

**NEW DURHAM BOARD OF SELECTMEN**  
**New Durham Town Hall**  
**October 4, 2017, 7:00 p.m.**

*Final Approved 10-23-17*

**Present**

Chair David Swenson  
Selectman Cecile Chase  
Selectman Rod Doherty

**Also Present:**

Scott Kinmond, Town Administrator  
Cathy Allyn, Library  
Dot Veisel, resident

**Call to Order**

Chair Swenson called the meeting to order at 7:01 p.m.

**Appointments/Announcements**

None.

**Public Input**

None.

**Agenda Review**

Town Administrator Kinmond added Review of the MS-434 Estimated Revenues

**Town Administrator's Report**

**MS 434- Revised Estimated Revenues for the Town of New Durham**

Town Administrator Kinmond explained the actual revenues which are higher than originally projected figures. These were reviewed and discussed with Board action to occur after the opportunity to further review the information. Town Administrator Kinmond noted timber tax yields are not included at this time.

The signature manifest since the last Board of Selectmen meeting was reviewed.

Town Administrator Kinmond distributed a memo from the Department of Public Works Manager / Road Agent regarding the 2001 GMC 2500 HD pickup truck. It was stated that the truck will not pass inspection without considerable repairs. It was also noted significant repairs were done last year for inspection and it is recommended to decommission and sell the vehicle at public auction. It is not in the capital plan for replacement.

**Selectman Chase made a motion to authorize the DPW Manager / Road Agent to decommission the 2001 GMC pickup truck and to dispose by the Town's online auction website. Chair Swenson seconded the motion. Motion passed 3-0-0.**

Town Administrator Kinmond distributed a memo relative to changes by the NH DMV with relocation of the inspection stickers to the driver's side lower windshield. He stated he discussed this with the DPW Manager Road Agent and the Town Clerk.

Some discussion on the use of the Solid Waste Facility (SWF) was held relative to its proper use by Town residents/taxpayers only. It was felt that there may be a loss of revenue due to the improper SWF use of some individuals. It may be that an increase in the Solid Waste and Town facility permit fee to \$5 per vehicle be implemented with the projected decal revenue to be just under \$10,000. Town Administrator Kinmond explained the process for ensuring the facility is only used by those who have paid for the decal and commercial collectors would be required to provide a customer manifest. Selectman Doherty suggested having a separate sticker for the beach use and Town Administrator Kinmond stated he can discuss this with Parks and Recreation Commission but a single facilities sticker seems to work. Selectman Chase suggested having something that is not affixed to a vehicle but can be used by renters or residents' guests. It was the consensus of the Board to avoid having affixed stickers but simply displayed and the Board wants to ensure better management of use by commercial services. Selectman Chase suggested to increase the fee to \$10 and it was agreed a public hearing should be held to consider increasing the fee.

Town Administrator Kinmond distributed a memo regarding the New Durham Community Room kitchen equipment installation. Chair Swenson asked what happened to the existing equipment. Town Administrator Kinmond replied it was claimed by the fire department community group. Chair Swenson stated is dissatisfaction on the actions of the Fire Department community group as it reflects a disappointing non-team faction. He also questioned the ownership of the equipment but it was not clear whether correct ownership was known. Chair Swenson stated he attended the Planning Board meeting when the CIPC Report was reviewed. Given the information in the CIPC Report for 2018 as he understood it, he questions investment in the existing facility when there may be plans to potentially establish a new facility. Town Administrator Kinmond explained the facilities need to have the proper equipment to do their functions.

**Selectman Chase made a motion to authorize the Town Administrator to purchase a gas range with exhaust, stainless steel tables, wire shelving, kitchen cookware, necessary appliances and installation of said items for the New Durham Community Room. Selectman Doherty seconded the motion. Motion passed 2-1-0.** Chair Swenson opposed for reasons stated during the discussion.

Town Administrator Kinmond presented for review a purchase order for replacement of the heating system in the apparatus bay of the fire station. There was discussion of how the system would be adapted to the building. Chair Swenson stated he is concerned about the condition of the floor and whether it's worth investing in the new heating system.

Selectman Chase stated the heating system was discussed by CIP and noted the system is substandard; the floor issues are only of concern if a loaded tanker were parked there. Chair Swenson noted this is new information as he understood based on several previous discussions that the floor may be unacceptable currently. He was pleased to note that information presented previously was in error and the building meets its intended use for the foreseeable future.

**Selectman Chase made a motion to authorize purchase order #2552 in the amount of \$16,500 issued to Santoro Plumbing and Heating of New Durham for the purposes of services as outlined in the Fire Station apparatus bay heating system RFP and to authorize the Chair to sign the necessary award paperwork and related documents with said funding to come from the Public Safety CRF 01-4915-1001 and 01-5000-10-081. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Town Administrator Kinmond noted they need to schedule a joint meeting with the 1772 Meetinghouse Committee and the Zachariah Boodey Farmstead Committee as requested. Town Administrator Kinmond will contact the committees to confirm October 23 at 5:30 p.m.

#### **Budget Review**

Chair Swenson explained that the final part of the budget process is the Deliberative Session for an SB2 town and dates were discussed. It was the consensus of the Board to initially schedule the deliberative for Monday, February 5, 2018 with a snow date of February 7, 2018 at the New Durham School. Town Administrator Kinmond will confirm with the school the date availability.

**Chair Swenson made a motion to set the Deliberative Session for the Town of New Durham for the 2018 budget to be held on Monday, February 5, 2018 with a snow date of Wednesday, February 7, 2018, contingent upon availability of location at the New Durham School. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

The revised MS-1 was distributed and reviewed.

**Chair Swenson made a motion to approve the revised MS-1 submitted to New Hampshire Department of Revenue Administration that was reviewed on October 4, 2017. Selectman Chase seconded the motion. Motion passed 3-0-0.**

#### **Other**

Town Administrator Kinmond explained wage changes include the addition of two police officers who will be coming off of probation this year and noted all merit increases are reflected but not the promotional changes in DPW. He explained the bottom line for total impact has increased since the prior Board approval.

#### **Request of Support for the Library**

Cathy Allyn, Library Director, distributed a summary of the request of support for the Library art tile model project and explained a grant was received but not in the full

amount expected. She explained they came up with a modified project was redesigned to fit in the budget and Friends of the Library provided half of the funds for the project. Ms. Allyn explained what is needed is to be able to give a token to the architect and a plaque acknowledging the parties involved and asked the Board of Selectmen to fund the plaque which will be around \$100. Chair Swenson suggested Ms. Allyn should have put the expense in the 2018 library budget.

**Selectman Chase made a motion to authorize the expenditure of up to \$100 for the plaque for the public art piece to be installed in 2018 at the New Durham Library. Selectman Doherty seconded the motion. Motion passed, 2-1-0.** Chair Swenson opposed as this amount was small and should have been included in the Library budget. It is inappropriate to ask the Select Board for additional money in a trivial amount that should be included in the respective department's budget.

### **Tax Deeded Properties**

Chair Swenson explained letters were authorized to be sent to abutters at the last meeting. Town Administrator Kinmond stated he contacted Town Counsel for direction on proceeding and noted he was contacted by one abutter who questioned the valuation given to a lot that will be required to be merged. Town Administrator Kinmond stated he contacted the Town contract assessor and he concurred with the abutter that the assessed value would not be the added value of the two properties. Chair Swenson indicated that this is not an issue as it was clear that this would be the case. That does not negate the Town's value of record for the tax deeded property and the fact the Town is offering the property to abutters ahead of a public auction per policy is indicative of recognizing the abutter and offering an opportunity not otherwise available. There was discussion of the process with offering to abutters or going with the option of public auction. Chair Swenson questioned why Town Administrator Kinmond did not follow through with the Board of Selectmen action previously taken. TA Kinmond indicated it was because of the one abutter's statement. Selectman Doherty and Selectman Chase stated they appreciate Town Administrator Kinmond explaining the changes in the situation and the problem with possible over valuation of properties after merging. The letter sent to the abutters was reviewed to assure policy was followed. Selectman Doherty stated abutters were told they would have first option but, in his opinion, they are presenting unreasonable terms. Chair Swenson noted it was only a single abutter who didn't agree with the valuation. Any person negotiating a deal would try to work the price down. Town Administrator Kinmond noted the purpose of selling to abutters was so lots could be merged. He stated based on the recommendations obtained after further research with real estate and the assessor, he would recommend rescinding the previous action, remove the minimum bid restriction, then ask abutters to submit bids. Chair Swenson stated that TA Kinmond was in error, it is not for the purpose of merging that all tax deeded properties were being sold. There were some properties that do fall in that category but that does not negate the Town's value of record for that property.

**Selectman Chase made a motion to rescind the prior action and replace the minimum bid requirement with wording to include the assessed value of the parcel and ask the abutter to submit a bid for the Board of Selectmen's consideration.**

**Selectman Doherty seconded the motion.** Discussion: Chair Swenson stated he has concerns this will be a legal problem by putting the bid amount up to abutters and not allowing the general public an equal opportunity. The motion and second were rescinded to allow additional legal counsel on this issue. TA Kinmond and Chair Swenson will do a conference call with legal counsel to address this issue.

### **Excavation Ordinance**

Town Administrator Kinmond stated he received legal response from Town Counsel on this and changes were made. The draft ordinance was reviewed and discussed edits were made.

### **Public Input**

Dot Veisel, resident, stated the tax deeded properties located on Copple Crown may have deeded rights to build on the lots and suggested following up on that. Ms. Veisel stated she doesn't have a problem paying \$10 biennially for the facility decals but suggested many people may have a problem coming in every other January and suggested adding the cost to a tax bill or vehicle registration. She also stated she has help from someone who takes items that doesn't fit in her car and he is able to use her decal as she has it attached to a piece of cardboard to put on the dashboard. Ms. Veisel asked who is going to be scheduling use of the New Durham Community Room. Chair Swenson replied it would be Town Administrator Kinmond who will coordinate to ensure there are no scheduling conflicts.

### **Approval of Minutes**

Meeting of September 27, 2017 – 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 September 25, 2017 – Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

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

**Roll Call: Selectman Chase – Aye; Selectman Doherty – Aye; Chair Swenson – Aye.**

The Board entered non-public session at 9:16 p.m.

The Board reentered public session at 10:07 p.m.

Chair Swenson stated while in nonpublic session the Board discussed personnel issues.

**Chair Swenson made a motion to seal the nonpublic minutes of the nonpublic session of October 4, 2017 as information contained may adversely affect the reputation of one other than the Board. Selectman Doherty seconded the motion. Motion passed 3-0-0.**

Chair Swenson stated for public notice the NH Fish and Game in conjunction with the NH Dam Bureau and NH Department of Transportation issued a notice of a scheduled drawdown of Merrymeeting River beginning on or about November 3, 2017 continuing through the month of November. A public information meeting will be held at the Board of Selectmen meeting on Monday, October 23, 2017 at 7:00 p.m at the New Durham Town Hall.

Selectman Chase stated she was at the Coffee with the Town session this morning and a topic that came up was that with the upgrade on roads in Farmington. There has been a drastic increase in road traffic due to road construction on Route 11. There are problems with dust, poor road quality, excessive speed, and an accident did occur. It was requested to have increased police patrol during busy times. Chair Swenson suggested having the Road Agent and Police Department meet to discuss this.

**Adjourn**

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

The meeting was adjourned at 10:15 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary