

NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
October 23, 2017, 7:00 p.m.

Final Approved 11-27-17

Present

Chair David Swenson
Selectman Cecile Chase
Selectman Rod Doherty

Also Present:

Scott Kinmond, Town Administrator
Jason Smith, NH Fish and Game
Todd Nason, NH DOT
Tim Carney, NH Dam Bureau
Edward Malone, NH Fish and Game
Dot Veisel, resident
Ellen Phillips, resident
Fred Quimby, resident
Ron Uyenu, resident
Chris Hamilton, resident
Bill Kendrick, resident
David Bickford, resident

Call to Order

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

Public Information Session -NH Fish and Game

Chair Swenson stated a public announcement was posted noting this session would take place to allow for public information of a planned drawdown of Jones Pond. It was noted the topic of discussion is in collaboration with New Hampshire Fish and Game, New Hampshire Department of Transportation, and the NH Bureau of Dams for a draw down of Jones Pond for purposes of road maintenance and culvert replacement work beginning on or about November 3, 2017.

Jason Smith, NH Fish and Game, explained the drawdown is being done to Jones Pond in order to allow them to install two culverts and stated the work is expected to be finished mid-November. He stated they don't expect a road closure but have entail a one lane operation during some of that time.

Selectman Doherty stated he heard about there being a drawdown of Merrymeeting Lake. It was clarified the only drawdown currently planned is for Jones Pond. There was discussion about Merrymeeting Lake level being down. Selectman Doherty asked if there is any significant impact done to the milfoil when draw downs are done. Mr. Smith explained the process and timings of draw downs, noting they take into consideration fish species and aquatic life cycles. Selectman Chase asked about the area impacted by the

draw down, noting other bodies of water being impacted. Chair Swenson requested notice be published in *The Baysider* to notify residents who's wells may be affected. Mr. Smith offered also to notify abutters to the draw down areas.

Ellen Phillips, resident, stated she was recently at the cemetery and wanted to thank the caretakers for going above and beyond in their care of the mowing and landscaping. She also stated she asked about the herbicides and pesticides used by the Highway Department for the ball field, etc. Town Administrator Kinmond replied he asked the Highway Department administrative assistant to follow up.

Chris Chamberlin, resident, stated he has concerns about bringing back the K9 program. He asked what the training of the dog is, how many calls came in for it last time and how will the Chief be compensated. Chair Swenson stated he doesn't know the answer to the questions and the budget is still being reviewed but noted the Chief is on salary and there is no extra pay. Chair Swenson, however, did note that it is a cost of over \$12,000. Mr. Chamberlin asked about the liability costs. Town Administrator Kinmond replied if the Town went ahead with the K9 they would add the K9 to the insurance coverage and there could be some fiscal impact and risk.

Agenda Review

Chair Swenson added under New Business: Re-purpose Use of Funds previously approved.

Chair Swenson added under Old Business: Built-on Woodlots; Surplus Property List.

Old Business

Milfoil Committee

Fred Quimby, Milfoil Committee, stated the committee would like to utilize funds previously appropriated to hire consultants to review prior information on the fish hatchery, which is related to milfoil, green algae and other invasive species. The cost would be about \$1,000 - \$2,000. Mr. Quimby explained the past work of the consultants for the State of NH.

Chair Swenson made a motion to amend the previously approved motion relative to the use of the funds from the Milfoil CRF of \$1,000 be used for the purpose of reviewing data and answering questions the cyanobacteria mitigation subgroups have developed. Selectman Chase seconded the motion.

Discussion: Selectman Doherty questioned setting an exact amount of \$1,000 as that is somewhat unknown at this point.

Chair Swenson rescinded his motion. Selectman Chase rescinded her second.

Chair Swenson made a motion to amend the previously approved motion relative to the use of the funds from the Milfoil CRF be used for the purpose of reviewing data

**and answering questions the cyanobacteria mitigation subgroups have developed.
Selectman Chase seconded the motion. Motion passed 3-0-0.**

Note: Previously approved amount was up to \$2,500.

Town Administrator's Report

Town Administrator Kinmond distributed for review a copy of the consent manifest of documents signed since the last meeting.

Town Administrator Kinmond distributed a memo from Don Vachon, Department of Public Works Director, regarding a 1983 vehicle. He explained it has safety issues with stalling and the mechanic believes it's unwise to try and repair. The vehicle has been taken out of service and Mr. Vachon requested to decommission and dispose through surplus auction.

**Selectman Chase made a motion to decommission the Solid Waste Facility 1983
Clark pay loader and authorize the Town Administrator to dispose of it utilizing the
online government public surplus auction. Selectman Doherty seconded the motion.
Motion passed 3-0-0.**

Town Administrator Kinmond stated the joint meeting with the Boodey Farmstead and 1772 Meetinghouse Committee has been rescheduled for November 13, 2017 at 6:00 p.m.

Per the request of the policy review committee, Town Administrator Kinmond has been working on a draft of policies for the DPW with the DPW Director but still needs to meet with the Solid Waste Supervisor for that piece of it.

As part of this policy development, Chair Swenson stated there has been discussion about changing the sticker fees for SWF. Town Administrator Kinmond replied there was discussion regarding that as well as consideration for visitors, seasonal residents, and commercial haulers. He explained the options with handling different scenarios. Selectman Doherty questioned how they enforce mandatory recycling. Town Administrator Kinmond replied they need to do spot-checking, noting the waste they dispose of also gets checked and fees assessed when not properly separated. The board discussed the policy on commercial haulers' use of the solid waste facility and Selectman Chase suggested the \$60 is too low. It was suggested to not put the fee amount in the policy itself but in an Appendix. Further edits will be made and a November 13, 2017 public hearing will be held on this topic. Ron Uyenu, resident, asked how the public could review the draft. Town Administrator Kinmond replied it will be posted on the website prior to the hearing with the updated fees.

2016 Draft Audit

Town Administrator Kinmond stated the draft audit was received from Roberts & Greene and distributed for review. He stated there were two relatively minor issues presented by the auditors and these have already been corrected. It was suggested that a management

letter be written to put on record the Town's position. The TA will forward the management letter to the auditors.

Draft RFP - Municipal Software

Chair Swenson stated he does not think this is comprehensive enough. Town Administrator Kinmond stated there is not one single municipal software and different vendors will likely be necessary. Chair Swenson indicated that the RFP needs to have any vendor address those packages which they do not offer as to how their software integrates with the full complement of software needed for a municipality. He also wants to be sure to correctly prioritize the software within the package.

1772 Meetinghouse Property Concerns

Chair Swenson stated they have received input there may be some evidence of hunting with guns being fired on the Town's Meetinghouse property.

Chair Swenson made a motion to post no-hunting signs on the Town's Meetinghouse property. Selectman Doherty seconded the motion. Motion passed 3-0-0.

The Meetinghouse Committee Chair will be asked to take care of posting signs.

Old Business

Street Excavation Ordinance

The draft ordinance was reviewed and discussed. Chair Swenson stated the Planning Board reviewed the ordinance as well and Selectman Doherty stated the Planning Board didn't note any changes or errors.

Selectman Chase made a motion to adopt the Street Excavation Ordinance effective October 23, 2017. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Fire Department Budget Review Account 4220

Town Administrator Kinmond stated Fire Chief Varney worked with the Finance Officer on the accounts to identify charges made to incorrect accounts. Town Administrator Kinmond expects to have the changes made by the next budget meeting. Chair Swenson stated he wants them to go back and see where budget reductions can be made particularly in the vehicle and wage lines. Town Administrator Kinmond stated there are concerns with reducing the funds contributed to the catastrophic vehicle funds and in the compensation line. He explained it is difficult to control those types of things in a call department and keep people available. Selectman Chase asked Fire Chief Varney to come prepared with more information on the per-diem.

Built-On Woodlots

Town Administrator Kinmond explained it will take some research to determine if building permits were issued, as advised by Town Counsel. There are eleven properties that have been identified and Ms. Zuzgo is looking to it. Chair Swenson stated he would like this finished by the end of the year.

Surplus Town Property

The surplus property list was reviewed. Town Administrator Kinmond explained the ambulance has been traded. Posting of equipment has been started on the surplus website. Town Administrator Kinmond noted the Town of Middleton has expressed an interest in the stretcher and stair chair from the old ambulance.

Tax-Deeded Properties

A response from Town Counsel was distributed and reviewed. Minor edits were suggested to the policy, including giving the Board of Selectmen authorization to set minimum amounts. Further discussion was postponed to the next meeting.

Town Administrator Kinmond distributed a memo regarding a property in Cople Crown noting a right-of-way could be put in to gain access.

Authorization of 2017 Wage and Benefit Transfer

The Board reviewed the summary of changes. Town Administrator Kinmond explained this includes two police officers' changes in wages in coming off of probation.

Chair Swenson made a motion to approve the wage increase for Jameson Young, from the current rate of \$18.38 to \$20.00 per hour based on his completion of the one-year probation period, effective October 14, 2017. Selectman Chase seconded the motion. Motion passed 3-0-0.

It was agreed by consensus of the Board to complete the transfers.

Selectman Chase made a motion that the salary increases for both Officer Griffin and Officer Young should come from Account 4155. Selectman Doherty seconded the motion. Motion passed 3-0-0.

Budget Schedule

The next public budget review meeting is October 26, 2017, 7:00 p.m.

Public Input

Ron Uyenu, resident, stated there seems to be a major water quality issue in Town and asked if the State is not held accountable for their impact on the bodies of water. Chair Swenson replied the Cyanobacteria Mitigation Steering Committee has been working on this in recent months and they are working aggressively to fix it but it will take local, state and federal funds and a comprehensive management plan to determine required action. Selectman Chase noted the hatchery is within EPA limits of their license but that is where the greatest problem is.

Dot Veisel, resident, stated she agrees the \$60 fee is too low for commercial haulers to the solid waste facility and asked if the Board of Selectmen intends to revisit the firearms policy.

David Bickford, resident, questioned why the Solid Waste Facility was closed on Monday but the TA indicated the closure was posted on the Town website.

Approval of Minutes

Meeting of October 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 October 5, 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 October 12, 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 (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. Selectman Doherty seconded the motion. Motion passed 3-0-0.

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

The Board entered nonpublic session at 9:37 p.m.

The Board reentered public session at 9:54 p.m.

Other

Selectman Chase asked about the 11 properties that are in woodlot status with some type of buildings on them. She questioned whether building permits were issued. Town Administrator Kinmond replied they are unsure and need to do some research in the files. Selectman Doherty explained only two towns in NH have this designation and the purpose the ordinance was established in the 1970s was to encourage land owners to keep minimum of 10 acres wooded but allow wood as a fuel source given the oil problems of that time.

Chair Swenson stated while in nonpublic session the Board discussed personnel issues and reviewed minutes of nonpublic sessions.

Adjourn

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

The meeting was adjourned at 9:57 p.m.

*New Durham Board of Selectmen Meeting
October 23, 2017*

Respectfully Submitted,

Jennifer Riel, Recording Secretary