

Select Board Meeting
Monday June 5, 2023
6:30 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, Nancy Belanger, and Assistant Town Manager Melissa Roy were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:30 PM.

2. Non-Public Session

MOTION: Ms. Belanger moved to enter into non-public session under RSA 91-All:3(b) and (c) . Ms. Cowan seconded. In a roll call vote, the motion passed 5-0 and the meeting entered non-public session at 6:31 PM.

MOTION: Ms. Belanger moved to exit non-public. Ms. Gilman seconded. The motion passed 5-0 and the meeting reconvened at 7 PM.

MOTION: Mr. Chartrand made a motion to seal the minutes of the non-public session indefinitely. Ms. Belanger seconded. The motion passed 5-0.

3. Public Comment

- a. Florence Ruffner of 5 Pine Street thanked the people that helped with the Memorial Day Parade.

4. Proclamations/Recognitions

Ms. Gilman read the proclamation for Arbor Day, June 7 2023:
*Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
Whereas, Arbor Day is now observed throughout the nation and the world, and
Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and
Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and
Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.*
Now, therefore, I, Niko Papakonstantis, Select Board Chair of the Town of Exeter, do hereby proclaim the 7th of June, 2023 as Arbor Day in the Town of

*Exeter, and I urge all citizens to celebrate Arbor Day by supporting efforts to protect our trees and woodlands, and
Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.*

Dated this 5th day of June, 2023.

Mr. Papakonstantis said on June 7th at Lincoln Street School at 3:15 the Tree Committee will be planting donated trees. Ms. Gilman said she would like to hear an update on how the trees planted in the last few years are doing. Mr. Papakonstantis suggested inviting the Tree Committee to a future meeting.

Mr. Papakonstantis recognized Exeter Town Clerk Andie Kohler, who has received the “Master Municipal Clerk” or “MMC” designation.

5. Approval of Minutes

a. Regular Meeting: May 22, 2023

MOTION: Ms. Belanger moved to approve the minutes of May 22, 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. Legislative Update

Senator Debra Altschiller introduced herself and gave a legislative update.

b. Single Use Plastics Ordinance

Kristen Murphy, the Exeter Conservation and Sustainability Planner, discussed the single-use plastics ordinance. The citizen’s petition passed in March. In April, the Sustainability Advisory Committee was asked to put together an approach to how that would be implemented. Ms. Murphy drafted an approach, presented it to the Sustainability Committee, and got their support. She also got feedback from Legal Counsel, which was incorporated into the current version.

Ms. Murphy said the three areas this presentation addresses are awareness, process, and oversight. For awareness, we would update the town website, share the “notice of town adoption” memo to all town permittees, share information on social media, and prepare a notice for the newspaper. In terms of process, she’s proposing amendments to the town event application and the two forms that the Health Officer sends out, one to event coordinators and one to vendors. For oversight, the proposed approach is that prior to Dec 31, 2023, the vendor is allowed to use their existing inventory, but for any incidents she would contact the vendor to ensure they’re aware of the ordinance and the list of alternative products. After Dec 31, she would contact the vendor and seek to determine the cause of non-compliance. If there were a second violation, she

would issue a warning letter which would also be provided to the Select Board and Health Officer. This warning letter would be considered a violation of the vendor's permit. Noncompliance among town staff would be discussed with the Town Manager to determine the best approach.

In the report from Legal Counsel, it said that we can't change the language approved by the voters, but the enforcement of this is up to the discretion of the Select Board. The Board had a lot of discussion about having this not be punitive, so she wanted to ensure that this was in line with the Board's vision.

Mr. Chartrand said the Select Board did not have a vision for this, since it was a citizen's petition. Mr. Papakonstantis said we had a vision of it being a policy and working through it. The Board is supportive of this issue, we just wanted to work out the kinks, specifically in the oversight. We wanted this to be more educational, like the mask ordinance. If a violation came before the Board, the circumstances would have to be considered on a case-by-case basis.

Mr. Chartrand asked Fire Chief Eric Wilking, who was present, his thoughts on how this affects the duties of the Health Officer. Chief Wilking said his Department supports the single-use plastic ordinance. James [Murray] has the ability to get out and educate. 14 or 30 days in advance, we'd engage in a dialogue with the permittee and discuss with the vendor what our expectations are. We won't be on the ground during the event, so if the vendor doesn't comply, he doesn't know how to manage that. In time, he expects most people will become compliant. We should ensure that James is in the loop with the Sustainability Committee on what the expectations are and have them hear his concerns.

Ms. Belanger asked who can enforce the ordinance. Mr. Papakonstantis said only the Code Enforcement Officer, the Health Officer, or the Select Board. The Town Manager and Sustainability Planner aren't allowed to enforce. Ms. Roy said there are many things we ask of these applicants, and there is no staff person there to ensure they comply. This is the same thing. If something gets reported, we would look into it after the fact. Mr. Chartrand said we're not going to put the Select Board on the front lines of this. There's a trust that we have when we approach these things. Ms. Belanger asked if the town has ever had to tell someone they've violated our ordinances so they can't have a permit. Ms. Roy said we've had people that don't clean up after events, and we've had to reach out to them to say if they don't pay the cleaning fee they won't be allowed to rent again. We typically find that folks will follow the parameters. Mr. Papakonstantis said he wants to be careful that no one's shaming anyone. Only conclusive investigations would have a violation or a warning.

Ms. Murphy said there's an exemption for products where no alternatives exist, such as the large water jugs associated with the bubbler downstairs. Mr. Chartrand said those get cleaned and reused.

Ms. Gilman asked if we got a report that a vendor is using single-use plastic, how would that be tracked? Ms. Murphy said she would probably track it

in a spreadsheet. Mr. Papakonstantis said it would have to be centralized. Ms. Roy said Kristen can work with Parks and Rec on it.

Mr. Papakonstantis said he also wants to look into how much water usage the new water fountains are creating.

Ms. Belanger asked if the Sustainability Committee is working on an education piece. Ms. Murphy said she and the SAC will be working together on the things under “awareness.” Ms. Gilman asked if there's coordination with the school district. Ms. Murphy said no, we've treated that as a separate entity.

c. Raynes Farm Lease Agreement Renewal

Ms. Murphy said Raynes Farm is required to be in agricultural use. We've been in a lease with the same farmer since 2017 and it's been a great relationship. The lease is up for renewal after 5 years if both parties are agreeable, which the farmer is. The Conservation Commission has also agreed to renew the lease.

MOTION: Ms. Belanger moved to renew the Raynes Farm lease between the Town of Exeter and Little Brook Farm dated June 19, 2017 for a term of 5 years as allowed by the current lease agreement, section 6. Ms. Gilman seconded. The motion passed 5-0.

d. Carlisle Conservation Deed

Ms. Murphy said this is a conservation deed for 76 acres off of Watson Road. This came to the town in association with a 12 lot subdivision with Scott Carlisle. The deed was presented to the Conservation Commission at their May 9th meeting and they voted unanimously to recommend acceptance following Legal Counsel review. Counsel had some clarification, which was incorporated into this document. On page 3, “use limitations,” it goes from item J to A, but it's just a mislettering that will be corrected.

Ms. Gilman said this deed prohibits wheeled vehicles. Ms. Murphy said that was a point of discussion because the east side of this property is contiguous with the Oaklands, but there is a very sensitive wetland area there so the trails can't be expanded onto the property.

MOTION: Ms. Belanger moved to accept the amended Carlisle Conservation Deed as discussed at this evening's Select Board meeting which would convey approximately 70 acres of land located at tax map 33/26 to the town from W. Scott Carlisle III. Mr. Chartrand seconded. The motion passed 5-0.

Ms. Belanger thanked Ms. Murphy for her work on projects such as the Alewife Festival. Ms. Murphy said regarding the alewife, she attended a “State of Our Estuaries” conference where Exeter was heralded for its efforts on removing the Great Dam and restoring the fish.

e. Squamscott River Siphons Project

Assistant Town Manager Melissa Roy gave an update on the siphons project. Since last Friday, we have a pilot hole and the drill team is setting up to

start the reaming process with a 12-inch reamer. The Mud Specialist has been helping out. We expect them to start reaming tomorrow. There was a fluid release on Thursday that was taken care of and reported to DES, but it was not a major issue.

Mr. Papakonstantis asked about the special Town Meeting. Ms. Roy said the petition was filed with the court last week and we have a summons for June 22nd at 10 AM at Brentwood Superior Court. Laura [Spector-Morgan of the Mitchell Group] will present why we feel it's an emergency and the Judge will decide at that time. Mr. Papakonstantis said if approved, Deliberative Session would be July 11 and the election would be August 15th.

f. Linden Street Bridge Engineering Project

Ms. Roy said part of Warrant Article 15 was Linden Street rehabilitation at \$295,000. This bridge is an existing timber bridge constructed in 1993 and the abutments and wing walls are showing signs of settlement and bulging. Wright-Pierce is on our approved DPW consultant list for infrastructure projects and Jason Gallant PA has worked on past bridge projects. We expect that design work will progress for bidding late summer with potential construction this year.

MOTION: Ms. Belanger moved to award the Linden Street Bridge Engineering and Design contract to Wright-Pierce in the amount of \$67,000 and further authorize the Town Manager of their designee to sign all necessary documents. Ms. Gilman seconded. The motion passed 5-0.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Veterans Credit for 68/6/412 in the amount of \$2,000 for tax year 2023; this also includes a disabled exemption. Ms. Belanger seconded. The motion passed 5-0.

b. Permits & Approvals

i. There were no permits or approvals considered at this meeting.

c. Town Manager's Report

i. Ms. Roy said last week Russ held the monthly Department Head meeting.

ii. The reclassification study for SEIU members and non-union employees continues.

iii. We're working with the bond bank on the Solar Array project.

iv. We worked with Laura on the court petition.

v. We have a group of staff working on possible changes to the 79-E process.

vi. Town Hall chairs have been ordered, and we expect them in the next week or two.

vii. Brentwood is requesting perambulations, so we need a representative from the Select Board to commit to that. Mr. Papakonstantis said he did the one in Kensington and can do Brentwood.

- viii. We received an email from Susan Fichera about how wonderfully Kristen Murphy did at an event at the McDonnell Conservation site.
- ix. DPW was working last week to get the SRF pre-applications in.
- x. Exeter is now officially part of the AARP age-friendly network, which helps with grants and resources.
- xi. The Municipal Manager's Association of NH awarded her a scholarship to attend their annual conference.
- xii. We expect that the Communications Committee will be attending the Board meeting June 26 to give an update on their work.

d. Select Board Committee Reports

- i. Ms. Belanger attended a Planning Board meeting. There was a hearing on a subdivision on Powder Mill Road which was approved. She also attended a Communications Committee meeting for Ms. Cowan, and they are looking for next steps from the Board. They proposed creating a draft communications plan. Chris Zigmont felt he could get a draft done in a week or so. They also talked about the budget process. They wanted to know how the copiers work and who would be responsible for printing flyers. They said that the message board in front of Town Hall has been modified and requires a stepladder. Ms. Roy said it was enlarged. Ms. Belanger said it was suggested that we use that for town promotions when there are no other events up.
- ii. Ms. Gilman had two walkthroughs at Town Hall, first with our consultant from ARCove and then with the State Historic Preservation Officer and his Deputy. She also gave an update on State legislative issues.
- iii. Ms. Cowan had no report.
- iv. Mr. Chartrand had no report.
- v. Mr. Papakonstantis attended the Kensington perambulation along with Mr. Dean, Ms. Roy, and Mr. Perkins. He said we encountered a lot of foliage and ticks. We successfully completed our task, but colder weather would have made it easier.

Ms. Gilman said there have been proposed bills to get rid of the perambulation requirement. Mr. Papakonstantis said he thinks there's got to be a better way. Some markers were very visible, even from the road. Ms. Gilman said she wants to keep this tradition.

e. Correspondence

- i. A letter from the American Independence Museum about a memorial step dedication for Private Jude Hall on June 19th.
- ii. A notice from Xfinity on channel changes.
- iii. The NHMA Legislative update.

9. Review Board Calendar

- a. The next meetings will be June 12, June 26, July 10, and July 24.

10. Non-Public Session

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

11. Adjournment

MOTION: Ms. Gilman moved to adjourn. Ms. Belanger seconded. The motion passed 5-0 and the meeting was adjourned at 9 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary