

*New Durham Board of Selectmen Meeting
May 4, 2017
Final*

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
May 4, 2017, 5:00p.m.**

Final Approved 05-18-17

Present

Chair David Swenson
Selectman Cecile Chase
Selectman Rod Doherty

Also Present:

Scott Kinmond, Town Administrator
Dot Viesel, resident
David Bickford, resident
Clayton Randall, resident
Terry Jarvis, resident
Kenneth Fanjoy, resident
Don Vachon, resident
Virginia Fanjoy, resident
Cathy Allyn, resident
Cathy Orlowicz, resident
Ellen Phillips, resident

Call to Order

Chair Swenson called the meeting to order at 5:00 p.m.

Chair Swenson made a motion to enter into non-public session pursuant to RSA 91-A: 3 II (a) – the dismissal, promotion or compensation of any public employee or the disciplining of such employee; and (c)- matter which, if discussed in public would likely affect adversely the reputation of any person. Selectman Chase seconded the motion. Motion passed 3-0-0.

Roll Call: Selectman Chase, Aye; Selectman Doherty, Aye; Chair Swenson, Aye.

The Board left public session at 5:02 p.m.

The Board reentered public session at 7:00p.m.

Chair Swenson made a motion to seal the minutes of the non-public session pursuant to RSA 91-A: 3 II (c)- matter which, if discussed in public would likely affect adversely the reputation of any person. Selectman Chase seconded the motion. Motion passed 3-0-0.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Agenda Review

Chair Swenson postponed recognition of a police officer until later in the meeting as the officer is currently on patrol.

Appointments/Announcements

Mike Gelinas, stated that while there is a boat landing near the hatchery, the Dudley property which is now deeded to the Town and they are in need of a place to set up for public access to Downing Pond for planned water testing purposes. He presented pictures of the area and map for discussion. Mr. Gelinas was looking for three related requests for the Dudley property while it remains in Town owned status: 1) access for launch watercraft for purpose of testing the Merrymeeting River, 2) open the access to the public for use for “car-top carry” watercraft, and 3) potential for future access as a launch for public to the Merrymeeting River. Selectman Chase asked if there are any legal issues with this. Chair Swenson stated he would like some more feedback on insurance if the Town would approve this access point for a wider range of public access. Town Administrator Kinmond stated all tax-deeded properties are covered on the Town’s insurance. Chair Swenson indicated that it seems the consensus of the Board is to allow access for launch of watercraft necessary for purposes of water testing.

David Bickford, resident, suggested defining the specific use of the property and noted that the high-water marker owner across from the Town owned property is the abutter Robert Bickford.

Mr. Gelinas noted EPA would begin their testing soon on the Merrymeeting River. Chair Swenson stated the first Cyanobacteria Mitigation Steering Committee would have their first meeting on May 11, 2017, 7:00 p.m. at the New Durham Community Room.

Chair Swenson stated that in response to a question at the last regular Board of Selectmen meeting relative to the Solid Waste facility hours reduction, the hours and amount of money it would cost to add hours, was reviewed again. The reason for this additional review is that after reviewing Board discussion from 2015 that information presented at a recent Select Board meeting used a different set of assumptions in calculating the savings. He stated it appears after further research that the original number approved in October of 2015 for the 2016 budget was \$6,398, which was calculated with an hourly rate for two people plus other employment costs. Chair Swenson stated that using the same set of assumptions as that from 2015 while adjusting wage rates given since that time there has been a wage increase, the total costs savings now is \$6,581. Selectman Chase stated there are some residents who would like the facility to open earlier and suggested looking at adding hours to a weekend day.

Kenneth Fanjoy, resident, suggested opening earlier on all four days as opposed to two hours on Saturday or Sunday so the hours of the schedule wouldn’t increase. There was further discussion of suggestions to increase operating hours of the facility.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Selectman Chase made a motion to request a review of the hours of the Solid Waste Facility, increasing the available hours by four hours per week with a recommendation from the Solid Waste Facility manager/supervisor. Selectman Doherty seconded the motion.

Discussion: Selectman Chase stated it seems that with the amount of requests and input from the public, it is worth the extra cost. Chair Swenson noted he is only aware of two comments from the public regarding increased Solid Waste hours. Selectman Chase stated she has heard from more than two, although the comments have not been made public and she herself would like to see earlier hours for more convenience.

Motion passed 3-0-0.

Public Input

Clayton Randall, resident, stated in reference to the community room name, he would like the Board of Selectmen to consider keeping the name, "Nelson Room" as many residents feel he did the most for the Town, including many "firsts" including donating a fire truck, other equipment, etc. Mr. Randall stated Mr. Nelson also did many other community services but clarified he is not trying to ignore anybody else who has made significant contributions to the Town.

David Bickford, resident, presented a copy of some actions in prior Town meetings.. Mr. Bickford also stated he feels staffing levels should be maintained and tested as they are. He also stated that, in his opinion, the appointment policy was not followed in the appointment of Selectman Doherty. Chair Swenson indicated that the Town was under the State's RSA process in selecting the replacement on the Select Board.

Terry Jarvis, resident, stated in regards to the community room, when the fire company established the room they were informed they did not have the authority to name the room but it was up to the Board of Selectmen. She suggested the name of "New Durham Fire Chiefs Room".

Police Officer Recognition

Chair Swenson stated that over the last 8 – 12 months, New Durham has hired two new police officers both who have now completed training at the Police Academy. He officially welcomed the Officer Jameson Young to the Town and congratulated him on his recent Police Academy graduation.

Chair Swenson stated the Officer Griffin also recently graduated from the Police Academy (December 2015) but the prior Board did not officially recognize that accomplishment. Officer Griffin was unavailable at today's meeting due to scheduling but the Board offered their congratulations on Officer Griffin's graduation from the Police Academy and joining the New Durham Police Department.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Selectman Chase made a motion to approve the Personnel Action form, increasing the pay rate of Officer Dunham to \$18.38 per hour. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Agenda Review

Chair Swenson added under New Business: New Hampshire Municipal Association Update of New Durham Information; Budget Review, DPW Seasonal situation. He also suggested moving discussion of Committee Appointments before the Town Administrator's report as there were several members of the public that were present for that agenda item.

Committee Appointments

Selectman Chase made a motion to appoint Dorothy Viesel to the Ethics Committee with term to expire 2018. Chair Swenson seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Joan Swenson to the Ethics Committee with term to expire 2019. Selectman Doherty seconded the motion. Motion passed 2-0-1. Chair Swenson abstained.

Selectman Chase made a motion to appoint Carol Allyn to the Ethics Committee with term to expire 2018. Chair Swenson seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Ellen Phillips to the Ethics Committee with term to expire 2020. Chair Swenson seconded the motion. Motion passed 3-0-0.

Chair Swenson suggested making the appointment terms for the CIP staggered with one appointment 1 year and one 2 year with the goal of encouraging continuity.

Ms. Jarvis, resident, urged the Board of Selectmen to consider doing longer than a 1 year term for better continuity.

Mr. Bickford, resident, stated he doesn't support longer terms as the appointees should represent your own position. Chair Swenson differed with Mr. Bickford's opinion indicating that appointees should be based on their skillsets, interests in serving the purpose of the committee, and understanding of the objectives for the committee. Chair Swenson further stated that it is in the Town's best interests to have respectfully diverse ideas to generate creative, cost effective approaches various Town issues.

Chair Swenson clarified he isn't looking to postpone the appointments with his idea to extend the terms of these potential CIP appointments but to have the Board consider multiyear appointments to allow better continuity. There was discussion of the intent and purpose of the CIP and its role in the budget process.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Chair Swenson made a motion to appoint Bill Meyer to the Capital Improvement Committee, member at large with a term to expire 2018, subject to any revisions by the Board of Selectmen in subsequent discussion. Selectman Chase seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to appoint Terry Jarvis to the Capital Improvement Committee, member at large with a term to expire 2018, subject to any revisions by the Board of Selectmen in subsequent discussion. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Dorothy Viesel as a member of the Parks and Recreation Commission with a term to expire 2018. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Patricia Luckern as a member of the Parks and Recreation Commission with a term to expire 2019. Chair Swenson seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Doug Perkins as a member of the Parks and Recreation Commission with a term to expire 2020. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Andrew Hernandez as a member of the Parks and Recreation Commission with a term to expire 2019. Chair Swenson seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to appoint Mark D'Entremont as a member of the Parks and Recreation Commission with a term to expire 2020. Chair Swenson seconded the motion. Motion passed 3-0-0.

Town Administrator's Report

Town Administrator Kinmond presented a request to extend the road paving bid contract with F.R Carroll of Limerick, Maine and presented documents showing the contract extension. The documents and costs were reviewed and discussed. Chair Swenson asked if the materials price was locked in at the time of the contract. Town Administrator Kinmond replied he would need to discuss it with the contractor. It was clarified this is for the 2017 work.

Selectman Chase made a motion to have the Town Administrator extend the 2016 Paving Contract for an additional one year as outline in the 2016 Paving Contract, said asphalt tonnage prices to be contingent on NHDOT Asphalt Liquid Escalator and to furthermore authorize an amount \$285,000 for preservation work to be determined and submitted for final approval by the Board of Selectmen on May 18, 2017. Selectman Doherty seconded the motion. Motion passed 3-0-0.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Town Administrator Kinmond presented documents for signature to authorize certain Town employees to purchase federal surplus property through the NH Department of Administrative Services. He explained this is where the State and municipalities' surplus equipment goes as well as federal surplus available for municipalities. Any purchase would be approved via the Town's purchase policy process.

Selectman Chase made a motion to enter into a public agency application certification agreement with the NH Department of Administrative Services Surplus Distribution Section for State & Federal surplus property and equipment and to authorize the department heads as agents to sign for such equipment upon authorization by the Board of Selectmen. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Town Administrator Kinmond stated the Strafford Regional Planning Commission dues are to be paid for membership in the amount of \$3,092 and a schedule was provided for review. He stated \$3,100 was budgeted now needs authorization to make the payment.

Selectman Chase made a motion to approve the annual dues for the Strafford Regional Planning Commission in the amount of \$3,092, purchase order #1981. Chair Swenson seconded the motion. Motion passed 3-0-0.

Town Elections Legislation

Chair Swenson stated the NH legislature recently passed a law in regards to the towns that postponed the March elections due to the snow emergency and suggested New Durham hold a public hearing to ratify the various warrant articles that were part of the vote. He suggested the hearing be posted for the May 18, 2017 meeting. By consensus the Board agreed to have said hearing at 7 p.m. on May 8, 2017 at Town Hall.

New Business

Policies for Review

Chair Swenson stated he has numerous edits for the policy on sale of Town properties. These were reviewed and discussed. These suggested changes will be incorporated and the policy reviewed at the next Select Board Meeting.

The materials disposal policy was reviewed and edits made.

Selectman Chase made a motion to approve the disposal of project by-products and materials policy as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion that the effective date of this policy be the date of the motion May 4, 2017. Selectman Chase seconded the motion. Motion passed 3-0-0.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

The Board of Selectmen Operational Guidelines draft was reviewed and edits were made. Chair Swenson had several suggested edits and these will be documented for review at the next Select Board meeting.

The Town Employee Hiring policy was reviewed. **Selectman Chase made a motion to approve the Town Employee Hiring Policy as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

The Town Appointment Policy was reviewed. It was noted the vetting in the policy is already covered in the Hiring Policy.

Selectman Chase made a motion to approve the New Durham Policy on Appointments to Boards and Commissions as appointed by the Board of Selectmen, as amended. Chair Swenson seconded the motion. Motion passed 3-0-0.

The Purchasing Policy was reviewed. **Selectman Chase made a motion to approve the Purchase Policy as presented. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Review of the Ethics Committee Policies by the Board of Selectmen was tabled until May 18, 2017 after the Ethics Committee has had a chance to review and vote on the suggested changes.

The Public Participation at Board Meetings Policy was reviewed. **Selectman Chase made a motion to approve the Public Participation at Board Meetings Policy as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Fire Department Community Room

Chair Swenson stated his position as not changed over the last couple years of discussion and noted he is in favor of using the name New Durham Community Room. He further stated he is not opposed to recognizing the contributions of individuals who have done significant things for the Town. Selectman Doherty stated he would be in favor of naming it the Rod Nelson Room and respects what he did for the community. Selectman Chase concurred but also stated that calling it the New Durham Community Room as that is really its purpose. Mr. Randall, resident, stated he agrees with the reason for it being called the New Durham Community Room but the Fire Company that established the room was more than just fire fighters. There was discussion of other options for recognizing Mr. Nelson. Ms. Viesel stated they have had many good fire chiefs over the years and would like to see all recognized. Chair Swenson indicated that perhaps within the New Durham Community Room a wall of recognition for Fire Chiefs and other related individuals who have made significant contributions to the Town would be recognized. He suggested that the New Durham Fire Association or Fire Company provide some suggested design ideas for that wall.

By consensus that a plaque be added dedicating the room to Fire Chief Rod Nelson.

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Selectman Chase made a motion to change the name of the room attached to the back of the Fire Department building to the New Durham Community Room with a plaque that says “Dedicated to the Memory of Fire Chief Rod Nelson”. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Yield Tax Assessments

Town Administrator Kinmond distributed a summary of the stumpage for review and action.

Selectman Chase made a motion to approve the timber yield tax be issued for Map 258 Lot 026 in the amount of \$43.37 which is due to the Tax Collector on 6/7/2017. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to approve the timber yield tax be issued for Map 243 Lot 35 in the amount of \$288.28 which is due to the Tax Collector on 6/7/2017. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Application for Voluntary Lot Merger

Town Administrator Kinmond presented copies of maps and documents for the subject property. He explained the State RSA requirements and stated the current tax maps appear to indicate two plot lines. However, it's the applicant's responsibility to show where the lines are. By consensus the Board of Selectmen Chair Swenson asked Town Administrator Kinmond to communicate to the applicant that more information is needed.

Department of Public Works – Seasonal

Town Administrator Kinmond stated an RFP was posted for the seasonal work such as lawn mowing but only one bid was received and that was more than was budgeted for this activity. He suggested the Town proceed with filling two seasonal positions to bridge the gap in light of that fact that the DPW Director position has not been filled.

Chair Swenson made a motion to authorize the Town Administrator to post for hiring two seasonal Department of Public Works employees with the intent that mowing and other related activities are their primary functions with a pay range of \$12.50 per hour to \$15.00 per hour. Selectman Chase seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion that the expense for the two seasonal employees, to the extent possible, come from the respective department contract expense lines. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Budget Review

Chair Swenson stated the new Budget Committee met for the first time on May 3, 2017 and the 2017 budget and incurred expenses to date was reviewed. He stated he would like to do that as part of the process for the Board of Selectmen as well and urged the Board to look at the budget packet distributed tonight.

*New Durham Board of Selectmen Meeting
May 4, 2017
Final*

Chair Swenson stated there was an idea from Selectman Chase of starting a “Coffee with the Town” session where a member of the Board of Selectmen or a department head would be available for a public, non-formal chat session. Selectman Chase stated she spoke with Tim Goodwin of WCTV and they have a program similar to that and would love to film and broadcast on channel 24. This will be reviewed at the May 18, 2017 Select Board meeting.

Policy Review Committee

The draft guidelines were reviewed and discussed. **Selectman Chase made a motion to approve the Policy Review Committee Charge as amended. Chair Swenson seconded the motion. Motion passed 3-0-0.**

Chair Swenson made a motion to enter into non-public session pursuant to RSA 91-A: 3 II (d) 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. Selectman Chase seconded the motion. Motion passed 3-0-0.

Roll Call: Selectman Chase, Aye; Selectman Doherty, Aye; Chair Swenson, Aye.

The Board left public session at 10:00 p.m.

The Board reentered public session at 10:15 p.m.

Chair Swenson made a motion to seal the minutes of the nonpublic session pursuant to RSA 91-A: 3 II (c)- matter which, if discussed in public would likely affect adversely the reputation of any person. Selectman Chase seconded the motion. Motion passed 3-0-0.

Approval of Minutes

Meeting of April 6, 2017 – Public Session: Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Meeting of April 17, 2017 – Nonpublic Session - Unsealed: Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Meeting of April 20, 2017 – Public Session: Edits were made. Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Motion passed 3-0-0.**

New Durham Board of Selectmen Meeting

May 4, 2017

Final

Meeting of April 26, 2017 – Public Session: Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Adjourn

Selectman Chase made a motion to adjourn. Selectman Doherty seconded the motion. Motion passed 3-0-0.

The meeting was adjourned at 10:22 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary

*New Durham Board of Selectmen Meeting
May 4, 2017
Final*