

Select Board Meeting
Monday June 10, 2024
6:40 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 6:40 PM and the Board went downstairs to the Wheelwright Room for interviews.

2. Board Interviews

- a. Fran Hall for the Budget Recommendations Committee

The Board reconvened in the Nowak Room at 7 PM.

3. Public Comment

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

4. Proclamations/Recognitions

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

5. Approval of Minutes

- a. Regular Meeting: May 28, 2024

Corrections: Ms. Belanger said that Mollie Ruffner should be removed from the Board interviews. On page 3, where it says, "David Kovar of 38 Cross," add Road. On pages 5 and 7 where it says, "Bob Collier of Conney Road," it should read Connie Road.

MOTION: Ms. Belanger moved to approve the minutes of May 28, 2024 as amended. Ms. Gilman seconded. Ms. Cowan abstained. The motion passed 4-0-1.

6. Appointments

MOTION: Ms. Belanger moved to appoint Fran Hall to the Budget Recommendations Committee for 2024. Mr. Chartrand seconded. The motion passed 5-0.

7. Discussion/Action Items

- a. Squamscott River Siphons Update

Public Works Director Stephen Cronin was present remotely via Zoom. He said the drill attempt was successful, and on Friday the 12" pipe was installed. The contractor has completed the river crossing. They'll move on to the next phase of installing the outlet structures and decommission the existing

siphons. We anticipate substantial completion around mid-August.

Mr. Chartrand asked Mr. Cronin to thank Mr. Vlasich for his work on this project. Mr. Papakonstantis thanked staff for updating abutters and thanked the abutters for their patience.

b. Rugg Property Update

Mr. Papakonstantis read a statement:

On the potential acquisition of land from the Rugg Family, the Select Board has been kept updated and conducted discussions with town staff, as well as legal counsel, in non-public meetings. Pursuant to RSA 91-A:3, only the following matters shall be considered or acted upon in non-public session: RSA 91-A:3II(d) reads "consideration of the acquisition, sale, or lease of real or personal property which if discussed in public would likely benefit a party or parties whose interests are adverse to those of the general community." The Town of Exeter remains in favor of the proposed project, as it would secure this land for the public benefit. Unfortunately, the Rugg Family officially notified the town of Exeter on Friday, June 7, 2024, that they are not moving ahead with this project. This was a meeting that I asked for with the Rugg Family, their counsel, our counsel, and the Town Planner. This was my first opportunity to meet the Rugg Family and discuss this face-to-face. Prior to that we had also offered mediation. The Town of Exeter had no role in this decision to not move forward with the project. The Rugg Family asserts ownership of a portion of several parcels north of and including parcel 19-16 to the town boundary with the Town of Newfields. Importantly, this assertion is not only as to ownership interest, but also as to configuration of the parcels of land in this area. The Town of Exeter has deeds from various sources to most of this area. Consequently, to resolve any title issues, the Town of Exeter or the Rugg Family would have to forego their respective rights to any of the parcels in question. The Rugg Family's position is that the Town of Exeter should relinquish all its claims. By doing so, the project as conceived would then necessitate the town purchasing land it already has deeds to from the Rugg Family. As the Select Board are stewards of town property and taxpayer dollars, and must marshal these assets responsibly, it would be irresponsible for the Town to forgo any rights it may have without some compensation, especially when thereafter it is contemplated that the Town of Exeter will pay tax dollars for the same land. The Rugg Family have done their own title work and presented this information to the Town of Exeter supporting their claim. However, the Town of Exeter has no authority to determine respective ownership rights of parties to land. This is only something the Superior Court can decide. The Town of Exeter was hopeful to avoid such a protracted court action and instead made an offer whereby the Town of Exeter would relinquish various claims to parcels in exchange for the contested portion of lot 19-

16. The required statutory process regarding land would have to be followed, but this was a framework that, from the Town's standpoint, could lead to an expeditious resolution. The Town extended this proposal in January 2024, two months before the election. Until Friday, June 7, 2024, the Town of Exeter had not received a formal acceptance or rejection of this offer. Unfortunately, it appears that the project will not advance at this time, however, should this change, the Town of Exeter will resume our discussions.

Town Planner Dave Sharples and Town Legal Counsel Laura Spector-Morgan were present to discuss the Rugg property. Mr. Sharples said this has been framed as a boundary dispute, but there are also ownership questions and legal questions. In 2017, the Natural Resources Planner at the time brought to his attention that the Rugg Family had claimed 5 parcels that the Town of Exeter has deeds for. He met with the Ruggs several times and explained that he would need something substantive to bring forward to the Select Board, such as title research and survey work. The work took about 5 years to complete, and the town also did legal work. We received the report in July 2023. We reached out to legacy counsel to review the report and the opinion was that the report was not conclusive. The report in 2023 added other areas to the property which the town owns, making it 7 parcels instead of 5, and their boundaries didn't follow our tax maps. We brought this to the Select Board in non-public session. The town believes it has legitimate claims to property. We made the Ruggs a fair offer to solve the issue judiciously in advance of the town vote. We met with the Ruggs Friday and learned that the offer of placing the entirety of the property into conservation is no longer on the table. We still hope for a resolution to clear the title. We've heard claims of a lack of transparency, but given the legal situation we're in, he believes we've given appropriate updates. He did not witness any motive except for performing due diligence on behalf of the town. It's very unfortunate that the deal has been removed from the table.

Ms. Cowan asked if there is a path forward for the Select Board to work with the Ruggs. Preserving this land is important. Mr. Papakonstantis said we asked that question on Friday when we met with them and didn't get a direct answer. We made it clear that the town was willing to listen in the future. Mr. Chartrand said there is no one on this Board that has expressed anything but support for this project. It was primarily in non-public because of the title issues, but there was nothing but support. We want to save the Fort Rock trails.

Janice Stevens of 19 Colonial Way Exeter asked what the financial implications for the Town of Exeter would be if we were to work with the Ruggs on what they are proposing. Mr. Papakonstantis said the Rugg Family has made it clear as of June 7 that the deal is off the table. With all of the grants that were going to be applied for, it was about \$1M in taxpayer dollars. Mr. Chartrand said the owners of the property said they're no longer interested in working with the towns of Exeter and Newfields, so we remain interested but he doesn't know where we can go from there.

Vanessa Lazar of 35 Woodridge Lane Exeter read prepared comments: *Dear Mr. Papakonstantis and the Exeter Select Board and Mr. Dave Sharples, we are here tonight because over the past 18 months, Trust for Public Land, SELT, and a vibrant network of volunteers in Newfields and Exeter worked tirelessly to conserve 148 acres of beloved forest and wetlands and 12 miles of the Fort Rock trail system. This land is a gathering spot for the community, a driver of the town's recreational economy, and a place for our children to play, have adventures, and connect with nature instead of screens. These efforts were rewarded on March 12, 2024, when Exeter overwhelmingly signaled its support for conservation by passing the Article 24 advisory measure with 88% of the vote. Newfields went even further, voting to fund the conservation initiative with 67% of the vote, despite the fact that none of their Select Board members supported us. From the public's perspective, the hard work was done. Due to the position of the Newfields Select Board, passing the funding measure felt like climbing Mount Everest. In contrast, given the Exeter Select Board's support and overwhelming results at the polls, it seemed like a layup to resolve the dispute over 6.8 acres of land. We didn't know all of this [the other disputed land]. The 6.8 acres in dispute represents a mere 4.7% of the total 148 we sought to conserve and only \$250,000 approximate value of the \$5.5M appraisal for the land, a value that pales in comparison to the dollar value of the time and energy volunteered by residents in support of the conservation effort. Instead of a layup, we stand here as a community devastated by what appears to be the loss of a once-in-a-lifetime opportunity to conserve this land forever. Despite already having secured \$3.4M in funding and just last week we learned the project ranked #1 in the country, in a record competitive year, for a \$600,000 Community Forest and Open Space Acquisition for Newfields. Given the magnitude of the volunteer time and energy, the overwhelming support from the polls, and the significance of the funds secured to date, it feels impossible that Exeter was not able to resolve a 6.8 acre blip of an issue on behalf of its residents. We stand here today and demand accountability. We ask the Select Board to specifically address each of the following questions before adjourning. Our first question is about effort. You just gave us a brief overview but we understand the position of the Town of Exeter is that there is no known dispute over the 6.8 acres because Exeter made a formal offer to the Rugg Family in January that asked them to surrender their claim to 6.8 acres of land and never received a formal response. However, Exeter knew that the Rugg Family had shared its due diligence to support their position already on the 6.8 acres so the community feels that the Town of Exeter is hiding behind an irrelevant procedural detail, especially given the overwhelming show of support at the polls. Can town officials explain what steps they took - which I believe Mr. Sharples already did - if any, to*

resolve this issue between March 12 and May 28, the grant application deadline, and why Exeter's inability to resolve this issue was not made public prior to the eve of said deadline so that there was no opportunity for us to help resolve the problems. Our second question is about evidence. The Rugg Family has shared extensive title research and stamped survey work to support their position of ownership. Can Exeter share what documentation or diligence supports its position? There's no public record of Exeter's assessment of the Ruggs' extensive title work and survey or of Exeter's own title work or survey work. Has this been completed, and if so, why hasn't it been made public? In the absence of any such work, Exeter's position of sitting back and waiting for the Rugg Family to disprove in court a warranty deed Exeter received for the land from a developer seems egregious given the public mandate at the polls to proactively move forward with the conservation. Given the resounding will of the voters, is there any immediate action town officials can take to try and resolve the boundary dispute in a way that might allow the Trust for Public Land and SELT and all the passionate supporters here tonight an opportunity to conserve the land? Perhaps they'll change their mind. Who will be responsible for these initiatives, who will be responsible for overseeing that work, and when will that be completed?

Helen Kruppa of 27 Captains Way Exeter said the Captain's Meadow Homeowners Association stands united in supporting the acquisition of the Rugg Property. Article 24 passed with overwhelming support. This land is a gathering space for our community and serves as a sanctuary for wildlife. Its loss would harm the local wildlife and potentially lead to the decline of some species. We urge the Select Board to take immediate action. We acknowledge that you have been trying to resolve this dispute for a long time. The land dispute, while significant, should not overshadow the larger goal of conserving this property.

David Reyes of 11 Ash Street said this could easily become "the Select Board says X, the Rugg Family says Y," and the public doesn't know who's right or wrong. Is it possible for the towns of Exeter and Newfields to wind up owning this land? It's hard to understand why we can't wind up owning all the land and set aside the question about who owned what to begin with. It's 148 acres, there could just be a set price to negotiate that land and set aside the property disputes.

Mr. Chartrand said there's an assumption that it's about the property line disputes, but his feeling was that all along that was not really the issue. The Board had great urgency in resolving those issues in non-public sessions. We have no choice but to proceed that way in these matters. For close to 6 months we've been trying to engage and it's been very difficult. The boundary dispute may just be an excuse not to move forward.

Mr. Papakonstantis said when you all came before us in December 2023, we had a good feeling that the town would support it, so in January we started really having aggressive discussions with the property owner to move this along.

We made an offer and we continued to try to initiate conversation, but it's difficult when the other party doesn't respond. It wasn't for lack of trying that it took over 6 months. We offered mediation, because it doesn't take as much time as litigation, and they declined. He asked for a meeting with the family as the Chair of the Select Board, and they didn't accept our invitation until after this came out in the newspaper. Their attorney left the meeting after 10 minutes. We stayed for an hour and a half asking repeatedly what we need to do to save this. We got an answer and it wasn't the answer we wanted. We want to do something. We don't disagree with anything that you're saying.

Attorney Spector-Morgan said the question is the price, and that's the sticking point. The Ruggs have given zero credence to the town's ownership of this property, and the Selectmen [sic] feel very strongly they should not be paying for land the town already owns.

David Reyes said there was a [cost] number that Southeast Land Trust and the Trust for Public Land were working with. Whether you divide a set number by 140 acres or 148 acres, the total would be the same.

Attorney Spector-Morgan said the town was looking for some concession at least for the warranty deed. Mr. Papakonstantis said the citizens' petition had no dollar figures. The message sent to the Select Board was to take the next step, but there were no dollars associated. If he was going to ask for tax dollars to be spent on something we already own, that would be malpractice. Mr. Chartrand said we have our oath of office and rules for operating as a Select Board, so we have some restrictions that aren't there on the other side of the equation. The way for Newfields was clearer, and there was no boundary dispute there, but he still doesn't feel like this was a boundary dispute. It doesn't explain the lack of engagement. Mr. Papakonstantis said the numbers that were presented were estimated numbers from the Trust for Public Land.

Mr. Sharples said he would answer further questions from Ms. Lazar. Regarding "Can you share what the town's position is?", we have shared what we could so far. Other information is protected under attorney-client privilege. Regarding survey and title work, we haven't done any survey work, but we did title work, and it's all been inconclusive. Regarding "Is there any immediate action from the town?", the Ruggs own the property. They have the right to do whatever they want to do. We have no control over that. It's up to them to negotiate what they own, most of which is in Newfields.

Helen Kruppa asked if, since there's this dispute, the Ruggs would not be able to sell that land to a developer until something is resolved. Attorney Spector-Morgan said it depends whether the developer would assume the title dispute. They can sell it, but whoever buys it would have to deal with it.

Mr. Papakonstantis asked if the Board would allow non-Exeter residents to speak, and the Board agreed.

Tara Barker of York Maine asked if the Board would put funds aside to acquire the land in the future in case the Ruggs change their minds. Mr.

Papakonstantis said we would still have to put it on the ballot in March so the voters could vote to raise and appropriate the money.

David Kovar of 38 Cross Road said the wildlife preservation issue is similar to Pickpocket Dam. Mountain bikers use the property and take incredibly good care of it. They have made an investment in that property and there is economic benefit to the community. He asked if the Ruggs could sell off the part that is not in dispute and we can't stop them; Mr. Sharples said yes. Mr. Kovar said he agrees that there's something off about the negotiations. The property lines expanded over the course of the negotiations, into property that Exeter has a clear deed to in the public record. He hopes that we can all stay engaged as much as possible.

Mike Mackey of Newfields said he's speaking on behalf of a group of Newfields volunteers who worked hard in support of the acquisition of the Rugg property. There was a unanimous vote of the Newfields Board against the project, but the voters authorized \$3.7M in funding. Our community is committed to preserving this green space. We were aware of the boundary dispute but looked at it as a bump in the road. We raised over \$3M. It's disappointing that this could not be resolved in a year. The project is done because of funding deadlines. Newfields feels betrayed by the lack of action from the Exeter Select Board and town employees. Mr. Chartrand said that's not true. Mr. Mackey said since there was an issue in July 2023, and the project was moving along, where was the initiative to get the Ruggs to work with Exeter? We lost a great deal of time.

Jonathan Ring of 24 String Bridge in Exeter, who identified himself as a Civil Engineer, said Donald Wilson is the surveyor for the Ruggs, and he is the "god of surveyors" in NH. Tax maps are frequently wrong, especially for wooded lots. He would be happy to help if he can be of assistance.

Dan Longcope of 7 Ridgecrest Drive said he's been riding those trails since 2009. He's part of the Fort Rock Riders that take care of those trails. There was some harsh language used in the Seacoast Online story and he would like to see accountability. He's disappointed, frustrated, and angry that this is going south. He's unhappy that someday his daughter will say "we used to mountain bike where that neighborhood is." He'd like to know what happened here and if we can put things back together. This bickering seems petty when we're talking about keeping this land in recreational conservation in perpetuity. Over the last 5 years, we've increased the recreational value of that land with hoes, shovels, and pickaxes building those trails. We got that 88% vote, and we don't get mandates like that in the United States, but here we are.

Victor Deleo of 11 Captains Way said he trusts this has all been done in the best way. He wants to say to the Rugg Family that he's thankful they brought this to the table in the first place, and we want to do whatever we can to make it right.

Gabe Klaff of 27 Wood Ridge Lane, who identified himself as a hunter, said this family [the Ruggs] has kept this property open for us to use. His concern

is that we as a community did not do enough to break down the red tape for these people. This isn't a massive corporation, this is a family. If they bulldoze and excavate the property, we'll never get the wildlife back. This family has done their due diligence. The surveyors walked every inch of the property. Have we done enough to preserve this opportunity? He can't believe that the motivation changed and that's why we have a broken deal.

Vanessa Lazar said we lost. When we started, we were told by the family that both parcels had to be sold together. It doesn't look like there is a plan to develop the Exeter portion. If houses start going in in Newfields, is it possible to just conserve the Exeter portion? Mr. Papakonstantis said in rejecting our offer, the family did not indicate what they're doing. He made it clear that we're open to continuing discussion. He was hoping for more of a discussion, but got yelled at for an hour. If they are willing to discuss this with us, we are too. It's been six months of almost one-sided conversations. He wanted to meet them personally and have a conversation beyond the attorneys talking to each other.

Mr. Chartrand said he left the Select Board initially because it was too big a lift for him, but he agreed to come back because of these four exceptional people on the Board. They are so ethical and disciplined. It's frustrating not to have the talents of this Board resolve the issue. Mr. Papakonstantis said the Town Planner has invested 7 years in trying to work with the family. He's as invested in this project as we all are. He's gone above and beyond and he's frustrated too. Ms. Belanger said Exeter is committed to conservation land. 1/3 of our land is in conservation. We're #2, under Durham, in the State. We support what you're trying to do.

Frye Macomber of Woodridge Lane in Exeter asked if Mr. Sharples said 47 acres in Exeter is incorrect. Mr. Sharples said the town has deeds to about 37 acres of that 48. The Ruggs have deeds to 11 of those acres. There's more than 6.8 acres in question. Ms. Macomber asked what the offer that was made to the Ruggs was back in January. Attorney Spector-Morgan said the town was willing to give up the land obtained by tax deeds, while the Ruggs were to give up their claims on the 6.8 acres under warranty deed. Mr. Sharples explained that a deed is either "quit claim" or "warranty." Warranty means they've done title work and are sure there are no third-party claims to the land. It was given in exchange for a density bonus for more units for the developer.

Mr. Chartrand said our conservation efforts led to us getting this warranty deed. It was a development deal that Chinburg did with the town. Walking away from that would be violating our oath.

Scott Don of East Hampstead asked if these parcels are in current use and if they're paying taxes on it. Mr. Sharples said they're under conservation easement: 7 acres through a warranty deed; 15 acres through a tax auction in the 1940s; and 15 acres in 5 parcels are owned by tax collector deeds. The Select Board gave them to conservation. No one pays taxes on them.

Shannon Turner of East Hampstead said the Newfields section had a dollar amount attached, but that wasn't the case with the Exeter warrant article. If

that was written in there, would there have been no negotiation? Mr. Papakonstantis said it was a citizens' petition asking the town if they had the appetite to purchase the Exeter land. It was more advisory. Attorney Spector-Morgan said it would have given the Board a cap on what they could spend, but it wouldn't have committed them to a dollar amount, especially if it turned out the town owned some of the land.

Tara Barker asked about the citizens' petition. Mr. Sharples read the petition:

By petition, to see if the voters in the Town of Exeter support the future purchase of approximately 47 acres of property owned by the Rugg family located north of Oaklands Town Forest and east of Wood Ridge Lane by the Town of Exeter for the purposes of expanding the town-owned Oaklands Town Forest, and preserving open space, trails, public outdoor recreation, drinking water supplies, and wildlife habitat; to request that the Selectmen review the project, including evaluation of potential funding options such as bonds; and to advise and authorize the Selectmen to apply for, obtain, accept, and pass through any federal or state grants, loans, or private gifts, if any, which may be available for said acquisition, in collaboration with and facilitated by conservation organizations.

Mr. Sharples said the article passed by 88%. The petition assumed that the 47 acres was owned by the Rugg family, but the town has deeds for 37 acres of that. Ms. Barker said that said "advised and authorized to obtain," the taxpayers gave the go-ahead to do that. To lose the property because of this doesn't make sense. Attorney Spector-Morgan said it gave the authority to apply for and pass through grants. It doesn't give the town the authority to give land away for nothing.

Alex Durden-Guest of Stratham said it was clear that the Select Board was in support of this. The frustration is with the bureaucracy. We don't know if the facts in dispute are the facts. There's an overwhelming sense that there's been some disrespect that the family's efforts haven't been met. He would like to see the minutes from the original meetings around the Chinburgs. There are a lot of inconsistencies. We know that the Ruggs own north of Newfields and then 10 acres discontinuous to that, why is that? He's looked at tax maps that show those two slivers of property that the Ruggs own and the town owns. When the Ruggs have these questions and hire the gold standard surveyor, the town should also be doing an internal audit of these inconsistencies.

Mr. Sharples said he found the minutes. During that time frame, the Planning Board minutes are very general, with just the topic and motion. Barb McEvoy was the secretary and took detailed notes. Both of those are available to the public.

David Kovar said between what we are seeing in the public discourse and what we're hearing about is going on in non-public, there's a lot that we don't know. It would be helpful to the Ruggs and everyone present to meet and leave

the lawyers out of the room. People should continue doing this research. There are ways of gathering information that could still be pursued. We can try to find some way of bridging the communication gap.

Chris Walstad, who was present remotely via Zoom, asked if the town considered making a claim on that deed where the town could be financially compensated. Attorney Spector-Morgan said we're exploring that option. Eleanor Walstad, who was also present remotely via Zoom, said we could add onto the grantor and title insurance. The title insurance company would either litigate the matter or compensate the losses. Attorney Spector-Morgan said it was a donation, so there was no title insurance with the town as a beneficiary.

Karishma Manzur of 6 Windemere Lane said she worked with the Ruggs to beautify her property and the love they have for trees and nature is so evident. She would love to offer them an olive branch and bring them back to the Board. From the article, they've spent \$400,000 on lawyer fees and other work. She asked them to come back to the table and see how we can resolve this issue.

Nick Michaud of 11 South Street Newmarket said he's troubled that the Ruggs spent an enormous amount of money on an impartial third-party survey. We haven't seen Exeter respond to that. Why are we fighting that? This needs to be disproven with fact.

Mr. Papakonstantis said he's read the report, and there is some confusion regarding the issues that we're talking about. Their attorney admitted that there was some confusion in the report. It's not a matter of spending taxpayer dollars to do our own work, it also takes time to have an independent study done. We knew the deadlines and wanted to try to move this forward.

Mr. Michaud said this survey was done to the "gold standard," and this has to be resolved at some point.

Mr. Papakonstantis said we didn't get the rejection from the Ruggs until Friday morning. We need to look at what the next steps are.

Mr. Chartrand said we have a form of government that allows our citizens wide latitude to go past the Select Board, using a citizens' petition.

Janelle Schander of 93 Park Street Exeter said if communication does open up again, it may be beneficial to have a group of passionate people in the room to work with the family.

Mr. Papakonstantis said we're willing to continue to work with the Ruggs, and the people can always create a citizens' petition.

c. Peace Proclamation

Mr. Papakonstantis said this is a continuation of an action item from the last two meetings, a request for the Board to consider a peace proclamation. Mr. Chartrand had made some suggested revisions to the proclamation, and we took two weeks to review and to allow Ms. Cowan to be present.

Mr. Chartrand said he eliminated a clause about financing which he thought was beyond the Board's purview. He also eliminated any reference to

federal officials, as he couldn't vote for any proclamation that claimed to instruct federal officials.

Ms. Gilman said she started out fully in support of just sending a letter but became more reticent because of Mr. Chartrand's references to us representing the whole town, and since then she's gone further and now thinks this is a slippery slope. If there's some disagreement about decisions being made at the Federal level, it may come to the Board in the future. We can't guarantee that we represent the whole body of the town. Ms. Belanger said she feels the same way.

Ms. Cowan said she would be amenable to talking about this and hearing from our constituents.

David Kovar asked if a citizens' petition could ask the Board to support such a proclamation. Mr. Papakonstantis said yes. Mr. Kovar said that could be a good course of action. Mr. Chartrand said that's not until next March. Mr. Kovar said democracy sucks. People are dying. But if you short circuit democracy, you're contributing to the problem.

Bob Collier of Connie Road asked if the group has submitted the letter to Washington DC. You're asking the Board to form an opinion when there are 18,000 different opinions. He understands why they can't do what you want them to do.

Karishma Manzur of 6 Windemere Lane said there have been nationwide resolutions and efforts. Our elected officials are not always listening to us. If the 10 of us send a letter to Washington, it's not going to go anywhere. Our Representative Chris Pappas is not interested in meeting with us. Our government has more clout than individuals. We're only calling for peace. We will join 80 towns and cities nationwide, as well as unions and national organizations, that have made similar proclamations. At this moment, this country is complicit in a full-blown genocide.

Jeff Agitsi of 20 Chestnut Street said we live in a representative democracy and empower representatives to make tough decisions in our names. The recognition of Indigenous Peoples' Day was approved without a referendum, and that was about a balanced interpretation of history and recognizing the victims of that history.

David Kovar said what's happening in Gaza is one of the worst atrocities he's seen in his lifetime. It needs to stop and we need immediate peace. But, this is a representative government, and if the Board wishes to pass the proclamation, there will be people who do not feel represented, and that may dilute the message. Let's look at our community to see what other organizations can support these efforts.

Mr. Papakonstantis said Elias [Kaufman, who was present] said something at the last meeting that it would set an incredible precedent if the Board voted in favor of the proclamation, but he's still struggling with the other part of precedent. Personally he wants peace, but he's afraid of what would happen if another group came in the future to ask the Board to support something we weren't comfortable with. When Russia invaded Ukraine, folks

wanted us to fly the Ukrainian flag at Town Hall, but there would be some that would be offended by it, and some who would say “now hang our flag.” The legislative body can ask the voters in a citizens' petition, but he hopes that this isn't something we're still seeing every day in March.

Ms. Belanger said we respect that you keep coming back. Whether or not this proclamation passes, there are things individually that we all can do to get aid and feed people. In your advocacy you could get the word out. She's very respectful of what you're trying to do.

Mr. Chartrand said there's some language below the date that he didn't write, so that would not be part of his motion. He read his revision of the proclamation:

By the Select Board of Exeter NH, a proclamation calling for peace. Whereas the Select Board of Exeter recognizes that all human life is precious, and all people have a right to live with dignity, feel safe, and be respected, regardless of nationality, race, or religion, and whereas international humanitarian law requires all parties to an armed conflict protect children and non-combatants in all circumstances and prevent the commission of grave violations against them, including killing, maiming, attacks on schools, medical infrastructures and hospitals, and whereas hundreds of thousands of lives are at imminent risk of famine and death if a permanent ceasefire is not reached and humanitarian aid is not delivered without delay; and now therefore we the Select Board of Exeter urge an immediate de-escalation and a sustained bilateral ceasefire to bring peace and prosperity to Israel and Palestine; the immediate entry of humanitarian aid assistance to Gaza, including medicine, food, and water, at the scale required; moving injured and sick people out of Gaza to receive essential medical treatment at the scale required; the release of all Israeli hostages and all Palestinian people unjustly held in the region, including Israel, Gaza, and the West Bank; with the international community to work toward long-term political solutions that could afford safety and dignity to all people in Israel and Palestine. Dated this day by the Select Board of Exeter, and it calls for our signatures.

MOTION: Mr. Chartrand moved that the Select Board approve the proclamation as read. Ms. Cowan seconded. Mr. Chartrand and Ms. Cowan voted aye. Ms. Belanger, Ms. Gilman, and Mr. Papakonstantis voted nay. The motion failed 2-3.

Karishma Manzur thanked the Select Board for their time and effort and read further information about the genocide in Gaza. She said we condemn Hamas and the terrorism in October of last year. We also condemn the Israeli government and its terrorism and genocide of the last 8 months. Mr. Papakonstantis said he would like to thank her and her group for being respectful of the process and how our government works. On a personal level, not as a representative of the Board, he would be willing to work with her further on this issue.

Ali Muckle of 28 Chestnut Street thanked the Board for taking the time to consider the issue deeply. Was there anything we could have done differently to convince the Board that we represent the town? Mr. Chartrand said it was clear to him as a resident that there was broad support for this, which was a deciding factor for him. Mr. Papakonstantis said it was a question of process and setting precedent. If we had gone forward with this, it scared him what requests we might have gotten in the future. Ms. Cowan said the other NH towns that have voted for this are town councils or city councils. This is a little out of our lane but felt like something we could do. This is worded in a way that “lifts us up by our better angels” so that’s why she felt she could vote for it.

d. Permits and Approvals [agenda changed at the request of the Chair]

Town Planner Dave Sharples asked the Board to authorize the expenditure of up to \$100,000 out of funds for the Police Station/Fire Substation. Our purchasing policy allows staff to authorize purchases of under \$25,000. The Select Board are considered agents of the warrant and CIP articles. We’re exploring tree clearing of the site. We have two quotes and are waiting on a 3rd. Geotechnical work needs to be done. We also need a wetlands delineation. Each one is under \$25,000. He’s looking for the Select Board to authorize up to \$100,000 for these projects.

MOTION: Ms. Belanger moved to authorize the Town Manager or their designee to expend up to \$100,000 for any work associated with the new Police Station/Fire Substation at 6 Continental Drive. All purchases made under this authorization shall follow all provisions in the Town’s purchasing policy. Ms. Gilman seconded. The motion passed 5-0.

The Board took a 5-minute recess at this time and reconvened at 9:37 PM.

e. Pairpoint Park Stakeholders Committee

Mr. Chartrand recused himself from this discussion and vote.

Mr. Papakonstantis said we’re ready to appoint the folks that we interviewed for the Pairpoint Park Stakeholders Committee.

Mr. Papakonstantis proposed a revision to the charge, to add 3 alternate positions to the 9 voting positions. This committee could work for the next two years, and some of the members might not be available. We interviewed a diverse and inclusive group of people and this will allow everyone to potentially be a voting member.

Ms. Gilman said we should give more structure to this committee by having someone lead it. Mr. Papakonstantis said it should have a Chair, Vice-Chair, and a Clerk for minutes.

Ms. Gilman said both the HDC and the Historic District Commission have expressed interest in this committee. They could be made non-voting members.

Mr. Papakonstantis volunteered to attend the first meeting for the Select Board and reconsider the representation when we know when they will meet.

MOTION [withdrawn]: Ms. Belanger moved to revise the mission statement or charge for the Pairpoint Park Stakeholders committee to include 3 alternates, to include a charge of electing a Chair, Vice-Chair, and Clerk, and also to include a member of the Heritage Commission as non-voting. Ms. Gilman seconded. Mr. Papakonstantis asked if it should be a member of the Heritage Commission or Historic District Commission.

Ms. Belanger withdrew her motion and Ms. Gilman withdrew her second.

MOTION: Ms. Belanger moved to revise the mission statement or charge for the Pairpoint Park Stakeholders committee to include 3 alternates, to include a charge of electing a Chair, Vice-Chair, and Clerk, and also to include as non-voting members a member of the Heritage Commission and Historic District Commission as appropriate. Ms. Gilman seconded. Mr. Chartrand was recused and did not vote. The motion passed 4-0.

Mr. Papakonstantis said there is no term for the appointments.

MOTION: Ms. Belanger moved to appoint Mary Tegal as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Devon Skerritt as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Steven Jones as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Judy Rowan as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Ann Hohenberger as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Jennifer Martel as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Amanda Kelly as a voting member to the Pairpoint Park Advisory Committee. Ms. Cowan seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint David Short as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Keith Whitehouse as a voting member to the Pairpoint Park Advisory Committee. Ms. Gilman seconded. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint William Campbell as an alternate to the Pairpoint Park Advisory Committee. Mr. Papakonstantis seconded. Ms. Gilman said he's also serving on the Heritage Commission which would like to participate in the process. Ms. Belanger said if he decides he would rather be the Heritage Commission representative, we can change that. The motion passed 4-0.

MOTION: Ms. Belanger moved to appoint Suzanne Stone as an alternate to the Pairpoint Park Advisory Committee. Ms. Cowan seconded. The motion passed 4-0.

Ms. Belanger said Mollie Ruffner withdrew her application, so we have one alternate opening left.

f. Tax Deeds

Ms. Roy said every year, the town puts together a property tax deed list. This year, the Board has to decide before June 18th whether they would like to move forward with deed waivers or start the deed transfer process. We tend to waive mobile homes as we would owe lot rent, but there are four non-mobile home properties on the list this year. We've sent letters and would continue reaching out.

The Board indicated support of moving forward with the deed process for these properties.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

- i. There were no abatements or exemptions considered at this meeting.

b. Permits & Approvals

- i. The permit request was considered as part of the discussion items above.

c. Town Manager's Report

- i. Ms. Roy said we had a fantastic meeting with the Departments we expect to submit CIP items this year. All of the Departments listened to each others' proposals to decide as a group how to move forward.
- ii. Parks and Rec had a successful senior BBQ. It was very well attended.
- iii. She joined the Brentwood Town Administrator and Chair of the Brentwood Select Board in a meeting regarding Pickpocket Dam
- iv. We issued the RFP for design services for the Police Station/Fire Substation. We expect those back by June 21.
- v. We're continuing to work on an implementation plan for the Keegan report.

d. Select Board Committee Reports

- i. Ms. Belanger said she volunteered for the Senior BBQ. A lot of town personnel helped with serving. There was a Planning Board/Conservation

Commission joint sitewalk at 131 Portsmouth Ave for a Foss Motors project. There's a June 13 meeting to hear more information.

- ii. Ms. Gilman had no report. She said we have to put together a committee for the Semiquincentennial and Mr. Papakonstantis said we can start it this summer.
- iii. Ms. Cowan had no report. She said there is legislation pending that would shift how we run elections in NH and would require proof of citizenship to register to vote. Only 40% of NH residents have a passport. There is no other state in the country that requires this. We need to support peoples' right to vote. The Town Clerk and Supervisors of the Checklist are very worried about this. This is HB1370; SB1569 already went to the Governor. This was tried in Kansas and resulted in millions of dollars in litigation costs.
- iv. Mr. Chartrand had no report.
- v. Mr. Papakonstantis said he spent time last week preparing for this evening's property update. He met with the Town Administrator and Chair of the Select Board in Brentwood and told them about the Pickpocket Dam final feasibility study. He asked whether Brentwood had a preferred alternative and if they would be willing to collaborate financially, but did not get an answer.

e. Correspondence

- i. A note from Mr. Kovar about an electronic speed sign. Mr. Papakonstantis will be meeting with him this week.
- ii. Correspondence between a citizen near the Westside Drive project who is working with Mr. Cronin.
- iii. Emails regarding the Rugg property. Ms. Belanger asked about the timing of receiving the TPL email, and Ms. Roy said it was after it was released to the public. It was emailed in last week.
- iv. The NHMA Legislative Bulletin.

9. Review Board Calendar

- a. The All-Boards meeting is June 25. The next Select Board meetings are June 24, July 8, July 22, August 5, August 19, Tuesday September 3, September 16, and September 30.

10. Non-Public Session

MOTION: Ms. Belanger moved to enter into non-public session under RSA 91-A3II(a) and (c). Ms. Gilman seconded. In a roll call vote, the motion passed 5-0 and the meeting entered non-public at 10:10 PM.

MOTION: Ms. Belanger moved to seal the minutes of the Non-Public Session. Ms. Gilman seconded. In a roll call vote, the motion passed 5-0.

MOTION: Ms. Belanger moved to exit Non-Public Session. Ms. Gilman seconded. In a roll-call vote, the motion passed 5-0.

11. Adjournment

MOTION: Ms. Gilman moved to adjourn the meeting. Ms. Belanger seconded. Motion passed 5-0. The Board adjourned at 10:25 pm

Respectfully Submitted,
Joanna Bartell
Recording Secretary