

New Durham Board of Selectmen
July 6, 2017

NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
July 6, 2017, 5:30p.m.

Final Approved 08-03-17

Present

Chair David Swenson
Selectman Cecile Chase
Selectman Rod Doherty

Also Present:

Scott Kinmond, Town Administrator
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Present At the 7:00 p.m. Session
Dot Veisel, resident
Cory White, non-resident
Cathy Orlowicz, resident- Boodey Farmstead Chair
Kenneth P. Fanjoy, resident
Jen White, non-resident
Joan Swenson, resident
Terry Jarvis, resident
Joe Bloskey, SWF Supervisor
Steve Souza, resident
David A. Bickford, resident
Bill Kendrick, resident

Call to Order

Chair Swenson called the meeting to order at 5:32 pm.

Chair Swenson made a motion to enter into nonpublic 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. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant & (e)- Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

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

The Board left public session at 5:34 pm.

The Board reentered public session at 7:08 pm.

Chair Swenson stated that while in nonpublic session the Board of Selectmen discussed various personnel issues and other issues noted in motion to go to non-public. **Chair Swenson made a motion to seal the minutes of the nonpublic session of July 6, 2017 as the information could adversely affect the reputation of individuals. Selectman Doherty seconded the motion. Motion passed, 3-0-0.**

Announcements/Appointments

Corey White, Farmington resident, stated they are seeking comment and recommendation from the Board of Selectmen for obtaining a building permit located on a Class VI road. He presented maps and information for their plans along with information from the State of New Hampshire with recommendations for upgrading the road and an example of a road maintenance agreement. Chair Swenson stated he is waiting to see the comments by the Planning Board as these should be in the Planning Board's meeting minutes.

Mr. Gehl, resident, stated from his research Libby Road is not even a class VI road but an "abandoned" road. Mr. White suggested that in that case the rights of the road go back to the abutters.

Steve Souza, resident of Jenkins Rd, noted one of the property owners has put up a building in the middle of the "abandoned" road so you can't drive through.

Cathy Orlowicz, Town Historian, stated to "abandon" a road requires action at Town Meeting. It was requested that the TA have a search for such action be done with information presented at the next BoS meeting.

1772 Meeting House

Town Administrator Kinmond presented information on the Meetinghouse foundation work as well as copies of the committee's recent meeting. He noted the L-Chip grant funding previously awarded is still available. Town Administrator Kinmond stated the bids were received for the foundation stonework and an award of bid was reviewed.

Chair Swenson made a motion to issue the award of bid to Stepping Stones Masonry of Barrington, NH in the amount of \$65,964, in accordance with the Scope of Work established in the RFP for foundation work at the 1772 Meetinghouse. Notice of Award is contingent upon receipt of certificates of insurance and the work can be completed by September 1, 2018 and authorize the Chair to sign necessary documents. Funding to come from L-Chip grant of approximately \$13,000 with the balance to come from the Meetinghouse CRF 4915-078. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Public Input

David Bickford, resident, suggested they go back and look at the raises for the Solid Waste Facility employees, especially since they are having trouble finding help. Mr.

Bickford also suggested using the money saved from the DPW Director position be used for additional ditching work.

Agenda Review

Town Administrator Kinmond added correspondence from Strafford Regional Planning Commission. He explained Don Vachon is currently the appointee but there is no backup.

Chair Swenson made a motion to appoint Scott Kinmond as the New Durham representative to the Strafford Regional Planning Commission Technical Advisory Committee with the alternate being Don Vachon. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Town Administrator's Report

Town Administrator Kinmond reviewed the signature manifest which outlined the documents signed by the Board of Selectmen since the last meeting.

Town Administrator Kinmond stated Police Officer Taylor Griffin is at the end of his one year probation period and the recommendation from Chief Bernier was presented for review.

Selectman Chase made a motion to authorize a wage adjustment for Officer Taylor Griffin to \$20.00 per hour, effective July 3, 2017. This is based on completion of probation and graduation of the police academy. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Town Administrator Kinmond stated five applications have been received for the full time police officer position. Physical tests have been conducted. However, after testing, only one applicant has passed and Police Chief Bernier recommends going forward with an interview. It was the consensus of the Board of Selectmen that Selectman Doherty will be the Board of Selectmen representative for the interview. The interview panel was scheduled for July 12, 2017.

Town Administrator Kinmond stated the list of properties for the surplus property online auction sale list is not complete but will hopefully be available soon.

Town Administrator Kinmond presented a memo from the Town Clerk regarding a request from a property owner for payment of delinquent taxes. Chair Swenson replied a few years ago the Board of Selectmen developed a checklist for determining what the individual's need was to assure qualification for a property tax payment plan. Copies of tax laws were distributed for review by the Board of Selectmen. Selectman Chase clarified it is the Town Clerk's recommendation to allow the property owner time to catch up. She stated she is in favor; Selectman Doherty concurred. Chair Swenson suggested having a letter that clearly outlines the stipulations for qualification and the terms of the payment plan.

Selectman Chase made a motion to authorize the Town Clerk/Tax Collector to enter into an agreement with the property owners of Map 201, Lot 305, for the purposes of repayment of delinquent taxes, said payment plan to be terminated upon default of payment, upon payment in full on or before one year of the said agreement. Cover letter should be sent outlining the terms of this agreement, the expectations of the property owner and the resulting terms of default. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Town Administrator Kinmond presented a purchase order for crack sealing with Connecticut Seal Coating. He stated they received pricing from three companies; outlined the roads to be serviced.

Chair made a motion to authorize purchase order #2402 to Connecticut Seal Coating in the amount of \$14,000 for the services of 9272 pounds of crack sealing of Town roadways as determined by the Town Highway Department, source of funds to come from account 4312-10-679. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Town Administrator Kinmond presented a request for additional operating hours of the Transfer Station. Chair Swenson clarified the hours are covered by this year's budget.

Selectman Chase made a motion to change the hours of operation for the Solid Waste Facility from 8:00 am to 5:00 pm, Monday, Friday, Saturday and Sunday. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Town Administrator Kinmond distributed a packet outlining the work done for obtaining competitive quotes for insurance. This was reviewed and discussed. While the competitive quote was close it was still more expensive than the Town's current insurance vendor and no further action was taken at this time.

New Business

Chair Swenson explained the Town's cyclical valuation funding used to come through capital reserve funds and the prior Board of Selectmen presented a warrant article to have the CRF removed. This was narrowly approved by the voters from the recent Warrant Article. He stated he has discussed this with Town Administrator Kinmond and the Town Assessor, having incurred some costs already. They will continue to work out the work scheduling on this valuation work and the mutually agreed upon payment process. Town Administrator Kinmond explained how the assessor is continuing to do work but spreading the costs over the next four years.

Chair Swenson asked to have the Town Assessor on the agenda for the next meeting for further discussion relative to this issue and other questions relative to Town owned tax deeded property.

Abatement Requests

The requests were reviewed and discussed.

Selectman Chase made a motion to deny the abatement request for Map 209, Lot 28 per the recommendation of the Town Assessor. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Selectman Chase made a motion to deny the abatement request for Map 206, Lot 28 per the recommendation of the Town Assessor. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Capitol Improvement Plan Committee Appointment Follow-up

Town Administrator Kinmond referenced the 2007 Town Meeting minutes which indicate the advisory Capital Improvement Plan Committee composition is as it currently stands and indicates the term of office is to be for 3 years. Over the past 4 + years the appointments have been for only 1 year. Chair Swenson explained the actions taken at the last Board of Selectmen meeting to change one position to two years in order to maintain continuity along with all future appointments for the at-large CIPC appointments be for two years. The current appointments were discussed and Chair Swenson explained the process to get more continuity with the appointments.

Committee Name Change – Boodey House

Chair Swenson explained the Board of Selectmen recently approved a charter for the committee and since that meeting the committee has suggested a name change to reflect their goals. Cathy Orlowicz, Town Historian stated the committee would like to be called the Zachariah Boodey Farmstead Committee and explained their reasons.

Selectman Chase made a motion to change the name of the Zachariah Boodey House Committee to the Zachariah Boodey Farmstead Committee. Chair Swenson seconded the motion. Motion passed, 3-0-0.

TA Kinmond will need to modify the charter documents to reflect this BoS action.

Master Plan Update

Chair Swenson explained the Planning Board has been working on updating the plan for the last 2-3 years and this has now been completed. He stated there was a public hearing on June 26, 2017 and the Master Plan has been accepted. Copies are available on the website and a limited printing of the Plan will be done shortly.

Department of Public Works Operations Structure

Chair Swenson stated there are currently two individuals who oversee the operations of the department. Town Administrator Kinmond explained the operations of DPW and stated they would like to get the highway and solid waste operations under the oversight of a single public works manager. He distributed a draft job description for review and explained the struggles of the department and maintaining staff. There was discussion of the staffing situation and options for moving forward. Selectman Chase and Selectman Doherty stated they want to be supportive of the department through this.

Chair Swenson made a motion to promote Don Vachon to the position of DPW Manager and Road Agent, non-exempt, at a rate of \$25.00 per hour. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Chair Swenson made a motion to promote Matt Ingham to the position of Highway Supervisor, non-exempt, at a rate of \$22.50 per hour. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Chair Swenson made a motion to reclassify Karen Kehoe as DPW Administrative Assistant at the rate of \$16.81 per hour. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Selectman Chase made a motion to authorize the Town Administrator to post and advertise for DPW Positions: 1 full time light equipment operator with a pay range of \$14.00 to \$17.00 per hour depending on qualifications; 1 position 30 hours per week for facilities and grounds maintenance at a rate of \$12.00 to \$15.00 per hour dependent on qualifications. Selectman Doherty seconded the motion. Discussion: Chair Swenson stated he is against this action at this time because he feels it is not timely with the process they are working towards. Selectman Chase noted the labor market and retaining employees is difficult. **Motion passed, 2-1-0.**

Chair Swenson made a motion that the promotions for Vachon and Ingham be effective July 1, 2017. Selectman Chase seconded the motion. Motion passed, 3-0-0.

Resolution of Involuntary Lot Merger

Town Administrator Kinmond presented documents from the Planning Board relative to this matter and it is the Planning Board's recommendation to deny the request.

Selectman Chase made a motion to deny the request for restoration of an involuntary lot merger for Map 112, Lot 041 as the request does not comply with NH RSA 674:39 and current Land Use regulation. Selectman Doherty seconded the motion. Motion passed, 3-0-0.

Public Input

Ms. Orlowicz informed the Board of Selectmen that the Zachariah Boodey Farmstead committee is looking at the possibility of filing for 501.C status and there will be further discussion at their next meeting.

Dot Viesel stated the annual New Durham Day is set for July 29 and July 30 with activities town-wide.

David Bickford gave comments relative to the class VI road issue and discontinued roads.

Approval of Minutes

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July 6, 2017

Meeting of June 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.**

Meeting of June 1, 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.**

The Board of Selectmen discussed meeting just once a month with work sessions as needed to confirm the Board's feeling that it was sufficient to accomplish all Town business in a timely fashion. There was consensus to continue this once per month schedule for the month of July and August.

Adjourn

Selectman Doherty made a motion to adjourn. Selectman Chase seconded the motion. Motion passed, 3-0-0.

The meeting was adjourned at 9:35 pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary