

Select Board Meeting
Monday January 29, 2024
6:30 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

Members present: Chair Niko Papakonstantis, Clerk Julie Gilman, Dan Chartrand, and Nancy Belanger. Vice-Chair Molly Cowan was present via Zoom; she stated that she was alone in the room and that it was not practical to attend in person.

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 6:30 PM.

2. Non-Public Session

MOTION: Ms. Belanger moved to enter into non-public session under RSA 91-A:3II(d). Ms. Cowan seconded. In a roll call vote, the motion passed 5-0.

3. Board Interviews

- a. Sean Torrez for the Conservation Commission

The Board reconvened in the Nowak Room at 7:03 PM.

4. Public Comment

- a. Catherine Addison of 12 Conney Road said she is a member of The Friends of Exeter River of Exeter and Brentwood, who are concerned about recent decisions in support of removal of Pickpocket Dam. She said that Mr. Chartrand stated the Select Board only voted to apply for a grant and did not made a decision, but the minutes and video of the meeting made it clear that the motion stated that dam removal was the preferred option. It appears that in spite of Mr. Chartrand's assertions that the Board has already decided the issue. This Board should vote to publicly correct the record and amend their letter to NOAA.

5. Proclamations/Recognitions

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

6. Bid Opening: Linden Street Bridge Repair

Mr. Dean said that the Linden Street Bridge is also referred to as Second Bridge or Bridge 081-046.

- a. Evroks Corporation from Tilton NH: base bid \$1,129,194; bid alternate \$102,300; and mobilization \$15,000. The total bid is \$1,246,494.

- b. New England Infrastructure Inc, Hudson MA: base bid \$1,358,055; bid alternate \$126,500; and mobilization \$10,000. The total bid is \$1,494,555.

MOTION: Ms. Gilman moved to refer the bids to the Department of Public Works for review and recommendation. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

7. Approval of Minutes

- a. Regular Meeting: January 16, 2024

Corrections: The minutes stated that Mr. Chartrand not present at the December 28 meeting; he was present, but abstained.

MOTION: Ms. Belanger moved to approve the minutes of January 16, 2024 as amended. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

8. Appointments

MOTION: Ms. Belanger moved to appoint Sean Torrez to the Conservation Commission as an alternate, term to expire April 2024. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

9. Resignations

Mr. Papakonstantis accepted with regret the resignation of Lew Hitzrot from the Energy Committee. Ms. Gilman said he was instrumental in moving us to the Community Power Coalition of NH.

10. Discussion/Action Items

- a. Water/Sewer Abatement Request

Scott and Pam Cerrato, the owners of 5 Chestnut Street, were present to discuss their abatement request. Mr. Cerrato said at their property 5 Chestnut Street there was a water issue. The bill was \$19,000 and the Water/Sewer Committee only took off \$4,000. They're still looking for help with that bill. There are 11 units, and a girl who lived in one apartment had a leaky toilet that she didn't tell him about. They've never asked for an abatement before.

Ms. Cowan said this is one of those situations where it's hard and unfortunate. Her recollection of the discussion [in the Water/Sewer Advisory Committee] was that it was out of the ordinary to abate as much as we did.

Bob Kelly, Chair of the Water/Sewer Advisory Committee, said it's the town's policy that if it's inside the meter, it's the ratepayer's responsibility. We have unofficially relaxed that since Covid and have been trying to work with ratepayers. Our concern here was that it spilled over into a second billing period. There was a repair that was made but it didn't take. That's not really the town's responsibility. Because of the volume of leakage, the committee bent over backwards recommending an abatement of \$4,000, which he thinks is a new record. These would be two separate abatements because it's over two quarters; the policy is to abate once in 10 years, so the second quarter would be denied automatically. The Public Works Department is good about setting up payment plans. The committee allowed a 50% abatement of the overage.

Mr. Chartrand said he is loath to see the Select Board take this task back. He's going to stand with what the Water and Sewer Committee advised.

Mr. Papakonstantis asked if the abatement is for the August bill. Mr. Kelly said yes, they would abate the first quarter affected rather than the November bill.

Mr. Papakonstantis asked when they first became aware of the issue. Mr. Cerrato said when the bill came in August, he went through the apartments and found the issue. He fixed it but the part was defective so it didn't fix it. The plumber came in October.

Pam Cerrato said this is an 11 unit apartment so there is a lot of opportunity for this to come about. This is low-rent workforce housing. It's not just absorbing the cost for us but the cost could also trickle down to the tenants. We have 17 units in town and we've never come to the town for an abatement.

Ms. Gilman said the Department notified them in June and October, so it wouldn't have been the bill that informed them.

Mr. Papakonstantis said this is one of the highest numbers we've ever abated. He's inclined to agree with the Water/Sewer Commission.

Ms. Belanger said she feels that we have to stick to our policies.

Mr. Chartrand said the workforce housing issue resonates with him. He hopes that they will take advantage of the payment plan. Mr. Dean said he will follow up with the Cerratos.

b. Parks/Recreation Policy Updates: Field Allocation Refund Policy, Town Hall Refund Policy

Parks and Rec Director Greg Bisson was present remotely via Zoom.

Mr. Bisson said last week we had a presidential candidate cancel the night before the event. We didn't have a policy, so we had to refund in full. We thought it would be best to have a policy that if they cancel within 30 days they would not receive a refund. If it's more than 30 days, we'd refund, less a \$50 administration fee. Ms. Belanger asked if the Police detail comes out of the fee. Mr. Bisson said yes.

Mr. Bisson said regarding the field allocation, when we adjusted the fees to make it more affordable for local leagues, we didn't match that in our refund policy. A local league will pay \$10 per 1.5 hours for Rec Park and Brickyard. We can't get a \$25 cancellation fee from a \$10 fee. We thought a 50% refund would be appropriate.

MOTION: Ms. Belanger moved to approve the Parks and Rec new field allocation refund policy of 50% of the fee per day provided written notice of cancellation is submitted no later than 21 days prior to the field use date. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Belanger moved to approve the Parks and Rec new Town Hall refund policy of a full refund minus a \$50 administration fee provided cancellation is submitted in writing before 30 days of the event. No refund will be granted if the request is within 30 days of the event. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

Mr. Bisson said with the land acquisition of Planet Playground, we'd like to use the Rec Revolving Fund to remove four trees. Last summer several branches fell off. Will Curtis of Curtis Tree Care noticed rot and insect activity. The ash tree shows signs of the ash borer beetle. We need to remove them before anyone gets hurt. It requires an 150 ton crane to reach across the playground. There are two companies that have this equipment: Noel's Tree Service and Seacoast Tree.

Mr. Papakonstantis asked if we approve the removal of these trees, do we need to get authorization of the Tree Committee? Mr. Dean said maybe the Tree Warden, but not the Tree Committee. Mr. Papakonstantis said his recollection of the Tree Ordinance is that removal of trees on public property has to be put by the Tree Committee. Mr. Bisson said he already let the Chair of the Tree Committee know. Mr. Papakonstantis said he was at the previous committee meeting and it was not discussed.

Ms. Roy said this is a safety concern. The ash tree is diseased. This isn't an aesthetic decision. Mr. Dean read from the tree ordinance: "*A significant public tree, defined as having a diameter larger than 20", may be removed only following consultation with the Tree Committee, and only after the opportunity for public input at a Tree Committee meeting, except where delay in the removal of the tree would pose an imminent threat to public safety or property.*"

MOTION: Ms. Belanger moved to allow the Parks and Rec Department to expend \$7,750 from the Recreation Revolving fund to enter into a contract with Seacoast Tree Care to remove four trees from around Planet Playground for the safety of our residents. Ms. Gilman seconded. Ms. Belanger asked how much money is in that fund, and Mr. Bisson said \$121,000. In a roll call vote, the motion passed 5-0.

c. Tax Exemption Committee Proposal

Mr. Dean said a proposed Tax Exemption Advisory Committee would be charged with reviewing the town's exemption and credit programs to maintain fairness. This was something the Master Plan recommended be addressed. This committee would be a 5 members, with one Select Board member. It would review the current exemptions and credits. We could consider expanded Veteran's Credits; there has been legislation that has expanded the Veteran's Credits program but we haven't followed up on it. The committee could recommend any changes for the 2025 Town Meeting and could remain a standing committee to make recommendations to the town on a yearly basis. The Housing Advisory Committee would be involved because of their work on 79E.

Ms. Gilman said on the State level, exemptions and credits are changed every year. Some of them need to be adopted by town vote, or the amount is set by town vote; some of them are just policies. The committee could meet just once or twice a year around the State legislation being made. Mr. Dean said he thought the committee could meet once a month to start because there is a learning curve to learn all the different exemptions.

Ms. Belanger asked if their role would be vetting any individual exemptions. Mr. Dean said no, this would be looking at the big picture, policy, and cost.

Mr. Chartrand said he thinks this committee is a great idea. Anytime we give a particular group of property owners an exemption, all the other property owners pay for that exemption. The exemptions weren't put together holistically and did not consider how much tax obligation was being put on the other citizens.

Ms. Belanger asked if they considered three members instead of five, since we have so many committee vacancies. Mr. Dean said it would be four plus a Select Board member. Mr. Chartrand said he thinks we will have folks interested.

Mr. Papakonstantis asked who the staff liaison to the committee would be. Mr. Dean said himself, but also the Assessor's office.

MOTION: Ms. Belanger moved to implement a Tax Exemption and Credit Advisory Committee to be made up of 5 voting members, one Select Board member, to serve staggered terms. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

d. SB533 on Virtual Meetings

Ms. Gilman said this is a bill being heard by the Senate Judiciary Committee Thursday. It has to do with the physical presence of a quorum of a committee, commission, etc. This would allow for all but two people to be remote. During the shutdown when people could participate remotely, we had an increase in volunteerism. She would like the Select Board to sign a letter in support of this bill.

Mr. Papakonstantis said this is more inclusive for folks such as those with small children, those with mobility issues, and those who don't want to drive at night.

Ms. Belanger asked if Mr. Dean could create a short letter in support that the Board could sign.

Mr. Chartrand said moving toward hybrid models of meeting will increase the number of people who can participate and increase the vibrancy of town government.

Ms. Cowan said it's important to have a diversity of views. We miss out when we require in-person-only volunteering.

MOTION: Ms. Gilman moved to authorize the Town Manager to write a letter of support for SB 533 relative to the physical quorums at public meetings to the Senate Judiciary Committee. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

11. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a tax abatement for 72/106 in the amount of \$1,194.39 for tax year 2023. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve Veteran's Credits for 70/15 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve Veteran's Credits for 82/7/4 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve Veteran's Credits for 90/18/2 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve Veteran's Credits for 85/68 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/806 in the amount of \$152,251 for tax year 2024. Ms. Belanger seconded. In a roll call vote, the motion passed 5-0.

b. Permits & Approvals

The permit was discussed earlier in the meeting.

c. Town Manager's Report

- i. Deliberative Session is Saturday at 9 AM.
- ii. We posted the warrants today. We'll have our explanatory factsheets ready to go by tomorrow or Wednesday.
- iii. We got a proposal regarding the master meter residential issues.
- iv. We responded to a Pickpocket Dam 91A request.
- v. He's working on the Town Report, and thanked Pam McElroy for her work on it.
- vi. We're continuing to recruit for positions, and getting some applications in.
- vii. The groundwater letter of intent with PEA has been finalized. We're waiting to hear back from their trustees.
- viii. There was a Town Hall Zoom meeting with the consultants for the Town Hall project. The next step is to have a stakeholders meeting.
- ix. We signed the P&S for Planet Playground. Now we need to schedule a closing.
- x. Town and City Magazine is going to do a profile of Renay Allen for their next issue, as well as Lang Plumer and Laura Davies.
- xi. The siphons are up to 388 linear feet. The project is on schedule.

d. Deliberative Session

Mr. Papakonstantis said he doesn't think it's imperative that the Board speak to each article at Deliberative Session, but there are a few we should take ownership of. He would be interested in presenting Article 4 and showing the video. Mr. Chartrand will take Article 5. Ms. Belanger will take Article 6. Ms. Gilman will take 7 and 8. Ms. Cowan will take Article 13 on Planet Playground. Mr. Papakonstantis will discuss the Trustees' investment services. Ms. Gilman will discuss the Solar Array Revolving Fund. Article 22 and 23 will go with the two committee reps, Ms. Gilman for Heritage and Ms. Cowan for Sewer Advisory.

e. Select Board Committee Reports

- i. Ms. Belanger had a Planning Board meeting, where there was a final public hearing on the zoning amendments. There was a field modification

that our Town Planner takes care of. They hit ledge and had to move their drainage system.

- ii. Ms. Gilman attended the Energy Committee. They said goodbye to Lew, and there is a new volunteer. They went over the events calendar. They reviewed the window dressings program for indoor storm windows; they will make a decision by June on whether to do it this year. They talked about changing monthly meeting dates to 10 AM on the third Wednesday of every month.
- iii. Mr. Chartrand attended a meeting with the Chairs of the Energy and Sustainability Advisory Committees. There is a plan for one joint meeting in February.
- iv. Ms. Cowan had no report.
- v. Mr. Papakonstantis attended a Swasey Parkway Trustee meeting. Jen Martel went over her proposed plan. The Trustees discussed the flooding downtown and how we need to start paying attention. They suggested having life jackets on the Parkway.

f. Correspondence

- i. Ms. Gilman gave an update on State issues.
- ii. An NHMA Legislative Bulletin
- iii. A fact sheet and Q&A for the Exeter/Newfields property purchase.
- iv. A letter relative to Pairpoint Park with ideas and thoughts. Mr. Papakonstantis would like to put this on an agenda in February.

12. Review Board Calendar

- a. The next meetings are February 12, February 26, March 4, and March 18. Deliberative Session is February 3, and Town Election is March 12.

13. Non-Public Session

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

14. Adjournment

MOTION: Ms. Belanger moved to adjourn. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0 and the meeting was adjourned at 8:50 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary