

NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
March 11, 2019, 6:00pm

DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.

Present

Chair David Swenson
Selectman Cecile Chase
Selectman Dorothy Veisel

Also Present

Scott Kinmond, Town Administrator
Fred Quimby, Chair, New Durham Water Quality Committee
Peter Varney, Fire Chief

Call to Order

Chair Swenson called the meeting to order at 6:02pm. He stated Selectman Chase was not present but would be joining the meeting shortly.

Appointments/Announcements

Chair Swenson stated the 2018 New Durham Annual Report is available online and at Town Hall; he thanked all who contributed.

Chair Swenson stated the polls will be open tomorrow, March 12, 2019 from 8:00am to 7:00pm and encouraged residents to vote.

Chair Swenson stated they are saddened to hear of the passing of Joan Martin and offered condolences to the families.

Public Input

No public present.

Agenda Review

Chair Swenson added
Town Administrator Kinmond added a current use application for 94.6 acres of the property now known as a Dillon Investment property/Birch Ridge.

Town Administrator's Report

Town Administrator Kinmond gave an overview of the Consent Manifest for the period of February 4, 2019 to March 11, 2019 and noted a copy would be attached to the minutes.

Annual Tax Map Maintenance

Town Administrator Kinmond distributed a copy of the agreement for the period of April 1, 2019 to March 31, 2020 with Cartographics Associates, Inc. of Littleton, NH. He explained this company maintains the Town's maps which includes updates and changes as needed for mergers, etc; it is a budget item.

Chair Swenson made a motion to approve the contract with CAI of Littleton, NH for the contracted services of tax map maintenance for the period of April 1, 2019 to March 31, 2020 and to authorize purchase order #2630 in the amount of \$2,050 for these services with funds to come from Account 01-4152-10-390. Selectman Veisel seconded the motion. Motion passed, 2-0-0.

New Business

Chair Swenson noted that they did not have in there packet any information regarding the Veterans' Tax Credit for Map 235, Lot 011- TA Kinmond commented that this may have been a cut & paste error. The Board by consensus passed over the agenda item.

Veteran's Tax Credit Application - Map 210, Lot 078

Town Administrator Kinmond confirmed the application has been reviewed by the contract assessor and signed off on the tax credit.

Selectman Veisel made a motion to approve the Veteran's Tax Credit for Map 210, Lot 078 in the amount of \$500. Chair Swenson seconded the motion. Motion passed, 2-0-0.

Selectman Chase joined the meeting at 6:18pm.

Veteran's Tax Credit Application - Map 267, Lot 006

Town Administrator Kinmond confirmed the application has been reviewed by the contract assessor and signed off on the tax credit.

Selectman Veisel made a motion to approve the Veteran's Tax Credit for Map 267, Lot 006 in the amount of \$500. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Disability and Veteran's Tax Credit Application - Map 252, Lot 019

Town Administrator Kinmond confirmed the application has been reviewed by the contract assessor and signed off on the tax credit.

Selectman Veisel made a motion to approve the Veteran's Spouse Disability Tax Credit for Map 252, Lot 019 in the amount of \$1500. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Land Use Change Application – Map 263, Lot 018

Town Administrator Kinmond explained this application is for removal of property from Current Use, originally a multi acre lot which was subdivided although it would still be considered for a partial credit along with the 10% penalty for current use removal. Chair Swenson asked if the Planning Board has already approved the subdivision. Town Administrator Kinmond confirmed it has been through the process and approved by the Planning Board.

Selectman Chase made a motion to approve the Land Use Change Application for Map 263, Lot 018 and to assess the penalty of \$3,400 plus the Registry of Deeds recording fees. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Veteran's Tax Credit Application - Map 250, Lot 086

Town Administrator Kinmond explained that questions had come up relative to residency and he verified each document himself and it was confirmed the applicant is a resident of the property and the son of the previous individual who relocated. The applicant is the owner of record; Town Administrator Kinmond explained he also verified the applicant's service records.

Selectman Chase made a motion to approve the Veteran's Tax Credit for Map 250, Lot 086 in the amount of \$500. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Petition to Select Board to grant ROW for removal of Lumber (RSA 231:40-42) from Map 245, Lot 015

Town Administrator Kinmond presented an email for review by the Board and explained it is a petition to ask the Board of Selectmen to utilize a state statute, which empowers the Board of Selectmen to allow for someone who is land-locked to be able to take lumber off their property and create a right-of-way for that purpose. He also presented copies of tax maps from the petitioner, along with those of abutters and a map of potential routes as suggested by his forester. Town Administrator Kinmond stated he has reviewed this with Town Counsel and his recommendations and concerns were outlined in an email also presented to the Board. Town Administrator Kinmond stated that petitioner would potentially bear all the expenses but it may likely incur legal challenges and it's a concern that the petitioner could be help liable for those expenses, which may not be recouped. Chair Swenson stated abutting properties are providing temporary right-of-way and concurs with Legal Counsel that it's a tough thing to say it should be done for the benefit of a private citizen. Selectman Chase stated she wonders what the history is because generally landowners would give right-of-way, particularly with large parcels and it seems the abutters may be purposely blocking it as they don't want it logged. Chair Swenson noted it is unclear but the landowner likely knew it was a land-locked, unbuildable parcel when it was purchased. The Board reviewed and discussed the maps and proposals as well as the potential impact on abutters. It was agreed to continue this discussion at the next meeting. Town Administrator Kinmond suggested requesting further explanation by the petitioner as to the attempts already made.

Electric Energy Supplier Contract-Freedom Energy Logistics

Chair Swenson stated this was presented at the meeting of the Deliberative Session and requested additional information to address some concerns, which include renewal costs, rate lock period. He stated Town Administrator Kinmond has clarified some of these issues and provided clearer explanations. Town Administrator Kinmond explained the previous Town Administrator had contracted with an energy supplier and they had been contracted with ENH Power which had automatically renewed for 3 year periods with substantial increases in pricing. He stated he has since contacted and stopped the contract but there is no real benefit in being with them. Town Administrator Kinmond explained the brokerage process that works with school systems and municipalities. He stated the broker has worked with the provider to make some changes, which were requested by Legal Counsel.

Selectman Chase made a motion to enter into a contract for energy power with First Point Power via Freedom Energy Logistics for a rate of \$0.085 for a period of 18 months and give permission for the Chair or Town Administrator to sign the contract. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Energy Improvements-Town Facilities Lighting conversion to LED

Town Administrator Kinmond stated they have been working on this for a while and presented a memorandum summary of the possibilities for saving money as well as being environmentally friendly. He stated the CIP started about three years ago with \$30,000 of energy improvements and he stated the return on investment would be on an average of 3.5% based on the current energy conditions in 2016. The improvements were only for the Town Hall and included foundation and wall insulations. Town Administrator Kinmond stated he looked at other energy items which could benefit the Town overall and explained the LED light conversion process which has a good return on investment, noting a report is also included from a vendor of all Town buildings. He also explained the “smart” systems available and options for installation and noted preliminary grant applications have been completed and approved. After rebates, the cost would be about \$11,000 for all Town buildings and light fixtures to be converted to LED lighting. The Board reviewed the summary and reports and discussed the information presented.

Selectman Chase made a motion to approve the Energy Improvements Project – LED Lighting Conversion, with the said contract for grant/rebates, supplies and installation being awarded to New Hampshire LED and to authorize Purchase Order #2629 in the amount of \$22,527. Said expense to come from the Town Building Improvement Fund ETF, account 01-5000-20-066. Selectman Veisel seconded the motion. Discussion: Chair Swenson clarified there would be a grant and rebate from NH Coop and Eversource that would come back as revenue. **Motion passed, 3-0-0.**

2019 Exotic Aquatic Species Control Grant-Application

Fred Quimby, resident, stated they had to redo the contract to ensure it included two ponds and this will require additional testing and notifications to land owners, and will be an additional \$3,000. He presented the State grant for acceptance by the Board and noted

the State will cover a portion of the increase. Mr. Quimby also explained the chemical and herbicide treatment process.

Selectman Chase made a motion to accept the New Hampshire DES 2019 Exotic Aquatic Species Control grant in the amount of \$8,838 and to furthermore to authorize the expenditure of this grant for the purpose of herbicide treatment and diver harvesting in the amount up to \$35,363 for the payment to the contractor, Solitude Lake Management and to authorize the Town Administrator to sign the necessary contracts and DES grant award documents associated with said grant. Funds to come from the holding account 01-5000-10-072. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

2019 Town Election Coverage

The Board discussed coverage for the March 12, 2019 elections. Selectman Veisel will cover in the morning and Selectman Chase can be at the polls after 4:30pm. Chair Swenson suggested appointing Mr. Quimby as a Board of Selectmen representative pro-tem as Chair Swenson is on the ballot.

Chair Swenson made a motion to appoint Fred Quimby as selectman pro-tem for the specific purpose of covering the Town Election of March 12, 2019, given that Chair Swenson is unable to cover as he is on the ballot. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Chair Swenson made a motion to appoint Donna Young as selectman pro-tem for the specific purpose of covering the Town Election of March 12, 2019. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Veterans Tax Credit Law – Increase from \$500 to \$750

Chair Swenson explained this came from the State of NH and it would change the Veteran's Tax Credit from \$500 to \$750. It would have to be on the warrant for next year if the change were made, noting it comes to about a total 10.9% difference in tax rate. It was clarified the Town does have a choice whether they change the amount.

Trustee of the Trust Funds Transfer Request-Meetinghouse Restoration CRF & Gravel Fund CRF

Town Administrator Kinmond stated they are working on closing out accounts for review by the auditors and some items were found which need action. He explained the work that had to be done on the Meetinghouse.

Chair Swenson made a motion to request the Trustee of the Trust Funds to withdraw and transfer the amount of \$1,402.48 from the Meetinghouse Restoration CRF and to further request the Trustee of the Trust Funds to transfer the said amount to the General Fund for reimbursement to account 01-5000-10-078. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Town Administrator Kinmond stated in 2018 gravel was purchased from a local supplier in Alton and in lieu of the payment, requested that the amount be credited towards the tax amount for property owned in New Durham. It was confirmed the tax bill was marked paid but the transfer needs to be done from the DPW to the General Fund.

Selectman Chase made a motion to rescind the Board of Selectmen action of August 6, 2018, approving Purchase Order #2463 in the amount of \$5,750 to Green Oaks Realty Development for the purchase of 500 cubic yards of crushed gravel. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Selectman Chase made a motion to authorize the payment of \$5,000 to Green Oaks Realty Development for the purchase of gravel for use by the Town of New Durham Department of Public Works. Said payment being in lieu of payment of unpaid back taxes on tax Map 219, Lot 005. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Selectman Chase made a motion to approve Purchase Order #2463 to Green Oaks Realty Development for the purchase of 500 yards of crushed gravel in the amount \$5,796. Said funds to come from account 01-5000-10-097, to further request the Trustee of the Trust Funds to transfer the said amount from the gravel account 01-4915-10-097 to the General Fund for reimbursement to account 01-5000-10-097. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Fourth Quarter 2018 Review – Quarter Financial Report

Town Administrator Kinmond explained the final accounts and budget summaries. The Board reviewed and discussed the report. Town Administrator Kinmond stated that overall there was around \$100,000 remaining in the General Fund at the year's end although that may be adjusted if the auditors find things.

Launch of Fiscal Transparency Center-ClearGov

Town Administrator Kinmond stated this program has been loaded on the website and can be accessed for navigating the Town budget. He explained you can see where money is being spent and will eventually allow internal comparisons of other communities and NH DRA data. Selectman Chase stated this is going to be good in making information accessible and will be helpful with Right-to-Know requests regarding the budget.

Resignation of Trustee Denis Martin, J.C. Shirley Cemetery Trustee

Chair Swenson stated they received Mr. Martin's resignation. He stated another trustee was appointed previously and two are on the March 12, 2019 ballot, although an additional trustee may need to be appointed after the election.

Joint Workshop Meeting with Alton Select Board-update by CMSC Chair Fred Quimby

Chair Swenson stated the joint workshop for an update on the cyanobacteria mitigation steering committee's work and activities, is scheduled for Thursday, March 14, 2019 at 6:00pm, 1 Monument Square, Alton.

Approval of Minutes

Meeting of February 4, 2019 Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Veisel seconded the motion. Motion passed, 3-0-0.**

Meeting of January 28, 2019 – Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Veisel seconded the motion. Motion passed, 3-0-0.**

Chair Swenson made a motion to enter non-public 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. Selectman Veisel seconded the motion.

Roll Call: Selectman Veisel – aye; Selectman Chase – aye; Chair Swenson – aye. Motion passed, 3-0-0.

The Board entered non-public session at 8:24pm.

The Board reentered public session at 9:35pm.

Chair Swenson made a motion to seal the minutes of the non-public session. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Chair Swenson made a motion to authorize the Town Administrator to issue a conditional offer of employment to candidate 1 for the part time position of facilities and grounds maintenance at an hourly rate of \$15.00 with said hire upon completion of background check, pre-employment physical, DOT physical and drug testing, with a tentative state date of March 18, 2019. Selectman Veisel seconded the motion. Motion passed, 3-0-0.

Adjourn

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

The meeting was adjourned at 9:36pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary