

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
September 24, 2018, 6:00 p.m.**

Final Approved 11-12-18

Present:

Chair David Swenson
Selectman Cecile Chase
Selectman Dorothy Veisel

Also Present:

Scott Kinmond, Town Administrator
Bill Meyer, resident
Catherine Orlowicz, Town Historian
Bill Kendrick, resident
Don Vachon, resident / Road Agent
David Bickford, resident
Peter Rhoades, resident
Scott Drummey, resident
Peter Varney, Fire Chief

Call to Order

Chair Swenson called the meeting to order at 6:00 p.m.

Public Input

David Bickford, resident, asked for follow-up to his request for painting the plow down by the Highway Department and keeping trash picked up in the area. Chair Swenson replied the DPW Director was made aware of Mr. Bickford's request but has not heard back from him.

Cathy Orlowicz, Town Historian, announced there are two upcoming events: the 16th Annual New Durham Civil War Day is scheduled for October 6-7, 2018 at 16 Ridge Road; the Zachariah Boodey Farmstead Committee will be hosting a fundraising spaghetti dinner on October 20, 2018 in the New Durham Community Room, beginning at 5:00 p.m.

Selectman Veisel stated the Masons are having a pig roast on October 13, 2018 to benefit both the Alton and New Durham food pantries.

Agenda Review

Chair Swenson added under New Business: Budget Schedule Review; 2019 Budget Overview.

Town Administrator Kinmond added under New Business: Review of Recreation Commission Application.

Town Administrator's Report

Town Administrator Kinmond stated he received another letter from a resident on South Shore Road regarding a street light issue. Chair Swenson noted this was previously reviewed and suggested the Planning Board review the complaint. Town Administrator Kinmond noted the Code Enforcement Officer has looked at it and informed the complainant that the light was preexisting; it is a private light although it is on a utility pole, and there is no ordinance to address the problem. Mr. Drummey noted the Planning Board has added in the site-plan, a dark-skies clause for new lighting. However, he is confused by the details of the light in the complaint. The Board discussed which ordinances come into play. Mr. Drummey noted there is nothing in the ordinances saying a private resident cannot put up a light.

Town Administrator Kinmond distributed the consent manifest for September 10 through 24, 2018.

Town Administrator Kinmond presented an IT Services Request for Proposal for review by the Board. It was noted an inventory of the current software and hardware was requested but not yet received from the current vendor. It was agreed by consensus to proceed in developing this RFP and seek options for the Town's IT services.

Town Administrator Kinmond stated he received notification from the New Hampshire Department of Environmental Services regarding the Downing Pond drawdown to beginning on or about October 25 for repairs at the dam on Main Street. He also outlined the proposed work to be done and noted all abutters will also be notified by mail. The Board reviewed the public notice draft; edits were made. A public information meeting will be on October 11, 2018, 8:00 a.m. at New Durham Community Room.

Town Administrator Kinmond stated the exterior painting bids were opened on September 17, 2018 and reviewed by the TA and the Finance Manager. He outlined the two bids received and the Board reviewed the bids. It was agreed further detail is needed on the linear foot pricing from one of the bids in order to accurately compare the bids and make a decision.

Town Administrator Kinmond stated no public comment was received regarding the appointment of Mara Kerns Robinson for the appointment as an Alternate Inspector of Elections.

Selectman Chase made a motion to appoint Mara Kerns Robinson as an Alternate Inspector of Elections. Selectman Veisel seconded the motion. Motion passed 3-0-0.

2019 Budget Schedule and Review

Chair Swenson distributed a summary of the accounts to be reviewed along with a suggested schedule of meetings for the Board of Selectmen. In addition, the budget review process will begin with a joint meeting with the Budget Committee.

Tax-Deeded Property Sales

Town Administrator Kinmond stated he received a letter from the auctioneer who reviewed the remaining properties and the Board reviewed the recommendations. The Board discussed the recommendations regarding a higher buyer's premium and whether this would impact bidder interest. It was agreed by consensus that, given the properties being offered for auction, these modifications would not be a barrier to proceeding with the auction.

Public Hearing: Request for Posting No-Parking Signs on Olde Bay Road

Chair Swenson opened the public hearing at 7:03 p.m. for public comment.

Town Administrator Kinmond noted he received telephone comments in regards to the parking issue with the suggestion that the Board also consider signs for the guardrail area on Brackett Road. He referenced action of the Board of Selectmen in 1978 and reference to an ordinance in 2003 in regards to parking on public roads. These were reviewed and discussed by the Board.

Don Vachon, Road Agent, stated he suggested the additional signs on Bracket Road explaining there have been many problems with people parking on the edge of the pavement in a narrow part of the road.

Scott Drummey, resident, stated he didn't realize all classified roads are restricted parking and noted many other areas where parking is a problem.

Town Administrator Kinmond explained many municipalities refer back to State statutes in regards to ordinances and regulations and also explained the fine process which can be contested in district court.

Chair Swenson closed the public hearing at 7:14 p.m.

Selectman Veisel made a motion to approve the placement of No-Parking signs located on Olde Bay Road in the area of Fish and Game pond, the club house near Brackett Road, grass areas and on the roadway. Selectman Chase seconded the motion.

Chair Swenson made a motion to amend the amendment that the sign placements be subject to distance stipulations per the Road Agent and other state or local requirements. Selectman Chase seconded the amendment. Amendment passed 3-0-0.

Amended Motion passed 3-0-0.

New Business

Capital Projects-Review & Discussion

Chair Swenson gave a summary of the budget process along with how capital projects are reviewed and prioritized. He listed the projects and associated Capital Reserve Funds

and there was discussion about some of the possible needs of the current CRF projects. There was discussion about the space needs of various Town departments including Town Hall, Fire and Police departments. It was also suggested there are federal funds available for some projects. There was also discussion on how to present projects to voters to accept or reject.

Peter Rhoades Request for Wavier Class VI Road. Chair Swenson stated Mr. Rhoades put in a request to the Board of Selectmen and was asked to follow-up with the Planning Board. He stated that was done and noted he has some additional questions.

Mr. Rhoades stated he has not applied to the State for a wetlands permit at this time; he is unsure the road can be brought up to a higher class but noted that is not required for his application and he is not proposing bringing the road class up.

There was discussion of the current maintenance of the road as well as Mr. Rhoades' proposed sale of lots and suggestions for road maintenance agreements. Mr. Rhoades objected to the use of the Planning Board input in the Select Board's review of his waiver request. Chair Swenson outlined his concerns with setting precedence in approval of this request noting input from the Planning Board is often requested although not required. He clarified the Planning Board made recommendations to Mr. Rhoades and noted that it appears Mr. Rhoades had not followed the Planning Board's suggestions. Selectman Chase clarified the suggestions and recommendations by the Planning Board were received and reviewed by the Board of Selectmen. Selectman Veisel noted the Planning Board works to give support and direction to the Board of Selectmen in matters related to these types of issues.

Mr. Rhoades asked for the specific requirements he needs to follow. Chair Swenson outlined the requirements to be consistent with the guidelines: The Road Agent to examine the road for access by emergency vehicles; an engineer to determine what needs to be done to bring the road up to Class V standards; speak with Fire and Police Chiefs to assure proper access of safety vehicles; identify wetlands on or near the road surface; need permission from the Board of Selectmen to allow building on a class VI road.

Mr. Rhoades stated he disagrees with the Board that requires Mr. Rhoades having to go around and do these things in order to move forward with building on his lots and it is not required in the guidelines.

Chair Swenson noted Mr. Rhoades had copies of the guidelines prior to application and meetings; he suggested postponing further discussion to the next meeting to allow for time to review the requests and ensure they line up with the guidelines. Town Administrator Kinmond reiterated the reasons for the specific guidelines, particularly the emergency lane provisions and the reasons for having the guidelines in order to ensure safety vehicles are not ruined and can respond to calls. He also suggested the Board work to ensure the maintenance of the road, i.e. a road maintenance agreement, noting many issues come down to liability.

There was further discussion of the purposes of the guidelines and the applicants' responsibilities. It was agreed there would be further discussion at the October 11, 2018 Board of Selectmen meeting including discussing the parcels and the requirements and information needed for each. The Board of Selectmen will develop for Mr. Rhoades a written document outlining the Board's requirements according to the Town's guidelines that Mr. Rhoades will need to do for the Board to be able to continue review of Mr. Rhoades application for waiver for construction on a Class VI road.

Old Business

Assessing Services Agreement

Town Administrator Kinmond stated the assessor recently presented information relative to amending the current contract. The Board reviewed and discussed the amendments. Chair Swenson noted there were some questions regarding the utilities and Town Administrator Kinmond stated that is still being worked out with the State. Selectman Chase noted that because of the vote at last the Town Meeting of March 2018, the Board of Selectmen is required to take the funds to support this out of the operating budget rather than the previously existing CRF which will increase the tax rate for this and future years. Chair Swenson explained a CRF would have maintained a more level tax rate. Town Administrator Kinmond explained the options with changing vendors versus remaining with the current vendor. Selectman Chase stated the lack of bond insurance is a problem and the Board discussed the liability insurance options that could be requested. There was also discussion as to whether the last agreement signed in 2016 is still valid. Chair Swenson noted it was not fulfilled so is void and there is no agreement in place for 2019/20 unless the Board chooses to modify the current agreement. The Board also discussed the problems in the past with inaccurate evaluations problems with abatements and the risks and liability with these issues. The Board discussed further amendments to the agreement as well as the work completed to this point. Selectman Chase suggested getting legal counsel in regards to changing the wording of the contract. She noted that while they have been satisfied with the vendor's work, she wants to be cautious with having contractors and vendors who are unwilling to have appropriate bonding.

Selectman Chase made a motion to approve the contract as presented with Cross Country Assessors and approve through December 31, 2019. Selectman Veisel seconded the motion. Motion passed 3-0-0.

Human Resources Policy – PTO Finalize

The Board discussed the edits made to the policy and possible further edits. There was also discussion of ensuring all employees receive holidays. It was noted the remaining policies have had legal review and those with suggested changes will need Board final approval.

Chair Swenson made a motion to accept the Paid Time Off Policy as presented on September 24, 2018 as written and presented at the September 24, 2018 Board of Selectmen meeting. Selectman Veisel seconded the motion. Discussion: There was further discussion of the guidelines for accrual.

*New Durham Board of Selectmen Meeting
September 24, 2018*

Chair Swenson made a motion to accept the Paid Time Off Policy as presented on September 24, 2018 with the additions of the notes presented at the end of the document. Selectman Veisel seconded the motion.

Selectman Chase made an amendment to the motion to amend the policy to include 16 hours of paid PTO for part time staff. Amendment failed for lack of second.

Selectman Chase made a motion to table approval of the PTO policy. Selectman Veisel seconded the motion. Motion passed 3-0-0.

Motion tabled to October 11, 2018.

Selectman Chase left the meeting at 10:25 p.m.

Approval of Minutes

Meeting of September 19, 2018 – Postponed.

Meeting of September 10, 2018 – Edits were made. **Selectman Veisel made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Motion passed 2-0-0.**

Meeting of August 29, 2018 - Edits were made. **Selectman Veisel made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Motion passed 2-0-0.**

Adjourn

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

The meeting was adjourned at 10:37 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary