

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
March 26, 2018, 7:00 p.m.**

Final Approved 04-09-18

Present:

Chair David Swenson
Selectman Cecile Chase – excused absence
Selectman Dorothy Veisel

Also Present:

Scott Kinmond, Town Administrator
Corey White, resident
Jennifer White, resident
Joan Swenson, resident
Terry Jarvis, resident
Ellen Phillips, resident
Clayton Randall, resident
Ron Uyeno, resident
Bob Bickford, resident
Robin Bickford, resident
Melanie (unable to read Last name on sign in sheet), resident
John Chair, resident
David Bickford, resident

Call to Order

Chair Swenson called the meeting to order at 7:01 p.m. and noted he was informed just prior to the meeting start that Selectman Chase would not be able to either attend or call in to the meeting.

Appointments/Announcements

Chair Swenson explained that since Selectman Chase is unable to call in to participate in the meeting some agenda items may be tabled due to her absence. He also thanked all the newly elected members of boards and committees for their involvement in the upcoming year.

Public Hearing

Corey and Jennifer White: Request for Building Permit, Class VI Road

Chair Swenson opened the public hearing at 7:05 p.m.

Corey White, applicant, gave an overview of the process and plans they have presented to various boards over the last year regarding their plans to build a home on a Class VI road. He explained the waivers and permits which were obtained.

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Chair Swenson read a letter submitted by Ron Gehl, resident, noting while he is not an abutter he wished to have his letter read into the record. The letter provided a historical summary of the Town's actions in addressing construction on Class VI roads, noting the Town has never approved an application for building on a Class VI road under the circumstances presented in the application.

Terry Jarvis, resident, stated in her experience she is not aware of any case where an applicant was given the list of conditions as was given to the applicant. She stated she is in favor of approving this application as it will bring additional tax revenue.

John Chase, resident, stated he also lives on Bennett Road, a Class VI road, and is happy Libby Road will be brought up to Class V standards. However, he is concerned how strict the Town will be with bringing other road classes up explaining there are lots being sold as buildable across the road from his property. Chair Swenson replied any application would need to go through the process with the Planning Board, Zoning Board of Adjustment, and the Board of Selectmen similar to what was required for the White application.

Mr. White explained the release of liability form which was reviewed and approved by Town Counsel.

Chair Swenson closed the public hearing at 7:20 p.m.

Selectman Veisel made a motion to allow the owners of Map 267, Lot 017, Corey and Jennifer White, located on Libby Road, New Durham, a Class VI road, permission to construct a single family dwelling on said lot, upon review and issuance of a building permit under the committee guidance for construction. This permission contingent on conditions set forth by the Zoning Board decision of 01/09/18 and the Planning Board decision of 03/06/18. The Board further requires that the Road Maintenance Agreement and the Notice and Agreement of Municipal Liability and Responsibility per NH RSA 674:41 be signed and recorded with the Strafford County Registry of Deeds before issuance of the building permit and that the roadway improvements be made, inspected, and approved by the Department of Public Works Manager / Road Agent, Fire Chief, and Police Chief prior to construction. Chair Swenson seconded the motion. Motion passed 2-0-0.

Chair Swenson recognized the opposing importance of comments as noted in the letter from Mr. Gehl, but does not believe approval of this application sets a precedent. Town Administrator Kinmond noted all the guidelines and processes followed throughout the application review and approval process.

Public Input

Ellen Phillips, resident, thanked the Board of Selectmen for a good, transparent year and Selectman Doherty for filling a vacancy. Ms. Phillips then read a letter regarding the upcoming Board of Selectmen approval of purchase for a new police cruiser. She asked the Board of Selectmen to review making the vehicle a fifth cruiser for the department.

Ron Uyeno, resident, noted the votes were very close in the approval of the budget and asked how the Board of Selectmen would move forward with the budget year. Chair replied the closeness in that vote may have been due to erroneous information and other opinions in publications prior to the election and clarified the budget was increased by 5.1%, not 10%. He also explained the process and explanations at the Deliberative Session as well as the plan of the Board of Selectmen to work within the operating budget for the upcoming year.

Agenda Review

Chair Swenson moved up Old Business for earlier discussion as board and committee members are present and as a convenience to their time schedules.

Chair Swenson added review of a List of Built-on Woodlots.

Chair Swenson added SB438 Discussion under New Business.

Chair Swenson suggested that due to not having the full Board of Selectmen present to postpone the Board of Selectmen organization discussion.

New Business

Human Resource Policy Rewrite

Joan Swenson, resident, presented a packet of new policies which have been rewritten for review and discussion by the Board. She explained the list of policies included and noted the format agreed on by the Board of Selectmen that each policy follows. A workshop session for further review of the documents was set for April 2, 2018 at 7:00 p.m.

1772 Meetinghouse Committee Nominations

The nominations of Robin and Bob Bickford to the 1772 Meetinghouse Committee were discussed by the Board of Selectmen and members of the committee. Chair Swenson noted both individuals have been active in supporting the project.

Selectman Veisel made a motion to nominate Robin Bickford as a member of the 1772 Meetinghouse Restoration Committee. Chair Swenson seconded the motion. Motion passed 2-0-0.

Selectman Veisel made a motion to nominate Robert Bickford, Jr. as a member of the 1772 Meetinghouse Restoration Committee. Chair Swenson seconded the motion. Motion passed 2-0-0.

Old Business

Assessing Contract

Chair Swenson stated an amendment was requested and that was provided but in his opinion is not yet satisfactory as it does not sufficiently clarify the requested changes. He suggested postponing further discussion to the April 9 meeting and asked Town Administrator Kinmond to provide all the information for Selectman Veisel.

Town Administrator Kinmond stated he is working with the Assessing Administrative Assistant and as they are still under contract with the Assessor, they will continue to move forward with the setup of the cyclical reevaluation including pickups. He explained they are also working to move up the number of assessments done to complete the cycle in 2019 instead of 2020. He noted if the Town plans to move to new assessing software that would be the best time to update all values.

Tax-Deeded Properties

Town Administrator Kinmond stated letters went out last Monday relative to the awards made at the last Board of Selectmen meeting and two acceptances were received; one deposit has been received, along with one full payment. He suggested the Board of Selectmen have a discussion about the properties not yet awarded to bidders and other properties not offered for sale to abutters due to other discussion needs.

Tax Deeded Property Repurchase by Mortgage Holder

Town Administrator Kinmond distributed a summary compiled by the Tax Collector regarding the breakdown of taxes owed on tax-deeded property, Map 240, Lot 14, including statute fees, penalties and interest. This was reviewed and discussed. The Board of Selectmen concurred with moving ahead.

Chair Swenson made a motion to authorize the Tax Collector, under NH RSA 80:8-V to prepare and present the requestor / mortgage holding company, who has vested rights to acquire such property, that the necessary sum to satisfy the repurchasing of said property, which include all back taxes owed, interest, and penalties as prescribed by the law, totaling \$16,201.65, amount equal which must be paid within 15 days of said authorization. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Assessment Equalization Rate Change

Town Administrator Kinmond stated he contacted the Town Assessor to determine why equalization rates vary. He explained the Town has been notified that the equalization rate changed from 91.6% to 93.2%. Chair Swenson asked that the TA obtain further information relative to the impact of the school tax rate. Chair Swenson also indicated that the school portion of the tax rate for the second tax billing in 2018 has not been determined as the Select Board needs to make a decision in the May / June time period on the application of available impact fees to apply to the school rate. Town Administrator Kinmond stated he is still working on getting additional information from the assessor relative to the impact of the equalization rate change.

Conservation Commission Easement – Deed Restriction

Town Administrator Kinmond stated he discussed this with Ron Gehl, Conservation Commission Chair, who was unable to attend the meeting and updated the Board of Selectmen that he sent the easement to Town Counsel and no issues were noted. Chair Swenson explained the property owners are working on granting land to the Moose Mountain Regional Greenways and the New Durham Conservation Commission has been working on this as much of the land is located in New Durham.

Town Administrator's Report

Town Administrator Kinmond distributed the consent manifest for review by the Board of Selectmen. He stated he also confirmed the Veterans Tax Benefit may be granted to both individuals on a single property.

Town Administrator Kinmond distributed a delegation of deposit / transfer of authority for approval and signature by the Board of Selectmen, noting the change will remove one individual no longer with the Town and leave the responsibilities to the Town Clerks, Deputy Town Clerk/Tax Collector, and Finance Manager.

Chair Swenson made a motion to approve the delegation of deposit / transfer of authority as presented at the March 26, 2018 Board of Selectmen meeting. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Annual Financial Policies Review

Town Administrator Kinmond distributed the Fund Balance Guideline Policy for review and acceptance by the Board of Selectmen. Chair Swenson indicated that this guideline was developed in 2014 after much discussion and careful calculations of the recommended guideline percentages.

Chair Swenson made a motion to approve the Fund Balance Guideline as presented at the March 26, 2018 Board of Selectmen meeting. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Town Administrator Kinmond distributed the Investment Policy noting no changes were made. This was reviewed by the Board of Selectmen.

Chair Swenson made a motion to approve the Investment Policy as presented at the March 26, 2018 Board of Selectmen meeting. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Parking Permission Request

Chair Swenson stated an individual has requested permission to utilize the Town beach parking lot by Merrymeeting Lake on July 23, 2018 requesting the use of seven parking spots. Town Administrator Kinmond stated he has not spoken with the Parks and Recreation Director although he has discussed it with the Police Chief. Selectman Veisel asked Town Administrator Kinmond to determine if this will interfere with swim lessons. Town Administrator Kinmond stated if there is a conflict with parking at this location that in the past the Town has allowed people to park on the Town portion of Merrymeeting River launch. It was agreed to have the Parks and Recreation to review the request before approval.

SB438 Discussion

Chair Swenson stated SB438 is going before the New Hampshire House Election Law Committee on March 29, 2018 and explained it's a new law that will change how most

people currently interpret the existing election date postponement law for Town elections. The new law, if enacted as written, would have only the Secretary of State office being permitted to make any postponement to Town election dates. Chair Swenson stated, as his personal opinion, he is not in favor of the change and shared a draft letter he prepared to send to the House Committee if the Board of Selectmen is in agreement with him. The Board of Selectmen discussed the benefits and drawbacks that would directly affect the Town if this law were to go into effect. The Board of Selectmen agreed to send the letter to the committee as presented.

Chair Swenson made a motion to approve the position statement to be submitted the NH Election Law Committee. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Selectman Veisel made an amendment to the motion to authorize the Chair to sign the document. Chair Swenson seconded the amendment. Amendment passed 2-0-0.

Police Cruiser Purchase Order

Town Administrator Kinmond stated he has been working with Police Chief Bernier on getting state bid pricing for a replacement cruiser. He explained they are looking to transition one vehicle to a 4X4 pickup truck for multipurpose capabilities. A quote was received from MHQ Inc., of Marlboro, MA for the vehicle as well as accessories and offered \$2,500 for the trade of the Town's 2011 Ford Explorer police cruiser. Town Administrator Kinmond stated he does not recommend doing so as he believes there may be additional usability of it by the Town. He explained the prior recommendations by CIP as well as the presentation made by the Police Chief outlining his intentions to replace. Chair Swenson stated he would not be in favor of this purchase without the trade in as the Police Chief not more than 18 months ago stated to the Board the Department does not need an additional vehicle, there is no business justification presented to indicate retaining the vehicle is appropriate. Selectman Veisel asked what the added time is with not having the additional vehicle for police to respond to on-call types of situations. Town Administrator Kinmond replied he did not discuss this with the Police Chief and explained the various uses the Town could benefit from keeping the vehicle. It was clarified cruisers are not assigned to specific officers. There was discussion regarding the use of the cruisers by officers who are on / off duty.

Chair Swenson made a motion to authorize the purchase order #2568, in the amount of \$27,000, less the trade in value of the 2011 Ford Explorer, to MHQ, Inc. of Marlboro, MA, per the NH contract 161317B001 for the purchase of the 2018 Dodge RAM 1500 4x4 crew cab, special police services package, and accessories. Said expenditure to come from Police Cruiser CRF, 01-5000-10-075 and to request the Trustee of Trust Funds to withdraw / transfer the said amount from CRF 01-4915-10-075 for said purpose. Selectman Veisel seconded the motion for discussion.

Discussion: Selectman Veisel stated she thinks that the \$2,500 to keep the vehicle to help out in other departments is worth considering. Chair Swenson stated he has not seen

justification from the Police Department or the other Town departments justifying the costs to keep and maintain the vehicle. **Motion passed 2-0-0.**

Chair Swenson made a motion to authorize purchase order #2569 in the amount of \$9,000 to Two-Way Communications for the purchase and installation of emergency equipment, prisoner transport barrier, and communications equipment for proposal 27735. Said expenditure to come from Police Cruiser CRF, 01-5000-10-075 and to request the Trustee of Trust Funds to withdraw/transfer the said amount from CRF 01-4915-10-075 for said purpose. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Chair Swenson made a motion to approve purchase order #2570, in the amount of \$1200 to Custom Graphics of Epsom, NH for the purchase and installation of police graphics and insignias. Said expenditure to come from Police Cruiser CRF, 01-5000-10-075 and to request the Trustee of Trust Funds to withdraw/transfer the said amount from CRF 01-4915-10-075 for said purpose. Selectman Veisel seconded the motion. Motion passed 2-0-0.

Public Input

Fire Chief Varney stated he submitted a letter to the State House of Representatives opposing the legislation regarding a current bill which will take away the powers of the State Fire Marshalls. He explained the rationale as well as the implications to the Town regarding this bill.

Ron Uyeno, resident, stated he would like to see Public Input on the end of the agenda. He stated he is also in favor of the Meet the Board of Selectmen monthly meetings and asked if that would continue. Chair Swenson replied it would be continuing. Mr. Uyeno also suggested having an evening option for this type of event.

Upcoming Board of Selectmen Meetings

Monday, April 2, 2018, Workshop, 7:00pm.

Monday, April 9, 2018 – Board of Selectmen Meeting, Town Hall, 7:00 p.m.

Monday, April 30, 2018 - Board of Selectmen Meeting, Town Hall, 7:00 p.m.

Monday, May 14, 2018 - Board of Selectmen Meeting, Town Hall, 7:00 p.m.

Monday, May 21, 2018 - Board of Selectmen Meeting, Town Hall, 7:00 p.m.

Approval of Minutes

Meeting of March 12, 2018 – Postponed.

Meeting of February 12, 2018 – Postponed.

Approval of non-public session minutes - Postponed.

Adjourn

Chair Swenson made a motion to adjourn. Selectman Veisel seconded the motion. Motion passed 2-0-0.

The meeting was adjourned at 9:31 p.m.

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Respectfully Submitted,

Jennifer Riel, Recording Secretary