

Select Board Meeting
Monday January 31, 2022
7:15 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Lovey Roundtree Oliff, and Niko Papakonstantis. Molly Cowan was present remotely via Zoom. Town Manager Russ Dean and Assistant Town Manager Melissa Roy were also present at this meeting.

The meeting was called to order by Mr. Papakonstantis at 7:15 PM.

2. Public Comment

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

3. Proclamations/Recognitions

Mr. Papakonstantis honored the Wastewater Treatment Plant team, which received the US EPA Region 1 2021 Operation and Maintenance Excellence Award. This award recognizes the significant efforts the town and the Department have put forth for the construction and success of the plant.

Mr. Papakonstantis also thanked the DPW for their tireless work to keep the roads and sidewalks safe in the recent storm.

Jennifer Perry said the recognition from US EPA and NH DES means a lot to the Department.

Matt Berube said the treatment plant took 2 ½ years to design and build. We have a great team and we're proud of the hard work they put forward. We're meeting and exceeding our permit, and will continue to do that for the town. There were some pieces of technology that were new to the region, such as the Dutchland Tank which they saw in Pennsylvania and large bubble mixing which they saw in Colorado.

Mr. Dean said this is a cutting-edge project and something we're very proud of. The WWTP team had their picture taken with the Board.

4. Approval of Minutes

- a. Regular Meeting: January 18, 2022

MOTION: Ms. Gilman moved to approve the minutes of January 18, 2022 as written. Ms. Oliff seconded. In a roll call vote, all were in favor and the motion passed 4-0.

5. Appointments

- a. There were no appointments at this meeting.

6. Discussion/Action Items

- a. COVID-19 Updates

Fire Chief Eric Wilking gave a COVID-19 update. He said some believe the Omicron variant is showing signs of leveling off, but there aren't yet enough data points to show a trend. 149 Exeter residents tested positive this week, which

is down 29% from the previous week and is a 45% decrease from our all-time high of 273. About 3,000 people per week Statewide tested positive. The Director of NH DHHS was discussing a different way to collect data; with so many tests being done at home that aren't reported, it's hard to get reliable data. Cases are getting under reported. There's a new State Covid dashboard going live tonight. We reached out to the State with the Board's question, and learned that the PEA faculty, staff, and students are reported with Exeter numbers, as long as they're on campus full-time.

Mr. Papakonstantis asked if folks testing positive at home are supposed to report their results, and Chief Wilking said we recommend that if they get a positive test at home, to go get a definitive PCR test. PCR testing turnaround is getting better as the backlog goes down.

b. PEA Opening

William Rawson, the Principal of Phillips Exeter Academy, was present to discuss the PEA opening. Dr. Rawson said PEA is doing pretty well, which is reflected in our public Covid dashboard. We required students to test at home before traveling back to campus; 86 tested positive and stayed home. Students returned Jan 3 and did classes remotely for the first week. 54 students tested positive on campus, but by the 4th week it was down to 1, although there were 2 this morning. No students are in quarantine. Because we have 800+ students in dormitories, we're doing twice weekly rapid antigen tests of all students and adults. We may continue with this for the entire winter term. We're having a booster clinic for students on Wednesday Jan 26. We now have in-person dining and athletics with fans present. We will continue to relax as we can and as the test results show. Students are coming into town, in masks, but are required to take food out rather than eat in the restaurants. We had more adult cases than student cases, but that trend also seems to be going in the right direction.

Mr. Papakonstantis thanked Dr. Rawson for his work.

c. Deliberative Session

Kate Miller, the Town Moderator, was present to discuss the Deliberative Session to be held on Feb 5th. Last year, we changed up the Deliberative Session because of the pandemic. We still have strong cases, so we're planning on doing something similar. We had a walkthrough a week ago where all the town departments and people from the school came. In addition to the auditorium with masked voters, we will have a space in the small gym for those who will not wear a mask. This is a legislative session, so we're not allowed under the law to prevent people from participating if they're not wearing a mask. There will be separate entrances. The two spaces will have an A/V connection. There will also be a venue outside in the parking lot, which will have an FM transmission. People wishing to stay outside will have to come in to get a voter card but otherwise can stay in their car. There's also an option to watch the session on the YouTube channel. There will be an Assistant Moderator with a microphone outside. There

will be Police Officers there as well if things get difficult. Deliberative Session went relatively well last year, so we're hopeful that it will be smooth this year.

d. Economic Development Updates

Darren Winham was present to give an Economic Development update. At Osram, building B has sold to the Kane Brothers, and he's seen tentative plans for a new building. They're looking for tenants. At 22 and 24 Continental Drive, he's dealing with one tenant who may want both parcels. On Epping Road, Primrose Daycare is under construction, and Nouria Energy is about to be. 85 Epping Road is being considered for a commercial use. Business outreach is going well, people can go on the website to sign up. Tom Monahan has another concept for the project on Epping Road, which is going to come in to the Planning Board and ZBA. FC Con, a student loan company, is moving into 100 Domain Drive. Ninja Warrior moving into the Palmer & Sicard building. Work happening at the Ioka. Fat Hen Brewing is looking at sites in Exeter. Another brewing company is looking at the Carlisle property behind Ray Farm, and there's a P&S pending. We'd have to extend the TIF Road and widen the drive lanes from Continental Drive to 101, then we will have completed the TIF. At 46 Main Street, the ZBA rejected a bank proposal. This is a run-down auto repair shop on Main Street next to the school. They're hoping someone can put in residential there, but at the price point, the developer can't do that without a decent amount of relief, such as 4 or 6 units. At 23 Water Street, Elliot Berkowitz wants to begin building this year. In 2017, it would have cost \$1.82M; now it's at \$5M. He's trying to get to the price where he can make it work. Businesses want to come into town but there's no stock, which is a good thing.

Mr. Dean said we tax the TIF once a year; with the last bill in the Fall, it brought in \$1.7M. It continues to be extremely successful.

Mr. Papakonstantis asked how existing businesses are doing under COVID. Mr. Winham said it's going well. He's heard there's some unhappiness with the mask mandate, but everyone he's talked to has been ok with it.

e. ARPA Updates and Projects

Mr. Dean presented a report regarding the ARPA funds. The Board previously approved the Winter Street BMP. Pickpocket Dam is at \$185,000 and the Swampscott Sewer Siphons project is at \$458,750. The Board approved IT projects at \$75,940. There's an HVAC improvement to the Town Hall, which would add Covid-preventative filters, at \$120,000. For the Sewer Siphons project, we set aside \$600,000 in case Congressional Direct Spending doesn't come through. The projects total \$1,481,576. We've been allocated \$1.6M, so there would be \$120,000 left. The Great Bay Nitrogen Permit work at \$99,000 could be added. In May of 2022, we will receive the second tranche of funding, which will get us to the \$1.6M. We have until 2024 to commit it and until 2026 to spend it.

Mr. Papakonstantis asked if we can reallocate the extra money if the Congressional Direct Spending comes through, and Mr. Dean said yes.

Mr. Dean also presented four projects for State ARPA money, which would be in addition to the Federal funds previously discussed. The projects here are the Swampscott River Sewer Siphons, at \$180,000; the Webster Ave Pump Station, \$1.395M plus \$325,000 in debt forgiveness; the Westside Drive Area Utility Project, at \$100,000; and \$100,000 for Pickpocket Dam. We're in line for a total of close to \$2M in State ARPA funds, which is the State cap.

f. HB307 Discussion

Mr. Papakonstantis said he spoke with residents who expressed concern about HB307, which deals with regulating gun distribution and ownership at a local level. Mr. Dean said our local ordinances limit where you can discharge a firearm in the town. They do not allow firing within the compact of the town of Exeter, with certain exceptions such as for hunting or at a firing range like the Sportsman's Club, which is town-owned property. HB307 proposed to do away with local control over the use of firearms; however, the latest version he's seen doesn't have the term "use" in it, and only addresses possession. The bill that passed the Senate is on the Governor's desk.

Ms. Gilman said it's confusing because the website says "enrolled," which means waiting for the Governor's signature, but because the Senate made an amendment it would have to come back to the House for approval. Among other concerns, the bill doesn't address Federal Safe School zones for elementary and high schools, or polling places which are on school grounds.

Mr. Papakonstantis asked if this bill passed, could people shoot guns at Swasey Parkway? Mr. Dean said not if the bill excludes regulations on use, as in the version he's seen.

Mr. Papakonstantis said he's also concerned about fines of \$10,000 which could be levied against local officials, as well as the Governor's ability to remove local officials from their positions.

Mr. Dean said if this passes, the State RSA 644:13 would apply; it talks about the unauthorized use of firearms. Under this ordinance, a person has to have written permission to use a firearm within the compact of a town. In our ordinance, it's prohibited in a complete manner. He presumes the Board's position would be opposed to anything that would disrupt our local control of these ordinances.

7. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Veteran's Credit in the amount of \$500 for 54/4/9, 95/64/360, 95/64/373, and 69/3/302 for the year 2022. Mr. Papakonstantis seconded. In a roll call vote, all were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an abatement for 104/79/319 in the amounts of \$717.16 for 2019, \$752.95 for 2020, and \$648.27 for 2021. Ms. Oliff seconded. In a roll call vote, all were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an abatement for 87/8/A-16 in the amounts of \$1,355.26 for 2011, \$81.40 for 2012, \$1,385.02 for 2013, \$967.43 for 2014, \$920.75 for 2015, \$996.59 for 2016, \$972.77 for 2017, \$980.88 for 2018, \$1,528.49 for 2019, \$1,611.45 for 2020, and \$1447.80 for 2021. Ms. Oliff seconded. In a roll call vote, all were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an abatement for 95/64/68 in the amount of \$454.72 for 2019, \$497.72 for 2020, and \$410.57 for 2021. Ms. Oliff seconded. In a roll call vote, all were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an abatement for 95/4/175 in the amount of \$56.52 for 2010, \$592.92 for 2011, \$594.93 for 2012, \$213.12 for 2014, \$319.28 for 2015, \$348.47 for 2016, \$328.07 for 2017, \$322.19 for 2018, \$650.20 for 2019, \$685.92 for 2020, and \$585.84 for 2021. Ms. Oliff seconded. In a roll call vote, all were in favor and the motion passed 4-0.

- b. Permits & Approvals
 - i. There were no permits or approvals considered at this meeting.
- c. Town Manager's Report
 - i. Mr. Dean thanked the Public Works Department for snow removal during the storm.
 - ii. We're working with Stratham on whether we can provide Water and Sewer services to a proposed development off of the Stoneybrook Lane area. They make a compelling argument for providing Sewer services so they can avoid using septic systems. We asked Public Works to look at that area and see what we could provide, but it's ultimately the Select Board's decision.
 - iii. Deliberative Session is this Saturday. He's been working on the background materials for that, and those will be up online tomorrow. He did a Deliberative Session walkthrough last week.
 - iv. Senator Shaheen visited last week, and he was impressed by her taking the time to talk to our Water/Sewer personnel.
 - v. He attended Deputy Chief Munck's retirement party last Friday. Mr. Munck had 27 years with the town.
 - vi. He attended a Health Trust Board of Directors meeting on Jan 20, which went well.
 - vii. There's a proposed Town Office maintenance project which the Board will hear about soon.
- d. Select Board Committee Reports
 - i. Ms. Oliff had no report.
 - ii. Ms. Gilman said the Historic District Commission continued the case for PEA's demolition at 8 Gilman Lane. Demo won't occur until we've approved what's going to replace it. The interaction between the school and the Commission is very good. We're continuing to hear about

development at the Baptist Church on Front Street, where they're planning to put in 11 residential units. The Heritage Commission made a decision on a demo at 280 Epping Road. It had no historical significance, so we did not object. At the State House, we heard four different tax credit bills. The State webpage has been simplified, and it's easier to see what's coming up for the House and submit comments.

- iii. Ms. Cowan had no report.
 - iv. Mr. Papakonstantis had no report. He attended the event with Senator Shaheen at the WW Treatment Plant, the Deliberative Session Walkthrough, and the retirement of Deputy Chief Munck. He paid tribute to Deputy Chief Munck and his years of service.
- e. Correspondence
- i. A letter from the Sustainability Advisory Committee, which voted to support closing Swasey Parkway to traffic.
 - ii. Two letters from the same person, requesting adoption of a nuisance ordinance regarding lights and another regarding lights shining into their living room. Mr. Dean said it's a neighbor-on-neighbor issue, so the Police Department is working on a resolution.
 - iii. A thank you from CASA for a town donation
 - iv. Annual notices from Xfinity

8. Review Board Calendar

- a. Deliberative Session is Saturday, February 5. The next Select Board meetings are Monday February 7 and Tuesday February 22.

9. Non-Public Session

MOTION: Ms. Gilman moved to enter into non public session under RSA 91-A311(a). Ms. Oliff seconded. In a roll call vote, all were in favor and the meeting entered non public session at 8:34 PM.

10. Adjournment. Selectwoman Oliff moved to adjourn. Selectwoman Gilman seconded. The motion passed and the Board stood adjourned at 8:46 pm.

Respectfully Submitted,
Joanna Bartell
Recording Secretary