

Select Board Meeting
Monday April 3, 2023
7 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

Members present: Chair Niko Papakonstantis, Vice-Chair Molly Cowan, Clerk Julie Gilman, Dan Chartrand, and Nancy Belanger. 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 PM.

2. Citizen Award - Jeff Neil

Mr. Papakonstantis thanked Exeter resident Jeff Neil for preventing what could have been a tragic situation on an airplane. Chief Poulin said on March 24 the Police Department presented Mr. Neil with a Citizen's Award. Ms. Cowan thanked him for the wonderful example he set for the citizens of Exeter and the world.

3. Public Comment

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

4. Proclamations/Recognitions

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

5. Approval of Minutes

- a. Regular Meeting: March 20, 2023

MOTION: Ms. Belanger moved to approve the Select Board regular meeting minutes of March 20, 2023 as presented. Ms. Gilman seconded. The motion passed 5-0.

6. Appointments

- a. There were no appointments made at this meeting.

7. Discussion/Action Items

- a. Police Department Body Cameras Demonstration

Police Chief Stephan Poulin said in December 2022, the Police Dept received State funding to purchase body worn cameras, and the Officers have just finished their training. The cameras will be used by all sworn members of the Department during their daily performance of duties. The cameras are fastened into the Officers' uniforms. In addition to activating by tapping, they turn on when an Officer draws their firearm, runs, engages in jostled movement, or turns on the lights in the patrol car. If the camera is horizontal for 10 seconds, it initiates an "Officer down" sequence. Footage is automatically encrypted and uploaded into the cloud. These cameras ensure that the narrative is true, reliable, and secure.

We are focused on fostering a positive relationship in the community. We recently had a person threaten suicide by cop who had a firearm in their pocket, and we were able to view that all policies and procedures were adhered to. No one was hurt. Officers would let the public know if they are being video/audio recorded, unless it's not safe to do so. Cameras would be used on a call for service only. We can't use them where there is a reasonable expectation of privacy, such as a bathroom or locker room. At your home, you can ask them to turn it off unless there is an arrest warrant or search warrant. Deputy Chief McCain worked hard on this policy and a training presentation. Mr. Papakonstantis also acknowledged Senator Shaheen for her efforts on this initiative.

b. Swasey Parkway Warrant Article Update

Attorney Joe Driscoll of the Mitchell Municipal Group was present to discuss the Swasey Parkway votes. In 2022, there was a vote to discontinue the road. The article had the condition of obtaining approval from Rockingham County Court and Charitable Trust. A judge finalized that order, discontinuing the road at that time. On the recent ballot, there was a Citizen's Petition warrant article to keep the roadway on Swasey Parkway open to motorized pleasure vehicles in a one-way direction, but the road was no longer open, so there is no ability for this Board to keep it open. The Petition would have had to use different language to recreate the road. This new vote seeks an action that this Board doesn't have the authority to do.

Mr. Papakonstantis asked if the upkeep of the pavement by Public Works will continue, and Mr. Dean said that will continue.

Mr. Papakonstantis said the Select board still has the authority to permit events like the Farmer's Market on the Parkway.

Dwane Staples of 32 Ashbrook Road, the Chair of the Swasey Parkway Trustees, said the language of the 2022 vote said that the road is going to be discontinued to the Pavilion. Is that the Water Street side of the Pavilion, or the other side? Is the Pavilion in the discontinued road? Attorney Driscoll said the language from the article was "from Water Street to the Pavilion". Mr. Chartrand said the Board should work with the Swasey Parkway Trustees to figure that out. Ms. Gilman said the request to close it down was so that families could enjoy the Parkway and concerts. Mr. Papakonstantis said we will work with Public Works and Public Safety on the turnaround.

Florence Ruffner of 5 Pine Street said if you bring the road to where Pavilion starts, you wouldn't want cars pulling up in front. Kids are playing there. You should make it to the other side of that.

Gerry Hamel of 17 Little Pine Lane said where the road stops doesn't make much of a difference. The Parkway could always be closed for events, usually at the Middle Shed. The warrant article was specific on non-motorized vehicles; it allows maintenance and emergency vehicles only. Where do you have the ability to bring other vehicles in, such as for the Farmer's Market? In the

cy pres filing, it says that people with mobility issues will have a way to get into the Parkway, but how isn't clear.

Mr. Papakonstantis said the Select Board has the authority to permit a Farmer's Market or event, so a permitted event could come in. On the other concern, the Board will work with Public Works, Public Safety, the Trustees, the Town Planner, and the public on how to make this fair and equitable.

Mr. Chartrand said he voted no on the Citizen's Petition because he trusts the Select Board to come up with the most equitable solution for everyone.

Ms. Belanger recognized Mr. Staples and those who voted on the Citizen's Petition. Their vote is not being ignored. The Town Attorney stated what our options are, and we will proceed and take everyone's consideration into account.

c. Squamscott River Siphons Project Update

Mr. Papakonstantis said he and Mr. Dean wrote an op-ed piece for the paper on the siphons project and the difficulties we've encountered. While this project has become increasingly complicated, it's not unobtainable. Ms. Cowan previously suggested making a video, which Mr. Vlasich, Mr. Dean, and Mr. Papakonstantis made working with Mr. Glowacky. The video was posted on social media, Facebook page, Channel 22, and on the website. The Board played the video at the meeting.

Interim Public Works Director Paul Vlasich gave an update of events since the video was made. We're looking to see if two 12 inch barrels would work instead of two 10s and a 12. We think it would work, but we're working with NH DES, which requires a three-barrel system. We could try to find a corridor with no ledge, but just the permitting for additional borings would be at least a six month process. The new estimate to drill a new bore across the river is \$1.4M. Now we're looking at a total of \$4M for the project, which includes the contingency and the more substantial equipment.

Ms. Gilman asked about the time frame. Mr. Vlasich said the contractor is waiting for us. We'll need to have that discussion with them.

Mr. Dean said he recommends a special meeting of the Board to vet all the different options, likely before the next meeting on 4/17.

Mr. Papakonstantis asked if the \$4M includes the \$1.6M originally reserved for this project. Mr. Vlasich said that's correct. Ms. Gilman asked if we would have to have a special town meeting for the additional \$3M. Mr. Papakonstantis said that's one funding option which will be considered.

d. Update on Position Vacancies

Human Resources Director Melissa Roy presented a list of current vacancies in Town Staff Positions and how long those positions have been vacant for. We are making progress but still continue to struggle in Water/Sewer. We just had our Engineering Tech give notice. Everyone in the Seacoast is

having this issue. We were fully staffed in Police and Fire a month or two ago, but now it looks like we'll be down.

Mr. Papakonstantis asked her to tell the Board if there is anything they can do to help in recruiting and retaining staff. We're still working on the reclassification study. Ms. Roy said she's glad he mentioned retention; staff has stepped up and is doing more than normal, so we want to make sure they don't burn out.

e. Community Center Investment Program Application

Assistant Parks and Rec Director David Tovey was present to discuss the grant. This program aims to provide \$20M in grants to support infrastructure improvements in community spaces. This would help with renovations at 10 Hampton Road. We believe we are a strong candidate for this grant, as the project hits many of the priorities listed. The CDFA already awarded us a clean energy grant for a level 2 energy assessment of the building. We would like to pledge some ARPA funds. We would apply for \$809,332 in funding. There is a 15% cash match, and that can include the \$25,800 we've used for renovations already. We're looking to go over a 15% match for a stronger application, and he suggested 28%. The deadline is April 21. We're working with Donna Lane to write the grant, and she's looking to have questions answered by this Thursday. If we are not awarded the grant, we would not be spending any of the other funds.

Ms. Roy said we received positive feedback, but there are a number of communities applying, so we're looking to make this application as strong as possible.

Mr. Papakonstantis said he thinks increasing the cash match to 28% is a good idea, but he's stuck on the ARPA amount. Where are we with the ARPA funds? Ms. Roy said we have \$736,000 in ARPA funds. These need to be obligated by 2024 and spent by 2026. We've had requests for upgrades to the Town Hall Chairs and other projects. She thinks this would also qualify for funding from the Rec Revolving Fund. As long as there's not an emergency in Parks and Rec, it might be wise to take it from there.

Mr. Chartrand asked how much the 15% match would be; Mr. Dean said \$135,000. Mr. Chartrand asked if we could get that without tapping ARPA. Ms. Roy said we can't drain the Rec Revolving account because it's there for an emergency or events such as weather preventing pool usage and a loss of revenue. Right now, we have \$75,000 coming from the Rec Revolving and \$36,000 from Impact Fees. Mr. Chartrand asked if another possible use for the ARPA funds could be the siphons project. Ms. Roy said yes. Mr. Chartrand said he'd be hesitant to use the money for anything else. He'd prefer to get to the 15% match and put the application in and take our chances. Mr. Dean said \$75,000 from the Rec Revolving fund, \$25,000 from the Park Improvement Fund, and \$36,000 from Impact Fees gets it to the 15% threshold. Ms. Belanger asked what

happens if there is a fee issue. Ms. Roy said that's in Rec Revolving, which has a fund balance of \$180,000. We wanted to make sure to protect that and not use it.

Ms. Gilman asked if we're also proposing to use the \$25,000 we've already spent. Ms. Roy said David and Greg went through the information sessions, and as long as it's going towards the improvement of the building and is spent after January 1st 2023, we can use it. We would find out about the grant in June and must start the work in 6 months. Mr. Tovey said yes, the \$25,800 could go towards the 15%. Ms. Gilman said when you have a competitive grant, the more you put forward the higher you are on the list. Mr. Dean said with the \$25,800, it's about 17%.

Mr. Papakonstantis said he'd be ok with taking \$30,000 from ARPA to get to 20%, and the Board agreed.

MOTION: Ms. Belanger moved to authorize Parks and Recreation Department to apply for the Community Center Investment Program to include a cash match broken down as follows: \$75,000 from the Recreation Revolving funds, \$30,000 from the Town of Exeter ARPA funds, the \$25,800 already spent, \$36,000 from Parks and Rec Impact Fees, and \$25,000 from Park Improvement Funds, and further authorize the Town Manager to sign all appropriate paperwork. Mr. Chartrand seconded. The motion passed 5-0.

f. Set Select Board Goal Setting Session

The Board will hold the goal setting session on Saturday April 22nd at 8:30 AM at the Senior Center. Ms. Gilman may have a conflict. Mr.

Papakonstantis asked for Primex to moderate or assist again this year.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Disability Exemption in the amount of \$125,000 for 95/64/257, 104/79/611, 95/64/77, 95/64/262, and 104/79/217 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$236,251 for 94/22, 104/79/321, 65/102/8, 32/12/25, 68/6/147, 95/64/338, 104/37, 104/79/903, 73/36, 104/79/310, 87/8/C-24, 54/4/63, 64/4, 104/79/6, 68/6/631, 54/4/20, 74/45, 64/105/48, 104/79/405, 87/8/C-16, and 65/5 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$183,751 for 104/79/2, 62/95, 72/108, 104/79/1001, 104/79/401, 74/11, 87/8/C-2, and 104/79/135, for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$152,251 for 104/79/411, 104/79/1018, 95/64/286, 87/8/C-20, 65/124/27, 104/79/959, 104/79/143, and 65/58, for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to deny an Elderly Exemption for 74/10, 73/246, and 64/105/6. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$236,251 for 95/64/267, 104/79/605, 61/15, 104/79/911, and 104/79/802 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$183,751 for 104/79/114, 87/8/C-23, 103/15/2, 64/105/35, and 104/79/1002 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption in the amount of \$152,251 for 89/14, 64/105/43, 95/64/232, 52/84/10, and 74/127 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Veteran's Credit in the amount of \$500 for 95/64/13, 63/106, and 103/15/4 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Tax Abatement for 110/2/11 in the amount of \$171.54 for tax year 2022. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Tax Abatement for 55/56/2 in the amount of \$5,118.30 for tax year 2022. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Tax Abatement for 47/4 in the amount of \$11,783.48 for tax year 2022. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 71/65 in the amount of \$10,000 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 17/2/1 in the amount of \$19,500 for tax year 2023. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to accept a Land Use Change Tax in the amount of \$30,000 from 13/1/2 and 13/1/3. Ms. Belanger seconded. The motion passed 5-0.

b. Permits & Approvals

Town Planner Dave Sharples spoke about a concern related to the Solar Array at the Landfill. The voters overwhelmingly passed the Warrant article to fund the delta for the Solar Array. We're having the contract reviewed by Legal, and it should be ready shortly; we're trying for April 17th. There has been some rulemaking by DES regarding landfills: Rules 800, Landfill and Permitting Requirements. He's concerned about the possible prohibition of permanent

structures from landfills. He spoke with Jamie Colby, a Senior Permit Manager at DES Waste Management. She said that solar arrays were temporary structures, and the language was intended to prohibit buildings, but suggested that Exeter should submit a comment letter to that effect. Kristin Murphy wrote a letter, and he's asking for an endorsement. He read the letter.

Ms. Belanger asked Mr. Dean if he's ok with the draft as is, and he said yes. Mr. Chartrand said he appreciates that Mr. Sharples caught this, and Mr. Sharples said he got an email about it.

MOTION: Ms. Belanger moved to authorize the Town Manager to sign the comment letter on behalf of the Select Board regarding Public Input on Proposed Changes to Administrative Rules for Solid Waste dated April 3, 2023 as written. Ms. Gilman seconded. The motion passed 5-0.

Fire Chief Eric Wilking was present to discuss a memo about equipment delays. Other communities also received ARPA and are using it on Fire Equipment, and that volume has created enormous queues. We have received our breathing apparatus, and they're in service. We also received the F250 pickup truck approved in 2022. Voters at 2023 town meeting approved the replacement of the Jeep Patriot, and Justin Pizon found a leftover 2022 Hybrid Explorer in MA which is behind the Fire Station now. We have to wrap it maroon because it's black and looks too much like a Police vehicle. Regarding the Engine, we're still planning on it having trade value. We have a signed contract. The biggest hurdle for FD manufacturers is that Cummins is the only diesel engine manufacturer, and they're changing their model with a significant cost increase. They made an offer for our old engine in trade, but we need to ensure it remains serviceable. We will incur costs for that engine. We're also experiencing recruiting issues.

Mr. Chartrand thanked the FD for everything they did during the pandemic.

Mr. Papakonstantis said we need a motion to sign the DRA Appropriations.

MOTION: Ms. Gilman moved to approve the NH Department of Revenue Administration Report of Appropriations, MS232, for the year 2023. Ms. Belanger seconded. The motion passed 5-0.

Mr. Papakonstantis said there will be an April 5 Informational meeting on the Community Power Coalition, and there will be a Zoom option. Have there been any inquiries about this project? Mr. Dean said it's been quiet, hopefully questions are going to community power.

- c. Town Manager's Report
 - i. A lot of time has been taken with the siphons issue.
 - ii. He attended a Health Trust meeting on March 28.

- iii. We're working through signing Human Services contracts for the agencies.
- iv. He met with Steve Corcoran from Amtrak about bussing logistics. We're working on an arrangement for them to go through the Bridges Brothers property temporarily.
- v. The Monahan project has broken ground on Epping Road.
- vi. The Town Hall workgroup met, and they expect to have a follow-up meeting soon.
- vii. We have an interview for the DPW Director position on Friday.
- viii. Joe Saluto recently retired from the Police.

d. Select Board Committee Reports

- i. Ms. Belanger said the Planning Board meeting of March 23 had no applications. We heard the first in a series of zoning presentations by Mr. Sharples, on the benefits of undeveloped land. The next one will be about the benefits of developed land. When the Monahan project was approved by the Planning Board, the NH Dept of Transportation asked to weigh in on where the driveway would go. It wouldn't change the approval, but it does affect the project. Mr. Sharples is trying to work with them. Exit 9 is in State control and we have a lot of accidents there. We're trying to get that intersection updated.
- ii. Ms. Gilman said the Arts Commission is putting together a project on street painting/crosswalks. They're looking at painting the basketball pad at Kids Park first. Exeter High School Kids would be interested in helping. She had a Certified Local Government Grant meeting for the Heritage Commission. We've been invited to apply. She also gave an update on issues at the State level.
- iii. Ms. Cowan had no report.
- iv. Mr. Chartrand had no report.
- v. Mr. Papakonstantis had no report. He attended the March 24th Citizen's Award for Jeff Neil.

e. Correspondence

- i. An annual Report from the Exeter Sportsman's Club
- ii. A list of Select Board committee representation
- iii. A letter from the Kensington Select Board regarding groundwater withdrawal concerns. Mr. Dean will reach out to them.
- iv. A notice from CPCNH that commencement of service has occurred.
- v. A legislative update from NHMA

9. Review Board Calendar

- a. The next meetings are April 17, May 1, May 15, May 22nd. The goal setting meeting is Saturday April 22nd.

10. Non-Public Session

MOTION: Ms. Belanger moved to enter into non-public under RSA 91-A:3II(a) and (c). Ms. Gilman seconded. In a roll call vote, the motion passed 5-0. The meeting went into non-public at 9:11 PM. The Board emerged from non public session. Motion to seal the minutes indefinitely made by Selectwoman Belanger, seconded by Selectwoman Gilman. Motion carried 5-0.

11. Adjournment. Motion to adjourn made by Selectwoman Gilman, seconded by Selectwoman Belanger. Motion carried 5-0. The Board adjourned at 10:02 pm.

Respectfully Submitted,
Joanna Bartell
Recording Secretary