New Year’s, but NH still has the lowest vaccination rate in New England, and they’re expecting the numbers to go up. When someone comes to the ER and goes into recovery, the recovery numbers aren’t counted, so the official totals are about 30% off.

b. Swasey Parkway Discussion

Chair Staples opened the Swasey Parkway Trustee meeting at 7:20 PM. He said the Trustees met last Thursday, with Mr. Papakonstantis present, and talked about ideas for the Parkway. Mr. Staples liked the idea of installing speed tables. The Trustees talked about the letter from Jay Perkins with his ideas. The Trustees are in favor of some delineation on the side of the road, but not necessarily a sidewalk, perhaps just a painted line. The Trustees do not want to see the roadway closed permanently. Mr. Thompson said a delineation makes the most sense economically and would likely have some impact on reducing speed. His concern about speed tables is traffic going through in an emergency. He would not like to see the road closed or to change/take away any green space.

Mr. Papakonstantis said he talked to the DPW, and they said that a speed table, as opposed to a speed bump, would not impede emergency access or plowing.

Mr. Papakonstantis opened the meeting to public comment.

Anne Surman of 14 Cullen Way asked why we would go to Town Meeting if we haven’t talked to Charitable Trust about whether we can close the roadway. Why not find out in advance? Mr. Papakonstantis said it depends on what the warrant article is. We’re discussing if there’s going to be a warrant article and what it would be. If any part of it is closing the Parkway, Counsel said we have to go to Town Meeting and see if the town is interested in closing it before we can go to Charitable Trust. Mr. Dean said Charitable Trust would work with the town. Mr. Papakonstantis said Counsel has already spoken with Charitable Trust about the process. The warrant article would spell out that it was contingent on Charitable Trust approval.

Gerry Hamel of 17 Little Pine Lane said last year when the roadway was closed down, a lot of people enjoyed the use of it, but even now people enjoy the park for what it is. It was set up for the enjoyment of everybody, and if we shut it down we'd be taking that away. A lot of people have mobility issues and wouldn't be able to enjoy it. They should at least be able to get into the park and enjoy it, maybe with a U Turn, not shut it down entirely.

Bill Campbell of 111 High Street said the goal is to open the Parkway to the whole town the best we can. He supports Jay Perkins' suggestion to put in speed tables. When we had speed bumps there, it did slow things down. If you start digging up parts of the Parkway, it will be expensive and a real mess. We should put in speed tables and see how it's going in six or eight months.

Jackie Bonci of 8 Lincoln Street said she's in favor of closure of the Parkway. The other day she saw families sledding there and a dad trying to stop traffic so they didn't get hurt. The pathway along the river is very narrow, only wide enough for one group of people. Cars go through at more than 40 MPH. It's dangerous, and we should shut it down now until we get it figured out. A big financial investment in changing the roadway is not in the best interest of the community. Painting a walkway is not clear enough to people driving through. There are other ways to get to that area in an emergency without going through the Parkway. If it's not closed down, slow signs could be placed near the entry or right in the roadway.

Mr. Papakonstantis said because of the class of the roadway, the Board only had the authority to close it during the Governor's Emergency Order. When it was lifted in June, we no longer had the authority to keep it closed for a long period of time. Ms. Oliff said the priority is safety. Can we consider doing no through traffic at certain times of the day, such as during the daytime? Mr. Papakonstantis said the legal hurdle is the class of roadway. Mr. Dean said you can't prohibit public access. Ms. Oliff said we're not prohibiting, just limiting it to recreation. Ms. Cowan said we should close access as a through-way entirely. Painting a line or speed tables defeats the purpose. People say they can't have access to the Parkway unless they drive their cars on it, but we could put in a few parking spaces and only have access through Newfields Road with a turnaround before the gazebo. The rest of the Parkway would be closed to traffic. Ms. Oliff said we heard at the last meeting that we didn't have enough space there. Ms. Cowan said it could be a three-point turn, not a roundabout.

Florence Ruffner of 5 Pine Street asked if the driveway to the storage shed could be used as a turnaround. She can't see how cars are ever compatible with pedestrians. Cars speed through there. The Police are too busy to sit down there.

Don Clement of 5 Thelma Drive said there's a lot of enthusiasm about prohibiting traffic on the Parkway, but there were some people who did not enjoy that. He has mobility challenges. It's difficult for him and other people to walk from Water Street down to the Parkway. It's important not to close the parkway or we will exclude a subset of the people in Exeter who have difficulty getting there.

Complete Streets says you need to share the streets with vehicles, bicycles, and pedestrians. If we shut down the Parkway, we haven't honored the vehicle part of Complete Streets. We could do other things to slow the traffic down.

Florence Ruffner said with the proposal to have it open from Newfields Road up to the storage unit, you're almost up to the Pavilion, that's plenty of space.

Ms. Oliff said she'd like to see some specific information about what we can do. Mr. Dean said we've done site walks and talked about cost estimates in the past. Ms. Gilman said with a turnaround, there were concerns about how much green space would be taken away. Ms. Cowan said there was a lack of support from the Board at that time. Mr. Papakonstantis said he and Mr. Dean had a preliminary conversation with Attorney Mitchell in 2020, but between the pandemic and the budget we didn't go further until the Emergency Order was lifted in 2021. We brought back the Swasey Parkway Trustees, and came up with the one-way compromise for public safety. Ms. Oliff said she would like to see the notes from the site walks. Mr. Papakonstantis said he went down to the Parkway with the Highway Superintendent, who described why it would be difficult to do a roundabout. It could take years, since we'd have to get a permit from the State because the water is there. Ms. Cowan said she'd like to make a motion about closing the Parkway with a three-point turnaround. She'd like to find out if the town is interested in closing it so that we can proceed with the Charitable Trust.

Anne Surman asked if part of the warrant article would be "does the town agree to change the wording of the Trust to eliminate 'pleasure vehicle access.'" Mr. Papakonstantis said Attorney Mitchell didn't suggest changing the text of the Trust. Ms. Cowan said this Trust is a living, breathing document, and we're not talking about the same things as in 1929. We're not talking about eliminating cars on the Parkway, just on part of the Parkway. Ms. Surman said a Trust is not a living breathing document, they are usually irrevocable.

Don Clement said the one-way entrance with parking is a good idea. We didn't come up with any numbers. Mr. Dean said we did in April/May 2016; we had Public Works estimate \$26,000 to do that work. Mr. Clement said most of the community population is on the other side from Newfields Road, so you'd have to do a 180 degree turn into the Parkway. The access from Water Street is much safer.

Mr. Thompson read from the Trust Agreement. Mr. Thompson said the intent of this Trust is that Ambrose Swasey donated land for a Parkway for park purposes, not as a cut-through. There shouldn't be an issue with using it only for park purposes. We should have it one-way and have jersey barriers along the side to slow people down. We should try different solutions before trying to change the essence of the Trust. Mr. Staples said he's also concerned about changing the language of the Trust. The sidewalk down there is only three feet wide, but maybe we could explore widening it. Do we know if we can even do

things like parking and blocking it off on a class 5 road, according to DOT standards? There needs to be more research done.

Mr. Thompson said the siphon project will disrupt the road, so we should evaluate everything instead of rushing to do something. Mr. Staples said the road will be closed while the siphon project is going on.

Mr. Dean said Attorney Mitchell is looking at the legality of cutting off “public viatic use” vs all use.

Ms. Gilman said the Trustees make a good point that the Parkway road will be disturbed by the sewer siphon work. There will have to be some kind of turnaround, which could be a test case. Mr. Dean said that project is anticipated to happen in 2022.

MOTION: Ms. Cowan moved that Mr. Dean and Attorney Mitchell to draft a warrant article, to be discussed by the Board on January 18th, to close off Swasey Parkway to vehicular traffic from Water Street to the Pavilion and allow traffic to enter from Newfields Road to park and turnaround for a duration of one year. Mr. Papakonstantis seconded. Ms. Gilman said she shares Ms. Surman’s concerns about working with Charitable Trust and whether we will be violating the Trust. Because of construction this year, we will have to close it anyway. Ms. Cowan asked when the town is allowed to be out of the Trust. Mr. Dean said the Select Board has had the authority to terminate the Trust since 1979. Ms. Gilman voted nay and the motion passed 3-1.

MOTION [Swasey Park Trustees] Mr. Staples moved to adjourn the Trustees at 8:25 PM. Mr. Thompson seconded. The motion passed 2-0 and their meeting was adjourned.

c. FY22 Budget, Bonds, and Warrant Articles

Mr. Dean said since the last meeting, we have had changes in health plans for employees. The new number for the General Fund is \$20,446,231, an increase of about \$70,000. This is a 2.65% increase over the adjusted budget and a 2.79% difference over the un-adjusted budget. The budget hearing is coming up on January 18th.

Ms. Gilman said we have a request from the Energy Committee to include \$200 in the Planning Department for dues. Mr. Dean said we could find \$200.

Mr. Dean said regarding the collective bargaining agreements, we are disclosing the information publicly by putting in the Board packet on page 3 and 4.

d. Grant Acceptance - Winter Street BMP - \$118,900

Mr. Papakonstantis said that Public Works has secured a grant from NH DES for stormwater best management practice (BMP) on Winter Street. This requires matching funds from the town and the town engineer’s time. We’re

looking to use \$42,586 of ARPA funds to provide the difference so the grant can move forward.

MOTION: Ms. Gilman moved to accept the NH DES Stormwater BMP grant of \$118,900 and further authorize the use of \$42,586 in ARPA funds as a grant match for the project, and authorize the Town Manager to sign any documents relative to this grant. Ms. Oliff seconded. All were in favor.

e. Grant Acceptance - Department of Justice Body Cameras - \$44,000

Mr. Dean said a Department of Justice grant was awarded to the Police Department for body-worn cameras.

MOTION: Ms. Cowan moved to accept the grant amount of \$44,000 from the Bureau of Justice for the body-worn camera implementation program as requested by the Exeter Police Dept. Ms. Gilman seconded. All were in favor.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Veterans Credit in the amount of \$500 for 68/6/334, 75/17/35, 52/36. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 65/144 in the amount of \$10,000 for tax year 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 24/20 in the amount of \$19,000 for tax year 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve a Tax Abatement for 110/2/102 in the amount of \$8.24 for the tax year 2021. Ms. Cowan seconded. All were in favor.

Mr. Papakonstantis said we received notice that the IRS Standard mileage rate will change to 58.5 cents per mile. No action from the Board is necessary.

Mr. Papakonstantis said there's a request from Exeter FD Assistant Chief Pizon for two address changes from the E911 committee.

MOTION: Ms. Gilman moved to renumber 4 McKinley Street to 16 McKinley Street Unit 1 (downstairs) and 16 McKinley Street Unit 2 (upstairs). Ms. Oliff second. All were in favor.

MOTION: Ms. Gilman moved to renumber 16 McKinley Street to 20 McKinley Street. Ms. Oliff second. All were in favor.

b. Permits & Approvals

Jeannie Wright of 40 Hampton Road, the Exeter Hampton Coop. She is a resident, member of the Coop, and a Board Chair. A homeowner recently passed away and the home was delinquent on property tax. The Coop pays the land taxes and the

homeowners are responsible for building taxes. That home was left in limbo and there was no probate opened. This home has no value. We've hired an attorney for writ of possession. We're just about to take ownership of the home but are not collecting rent on that home, so we're looking to work with the town to release the liens being held so we can have the home removed and put a new home in there. Mr. Dean said we'd do something conditioned upon an agreement per RSA 80-2A, and authorize the Town Manager to sign the agreement.

MOTION (not voted): Ms. Gilman moved to allow the town to claim 40 Hampton Road Unit A-16 with a tax deed procedure which would allow the Cooperative to gain income, and the Cooperative would agree not to charge the town rent, and further authorize the Town Manager to sign the agreement. Mr. Dean asked the Board to withdraw the motion, and he provided the text of a new motion.

MOTION: Ms. Oliff moved to allow the Exeter Hampton cooperative to remove unit A16 without first paying taxes on the unit pursuant to RSA 80:2A, and to authorize the Town Manager to sign a statement regarding the same. Ms. Gilman seconded. All were in favor.

Greg Bisson said he's asking to expend \$85,000 from the Parks Capital Improvement Fund for a playground for Park Street Common. The Department did a survey and held an in-person information session at Park Street, and got a lot of feedback. Four manufacturers submitted designs; we narrowed it to 2, and voted November 30 to go with the Play and Park Structures represented by the New England Recreation group. That will bring the total of the fund from \$113,000 to \$31,000. We'll have to bid out fencing after the playground is installed, and expect that to cost \$15-16,000. That would be black aluminum fencing to blend into the historical neighborhood.

MOTION: Ms. Oliff moved to allow the Parks and Rec Department to expend \$85,000 from the Parks Improvement Capital Reserve Fund for a playground on Park Street Common. Ms. Cowan seconded. All were in favor.

- c. Town Manager's Report
 - i. Mr. Dean said he heard from Principal Rawson that most students came back to PEA today with a negative Covid test. The first week will be remote classes. Booster clinic set up for students on Wednesday. Principal Rawson is willing to come to a future Board meeting to give an update. Mr. Papakonstantis suggested January 31st.
 - ii. The new Munilink water and sewer billing software is almost ready to launch. Residents will be able to log into a portal and ask for e-billing options.
- d. Select Board Committee Reports
 - i. Ms. Oliff had no report.
 - ii. Ms. Cowan had no report.

- iii. Ms. Gilman had no report. She will be at the State House for veto overrides and leftover bills from earlier this year.
- iv. Mr. Papakonstantis had no report.
- e. Correspondence
 - i. Letter from a resident of Windemere Lane about contacting Amtrak on the requirements of a quiet zone. Mr. Dean will reach out to the resident. Ms. Gilman suggested reaching out to Bob Hall about how Amtrak would respond. Mr. Dean said SSM (supplemental security measures) have to be in place at all crossings before they will consider a quiet zone.
 - ii. A communication from NHMA with important dates prior to the March election.
- 9. Review Board Calendar
 - a. January 18 is the Public Budget Hearing.
- 10. Non-Public Session
 - a. There was no non-public session at this meeting.
- 11. Adjournment
 - a. Mr. Papakonstantis said the Board will have a “non meeting” after adjournment to consider the collective bargaining agreement.

MOTION: Ms. Cowan moved to adjourn. Ms. Oliff seconded. All were in favor and the meeting adjourned at 8:48 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary