

**TOWN OF NEW DURHAM
BOARD OF SELECTMEN
March 8, 2021, 6:00PM
*Virtual Meeting, New Durham, NH 03855***

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.

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:

Join Zoom Meeting:

<https://us02web.zoom.us/j/85352945997?pwd=cUNUVHlHVHgwOXpQS2ZCQUFPVE55QT09>

Meeting ID: 853 5294 5997 Passcode: 484596; Or via telephone number: 1-646-558-8656

Meeting ID: 853 5294 5997 Passcode: 484596;

Technical difficulties contact Town Administrator Scott Kinmond at skinmond@newdurhamnh.us or by 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

David Swenson, Chairman, Board of Selectman –via Zoom

Cecile Chase – Board of Selectman via Zoom

Dorothy Veisel – Board of Selectman via Zoom

ALSO PRESENT

Scott Kinmond, Town Administrator–via Zoom

Rudy Rosiello, resident – via Zoom

David Bickford, resident – via Zoom

CALL TO ORDER

Chair Swenson called the meeting to order at 6:02PM.

Chair Swenson stated that due to the State of Emergency declared by Governor Sununu and pursuant to Executive Order #12, 2020-04, 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 vote; roll call attendance was taken for those participating in the Zoom meeting.

Appointments/Announcements

Chair Swenson noted the Town elections taking place on Tuesday, March 9, 2021; polls will be open from 8:00AM to 7:00PM at the New Durham Transfer Station/Department of Public Works, 56 Tash Road.

Chair Swenson stated the Board of Selectmen has made a conditional offer of employment for a part time, interim Town Administrator; he stated the candidate, John Scruton, has agreed to come to the Town on a part time basis and will begin on or about March 22, 2021.

AGENDA REVIEW

No changes were made to the Agenda.

PUBLIC COMMENT

Rudy Rosiello, resident, asked about the background of the interim Town Administrator. Chair Swenson outlined Mr. Scruton's professional experience, noting he was most recently the Town Administrator for the Town of Barrington; he retired from that position and has extensive administrative experience in a variety of towns and boards. Mr. Scruton has also been a member of the board at the New Hampshire Municipal Association. Town Administrator Kinmond stated Mr. Scruton has been well respected within the New Hampshire Managers Association, having been in the field well over 20 years.

Town Administrator's Report

Town Administrator Kinmond distributed the Consent Signature Manifest for review by the Board.

Department of Public Works- Seasonal Weight Limit Posting

Town Administrator Kinmond stated the Seasonal Weight Limit Posting for Town roads was made effective 3/8/21. Signs will be posted in multiple public places, including in *The Baysider*. He stated if there is a need for vehicles over the weight limit to travel on the roads, weather dependent permission may be obtained from the Road Agent.

Department of Public Works- Compact Tracked Excavator Bid Package

Town Administrator Kinmond presented the bid package for review by the Board, along with explanation and justification for the purchase. Chair Swenson outlined the cost analysis, noting the payback is about 3.5 years. The Board agreed that timeframe is acceptable.

Selectman Chase made a motion to solicit bids for a compact tracked excavator with bids due no later than March 22, 2021. All bidders must include an exception sheet that clearly

lists any items that do not meet the minimum specifications. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Department of Public Works- Weston & Sampson Engineering Proposal for Storm Water Management Meaders Point Rd.

Town Administrator Kinmond gave an update on continuing work for storm water management projects in Town. He noted they previously decided to go forward with some concept work and permitting for the project at 309 South Shore Road. There is also an ongoing construction project at Meaders Point; permits have been obtained for the shoreline work and septic as well as a permit for the roadway cut to move the sewer and water lines across the Town road. Town Administrator Kinmond explained the road and how water runs off onto the properties; he stated they are trying to work with the property owner and Mr. Berry of Berry Surveying and Engineering, Inc., to come up with some mitigation steps for storm water management in that location. Town Administrator Kinmond stated he has also met with the Town Engineer and Road Agent; surveys of the boundary lines were suggested along with possible repaving of the road and changes to the grades. It was clarified this is not part of the Merrymeeting Watershed Cyanobacteria grant.

Chair Swenson made a motion to authorize purchase order #2709 in the amount of \$4,000 to Weston & Sampson Engineering for engineering services for storm water management on Meaders Point Road. Said expense to come from the Road Reconstruction CRF, account 01-5000-10-083. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Town Library Parcel & Welden Lot Boundary Adjustment update

Town Administrator Kinmond stated all the survey and wetland delineation work has been done; a copy of the map was presented for review by the Board along with the agreed-upon boundary line. Norway Plains will be providing the application and necessary abutters list for the Planning Board in April. Town Administrator Kinmond recommended the property owner will pick up the costs related to the applications process as the Town has already covered the costs to this point. He noted the agreement does not really define who will incur the final expenses in this project. The Board agreed by consensus that Chair Swenson will discuss this with the property owner.

Powder Mill Snowmobile Club- 2021 Trail Maintenance Plans (Class VI Roads)

Town Administrator Kinmond presented the maintenance plans for 2021 along with a summary of work provided by Mike Gelinis. Chair Swenson asked for details relative to Bennett Road, noting there is a public hearing on March 22 regarding Bennett Road.

NEW BUSINESS

Legal Counsel Regarding Public Hearing for Petition for Class V Road Layout of Bennett Rd. on March 22, 2021

The Board reviewed the comments from Town Counsel regarding a request to change a road from Class VI to Class V. The conversion costs will be at the expense of the applicant but will need approval from the Board of Selectmen. Chair Swenson stated the Site Walk by the Board is

scheduled for 3:00PM on March 22, 2021, followed by the public hearing at 7:00PM. Chair Swenson requested input from Police Chief, Fire Chief, DPW, Road Agent, etc., in writing before the public hearing. Selectman Veisel asked if the Town will be responsible for plowing and all future maintenance. Chair Swenson replied it would be and that would be considered in the cost analysis. Town Administrator Kinmond explained the costs and maintenance of a gravel road, noting the Road Agent will be able to provide further analysis for review. The Board agreed to meet prior to the public hearing on March 17 to review the technical analyses provided by the department heads.

OLD BUSINESS

Education Coalition Communities 2.0 MOU- Multi-year Fiscal Impact

Chair Swenson provided a summary of the memorandum of understanding he put together, noting if they join, they are committed to \$1,000 contribution. He explained the coalition could continue an additional two year period, although there would be additional costs to remain in the coalition. Selectman Veisel stated she attended the meeting but she wasn't able to participate or vote as the MOU had not been signed and submitted. She stated it was basically an organizational meeting and by the end of the week they will be choosing the company they will contract with for lobbying. The projected budget over the next couple years is \$90,000 although \$40,000 is saved already. At the time of the meeting there were 29 towns registered, with towns from all over the state. The Board concurred that it's an important issue for the Town but they aren't comfortable committing to a contract without all the information. Chair Swenson noted they won't know until further along in the process whether New Durham would be a donor or recipient town. The Board discussed the pros and cons of joining the coalition as well as the potential tax impacts. The Board concurred with holding off on finalizing the signatures after more information has been obtained; it was also agreed input from school board members would be beneficial.

Town Elections- Select Board Schedule

The Board discussed when members of the Board would be present at the drive-through voting at the Transfer Station. Town Administrator Kinmond noted the Town Clerk has everything setup and plans for where candidates can be present.

Town Administrator Recruitment Update

Town Administrator Kinmond stated 21 resumes have been received; several do not meet the qualifications. He stated all applications are available for review; he will work to schedule a meeting of the interview panel on March 16 or 18.

APPROVAL OF MINUTES

Meeting of February 22, 2021 – Edits were made. **Selectman Chase made a motion to approve the minutes as amended. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.**

Meeting of February 25, 2021 – Edits were made. **Selectman Veisel made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Roll Call Vote: Selectman Chase – abstain; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 2-0-1.**

Chair Swenson made a motion to enter 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, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; (b) The hiring of any person as a public employee; (c) Matters 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; Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

The Board entered nonpublic session at 7:33PM.

The Board reentered public session at 9:04PM.

Chair Swenson made a motion to seal the nonpublic minutes of March 8, 2021 for reasons that it may adversely affect the reputation of one other than the Board. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to authorize the Town Administrator to issue a letter of conditional offer of employment to candidate #2 for the position of heavy equipment operator at a rate of \$19.00 per hour, said hire upon completion of a background check, pre-employment physical, DOT physical and drug testing with tentative start date of March 22, 2021. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to authorize the Town Administrator to issue a letter of conditional offer of employment to candidate # for the position of light equipment operator at a rate of \$17.00 per hour, said hire upon completion of a background check, pre-employment physical, DOT physical and drug testing with tentative start date of March 22, 2021 with wage adjustment review upon the candidate's receipt of a CDL license. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of Amy Smith, to \$19.26 per hour, effective April 1, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of Officer McNaulty, to \$26.00 per hour, effective April 1, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of Officer Crockwell, to \$25.50 per hour, effective April 1, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of Officer Valladares, to \$23.14 per hour, effective April 1, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of Sergeant Meattay, to \$29.93 per hour, effective April 1, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of Police Chief Bernier, to \$39.04 per hour, effective April 1, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

Chair Swenson made a motion to adjust the hourly wage rate of DPW Heavy Equipment Operator Genest, to \$20.00 per hour, effective March 8, 2021. Selectman Chase seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed, 3-0-0.

ADJOURN

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

The meeting was adjourned at 9:11PM.

Respectfully Submitted,

Jennifer L. Riel

Jennifer Riel, Recording Secretary