

*New Durham Board of Selectmen Meeting  
June 22, 2020*

**NEW DURHAM BOARD OF SELECTMEN**

**New Durham Town Hall**

**June 22, 2020**

***Nonpublic Session 5:00 p.m.***

***Public Session 6:00 p.m.***

**Final Approved 07-23-20**

In accordance with Governor's Executive Order #12, pursuant to RSA 91-A: 2

Attendees log into: Join Zoom Meeting

<https://us02web.zoom.us/j/87287521447?pwd=VHJzOGtaWnJVTHlwTTFL0TJ6RUxaZz09> Meeting ID: 872 8752 1447

Password: 374353 Or via telephone number: 1-646-558-8656; Meeting ID: Meeting ID: 872 8752 1447; Password: 374353;

Technical difficulties contact TA Scott Kinmond at [skinmond@newdurhamnh.us](mailto:skinmond@newdurhamnh.us) or phone at 603-556-1516.

*Note: Town of New Durham offers no security assurances to those connecting via PC to a third party software and hardware not configured or controlled by our IT Service provider.*

**PRESENT**

Chair David Swenson – via Zoom at Town Hall

Selectman Cecile Chase – via Zoom

Selectman Dorothy Veisel – via Zoom

**ALSO PRESENT**

Scott Kinmond, Town Administrator via Zoom

David Bickford, Resident

Mike Gelinas, Resident and Powder Mill Snowmobile Club – via Zoom

Adam Buehne, Resident and New Durham Valley ATV Club – via Zoom

**CALL TO ORDER**

Chair Swenson called the public session of the meeting to order at 6:02 p.m. He stated the meeting was opened and went directly into non-public session at 5:00 p.m. pursuant to RSA 91-A: 3 II a, b, c, and e.

Chair Swenson stated that due to the State of Emergency declared by Governor Sununu and pursuant to Executive Order #12, the Town is authorized to meet electronically. He stated there is no physical location to observe this meeting however in accordance with the Order, it was confirmed that they are providing public access to the meeting by telephone with additional access possibilities by video (Zoom); all members of the Board of Selectmen and Town Administrator have the ability to communicate contemporaneously during this meeting; the public has access to contemporaneously listen and participate via links posted on the agenda. Chair Swenson confirmed the meeting was posted appropriately with access numbers. He stated that in the event the public is unable to access the meeting, it would be adjourned and rescheduled. Chair Swenson stated that in the event they need to go into non-public session a separate phone number will be used for the Board of Selectmen members to use and they will then reenter nonpublic session. Chair Swenson stated all motions would be voted by roll call; roll call attendance was taken for those participating in the Zoom meeting. Chair Swenson confirmed all participants, including all Board of Selectmen members, are alone;.

**Chair Swenson made a motion to seal the nonpublic meeting minutes of the June 22, 2020 Board**

**of Selectmen meeting for reasons that it may adversely affect reputation of one other than the Board. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

### **Public Input**

David Bickford, resident, stated there was a previous discussion on editing minutes; he stated it was in regards to the April 6, 2020 minutes and had asked for a wording change. Selectman Veisel stated she has not looked into but she will. Mr. Bickford stated he would like to see the legal opinion of Town Counsel in regards to the warrant articles at the March 2020 meeting. He stated he would like to see the Ethics Committee member list updated on the Town website as the names are incorrect. Mr. Bickford stated he hasn't seen the minutes posted for the Parks and Recreation Committee; they are voting with three members but there is supposedly seven total so they can't be continuing with three as it does not constitute a quorum. He suggested advertising for members and volunteers for the committees including the suggested solar power committee.

Mike Gelinas, Trail master, Powder Mill Snowmobile Club, stated he would like to have a meeting between the Police Department and Board of Selectmen; he received permission to run trail maintenance vehicles on the road in 1994 and again in 2005 but wants to be sure everyone is on the same page with regards to this issue. He explained the work he does on trails and this simplifies getting from one trail head to another; the UTV is registered as a trail maintenance vehicle and has been for years but Mr. Gelinas wants to be sure he can continue doing what he's doing. Mr. Gelinas stated he also needs permission for the gravel on the Den; Chair Swenson noted that is on tonight's agenda.

### **Town Administrator's Report**

Town Administrator Kinmond distributed the Select Board Consent Signature Manifest for the dates of 6/04/20 to 6/18/20 for review by the Board.

### **Trustee Of The Trust Fund Transfer Request – 2020 1<sup>st</sup> & 2<sup>nd</sup> Quarter**

Town Administrator Kinmond distributed a memo to the Trustee of Trust Funds, outlining the transfers for the first and second quarters of 2020 for review by the Board. For the DPW truck repair request Chair Swenson asked if there is any value judgement done on the truck to evaluate repair versus disposal. Town Administrator replied the value of the truck should be \$50-60,000 if it was running. He stated for this era of trucks they have had to do the same type of repairs; this truck is not due to be replaced in the near future.

**Selectman Chase made a motion to authorize Purchase Order #2691 for the amount of \$4,999 and Purchase Order #2693 for the amount of \$4,891.10 to DiPrizio Trucks, Inc. for the repair to truck #5, 2013 International Dumptruck said expenditure to come from the Vehicle and Equipment CRF account 01-5000-10-070 and request the Trustee of Trust Funds to withdraw and transfer said amount of \$9,890.10 approved from the Capital Reserve fund to the General Fund. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

### **Purchase Order – Solid Waste Facility**

Town Administrator Kinmond presented a request from the Solid Waste Facility in regards to the

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previously discussed reorganization of the recycling center; this included purchase of a steel hopper for placement under cover and placing the open top container in the outside hut; changes in operation will allow the mixed paper to remain dry.

**Selectman Chase made a motion to authorize Purchase Order #2696 for the amount of \$2,563.24 to Global Industrial, Inc. for the purchase and delivery of a three yard steel self dumping hopper; said expenditure to come from the Solid Waste Facilities and Recycling Improvements CRF account 01-5000-10-073 and request the Trustee of Trust Funds to withdraw and transfer said amount of \$2,563.24 approved from the Capital Reserve fund to the General Fund. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

#### **Purchase Order – Smith Ballfield**

Town Administrator Kinmond stated the roof of the concession stand was found to be in very poor condition; this purchase is for the materials to re-shingle the roof. Quotes from contractors never came through and it needs to be done. The work will be done by volunteers.

**Selectman Veisel made a motion to authorize the expense of \$831.09 to Middleton Building Supplies for the roofing materials to re-shingle the Smith Ballfield concession stand/storage building. Said expenditure to come from the Smith Ballfield and Equipment CRF account 01-5000-10-076 and request the Trustee of Trust Funds to withdraw and transfer said amount of \$831.09 approved from the Capital Reserve fund to the General Fund. Selectman Chase seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

#### **Purchase Order – Records Management with ClearGov**

Town Administrator Kinmond stated this purchase order is for the third year of a three year agreement with ClearGov. Chair Swenson stated he initially felt this would be a useful tool but would like it reconsidered at the time the budget is reviewed.

**Selectman Chase made a motion to authorize the expenditure of \$2,100 to ClearGov for the annual user fee and support for financial transparency software . Said expenditure to come from the Records Management ETF and request the Trustee of Trust Funds to withdraw and transfer said amount from the Records Management ETF to the General Fund. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

#### **Town Buildings ETF**

Town Administrator stated these expenditures were approved in August 2019 for the space needs study. He expects to have the report this week for further review and discussion by the Board; the initial contract was around \$28,000. This is not the final payment.

**Selectman Chase made a motion to authorize the expenditure of \$8,032.84 to AG Architects of Dover, NH for the space needs project. Said expenditure to come from the Town Building Improvements ETF and request the Trustee of Trust Funds to withdraw and transfer said amount from the Town Building Improvements ETF to the General Fund. Selectman Veisel**

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**seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

Town Administrator Kinmond presented a purchase order for hardware necessary for draining and lowering the water in preparation for dam work to be done.

**Selectman Chase made a motion to authorize the expenditure of \$43 to Alton Home of Alton, NH for the dam maintenance expenses. Said expenditure to come from the Dam Maintenance ETF account 01-5000-20-068 and request the Trustee of Trust Funds to withdraw and transfer said amount from the Dam Maintenance ETF to the General Fund. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

Chair Swenson noted two members of the public are attending for agenda items and suggested moving those to the next item for discussion. The Board concurred.

### **Devils Den Road Work**

Adam Buehne, stated he submitted an application last week as part of a grant and aid agreement with State of NH Trails Division for \$3,500 in materials; he stated the funds were appropriated to the New Durham Valley ATV for rehabilitation of Class VI roads in the Devils Den area. Mr. Buehne stated he needs to submit landowner's permission form from the Board of Selectmen. He explained it is an area which is heavily used by many people including vehicles, ATVs, runners, walkers, snowmobiles, bikers, etc. Mr. Buehne stated the work will address the degradation of the road due to use.

**Chair Swenson made a motion to authorize the permission to the New Durham ATV Club and affiliated designated individuals involved in the grant award received from the State of NH to do the work on the Devils Den Road as described in the grant. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

### **Primex Guidance for Return to Work**

Town Administrator Kinmond distributed a memo for review by the Board from Primex regarding reopening Town Hall. He stated the plan allows for a single person in the lobby at a time; there is controlled access and by appointment only. Meetings would be held in areas where individuals can be socially distanced and the Town Hall would allow for 9 people at a time; the Governor's Order #12 is still in effect. Town Administrator Kinmond stated the Town currently does health screenings on-site for all staff but this plan would have employees do the screenings at home before coming to work. There will be signage for the public asking the same five health questions to ensure they feel well before entering the building; cloth face coverings will be encouraged; hand sanitizer and hand washing stations are available. He confirmed the Health Officer and Emergency Management Director reviewed this plan; both attended the NHMA / Primex workshop on reopening. Chair Swenson suggested edits such as keeping guidelines and rules for various groups, separate. He suggested a statement indicating use of the walk-up window for customers without facemasks. Town Administrator Kinmond stated that in order to protect the Town with regards to property liability, he has followed the Primex guidance but suggested these be officially adopted by the Board. Selectman Veisel stated she wants to be sure there is accommodation for committees meeting; edits were made to

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the wording in the plan. The Board reviewed the proposed policy regarding employees who have traveled. Selectman Chase suggested requiring a negative COVID-19 test to return to work or self-quarantine for 14 days.

**Chair Swenson made a motion to approve the Joint Guidance on Employee Travel and Return to Work Guidelines for Employees as amended at the June 22, 2020 Board of Selectmen meeting. Selectman Chase seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Facilities Use By Outside Agencies – US Census Request August 2020**

Town Administrator Kinmond stated they had previously given permission for use of the Community Room to conduct training for small groups (6). He stated the dates were scheduled for August 4 – 8, 2020 but it would now require someone to clean after each day the room is used. He stated the expense would be covered under the GOPHER grant but he needs to let the agency know if they are still able to use the Community Room. Selectman Chase stated she believes this is an important task to the benefit of every citizen and wants to support it. Chair Swenson stated he doesn't want to do it if the costs aren't fully covered.

**Selectman Chase made a motion to allow the U.S. Census Bureau, the use of the New Durham Community Room for training of personnel to complete the census and if the expense is not recoverable under GOPHER, then the U.S. Government is liable for the costs of cleaning and other needs, for the dates of August 4 through August 8, 2020. Selectman Veisel seconded the motion. Discussion:** Chair Swenson stated he wants to have an agreement in place prior to use to ensure costs are covered. Selectman Chase suggested having user fees; Town Administrator Kinmond explained no fee has been instituted as it hasn't been opened up to the general public. **Selectman Chase withdrew her motion.**

**Selectman Chase made a motion to allow the U.S. Census Bureau, the use of the New Durham Community Room for training of personnel the week of August 4 through August 8, 2020, contingent upon their assurance that the Town of New Durham would be reimbursed for any cleaning services and any other costs associated with their use of the Community Room that are required due to the COVID-19 guidelines. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**NEW BUSINESS**

**Appointments To Committees And Positions**

Chair Swenson confirmed no negative input was received on any of the nominations. Town Administrator Kinmond confirmed that is correct.

**Chair Swenson made a motion to appoint Ron Gehl of New Durham as a member of the Conservation Commission with a term to expire March 31, 2023. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Chair Swenson made a motion to appoint Curtis Richard of New Durham as a member of the**

**Conservation Commission with a term to expire March 31, 2023. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Chair Swenson made a motion to appoint Cathy Allyn of New Durham as a member of the 1772 Meetinghouse Commission with a term to expire March 31, 2021. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Chair Swenson made a motion to appoint Tatiana Cicuto of New Durham as a member of the Boodey Farmstead Commission with a term to expire March 31, 2021. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

#### **Ethics Committee – Discussion of Purpose with Ordinance Adoption**

Town Administrator Kinmond distributed a copy of the current Ethics Policy along with a copy of the recently passed Ethics Ordinance Warrant Article. He stated he sent an inquiry to Town Counsel requesting comment on the current Ethics policy and how it relates to the Ethics Ordinance with no response to date. He explained the committee is of an advisory position directing people in the right direction if there are concerns or complaints. Selectman Veisel stated the role of the committee is also educational. Town Administrator Kinmond stated the ordinance would really only address the issue of Town property and believes the committee does have a purpose in providing education and guidance to residents. Selectman Chase concurred and stated the committee provided a good resource for individuals with concerns. Chair Swenson stated he wants input from legal counsel before moving in either direction.

#### **Correspondence Requesting Consideration For Increasing Veterans Tax Credits**

Town Administrator Kinmond presented a letter from a resident regarding the Veteran's Tax Credit and requesting consideration of expanding the credit to the maximum allowed of \$4,000. Chair Swenson stated he would be open to discussion but this would need to be a Warrant Article action in 2021.

#### **Tax Deeded Properties – Updated List**

The Board reviewed the list of tax-deeded properties. Town Administrator Kinmond stated it is a seller's market right now and listings go fast. He stated they have also had a lot of inquiries about properties through the Land Use office. Chair Swenson noted there are 24 properties with an assessed value of \$531,850 and \$66,897 of back taxes owed. He asked if the Board is in agreement in moving these. The Board by consensus concurred. Town Administrator explained that if the sale is within the three year window proceeds in excess of the taxes owed must be provided to the property owner. Chair Swenson stated it is still a benefit to the Town to get the properties back on the tax rolls; he also stated the Conservation Commission has previously weighed in on many of the properties. Selectman Veisel concurred; she asked if one of the properties listed is near the dam. It was confirmed it is and agreed this property should be removed from the "for sale" list. The Board concurred with having listings offered to abutters before soliciting auction information as is the guideline process previously approved.

#### **OLD BUSINESS**

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### **Land Swap Proposal**

Town Administrator Kinmond stated the wetlands delineation of the property was done and now needs to be surveyed and plotted on the parcel. He stated the estimate from Norway Plains was \$1,500 to do that; they will then be better prepared to look at the boundary line adjustments. Selectman Chase asked for verification on the details of the Memorandum of Understanding as she wants to be clear on who is responsible for the expense. Town Administrator Kinmond confirmed the Town will incur the cost.

### **SELT Parking Lot Request**

Chair Swenson stated this is a request for a Memorandum of Understanding between the Town of New Durham and South East Land Trust (SELT) for moving ahead with a parking lot on Merrymeeting Road. He stated he wants this to be reviewed by Planning Board before any action by the Select Board since no information has been provided on the Planning Board's recommendations on this. The Select Board reviewed the proposal and maps presented. Town Administrator Kinmond stated the Planning Board did not make a formal decision but it was reviewed and discussed. Chair Swenson stated he wants confirmation from the Planning Board that any issues that are watershed and storm water drainage related meet the Town regulations properly. Town Administrator Kinmond recommended review by the Town Engineer.

### **Next Meeting**

July 23, 2020, 8:00 a.m. – via Zoom

### **Part Time Police Position**

Chair Swenson stated the interviews were completed and the recommendation by the interview panel was for Candidate #1.

**Selectman Veisel made a motion to make a Conditional Offer of Employment to Candidate #1 for the position of part time police officer, at a rate of \$25.00 per hour, with a start date of June 29, 2020 conditional upon appropriate background and reference checks. Selectman Chase seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

### **Project Updates: Edmunds GovTech Software Implementation**

Town Administrator Kinmond stated the finance module is up and running, there are some different formats with date stamps, etc. He stated there are currently two databases which they have to keep balanced during the software transition period to assure all is transitioned completely; the final data extraction and training will be done this week.

### **Space Need Study and NE Solar Corporation Community Solar Garden**

Town Administrator Kinmond stated he met with AG Architects and expects to have another phase to the report which speaks to property site for expansion, he will distribute the report for review by the Board upon receipt.

A meeting has been coordinated on the solar array, i.e. Solar Garden, proposal for further review..

### **SWF Attendant(s) Hiring Wages**

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**Chair Swenson made a motion to set the rate for Candidate #1 for the part time seasonal Solid Waste Facility attendant at \$10.00 per hour. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Chair Swenson made a motion to offer to Candidate #3 for regular part time Solid Waste Facility attendant at twenty hours per week at a wage rate of \$11.50 per hour. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Approval of Minutes** Tabled due to time constraints.

**ADJOURN**

**Chair Swenson made a motion to adjourn. Selectman Chase seconded the motion. Roll Call Vote: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed 3-0-0.**

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary