

**TOWN OF NEW DURHAM
BOARD OF SELECTMEN
November 23, 2020, 6:00 P.M.
Virtual Meeting, New Durham, NH 03855**

Final Approved 12-28-20

IN LIGHT OF THE COVID 19 (CORONA VIRUS) SOCIAL DISTANCING ADVICE MADE BY THE GOVERNOR AND CDC, THE TOWN OF NEW DURHAM NH FOLLOWING A DECLARATION OF EMERGENCY BY THE PLANNING BOARD CHAIRPERSON, IS PROVIDING A MEETING PARTICIPATION VIA TELEPHONE CONFERENCE FOR YOUR SAFETY.

This meeting is for members and the public to utilize the Zoom platform to prepare for future meetings and public hearings. All members of the Board of Selectmen and Town Administrator have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following. 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/82291092215?pwd=aFBia0owNSYNTdvN2lybmlXTmtlQT09>; Meeting ID: 822 9109 2215 Passcode: 464119; Or via telephone number: 1-646-558-8656 Meeting ID: 822 9109 2215 Passcode: 464119

Technical difficulties contact Town Administrator Scott Kinmond at skinmond@newdurhamnh.us or by phone at 603-556-1516.; Note: The 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

David Swenson, Chair, Board of Selectmen via Zoom
Cecile Chase – Vice Chair, Board of Selectmen Excused Absence
Dorothy Veisel – Selectman via Zoom

ALSO PRESENT

Scott Kinmond, Town Administrator – via Zoom
Scott Arrigoni, Resident – via Zoom
Ellen Arrigoni, Resident – via Zoom

CALL TO ORDER

Chair Swenson stated the meeting was opened at 6:00 p.m. and immediately went into nonpublic session pursuant to RSA 91:A:3 II a, b, c, e.

The Board reentered public session at 7:00 p.m.

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 in the event the public is unable to access the meeting, it would be adjourned and rescheduled. Chair Swenson stated 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 taken by roll call; roll call attendance was taken for those participating in the Zoom meeting.

Chair Swenson made a motion to seal the minutes of the non-public session of the meeting of November 23, 2020 as it may affect adversely the reputation of one other than the Board. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

PUBLIC INPUT

Request for Building Permit – Scott Arrigoni, resident, stated they recently purchased the property at Map 109, Lot 060, North Shore Road. He explained it was sold to them as a buildable lot, they obtained a driveway permit, and it's a subdivision which was approved years ago. He stated the property has a warranty deed for the lot in front of it to access the lot. Mr. Arrigoni stated it is their understanding through both the previous owner and Tom Varney that the lot is buildable but the statute isn't clear; he stated the lot is being taxed as a buildable lot and has been for years but they haven't been able to get a building permit through the Building Inspector as there are problems with understanding the statute. There was an approved septic design on file from 2000 but the Building Inspector is unsure it is a buildable lot.

Chair Swenson stated the Board has looked at what the Arrigoni's are trying to do; the case has been viewed by Town legal counsel and recommendations were made to help this process move through.

Town Administrator Kinmond stated he reviewed this with the Road Agent; the Town lot traverses across three lots which was done to straighten the road; Mr. Vachon does not see any problems at this point to do it.

Chair Swenson noted the Board of Selectmen is not able to waive any building permit requirements or grant variances and outlined the Town Counsel recommendations for the Arrigoni's to move forward: obtain variance to RSA 64:41; obtain ZBA variance for Class V frontage, provide information to the Planning Board for comment, and provide notice of liability to the Town. Town Administrator Kinmond confirmed these were the recommendations from Town Counsel.

AGENDA REVIEW

Chair Swenson added under Town Administrator's Report: HR Policy review.

Chair Swenson added under New Business: Review of Wage Increase for Town Hall Employee; DPW Interviews.

TOWN ADMINISTRATOR'S REPORT

Town Administrator Kinmond distributed the Select Board Consent Signature Manifest for the period of 11/9/20 to 11/23/20.

Edmunds Software Implementation Update

The Board reviewed a memo from Town Administrator Kinmond regarding the software update. Chair Swenson stated given the current situation with the contract assessor, public hearings schedule, tax billing issues, etc. for the reevaluation and Edmunds being late in terms of the planned schedule, there are concerns relative to the transition on the IT piece. He stated there are some glitches they are working through and the Board has already addressed how they will handle the second tax billing of 2020. Chair Swenson stated at this point the BMSI licensing will be needed to carry through the first months of 2021.

Assessing Services Contract Update

The Board reviewed a memo from Town Administrator Kinmond regarding the assessing contract. Town Administrator Kinmond stated notices have gone out and hearings with the assessor are being scheduled for December 3, 4 and 5. The MS-1 will be completed after the hearings are complete. It was noted the new total assessed value for New Durham is \$626,000,000 which is about a \$210,000,000 increase since the last assessment. Town Administrator Kinmond stated the tax cards are in the process of being uploaded.

Merrymeeting Watershed Management Plan Implementation Phase #1: Intersection of South Shore Road & Merrymeeting Road BMP Grant – Grant Award

The Board reviewed the DES grant award. Town Administrator Kinmond stated the grant was in the amount of \$98,000 and the Town's portion will be about \$40,000 in matching funds.

Chair Swenson made a motion to accept the DES Grant #RI20-M-03 and authorize the Chair to sign the grant agreement with the DES Merrymeeting Watershed Management Plan Implementation Phase #1: Intersection of South Shore Road & Merrymeeting Road in the amount of \$94,448 with a 40% match by the Town of New Durham. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

Weston & Sampson Engineering Task Order Proposal – South Shore Road & Merrymeeting Road BMP Grant

The Board reviewed the proposed task order from Weston and Sampson for the project which is part of the previously accepted grant.

Chair Swenson made a motion to authorize the Task Order Proposal for the Phase #1 of NH DES Grant of Best Management Practices for storm water management at the intersection of South Shore Road and Merrymeeting Road by the Town Engineer Weston and Sampson Engineering in the amount of \$33,310 with said expenditure to come from the DES Watershed Management Grant account. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

Request for Town Offices Closure 12 noon, December 24, 2020

Town Administrator Kinmond requested that non-essential Town offices be closed at noon on December 24, 2020. This excludes public safety departments.

Chair Swenson made a motion to authorize the closure of Town departments and buildings as of 12:00 p.m. on December 24, 2020 excepting cases of weather or other emergencies where Town employees would be necessary to work. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

Human Resources Policy

Chair Swenson stated some updates are needed on a policy relative to employees who separate employment without giving appropriate notice. Chair Swenson suggested authorizing the Town Administrator to initiate change to the Employee benefits policy effective 11/01/20 which states that employees who fail to comply with the requirement of two-week notices prior to leaving employment shall have their benefits (health, dental, vision, long term disability and life insurance) terminated upon separation. The Board by voice consensus concurred.

NEW BUSINESS

Chair Swenson stated there is a position within the Department of Public Works which has received applications and interviews are ready to move forward. Selectman Veisel agreed to be the Board of Selectmen representative to the DPW interview panel.

Chair Swenson stated an update and additionally there are some things that are needed within Town Hall; the Deputy Town Clerk has been hired and training is in process. Town Administrator Kinmond presented suggestions for filling the work needs and the options were discussed by the Board. By consensus of the Board it was agreed to increase the hours for Celeste Chasse from 28 hours to 35 hours per week with the increase in hours allowing work assignments including her current duties along with assignment in working with Code Enforcement. The increase in hours and work assignments are effective November 24, 2020.

Chair Swenson made a motion to increase the hours for Celeste Chasse from 28 hours to 35 hours per week effective November 24, 2020 with the increase in hours being assigned to Code Enforcement, Parks and Recreation and other tasks as assigned. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

Chair Swenson made a motion that the increase in hours for Celeste Chasse will be at her current rate of pay. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

OLD BUSINESS

Appointments

Selectman Veisel made a motion to appoint Carolyn “Casey” Buell as a member of the New Durham Water Quality Committee with a term to expire March 31, 2022. Chair Swenson seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

Selectman Veisel made a motion to appoint Heather Freeman as a member of the 1772 Meetinghouse Committee with a term to expire March 31, 2023. Chair Swenson seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

2021 Budget Birch Hill Road Reconstruction – Warrant Article

Chair Swenson stated the Board previously discussed this but formal action was not taken to indicate this item would be a separate warrant article. He noted the warrant article would be for the amount of \$385,000.

Chair Swenson made a motion to include a separate warrant article in the 2021 Town Warrant for the reconstruction / maintenance of Birch Hill Road from Main Street to Ham Road with a projected cost of \$385,000. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

Deputy Emergency Management Director

Chair Swenson made a motion to nominate Ty Tyler as Deputy Emergency Management Director reporting to the Emergency Management Director with any costs to come from the New Durham Fire Department operational account. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

APPROVAL OF MINUTES

Meeting of November 9, 2020 – Edits were made. **Selectman Veisel made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.**

Meeting of November 5, 2020 – Edits were made. **Selectman Veisel made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.**

Meeting of November 16, 2020 – Edits were made. **Selectman Veisel made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.**

OTHER

Chair Swenson stated they are about \$200,000 short of budgeted revenue; this excludes property tax shortfalls. The Board reviewed the summary of the larger areas of revenue variance from budget which include motor vehicle, grants and municipal aid. The Board agreed to discuss this further at the next meeting.

ADJOURN

Chair Swenson made a motion to adjourn. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel – aye; Chair Swenson – aye. Motion passed 2-0-0.

The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Jennifer L. Riel
Jennifer Riel, Recording Secretary