

Select Board Meeting
Monday April 17, 2023
6:00 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

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

Members Absent: Clerk Julie Gilman

Also present were Town Manager Russ Dean, and Assistant Town Manager Melissa Roy were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6 PM.

2. Non-Public Session

MOTION: Ms. Belanger moved to enter into non-public session under RSA 91-A:3II(I). Mr. Chartrand seconded. The motion passed 4-0.

The Board went downstairs to the Wheelwright Room for the non-public session. They reconvened in the Nowak Room at 7:05 PM.

3. Public Comment

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

4. Proclamations/Recognitions

- a. Mr. Papakonstantis congratulated Greg Bisson, who was awarded the “Wink” Tapply Professional Award which recognizes the top NH Parks and Rec Professionals. It’s the highest honor from the NHRPA. Mr. Papakonstantis spoke positively about Mr. Bisson’s work. Mr. Bisson said he is the second Parks and Rec Director in Exeter to receive this award; Doug Dicey received it in 1984. Mr. Dean and the rest of the Board also congratulated Mr. Bisson.

5. Approval of Minutes

- a. Regular Meeting: April 3, 2023

MOTION: Ms. Belanger moved to approve the minutes of April 3, 2023 as presented. Ms. Cowan seconded. The motion passed 4-0.

6. Appointments

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

7. Discussion/Action Items

- a. Squamscott River Siphons Project Update

Interim DPW Director Paul Vlasich was present to give an update on the siphons project. Mr. Vlasich said last time, we talked about the reamer that got stuck in the river on March 23rd, and the extraction of where the shaft broke as it was removed from the Swasey Parkway side of the river. The break turned out to be a compression failure due to sheer compression on the lateral wall of the shaft. It occurred too far from the drilling rig to dig down and repair. We talked about the potential of a scoping change for capacities of the siphons. NH DES rules require a 3 barrel system; in this case, we could get 2 12 inch diameter siphons to work, but we would need DES to bless that. We talked about using seismic graphing to find a corridor that did not have ledge in it or other types of investigations, but it would be at least a six month process just to get the permits.

Mr. Vlasich said the contractor has offered us a lump-sum cost for the next boring. It's up to \$4.2M, but it won't be extra for the time and materials, this is the lump-sum cost. We would need to come up with an additional \$2.6M. The contractor has also offered a cost of the same amount of money for the second barrel.

Mr. Chartrand asked about the lump-sum agreement. Mr. Vlasich said it would either pay for a successful bore or we won't be paying until we have one. Originally, it was time and materials, so we're paying for every effort and part as it goes along.

Mr. Dean said he concurs with Mr. Vlasich on the recommendation to move forward. Mr. Papakonstantis asked if we've sought relief with Primex or Counsel. Mr. Dean said Primex represented that this is a local issue for the town. Counsel was of the opinion that seeking legal relief would be costly, and we wouldn't have a guarantee of success.

Ms. Cowan asked what happens if we give up. Mr. Vlasich said the existing siphons need to be replaced. They're still functioning, but if we had expansion in that area of town, we would not have the capacity to support that. Mr. Papakonstantis said this job has to get done. It's 35% of the capacity in town. Mr. Vlasich said he looked it up since he gave that figure, and it's actually more.

Mr. Papakonstantis said we have a shortfall of \$2.6M. There's \$700,000 left in ARPA, so perhaps the Board could consider \$500,000 of ARPA and \$2.1M out of the Sewer Reserves. Mr. Dean said he would be comfortable with the figure. He reported that Bob Kelly of the Water/Sewer Committee also said that number looks good to him. We have \$5M in the reserves and this is exactly the kind of situation to use it on.

Mr. Papakonstantis said Mr. Vlasich couldn't have been any more transparent or made things more understandable. It's really no fault of anybody's, it's just unfortunate circumstances. This needs to get done for our community. Mr. Chartrand said if we sign this agreement, he likes that at least one of these barrels gets done or we don't pay. Mr. Papakonstantis said that Ms. Gilman [who was not present] told him that if the Board was comfortable moving forward with a motion, she would support that.

MOTION: Ms. Belanger moved to expend \$2.1M from the Sewer Reserve fund and an additional \$500,000 from the ARPA funds for \$2.6M in additional funds to move forward with the first barrel of the Squamscott River Siphons project. Mr. Chartrand seconded. Mr. Chartrand said we still have to find a way to do a second barrel. The Board will work with the town to make sure that happens. The motion passed 4-0.

Ms. Belanger asked how much is left in ARPA. Mr. Dean said after this motion, \$236,000.

b. Landfill Updates

Mr. Vlasich also gave an update on the Cross Road Landfill. He mentioned that the latest reports are on the town website. Jeff Rao, James Week, and Eric Dyrness of GZA and Highway Superintendent Jay Perkins were also present.

Mr. Dyrness said the Cross Road landfill was closed in 1993 and was capped in 1994 by GZA. The off-cap portion of the site is used as the town transfer station. Municipal Water is provided near the landfill, so there's no concern about impacts to residential drinking water. Groundwater, landfill cap, and soil gas have been monitored since the closure and the results are reported to DES. Ground and surface water are monitored in April and November, while landfill inspections and soil gas monitoring are conducted in April, August, and November. There's a small area of uneven cap settlement which has been monitored for several years now. Arsenic, manganese and 1,4-dioxane are the main contaminants at the landfill. Surface water and groundwater suggest that the landfill has a minimal effect on metal concentrations in the Exeter River, and the concentrations are stable to decreasing over time, but fluctuate based on precipitation, which is what you'd expect with an aging landfill.

Ms. Belanger asked about the land cap settlement. Mr. Dyrness said the settlement is in the southwest corner. It does pond in rain events. We've proposed a few different methods to approach that. If it continues, there's the potential that the liner would rip. Mr. Week clarified that the liner is underneath, it's the cap above the landfill that could be strained. Mr. Vlasich said there was money constrained in previous budgets to do that work, but it was not encumbered this year. We'll have to address it prior to the Solar Array project. It could potentially be done in-house at a lesser cost.

Mr. Chartrand asked if there's any action the Board needs to take regarding the settlement. Mr. Vlasich said not yet, we plan on tackling that soon.

c. Solar Array Contract

Town Planner Dave Sharples gave an update on the Solar Array project. We've been working on a Solar Array as a potential use for the closed, capped landfill at Cross Road. The voters voted it in twice, this time for \$5,227,274 for a turnkey 1.78 MW solar array. It has increased from 1.77 MW because the panels have gotten better. He provided the Board with a contract and memo on Friday.

He asked Revision to make a couple of changes and they sent a new draft late Friday, but it's 98% the same. The changes were in our favor. They extended some timelines we were concerned about.

Town Attorney Joe Driscoll was present via Zoom. He said we did get a new draft from Revision that addressed a few points, but no new sections were added or removed. The consultant CES [Competitive Energy Services] looked through this as well. The bond came into play because we have the funds available for the initial aspect, but the rest of the funds won't come until August, so we cleaned the contract up so that we could defer invoices into August. There were some Attorney fees clauses in there that we had them remove. In Section 10.2, the escape hatch if costs suddenly escalate, we wanted to have as much control over that as possible, and Revision worked with us on that, but they were not willing to remove it. Liability is limited to the total cost of the project in case of failure of the array to generate what it's supposed to generate. The hard costs are about 40% of the total costs, so the \$5.2M should cover that. He tried to give the town more time for notices etc. Due to the timing of Select Board meetings, we need at minimum 14 days, and they extended it from 7 days to 30 days.

Mr. Sharples said this draft has been reviewed by Primex and our Bond Counsel and CES, our third-party consultant. They were comfortable with proceeding and felt that all of our issues were addressed.

MOTION: Ms. Belanger moved to approve the renewable energy system installation contract between the Town of Exeter and Revision Energy Corporation as revised and presented to the Board this evening and authorize the Town Manager to sign the contract. Ms. Cowan seconded. The motion passed 4-0.

Mr. Sharples thanked the Board and the voters for working on this. Right now the site is a liability, and this solar array will turn it into an asset.

d. Board/Committee/Commission Reports

Mr. Papakonstantis said reappoint members of Boards, Committees, and Commissions. There's a glaring number of vacancies on almost all Boards and Committees. We should all try to recruit good volunteers to join our Boards.

MOTION: Mr. Chartrand moved to reappoint Aaron Brown to a 3 year term as a voting member of the Planning Board. Ms. Belanger seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Jennifer Martel to the Planning Board for a 3 year term. Mr. Chartrand seconded. The motion passed 4-0.

MOTION: Mr. Chartrand moved to appoint Robin Tyner as an alternate for a 3 year term on the Planning Board. Ms. Belanger seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Stephanie Papakonstantis to the Rec Advisory Board for a 3 year term, ending 2026. Mr. Chartrand seconded. Mr. Papakonstantis abstained. 3-0-1.

MOTION: Ms. Belanger moved to reappoint Nicholas Nordin to the Rec Advisory Board for a 3 year term, ending 2026. Mr. Chartrand seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Theresa Page to the Zoning Board for a 3 year term expiring 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Kevin Baum to the Zoning Board for a 3 year term expiring 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Esther Olson-Murphy to the Zoning Board for a 3 year term expiring 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Martha Pennell as an alternate to the Zoning Board for a 3 year term expiring 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Trevor Mattera for a 3 year term to the Conservation Commission expiring 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Vernon Sherman to a five year term on the Exeter Housing Authority Commission. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Maura Fay to a 3 year term for the Heritage Commission to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Grayson Shepherd to a 3 year term on the Historic District Commission, to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Langdon Plumer to Rockingham Planning Commission for a 3 year term to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Gwen English to the Rockingham Planning Commission for a 3 year term to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

Ms. Cowan said if the Board reduces the number of members on the Communication Committee to 5, a group of 3 would be a quorum and they could continue their work. It's an advisory committee that makes recommendations. We're having trouble recruiting folks. There are currently 7 spaces.

MOTION: Mr. Chartrand made a motion to reduce the size of the Communication Committee to 5. Ms. Belanger seconded. Mr. Papakonstantis said there are other advisory committees that

we may have to look at this for as well. Ms. Cowan said this could change if it becomes acceptable for members to meet via Zoom. Mr. Papakonstantis said that's a State issue. The motion passed 4-0.

MOTION: Mr. Chartrand moved to reappoint Mark Leighton to the Facilities Advisory Committee, no term. Ms. Belanger seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Nina Braun to the Sustainability Advisory Committee for a 3 year term to expire 2026. Mr. Chartrand seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Stacey Rogers to the Sustainability Advisory Committee for a 3 year term to expire 2026. Mr. Chartrand seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Ben Mosher to the Water/Sewer Advisory Committee for a 3 year term to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Lionel Ingram to the River Advisory Committee for a 3 year term to expire 2026. Mr. Chartrand seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Ron Bourdon to the River Advisory Committee for a 3 year term to expire 2026. Mr. Chartrand seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to reappoint Dawn Amey to the Arts and Culture Advisory Commission for a 3 year term to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to Reappoint Marissa Vitolo to the Arts and Culture Commission for a 3 year term to expire 2026. Ms. Cowan seconded. The motion passed 4-0.

Mr. Papakonstantis said we need to start asking our Chairs to regularly report in attendance. Mr. Dean said we've begun to do some behind the scenes tracking on that. Ms. Belanger thanked both the volunteers who renewed and those who were unable to renew. Mr. Chartrand said this makes room for others to step forward. This form of government only works if people participate. Mr. Papakonstantis said applications are on the website.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Belanger moved to approve an Elderly Exemption in the amount of \$183,751 for 104/79/525, 70/84, 87/14/12B, 32/12/16, 64/65, 96/2/13, 55/72, and 74/15 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve an Elderly Exemption in the amount of \$236,251 for 99/26, 81/5, 87/8/C-15, 115/8, 63/102/57, 103/13/22, 52/98, 104/79/510, 52/72, 68/6/225,

104/79/221, 94/21, 72/2/8, 52/77, 63/154, and 64/105/2 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve an Elderly Exemption in the amount of \$152,251 for 63/11, 85/89/12, 95/64/62, 95/64/19, 104/79/108, 51/6, 95/64/114, 104/79/307, 26/13, 64/105/97, 104/79/1004, 87/8/C-12, 70/4, 104/79/225, 32/12/23, 104/79/709, and 104/79/414 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to deny an Elderly Exemption for 72/117/4 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve a Tax Abatement in the amount of \$960.08 for 87/8/C-16 for tax year 2022. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve a Tax Abatement in the amount of \$259.88 for 110/2/35 for tax year 2022. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve a Veteran's Credit in the amount of \$500 for 95/64/302, 68/6/648, 51/6, 52/77, and 83/22 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve a Disability Exemption in the amount of \$125,000 for 95/64/144, 95/64/335, and 95/64/304 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to approve a Solar Exemption in the amount of \$10,500 for 61/19 for tax year 2023. Ms. Cowan seconded. The motion passed 4-0.

b. Permits & Approvals

Mr. Papakonstantis said we have some Parks and Rec requests. Regarding the Community Center match, we voted at the last meeting for a cash match and used a little ARPA money. Ms. Roy said Greg [Bisson] and David [Tovey] at Parks and Rec spoke to CDFA to ask them if the extra would give them points in the rating process, and were told that it would not. We also had a conversation about what we've already been doing. In this budget, it takes into account the items they said were allowable to be a match, and reduces the ARPA to zero.

MOTION: Ms. Belanger moved to authorize Parks and Rec Dept to apply for the Community Center Investment program, to include a cash match broken down as follows: \$37,000 from the Rec Revolving Fund, \$36,000 from the Recreation Impact Fees, \$25,000 from the Parks Improvement Fund, \$25,800 from previously expended funds, \$1,200 for the Level 2 Energy Assessment, and \$30,000 from the Utility Credit NH Saves, for a total of \$155,000. Mr. Chartrand seconded. The motion passed 4-0.

Mr. Dean said the Board should address the John Deere tractor and gangway bids. Mr. Papakonstantis said we had a bid from Charles Tovano to purchase the 1999 John Deere tractor for \$650. Ms. Roy said it was a minimum \$500 bid. Mr. Chartrand noted that we only received one bid for each item.

MOTION: Mr. Chartrand moved to accept the bid for the John Deere Tractor. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to accept the bid for \$650 from the Hampton River Boat Club for the aluminum gangway 28 ft 1 inch x 4 feet. Mr. Chartrand seconded. The motion passed 4-0.

c. Town Manager's Report

- i. He's continuing to work on the Water/Sewer rate study. The Board should see draft results soon.
- ii. He thanked NHMA for the Legislative update on April 4th.
- iii. The delay has started with bus transportation from the Exeter train station to North Station.
- iv. We're working on the Farmer's market permit, and it should be ready shortly. We can assure the public that the Farmer's market will be open in the Parkway.
- v. Working on an application for 173-179 Water Street under RSA 79:E.
- vi. He had a meeting with Eversource and the Natural Resources Planner on work in the electric right of ways, and it should happen this summer.

d. Select Board Committee Reports

- i. Ms. Belanger said she attended the Conservation Commission meeting. An Up North orienteering event is happening on June 4th. It's a great family event. The commission voted to accept Pollinating Pathways seed grants. There will be 5 seed kits for residents, and they will also recharge the seed library at the Public Library. The Alewife Festival is scheduled for Saturday May 14 from 10-1. They wanted Energy, Sustainability, and Communications to have a table there. Raynes repairs are coming along; the windows are almost complete and foundation supports are being constructed. There's an SST cleanup on May 3rd. There will be a community cleanup townwide event 4/17 - 4/21. Residents can pick up supplies and bags from the DPW. Trash can be brought to the landfill on Saturday or you can call the DPW for pickup. There will be six Farmer's Markets tentatively, and there could be Select Board representation there. The spring tree program with Peter Waltz will happen again this year for grade 5 students. Chris Zigmont went to a meeting of the Green Team at LSS, and they're going to do a Helpsy event. The Planning Board meeting went into non-public. They had an application for a subdivision off Powder Mill Road, but decided that it needed to go to the Zoning Board for relief. At Housing Advisory, we heard that there is a new

Regional Planner, Victoria Healey. We'll be meeting with her next week to go over the Housing Advisory report and the new data from the RPC update. We're going to do a field trip to Dover to look at the Randolphs' project.

- ii. Ms. Cowan said at the Communications Committee meeting, she Zoomed in but wasn't able to follow it. They're looking forward to recommending ways for the town to communicate.
- iii. Mr. Chartrand attended the Sustainability Committee meeting. They asked for advice on implementation of the Citizens' Petition on single use plastics. He suggested coming up with suggestions and bringing them to the Select Board and running them by our legal counsel.
- iv. Mr. Papakonstantis met with the Tree Committee. They've done some great work. We talked about tree diapers and how important they are. Exeter was awarded the prestigious Growth Award from the Tree City program.

e. Correspondence

- i. A Legislative bulletin from NHMA
- ii. A notice from the Pennichuck Corporation on their annual meeting
- iii. A letter relative to Swasey Park legal opinion.

9. Review Board Calendar

- a. On Saturday April 22nd at 8:30 AM, there will be a Board goal-setting meeting. The next regular meetings are May 1, May 15, and May 22nd.

10. Non-Public Session

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

11. Adjournment

MOTION: Ms. Belanger moved to adjourn. Mr. Chartrand seconded. The motion passed 4-0 and the meeting adjourned at 8:49 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary