

*New Durham Board of Selectmen Meeting
December 19, 2016*

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
December 19, 2016, 7:00p.m.**

Present

Chair David Bickford
Selectman David Swenson
Selectman Gregory Anthes

Also Present:

Scott Kinmond, Town Administrator
Cathy Orlowicz, resident
Terry Jarvis, resident
Dot Veisel, resident
Sherry Cullimore, resident
Francis Frye
Tatiana Cicuto, resident
Chrissa Evans

Call to Order

Chair Bickford called the meeting to order at 7:00p.m.

Public Input

None.

Appointments/Announcements

Selectman Anthes wished everyone a very Merry Christmas and a Happy New Year and thanked Town Administrator Scott Kinmond for his outstanding work this year. Selectman Anthes also thanked Chairman David Bickford for an outstanding job in Selectman Anthes opinion during some adverse situations for the past two (2) years, for helping with tax cuts, for coming under budget for a second year, and for his leadership as Chair. He also thanked everyone for their hard work. Selectman Swenson noted that tax rates have been reduced ever since he came to the Board of Selectmen in 2013.

Selectman Swenson stated they had a police officer graduate the academy last week and offered his congratulations to Taylor Griffin. Town Administrator Kinmond stated Officer Griffin graduated from the 171st NH Police Academy on December 16, 2016 and is now a certified Full Time New Durham Police Officer.

Chair Bickford made a motion to change the rate of pay for Taylor Griffin from 17.46 to \$18.36 per hour effective immediately. Selectman Swenson seconded the motion. Motion passed, 3-0-0.

Agenda Review

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Selectman Anthes added under Old Business: update on ambulance; follow up with letter received by Board of Selectmen regarding legal fees. Selectman Anthes also indicated he has a couple of things to add for non-public session as well.

Old Business

Boodey House

Cathy Orlowicz, Boodey House Committee, distributed a copy of the committee's marketing plan, which was developed following the advice of Selectman Swenson a couple of years ago. Ms. Orlowicz introduced individuals who are working with the Boodey House Committee on the project and explained the importance of this plan in moving forward with collecting donations. She asked that the Board of Selectmen review the plan over the next few weeks and allow the Boodey House Committee to further discuss with the Board perhaps during a workshop session sometime in early 2017. The Boodey House would also like to have the Board of Selectmen develop a letter to show support for the Boodey House project which could be used in future grant proposals, and other fundraising efforts.

Board of Selectmen Meeting Schedule

Town Administrator Kinmond presented a proposed Selectmen meeting schedule for the months of January and February which requires some adjustment due to holidays, etc. Key 2017 dates for Selectmen meetings are: January 5 @ noon; January 9 @ 6 pm; January 23 @ 7 pm; February 7 @ noon; and March 1 @ 1 pm.

New Business

Purchase Orders

Town Administrator Kinmond distributed materials relative to the transfer of funds for the office software for the police department. He stated the Board of Selectmen has authorized the purchase order and expenditure. It is an official request from the trustees to withdraw and reimburse the general fund.

Selectman Anthes made a motion to request the Trustees of the Trust Funds to transfer the amount of \$4,207 from the Computer and Office Maintenance ETF to the General Fund, said expenditure being authorized by the Board of Selectmen, the official agents to expend, at their meeting of June 20, 2016, per Purchase Order #0363. Selectman Swenson seconded the motion. Motion passed 3-0-0.

Selectman Swenson made a motion to authorize the expenditures to Kevin Rouleau for the Police Department booking room door replacement in the amount of \$1,250; Doyon Electric LLC for the Police Department electrical connection to the Fire Department emergency generator for \$1,800; Northeast Security Police Station door access for \$2,110 for a total expenditure of \$6,060 and request the Trustees of the Trust Funds transfer from the Public Safety Building Facilities CRF the total amount to the General Fund. Selectman Anthes seconded the motion. Motion passed 3-0-0.

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Town Administrator Kinmond stated he and the Finance Officer have been reviewing the process for funding the gravel pit reclamation account in line with the warrant articles. He explained there is a 4901 account for "holding" funds. They are looking for historical information on this issue. Selectman Swenson suggested going back and reading the John Shirley Trust Fund documents for clarification.

Town Administrator Kinmond presented documents regarding a request of transfer of funds for the Contract Assessor to investigate the abatements that came from the reevaluation noting the expenditure was authorized by the Board of Selectmen on November 7, 2016.

Selectman Anthes made a motion to request the Trustees of the Trust Funds to transfer \$2,725 from the Revaluation CRF to the General Fund, said expenditure approved by the Board of Selectmen, the agents to expend, at their meeting of November 7, 2016. Selectman Swenson seconded the motion. Motion passed 3-0-0.

Town Administrator Kinmond stated the Board of Selectmen approved the unpaved roads study by CMA Engineers Inc. on April 28, 2016 in the amount of \$5,000. He stated the amount to date per invoice received is \$5,744.66 expended for those purposes. The Board again noted the contractual agreement was for \$5,000. TA Kinmond explained the overage is based on an engineer's hourly rate. The report is in a draft form at this point. There was discussion on the costs and process moving forward with reclaiming gravel roads.

Chair Bickford made a motion to authorize the additional expenditure to CMA Engineers Inc. in the amount of \$744.66 from the Road Construction Fund and to request the Trustees of the Trust Funds to transfer the amount of \$5,000 and the additional \$744.66 from the Road Construction CRF to the General Fund. Said expenditures being authorized by the Board of Selectmen, authorized agents to expend, the \$5,000 being previously authorized at the Board of Selectmen meeting of April 28, 2016 per Purchase Order 126. Motion failed for lack of second.

Selectman Anthes stated they clearly approved the contract amount of \$5,000. Chair Bickford concurred it was a firm estimate by the engineers. Selectman Swenson suggested taking care of the \$5,000 and separately motion to decline the excess costs.

Selectman Anthes made a motion to request the Trustees of the Trust Funds to transfer the amount of \$5,000 from the Road Construction CRF to the General Fund. Said expenditures being authorized by the Board of Selectmen, authorized agents to expend, the \$5,000 being previously authorized at the Board of Selectmen meeting of April 28, 2016 per Purchase Order #0126. Chair Bickford seconded the motion. Motion passed 2-1-0. Selectman Swenson opposed. He stated he was opposed to this expenditure from the outset.

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Town Administrator Kinmond distributed a corrected sheet for the charges of the Town buildings improvements. There was discussion on the amounts authorized previously by the Board of Selectmen with several further corrections made.

Selectman Swenson made a motion to approve the request to the Trustee of the Trust Funds as revised at the December 29, 2016 Board of Selectmen meeting for a total expenditure of \$21,644.79 and to transfer \$4,244.79 from the Town Building Improvement ETF to go along with those transfers already requested of June 20 and July 18, 2016 which would total \$17,400. Chair Bickford seconded the motion. Motion passed 3-0-0.

Town Administrator Kinmond presented information and a purchase order from Virtual Town and School for upgrading the Town's website and explained the improvements the Town would get including an updated website and, more importantly, an easier to use website.

Selectman Anthes made a motion to authorize Purchase Order #2350 in the amount of \$4,500 issued to Virtual Town and School of Boxborough, MA for the website development of the Town of New Durham, said expenditure to come from account 01-4130-20-42. Selectman Swenson seconded the motion. Motion passed 3-0-0.

Budget Review

Account 4150 – Finance

The prior Budget Review approval for account 4150 was reviewed and discussed.

Selectman Swenson made a motion to rescind the prior approval of October 18, 2016 for Account 4150, adjusting line 40-580 to \$800 for an account total of \$100,471. Chair Bickford seconded the motion. Discussion: the changes were reviewed and recalculated. **Selectman Swenson withdrew the motion.**

Selectman Swenson made a motion to rescind the prior approval of October 18, 2016 for account 4150 and to add line 90-580 in the amount of \$800 to Account 4150 and align with the Budget Committee for a total of Account 4150 of \$100,471. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Vehicle Use Policy

The policy was reviewed and discussed. Ms. Jarvis, resident, stated she has concerns with the exemptions at the discretion of department heads. Conflicts within the policy were discussed. Ms. Jarvis stated that procedures cannot supersede policies and that Item 3 in the procedure section is in conflict with the policy statement. There was further discussion on the intent and necessity of this policy as well as the Ethics Policy. Town Administrator Kinmond stated most towns have a few basic sentences in the personnel policy to address the use of town vehicles for personal use. Cathy Orlowicz, resident, stated she felt the policy was too restrictive as written by requiring the Department Head to make the decision to allow employees to address safety or other rational reasons for vehicle use. Dot Veisel, resident, stated that she felt this issue is covered in the Ethics

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Policy. Selectman Anthes stated the existing policies are not adequate and there needs to be more detail for clear understanding. Ms. Veisel asked why the term “personal use” was not in the policy. Selectman Anthes stated that it was in the policy. Ms. Veisel stated that she did not have the policy in front of her. When one was given to her, she scanned it and stated “Okay there is ‘personal use’ in the policy. Chair Bickford asked Swenson, “You don’t mind letting this go”. Selectman Anthes stated, “You’re not going to vote for it anyway”. Selectman Swenson stated that he did not mind postponing this. Town Administrator Kinmond was asked to go through the personnel policies to develop revisions.

Complaint Policy

Discussion on this policy draft was postponed to a later Selectmen’s meeting.

Finance Manager Position

Town Administrator Kinmond highlighted some key responsibilities of this position. The job description was reviewed and edits made. There was discussion by Selectman Anthes of potentially outsourcing payroll to a payroll company. TA Kinmond indicated he has two quotes from BMSI and Selectman Swenson requested this information.

Impact Fees

Town Administrator Kinmond explained there were two that lacked certificates of occupancy but completion was confirmed by the Building Inspector. Selectman Swenson clarified he specifically requested the confirmation of completion in writing from the Building Inspector.

Ambulance

Town Administrator Kinmond stated he asked the Fire Department to contact the original bidder for additional pricing options and has not heard back. He has also contacted Farmington about contracted services and is awaiting response. Selectman Anthes stated he wants to move along on this and the money is in the fund. Town Administrator Kinmond reiterated they only received one bid and there was approximately \$50,000 of add-on equipment and suggested it would be best to get more than one bid.

Legal Expenses

It was noted a response was received from the Town Counsel regarding the request for cost relief which was declined. Selectman Anthes stated he wants to revisit the charges and discuss it with the legal firm’s partners without Bart Mayer being present. Selectman Anthes stated that he wanted to give the law firm an opportunity to correct the fees. He also stated that he thought the partners would want to hear the concerns of the Selectmen. Selectman Swenson indicated he felt that would be a waste of both the Selectmen’s and Partner’s time and would incur legal charges for that time spent. He did state, however, that the initial request from the TA to Upton Hatfield was not based on a matter of outcome but was understood during various discussions that there may be opportunities for fee relief. Chairman Bickford agreed that there should be an opportunity for the partners to hear from the Selectmen. There was discussion about having Town

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Administrator Kinmond send another email to Barton Mayer and the other partners of Upton Hatfield to clarify that the Town was requesting legal fee relief only.

Budget Review – Revenues

The Board of Selectmen returned to discussion of the revenue budget and Highway Block grant. There was lengthy discussion regarding the funding of the Road Reconstruction and how much would come from the CRF and how much would come from taxation.

Chair Bickford made a motion to fund Road Reconstruction in the amount of \$330,000 with \$162,000 coming from the Capital Reserve Fund and \$57,000 from taxation. Selectman Anthes seconded the motion. Motion passed 2-1-0. Selectman Swenson opposed due to the high amount removed from CRF and leaving the taxpayers to paying higher rates the next years.

Chair Bickford made a motion to enter into nonpublic session pursuant to RSA 91-A: 3 II (c)- matters which, if discussed in public would likely affect adversely the reputation of any person. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Roll Call: Selectman Swenson – Aye; Selectman Anthes – Aye; Chair Bickford – Aye.

The Board left public session at 10:41p.m.
Public session reconvened at 11:40 p.m.

A motion was made by Chairman Bickford to seal the minutes of the nonpublic session because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. Selectman Anthes seconded the motion. The motion passed 3-0. Selectman Swenson stated that while in non-public session the board discussed personnel issues.

It was noted that the next Selectmen’s meeting was scheduled for January 5, 2017 @ noon for the purposes of reviewing budget and minutes.

Selectman Swenson made a motion to adjourn, noting that the next Board of Selectmen’s meeting will be Thursday, January 5, 2017, at 12 noon. Chairman Bickford seconded the motion. The motion passed 3-0.

Meeting adjourned at 11:48 p.m.

Respectfully submitted,
Jennifer Riel, Recording Secretary &
Scott D. Kinmond
Town Administrator

Final Approved 03-06-17