

NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
January 8, 2018, 6:00 p.m.

Final Approved 02-12-18

Present:

Chair David Swenson
Selectman Cecile Chase
Selectman Rod Doherty

Also Present:

Scott Kinmond, Town Administrator

Also Present (7 p.m. Public Session Only):

Cathy Orlowicz, Town Historian / Boodey Farmstead Committee Chair
Cathy Allyn, 1772 Meetinghouse Committee
Marjorie Mohr, New Durham Historical Society
Sherry Cullimore, New Durham Historical Society / Boodey Farmstead Committee
David Bickford, Resident

Call to Order

Chair Swenson called the meeting to order at 6:03 p.m.

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, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant & (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 Doherty seconded the motion. Motion passed, 2-0-0.

Chair Swenson noted Selectman Chase is on her way and will join the meeting during the nonpublic session.

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

The Board entered nonpublic session at 6:04 p.m.

The Board reentered public session at 7:03 p.m.

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Chair Swenson stated while in nonpublic the Board discussed matters under covered under RSA 91:A II, a, b, c and d.

Appointments/Announcements

Chair Swenson announced employee Matt Ingham successfully completed the Master Road Scholar program and the Select Board congratulated Matt on this important training milestone.

Chair Swenson read the public notices relative to the upcoming Public Hearing on January 10, 2018 at 7 p.m., one hearing notice is for the Board of Selectmen and one hearing notice is for the Budget Committee.

New Durham Historical Society Donations

Marjorie Moore, Treasurer of the New Durham Historical Society, stated at their December meeting they voted to make donations to the 1772 Meetinghouse Committee in the amount of \$500 and the Boodey Farmstead Committee in the amount of \$500 and presented a check to the chair of each committee. The Select Board thanked Ms. Moore the the New Durham Historical Society for their donations.

Public Input

David Bickford, resident, asked if the appointment of Mr. Drummey to the Boodey Farmstead Committee would be corrected as the initial action should be a nomination and not a direct appointment. Chair Swenson indicated he had noted that point but stated no negative or other input was received and, therefore, did not lead to any additional action different than already taken but will make a motion to appoint during this meeting given that that the two week period noted in the Town's Appointment Policy has completed.

Mr. Bickford stated he also put in an application for a committee on the same day as Mr. Drummey but has not been nominated yet. Chair Swenson stated he is aware that Mr. Bickford's application was received but would like to receive comment from the various committees as part of the nomination process. Mr. Bickford indicated that was not necessarily part of the Town's appointment process.

Mr. Bickford noted Selectman Chase did not attend the December 20, 2017 meeting but telephoned in and noted the Right-to-Know law was not followed. He outlined the aspects missed and distributed copy of this to the Board. He stated there are also problems with certain Town committee's posting meetings and for meetings which did not have a quorum and referenced a recent meeting of the Boodey Farmstead and 1772 Meetinghouse Committee; he also noted the Parks and Recreation Committee has held meetings with just two members.

Cathy Allyn, 1772 Meetinghouse Committee, stated per the Meetinghouse Charter, there is no indication of the number of members and, as the Board of Selectmen has a quorum with two members, so has the Committee.

Agenda Review

Chair Swenson added discussion of an email received from the US Census Bureau.
Town Administrator Kinmond added under New Business, Abatements.

Town Administrator's Report

Police Chief Request for Independent IT Consultant

Town Administrator Kinmond distributed for review a request from the Police Chief regarding IT support for the Police Department. He explained over the past year there have been problems integrating the mobile data tablets and the Strafford County system. Town Administrator Kinmond explained the setup has been checked by a another police department's liaison with IMC and this was a valuable resource with many helpful suggestions. He suggested modifying the Spaulding Hill Network IT agreement to be only on-call for this department. Chair Chase asked that Town Administrator Kinmond contact IMC to ensure any vendor is approved / certified for their software and Chair Swenson requested the TA to contact the Town's IT maintenance vendor (Spaulding Hill) to release them from the current contract for the police department if the company is unable to fulfill the department's needs.

Department of Public Works Purchase Orders

Town Administrator Kinmond presented a purchase order for 1,000 tons of road salt from Morton Salt, in the amount of \$58,550 and is in the budget for 2018. He clarified this purchase takes care of the requirements for the entire year.

Selectman Chase made a motion to approve purchase order #243 payable to Morton Salt in the amount of \$58,850, funds to come from account 01-4312-10-662.

Selectman Doherty seconded the motion. Motion passed 3-0-0.

Note: PO number as part of motion was incorrect and the PO number was corrected in a later action.

Town Administrator Kinmond presented a purchase order from the Public Works Department for purchasing liquid deicer which is used in conjunction with the salt. He explained this is the sole provider for this item and is purchased per the state bid contract.

Selectman Chase made a motion to approve purchase order #2436 in the amount of \$11,160, payable to Real Green Services, LLC to come from account 01-4312-10-662. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to amend the previous motion for the purchase order payable to Morton Salt as the purchase order should be #2435. Chair Swenson seconded the motion. Motion passed 3-0-0.

2018-2019 Tax Map Maintenance Proposal

Town Administrator Kinmond presented a purchase order in the amount of \$1,950 from Cartography Associates, Inc. of Littleton, NH for the tax map maintenance program. He explained they maintain the tax maps and this is a maintenance agreement for the 2018-

2019 period. He noted they also have a contract for the internet services GSI maps for purchase order #2559.

Selectman Chase made a motion to approve purchase order #2557, in the amount of \$1,950 payable to CAI Technologies to come from account 01-4152-10-390. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to approve purchase order #2559 in the amount of \$2,400 payable to CAI Technologies to come from account 01-4152-10-390. Selectman Doherty seconded the motion. Motion passed 3-0-0.

2017 Audit Services Engagement Letter

Town Administrator Kinmond distributed the contract for Roberts and Green, PLLC of Concord, NH for the 2017 financial audit and the annual agreement cost is \$12,600. A letter of agreement for services was distributed for Board of Selectmen signatures.

Selectman Chase made a motion to approve purchase order #2558 for \$12,600 payable to Roberts and Green, PLLC of Concord, NH, to come from account 01-4150-20-301. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Education Tax Warrant for Tax Year 2018

Town Administrator Kinmond distributed for review the education tax warrant for tax year 2018 received from the Department of Revenue Administration in accordance with RSA 76:8 II, directing the Town to collect \$950,001 for the 2018 education tax.

2018 Budget and Warrant Article Review

The Board reviewed the edits made to the updated draft warrant articles and noted the default budget amount is not correct. Chair Swenson noted the wording for Article 7 and 9 was changed since the Select Board last acted on the Warrant. For Article 9 the change in the amount for SB38 was removed.

Chair Swenson made a motion to recommend Article 7 which reads: *To see if the Town will vote to authorize the Selectmen to enter into a long-term lease / purchase agreement in the amount of \$157,000 payable over a term of 3 years for replacement of the Fire Department's Self Contained Breathing Apparatus (SCBA) and to raise and appropriate with the down payment amount of \$51,000 to come from the Fire Department Ancillary Capital Reserve Fund.* Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to recommend Article 8 which reads: *Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by the vote of the first session, for the purposes set forth therein, totaling \$2,899,086. Should this article be defeated, the default budget shall be \$2,769,786, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body*

may hold a special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to recommend Article 9 which reads: To see if the Town will vote to raise and appropriate the sum of \$381,700 for the purposes of a Road Program with \$114,700 to come from Highway Block Grant Aid, \$209,000 to come from taxation, and the remainder of \$58,000 to come from the Road Construction Capital Reserve Fund. Selectman Chase seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to recommend Article 10 which reads: To see if the town will vote to adopt RSA 41:14-a, to allow the Selectmen by majority vote to acquire or sell land, buildings or both; provided, however, they shall first submit any such proposed acquisition or sale to the planning board and to the conservation commission for review and recommendation by those bodies. This article will remain in effect until rescinded by majority vote. Note: After the Selectmen receive the recommendation of the Planning Board and the Conservation Commission or both exist, they shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition or sale; provided, however, upon the written petition of 50 registered voters presented to the Selectmen, prior to the Selectmen's vote, the proposed acquisition or sale will be inserted in an article in the warrant for the next Town Meeting. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to recommend Article 11 which reads: To see if the Town will vote to accept a gift of real property being a 42' x 42' barn for use by the Boodey Farmstead Project, said barn being a gift to the Town of New Durham. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to recommend Article 12 which reads: To see if the town will vote to establish a Boodey Farmstead Project Capital Reserve Fund under the provisions of RSA 35:1 for the design and construction of the Zechariah Boodey Farmstead project and to raise and appropriate the sum of \$1,000 to be deposited into that fund. Further, to name the Board of Selectmen as agents to expend from said fund. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to recommend Article 13 which reads: To see if the town will vote to establish a Town of New Durham Dam Maintenance Expendable Trust Fund per RSA 31:19-a, for the maintenance of the Town's dams and to raise and appropriate the sum of \$35,000 to be deposited in that fund with this amount to come from taxation; further to name the Board of Selectmen as agents to expend from said fund. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to recommend Article 14 which reads: To see if the Town will vote to raise and appropriate the sum of \$233,000 to be placed in

previously established Capital Reserve Funds as follows with said funds to come from taxation:

<u>Account</u>	<u>2018</u>
<u>Highway Equipment</u>	<u>\$20,000</u>
<u>Highway Trucks</u>	<u>\$35,000</u>
<u>Library Facilities</u>	<u>\$2,500</u>
<u>Vehicle & Equipment Maintenance</u>	<u>\$10,000</u>
<u>Milfoil</u>	<u>\$5,000</u>
<u>Solid Waste Facilities Improvement</u>	<u>\$2,000</u>
<u>Solid Waste Equipment</u>	<u>\$10,000</u>
<u>Police Cruiser</u>	<u>\$12,000</u>
<u>Smith Ball Field & Equipment</u>	<u>\$1,500</u>
<u>1772 Meetinghouse Restoration</u>	<u>\$5,000</u>
<u>Fire Truck</u>	<u>\$40,000</u>
<u>Public Safety Facilities Improvements</u>	<u>\$5,000</u>
<u>Road Reconstruction</u>	<u>\$75,000</u>
<u>Fire Department Ancillary Equipment</u>	<u>\$10,000</u>
<u>Total</u>	<u>\$233,000</u>

Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to recommend Article 15 which reads: To see if the Town will vote to raise and appropriate the sum of \$35,500 to be placed in previously established Expendable Trust Funds as follows with said funds to come from taxation:

<u>Account</u>	<u>2018</u>
<u>Computer Systems & Office Equipment</u>	<u>\$7,500</u>
<u>Accrued Benefits Liability</u>	<u>\$10,000</u>
<u>Records Management</u>	<u>\$6,000</u>
<u>Town Buildings & Improvements</u>	<u>\$12,000</u>
<u>Total</u>	<u>\$35,500</u>

Selectman Chase seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to recommend Article 16 which reads: To see if the Town will vote to raise and appropriate the sum of \$5,000 for the purposes of funding contributions to Health & Other Agencies i.e. Cornerstone VNA, Strafford County CAP and Homemaker of Strafford County etc., with this sum to come from authorizing the withdrawal of Five Thousand Dollars (\$5,000) from the JC Shirley Timber Trust (Trust Fund #28). Said trust established for the purpose to "benefit of the Town of New Durham for such lawful purposes as the Town may direct at its annual meeting. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to recommend Article 17 which reads: Shall the Town of New Durham vote to adopt the provisions of RSA 72:28-b, All Veterans' Tax Credit? If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident who served not less than 90 days on active service in

the armed forces of the United States and was honorably discharged or an officer honorably separated from services and is not eligible for or receiving a credit under RSA 72:28 or RSA 72:35. If adopted, the credit granted will be \$500.00 the same amount as the standard or optional veterans' tax credit voted by the Town of New Durham under RSA 72:28. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson noted the following board/committee openings for election:

(1) Selectman	3 Years
(1) Moderator	2 Years
(2) Budget Committee	3 Years
(1) Budget Committee	1 Year
(1) Cemetery Trustee	3 Years
(1) Library Trustee	2 Years
(1) Library Trustee	1 Year
(1) Planning Board	3 Years
(1) Trustee of Trust Funds	3 Years
(1) Zoning Board of Adjustment	3 Years

Chair Swenson outlined the upcoming hearings relative to the public hearing processes:

Budget Hearing, January 10, 2018, 7:00 p.m., New Durham Community Room
Planning Board Public Hearing, January 11, 2018, 7:00 p.m., Town Hall

Town Report – Select Board Report

Chair Swenson stated each department and committee is requested to submit a summary of activities for the year for inclusion in the 2017 Annual Report. Chair Swenson stated with the consensus of the Board he would develop the draft summary for the Board of Selectmen to review.

Census Bureau Email

The Board reviewed the email received by Chair Swenson. Town Administrator Kinmond stated he is not familiar with it and will follow up for more information.

Abatements

Town Administrator Kinmond presented requests for abatements explaining these have been reviewed and adjusted by the Town's assessor. The Board reviewed the requests and supporting documents.

Chair Swenson made a motion to approve abatement for Map 65, Lot 005 in the amount of \$122,23. Selectman Doherty seconded the motion. Motion passed 3-0-0.

The Board reviewed the request for Map 103, Lot 19 in the amount of \$624.24. Chair Swenson stated it isn't clear what is being abated at this point and more information is needed.

Old Business

Appointment of Scott Drummey

Chair Swenson made a motion to appoint Scott Drummey to the Boodey Farmstead Committee. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Tax-Deeded Properties

Chair Swenson stated the last discussion had Town Administrator Kinmond follow-up with abutters to see if there is continued interest. Town Administrator Kinmond replied he talked to a couple abutters to determine they had not previously owned the properties and also determined some of the lots had been combined but the ones which were not combined was because the three-year period had not elapsed at the time the merging was done. It was confirmed the lots are ready to be merged at this point. The Board reviewed the maps and lots.

Selectman Chase made a motion to combine three lots, Map 209, Lots 62, 63, and 64 as described in the document of 12/11/2017. Selectman Doherty seconded the motion. Motion passed 3-0-0.

It was verified the offers received are all from abutters and these were reviewed. Selectman Chase stated since it is now three years later, it is really just a courtesy notice to the abutters, noting she's not sure they can expect offers to still be good three years later. The Board by consensus agreed to have the Town Administrator send letters to the abutters to offer the abutting tax deeded property for sale with no minimum bid, and with the understanding that the sale is contingent on the properties being merged with the abutting lot. The Board has the right to refuse or reject any offers. The properties authorized to be offered to abutters are: Map/lot: 209/060; 209/076, 209/079, 210/037, 210/058, 210/075, 210/097, 210/103, 210/130, 210/136, 234/069, and 240/056.

Woodlot Status

Town Administrator Kinmond stated they have done significant research on several of the woodlots but it is difficult to find all the historical information and building permits. He noted the buildings have been taxed every year since construction. There was discussion whether any sort of structure is allowed on woodlots and Town Administrator Kinmond will continue working with Ms. Zuzgo on researching the lots.

Approval of Minutes

Meeting of December 4, 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 December 11, 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 December 20, 2017 – Edits were made. Selectman Chase made a motion to approve the minutes as amended. Selectman Doherty seconded the motion.

Discussion: Mr. Bickford gave suggested changes regarding his comments at the meeting. Further edits were made to the minutes.

Selectman Chase made a motion to rescind the prior motion.

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, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant; (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 Doherty 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 9:07 p.m.

The Board reentered public session at 10:02 p.m.

Chair Swenson stated while in nonpublic session the Board discussed matters under RSA 91:A II, a, c and d.

Chair Swenson made a motion to seal the minutes of the nonpublic session of the January 8, 2018 Board of Selectmen meeting for reasons that unsealing may result in adverse reputation issues other than the Select Board. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Selectman Chase made a motion to create a full time position of Finance Manager and to fill that position with the transition of a part time employee (Anina Soucy) to a full time position in the Finance Office effective January 1, 2018. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Chair Swenson made a motion to amend the prior motion that should the proposed 2018 New Durham Budget not be enacted, any difference in funding levels of that

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**position will come from Account 4155. Selectman Chase seconded the amendment.
Motion passed 3-0-0.**

Adjourn

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

The meeting was adjourned at 10:07 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary