

Select Board Meeting
Monday August 16, 2021
6:30 PM
Nowak Room, Town Offices
Draft Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Town Manager Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:30 PM.

2. Non Public Session

MOTION: Ms. Cowan moved to enter into non-public session under RSA 91-A:3II(c). Ms. Oliff seconded. In a roll call vote, all were in favor, and the meeting entered into non-public session at 6:31 PM. The Board emerged from non public session at 6:50 PM.

3. Board Interviews

- a. The interview of Richard Matthews for the Recreation Advisory Board took place in the Wheelwright Room.

The Board reconvened in the Nowak Room at 7 PM.

4. Bid Award - Salem Street Utility Project

Mr. Dean said the bid award is being recommended to Jamco Excavators LLC.

Mr. Papakonstantis asked for comments from the Board, but there were none.

MOTION: Ms. Oliff moved to award the contract for the Salem Street Area Improvement Project for James Excavators in the amount of \$3,415,853.69.

Ms. Gilman asked for an amendment to “Jamco” rather than “James.”

MOTION: Ms. Oliff moved to amend the motion to say “Jamco.” Mr. Browne seconded. All were in favor.

5. Public Comment

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

6. Proclamations/Recognitions

- a. Mr. Papakonstantis mentioned that there will be an Exeter Public Library open house on Thursday August 19 from 1 - 7 PM.

7. Approval of Minutes

- a. Regular Meeting: August 2, 2021

MOTION: Ms. Gilman moved to approve the meeting minutes of August 2, 2021 as presented. Ms. Oliff seconded. All were in favor.

8. Appointments and Resignations

MOTION: Ms. Gilman moved to appoint Conor Madison as a full member of the Conservation Commission, term to expire April 30, 2022. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Cowan moved to accept the resignation of Val Castonguay from the Rec Advisory Board. Ms. Gilman seconded. All were in favor.

9. Discussion/Action Items

a. PEA Opening Update

Principal Bill Rawson was present to discuss the opening of Phillips Exeter Academy. They concluded the summer session of 400 students, which went smoothly. There was one case at the outset in a fully vaccinated student; that student was positive, and their sibling who was travelling with them for three weeks was negative. The family came back and stayed with the children in a hotel for a week, and then the student joined the summer session. There were no events after that. He's optimistic about the fall, but they're still in the pandemic. Cases are going up. They finished last spring very positively. There were vaccination clinics on campus, and all seniors were vaccinated two weeks before graduation. The under-16 students had their second shot the day they went home. The last cases they had were in early April, two day-students from the same household tested positive. There were no positive cases after that. The school is requiring all students to be vaccinated, other than those with religious or medical exemptions. Out of 1,000 students, 50 - 75 students will arrive in the fall not fully vaccinated; about 20 of those are exemptions, and the rest the school will help get vaccinated. All employees are required to be vaccinated. The campus will be largely vaccinated, around 95%. Students from all grades will come at the same time, unlike last year, although some students will come early for pre-season athletics and leadership positions. There will be no pre-travel testing, only day-of-arrival testing for every student. If someone is positive, they will go into isolation. For the first two weeks, there will be some restrictions. Students won't go into town, and all students and adults will wear a mask indoors. All members of the PEA community will participate in pooled saliva testing twice a week. After the first two weeks, he expects students will be able to go into town wearing a mask. Unvaccinated students will wear masks. They're trying to protect the student experience, in having athletics, music, arts, etc. It will be an open campus and trails, and parents will be able to come and visit. All visitors will wear a mask indoors regardless of vaccination status. They anticipate prospective students visiting campus, without evidence of vaccination. They still have quarantine units, outdoor tents, and are encouraging outdoor dining. They will continue to maintain a public Covid dashboard.

Ms. Cowan said the plan sounds well thought out and in compliance with what they know at this point. Mr. Rawson said they continue to consult with their outside specialist and the PEA Medical Director, and plans may tighten or relax. Ms. Gilman said she appreciates their thoroughness. Mr. Browne asked about HIPAA compliance and contact tracing. Mr. Rawson said if they have a case,

they will interview the person to identify close contacts. If it's an unvaccinated student, they will go into quarantine. If the student is vaccinated, they will wear a mask for 2 weeks and participate in pooled testing, but there's a lower risk with a vaccinated person. They will protect medical information. Regarding the status of being vaccinated or unvaccinated, some people need to know, but it won't be widely advertised. Some on campus are underage, for example the families of staff living on campus.

Mr. Papakonstantis said it sounds like they've put a lot of thought into this plan and they're following all the guidelines. He appreciates their communication and thoughtfulness for the community. If there were a giant outbreak, how would they react? Mr. Rawson said they currently have no closure and dispersal plan; last year they had "family choice" and students could elect to stay home and learn remotely, but they're not making that available this year. Given the vaccination rate, the probability of a big outbreak seems low. If cases go up dramatically, they might decide not to send students home for the two weeks between Thanksgiving and Christmas, for example. If something changed to the point where it was as if the students were unvaccinated, they'd have to rethink the mask policy and other measures. Mr. Papakonstantis asked if there were any restrictions on the trails, and Mr. Rawson said no. It's outdoors and the risks are low. Students will go into town as well. They want to be good citizens to the town.

b. COVID 19 Updates

James Murray, the Town Health Officer, said that according to the State dashboard, NH had 85 new cases this weekend. Exeter has 21 active cases, up from 18 on Friday. Hospitalizations are doing very well; that will be the major point they're looking at going forward, with the vaccination rate so high. Positive cases will increase, but as long as hospitalizations stay low, that's success. 79.7% of Exeter's total population has been vaccinated. That percentage is calculated including those not eligible for the vaccine, so that's really good. The Delta variant can spread to vaccinated people. They're hearing that Moderna might be higher above Pfizer in protection from the Delta variant.

Ms. Gilman asked if the State dashboard count is residents of NH, not non-residents in NH. Chief Wilking said yes, it only counts residents. Mr. Browne asked whether any further vaccinations have been done beyond the 5,000 shots administered in Exeter. Chief Wilking said since May the FD hasn't conducted a lot of vaccinations, so that number hasn't increased much. They pushed all people 12+ to get vaccinated through pharmacies, the hospital, or their PCP. Vaccinations are continuing to be tracked through the State.

Chief Wilking said they're re-engaging with the Public Health Network. Current funding mechanisms for public health vaccinations don't exist; State funds have been used or earmarked. Now the Delta variant is showing itself in Exeter, so they must decide whether it's prudent for agencies like the Fire Department to set up vaccination clinics again. They don't want to spend town taxpayer dollars for State and Federal programs. However, they will provide one

vaccination clinic for the HS in the fall. Where we are today is vastly different than a year ago, in knowledge, testing capabilities, and vaccinations. Back then, there were 20 - 30 cases a week in Exeter, with several of those requiring treatment/hospitalization. There were 18 cases last week, and the hospital is treating one patient. Patients are not as sick. They are managed at home and quarantined, and are not overwhelming the hospitals. Starting around August 1st, they began to see many more cases. Where should they go on Public Safety? They should get a message out re social distancing and masks. Some in public health believe we will burn the variant out because we're so well vaccinated, but we should stay on top of it.

Mr. Papakonstantis asked about PPE, and Chief Wilking said they're well stocked. They were given tens of thousands of surgical masks, and anyone in town can use them. They're still using the three disinfectant sprayers in the ambulances regularly. They're not seeing a spike in Covid patients, since most patients have symptoms that aren't severe enough to warrant calling an ambulance.

c. Second Quarter Financial Report

Doreen Chester, the town Finance Director, gave an update on the second quarter finances. The town received the first tranche of ARPA funds of \$801,559 on August 4th. The Treasury regulations are not finalized; they could have until 12/31/24 to expend the funds. They have set the money aside in a separate bank account. They received \$7.7M in bond proceeds in August 11. They borrowed money for sludge removal and the Salem Street utilities project, which was \$5.9M. They received the draft 2020 financials, and got the highest audit opinion. They hope to finalize those soon.

In the General Fund, revenue is down from last year, at \$238,000. This is partly because they received State Aid reimbursement last year for First Responder stipends. There will be no State Municipal Aid or revenue sharing this year, which was \$147.7K last year. It was suspended because of the economy. They will receive FEMA funds for reimbursements for pandemic items. They are \$76,000 down in income from Depts, including \$32,900 in Fire revenue because they are not doing monitoring, but Chief Wilking has worked hard to offset that in his draft budget. The town is getting a very low interest rate this year, so they lost \$41,300 in interest income from last year. Building permits are up \$108,000 from last year. They're seeing some delayed building going forward, including a PEA dorm and the Exeter Hospital Cancer Center. The town billed \$27.86M in property tax in May, \$6.6M of which is for the town, with the rest going to schools and county. They should know in late Oct or early Nov what the new tax rate will be when it's set by the State.

Mr. Dean said they're expecting a larger distribution in Meals and Rooms tax from the State, which should cover the General Revenue sharing loss, plus or minus about \$100,000. The Health Trust surplus revenue is also coming. Mr. Papakonstantis asked if Primex was going to issue a dividend, and Mr. Dean

said they got the checks from that last week, for Property Liability and Worker's Comp. Ms. Chester said that will be reflected in the next report, at the end of the third quarter.

Expenditures are down on the lower side, at \$8.4M or 42% spent through June 30. Almost every Department is under 50%. Some Maintenance projects are coming in. There are some vacancies that they can't fill. IT is at \$78,000, only 28% spent; with high prices on equipment, they don't want to overpay, so they will postpone purchases and reallocate those funds. In the Police Department, there were 4 vacancies in the 2nd quarter, but they just had a new Officer sworn in. They were 39% spent in Police Patrol. The Fire Department is 45% spent, at \$1.74M; there was turnover at the beginning of the year, but they're now full. The town saved \$17,000 in mosquito control due to a new vendor. In Public Works, there's a vacancy for an Engineering Tech, but this position has been open so long there's no variance year over year. There were two vacancies in the Highway Department, but one was filled in early June. Solid waste is low, but that's due to the timing of invoices from Waste Management. They're starting to see more Maintenance projects go forward, such as the sewer project in the Finance office. They are missing an HVAC Tech and Second Mechanic in DPW, which have been vacant for over a year. Debt service is the same as last quarter, since they only made the half interest payment in February. General Fund income was \$1.04M vs \$1.37M last year, mostly due to grants from last year. They should see a big difference in the third and fourth quarters.

Mr. Browne said in IT, should they be concerned about equipment costs going up due to the pandemic? It's imperative for the BRC to consider what were previously fixed costs as variable costs. He asked if there was a reason for taking a check from Primex rather than a credit. Mr. Dean said if they took a premium holiday, the budget for this payment has already been set, so they won't see it roll over year over year.

Ms. Chester said the Water Fund is 43% collected out of a budget of \$4M. The new rates for Water & Sewer were addressed in July 2021, when the rates went up. The fund isn't looking good right now related to expenses. In Water Fund Receivables, there was \$13,000 over 90 days overdue. Delinquency notices were sent out in April and July, and they're setting up more payment plans, double the amount from last year. There were \$412,000 in Receivables with \$399,000 of that current year Receivables.

Water Expenses is at 37%, or \$1.5M expended. There are two vacancies that have not yet been filled. 50% of that job is in Sewer collection. Water Debt Service is the same, with the half payment of interest in February and the rest in July. They raised the rates, because the fund needs to be self-supporting.

The Sewer Fund budget is at \$3.17M, or 45% collected. Sewer user charges are \$76,000 lower, and service charges are flat year over year. New revenue was added for Sewer Septage, at \$84,800 for the first half. Sewer Receivables are at \$815,000. They're seeing more here than the Water Fund because you can't shut off sewers, but there are liens placed on homes and

businesses not paying sewer bills. Payment plans have doubled here as well. They're 19% spent year to date, with the biggest expenditure coming in December for the Wastewater Treatment Plant, and they don't have offsetting grant revenue this year. There are two vacancies in Sewer Collection, the other side of the Water Distribution positions. The debt service payment of \$4.1M will be due in December.

In the Revolving funds, CATV has been running at a deficit. They have a small fund balance of \$64,000 as of June 30th. The Rec Revolving Fund is at \$306,000 in revenue, vs \$55,000 last year. The Rec Director said things are not back to 2019 levels yet, but they had a good season. They had to close down the pool on Friday due to lack of staff. The EMS accounts were billed at \$357,000. There was a decrease overall to revenue, reflecting the \$25,000 grant to help with Covid last year. This fund had a net income of \$121,000. There seems to be more call volume this year than last.

Mr. Papakonstantis asked regarding CATV, why is there a net deficit annually? Ms. Chester said they split the revenue from Comcast 50/50 between the General Fund and CATV. Maybe expenses from the fund need to be decreased.

d. Third Reading: Swasey Parkway One Way Street

Ms. Gilman read the amendment:

Amend Chapter Three of the Exeter Town Ordinances, One-Way Streets and Traffic Circles, as follows: Add to 301 One-way streets, add "Swasey Parkway northerly from Water Street entrance to exit on Water Street."

Mr. Papakonstantis asked for public comment.

Dwane Staples of 33 Ashbrook Road, the Chair of the Swasey Park Trustees, spoke in favor of making Swasey Parkway one-way, saying this is the right thing to do down there.

Mr. Papakonstantis said currently the Parkway is closed to vehicular traffic through Sept 6, so this would be effective Sept 7. Mr. Browne said as the numbers of Delta variant rise, they may be in a situation shortly of needing to provide outdoor movement. Any change without a much longer phase time is dangerous. Mr. Papakonstantis said barring an emergency order, the Board is reaching the end of its authority to keep the Parkway completely closed. This allows the public to use it and return vehicles in a safe manner. Ms. Cowan said she's happy they're taking this step, but she's in favor of closing it permanently.

MOTION [not voted]: Ms. Gilman moved to adopt the amendment to Chapter 3 Section 301 One Way Streets to include "Swasey Parkway northerly from Water Street entrance to exit on Water Street," effective September 7, 2021. Ms. Cowan seconded. Mr. Browne asked if they can pursue legal opinions about whether the road is ADA compliant. Mr. Papakonstantis said yes, but the Parkway is the way it is due to the language in the Trust, it's more than just a regular street. Mr. Browne said he'd like them to speak to counsel before they vote. When they did the work on the Brentwood Road sidewalks, there was a lot of language that went into how wide the

sidewalk had to be, for example. He'd like them to look at Department of Transportation rules about a road like that. There have been at least two examples of a vehicle going off that road into the water in the last 20 - 30 years. Mr. Papakonstantis asked Mr. Dean if the DOT has any jurisdiction over the Parkway. Mr. Dean said he's not aware of any difference with classification. This is a class 6 road, and legal counsel said that to discontinue would take a town vote. That's the extent of legal counsel so far. Ms. Cowan said she supports looking for a reason to keep it closed, that would not be opening them up to a lawsuit. Lacking the emergency order to do this, they can't keep it closed. Mr. Papakonstantis said they can talk to Attorney Mitchell prior to the next meeting. Ms. Gilman withdrew her motion and Ms. Cowan withdrew her second.

Dwane Staples said if they go back to when the Parkway was built, there was no sidewalk. The town added it later, and it would have been done according to the rules and regulations of sidewalk at the time. There have been two accidents at the Parkway; one was in the winter and the road was icy. If they're going to talk safety, he's in favor of closing that road off, but he's come to realize that in having that Parkway closed, they're closing it to a section of people, and that's not fair. They should give those people a chance to enjoy the Parkway in the fall.

e. Third Reading: Mobile Vending Ordinance

Ms. Gilman said that they are having the third reading of the change and implementation as previously discussed.

MOTION: Ms. Gilman moved to adopt the changes to Chapter 8, mobile vendors, effective August 16, 2021. Ms. Cowan seconded. All were in favor.

It was pointed out that they had not asked for public comment.

MOTION: Ms. Gilman made a motion for reconsideration. Ms. Cowan seconded. All were in favor.

Mr. Papakonstantis opened for public comment, but there was none.

MOTION: Ms. Gilman moved to adopt the changes to Chapter 8 of Town Ordinance for mobile vendors, effective August 16, 2021. Ms. Cowan seconded. All were in favor.

10. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a tax abatement for 104/79/1004 in the amount of \$455 for 2016. Ms. Gilman seconded. All were in favor.

b. Permits & Approvals

Assistant Fire Chief Justin Pizon submitted an address change request, to change 14 Rear Tan Lane to 77 Front Street. The E911 Committee previously approved. The building is accessed from Front Street, not Tan Lane.

MOTION: Ms. Oliff moved to approve the address change from 14 Rear Tan Lane to 77 Front Street. Ms. Gilman seconded. All were in favor.

- c. Town Manager's Report
 - i. Nicholas Patterson is a new Police Officer. Mr. Dean attended the swearing in August 9th.
 - ii. Mr. Dean attended the CIP meeting of the Planning Board last Thursday.

- d. Select Board Committee Reports
 - i. Ms. Cowan said at the Planning Board CIP meeting, the Dept Heads came and presented their long-term plans. There were a lot of requests, mostly from the Fire Department and DPW. There were a few from Parks & Rec that were interesting. There's also an exciting Westside Drive project. She encouraged everyone to look at the packet from that meeting.
 - ii. Chief Wilking spoke about decommissioning the Fire Alarm system. Of 162 accounts, 96 have come off the system, and 55 are in the works. All town buildings are on a new vendor. There are 11 customers they don't know the status of, but they are working on it. They finished the installation of the radio system today, which was a warrant article from 2019, and they will be doing a check of it this week.
 - iii. Ms. Oliff said at last Tuesday's Arts & Culture Committee meeting, they discussed a website that would host information about local artist events. It was an animated discussion, which is still continuing. The biggest concerns were budgeting and maintenance. On Friday she attended the Housing Advisory Committee, where they discussed workforce housing in similar towns, and heard a proposal to request that builders set aside a portion for affordable housing. They are considering how to maintain that commitment long-term. There is a Swasey Parkway meeting on Wednesday.
 - iv. Ms. Gilman attended the Conservation Commission meeting, where they had a dredge and fill review for sewer Siphons project. The group had no problem with that.
 - v. Mr. Browne had no report.
 - vi. Mr. Papakonstantis had no report.

- e. Correspondence
 - i. A letter from NH DOT regarding the Highway Block Grant Aid that is available to the town of Exeter.
 - ii. A letter to the EPA from Public Works director Jennifer Perry, stating that Exeter is voluntarily submitting to the Great Bay Nitrogen Permit.
 - iii. A thank you letter from St. Vincent de Paul for a donation.
 - iv. A memo from Kristin Murphy re Drinkwater Road. Mr. Dean said he intends on having initial contact with the property owner this week. Mr. Papakonstantis asked for an update on this issue at the September 13th meeting.

- v. A letter from Senator Jeanne Shaheen stating she has no conflict of interest with projects she's championing with the State of NH. Ms. Gilman said they're looking for a grant for body cameras, but they should check the status of combining State and Federal funds for that. Mr. Dean said they've applied to multiple funding sources, but the intention is not to accept both funds, they'll say yes to only one.

11. Review Board Calendar

- a. The next meetings are August 23, September 13th, and September 27.

12. Non-Public Session

MOTION: Ms. Gilman moved into non-public session RSA 91-A:3II (a) and (c). Mr. Browne seconded. In a roll call vote, all were in favor, and the meeting entered into non-public session at 8:32 PM. The Board emerged from non-public session. Selectwoman Cowan moved to seal the minutes. Selectman Browne seconded. The motion carried unanimously.

13. Adjournment. Selectwoman Cowan moved to adjourn. Selectman Browne seconded. The Board stood adjourned at 8:55 pm.

Respectfully Submitted,
Joanna Bartell
Recording Secretary