

**TOWN OF NEW DURHAM  
BOARD OF SELECTMEN  
February 8, 2021, 6:00 p.m.  
*Virtual Meeting, New Durham, NH 03855***

**Final Approved 2-22-21**

*In accordance with HB1129, pursuant to RSA 91-A: 2; Attendees log into Join Zoom Meeting;  
<https://us02web.zoom.us/j/89183371932?pwd=cFNrVElMamI5RGthZE1xQ0ExNlZlZz09>; Meeting ID: 891 8337  
1932 Passcode: 884397; Or via telephone number: 1-646-558-8656 Meeting ID: 891 8337 1932 Passcode:  
884397*

*Technical difficulties contact Town Administrator Scott Kinmond at [skinmond@newdurhamnh.us](mailto: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, Chair, 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  
Josh Lanzetta, Esq. via Zoom (Attorney for Applicant on Road Agenda Item)

**CALL TO ORDER**

Chair Swenson called the meeting to order at 6:01 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 vote; roll call attendance was taken for those participating in the Zoom meeting.

**Appointments/Announcements**

None.

**AGENDA REVIEW**

No changes were made to the Agenda.

**PUBLIC COMMENT**

None.

**Town Administrator's Report**

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

**Acknowledgement: FEMA DR4516 – 2020 COVID19 Pandemic Public Assistance Grant**

Town Administrator explained the breakdown of the grant funds received: \$5,278.52 Federal Share: \$3,958.89 Local Match: \$1,319.63. The Board reviewed the grant award documents.

Town Administrator Kinmond stated this grant covered all the personal protection equipment which was purchased for use in Town.

**Chair Swenson made a motion to accept the FEMA DR4516-2020 COVID19 Pandemic Public Assistance Grant in the amount of \$5,278.52; Federal Share: \$3,958.89 Local Match: \$1,319.63. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**Assessing: CAI Tax Map Maintenance Contract**

Town Administrator Kinmond stated they have multiple contracts with CAI Technologies and this purchase order is for annual tax map maintenance for the period of 4/1/21 to 3/31/22.

**Chair Swenson made a motion to approve purchase order #2708 in amount of \$2,050.00 to CAI Technologies of Littleton, NH for the annual tax map maintenance for the period of 04/01/21 to 03/31/22. Said expense to come from Account 01-4152-10-390. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed 3-0-0.**

**2020 Tax Payment Results**

Town Administrator Kinmond presented a report of total taxes paid for 2020 for review by the Board. He stated the total collected was 87.3% with 13.7% uncollected. Chair Swenson noted these numbers are approximately the projected amounts they calculated last year when the Board reviewed expected revenue shortfalls and adjusted the operating expenditures accordingly.

**Atlantic Broadband Cable Franchise Agreement – Renewal Intent**

Town Administrator Kinmond explained the consortium arranged by multiple municipalities and they are trying to reactivate this consortium to hopefully get all towns better pricing. He stated they are asking towns whether they would have interest in pursuing participation in this option. The Board discussed reviewing the franchise agreements for the various vendors. Town Administrator Kinmond stated there is a cost for the consortium to the legal firm to negotiate the franchise agreement which is shared among the towns involved. The Board concurred with obtaining more information.

**Chair Swenson made a motion for the Town of New Durham to express interest in participating in the Lakes Region Cable TV Consortium to assist in the negotiation of the Atlantic Broadband cable franchise agreement with final participation pending review of**

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

### **Set Public Hearing for Petition for Class V Road Layout of Bennett Road**

Town Administrator Kinmond stated a petition was received from Mr. Rhoades regarding a proposed layout of a Class V road on a current Class VI road; he outlined the public hearing process, noting 30 day notice is needed. He stated a site walk is also needed along with a presentation to the Board and public. Attorney for the applicant Josh Lanzetta, Esquire, confirmed the title search has been completed. He stated he agrees with having a site walk after the notice period. He also noted that the site work doesn't have to be the same day as the hearing. Town Administrator Kinmond stated he would request the Fire and Police Department be available to assist in the site walk noting there is an UTV for use as needed.

By consensus of the Board it was agreed that the Bennett Road Class V requested public hearing be scheduled for March 22, 2021, 7:00 p.m. with a site walk scheduled for the same day at 3:00 p.m.

### **NEW BUSINESS**

#### **Abatements for Overpayments on First Issue 2020 Tax Bill**

The Board reviewed the tax overpayments.

**Selectman Chase made a motion to authorize the abatement for overpayment per the manifest of names, property identifications, and amounts for a total of \$4,007.53 and authorize the Tax Collector to notify the property owners that the amount will be applied as a credit to the next tax billing cycle in 2021. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Chase – aye; Selectman Veisel – aye; Chair Swenson – aye. Motion passed 3-0-0.**

#### **Tax Deeded Property Repurchase by Owner – Map 265, Lot 038**

Town Administrator Kinmond asked for this item to be tabled as it is still in process and they are working with the individual to resolve the issue. He stated the amount owed at this time is about \$18,000; it is currently owner occupied and not subject to the 10% penalty.

#### **DPW Light Equipment Operator Interviews**

Town Administrator Kinmond noted they need a Select Board Representative to sit on the interview board; there are two applicants. Selectman Chase agreed to attend the interview.

Selectman Chase noted an employee in DPW will be going out on leave soon and asked if anyone has been lined up to fill the vacancy; Town Administrator Kinmond replied no one has stepped up although they have not advertised the position at this time.

#### **Voter Guide**

The Board reviewed the draft *Voter Guide*. By consensus of the Board the *Voter Guide* was approved to be posted on the Town website and at Town Hall without further edits.

#### **Road Side Mower**

Town Administrator Kinmond stated the Road Agent took a look at the equipment; it is in good condition and they are waiting for the seller to send the purchase and sales agreement.

### **School Funding Consortium – Community 2.0**

The Board reviewed the report and discussed the various aspects considered and how those Assessments were ranked among towns. The Board agreed to have Town Administrator obtain further information in regards to the Town potential impact as becoming a donor Town.

### **OLD BUSINESS**

#### **Select Board Meeting Schedule**

February 10, 2021, 3:00 p.m.

February 22, 2021, 6:00 p.m.

March 8, 2021, 6:00 p.m.

**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; (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by 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. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph. 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 7:16 p.m.

The Board reentered public session at 8:33 p.m.

**Chair Swenson made a motion to seal the minutes of the nonpublic session of the meeting of February 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.**

### **Other - Petition for Class V Road Layout of Bennett Road**

Selectman Veisel stated she would like to disclose that she has known Attorney Josh Lanzetta when he was a student at New Durham School but she does not see that as a potential conflict of interest. The Board concurred.

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Chair Swenson stated the Board would like to recognize the work done over the past year, specifically the Code Enforcement Officer and how he has conducted his job with professionalism and provided the Town with the expertise needed to perform well the tasks of the the Code Enforcement and Building Inspector functions. The Board concurred.

**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 8:38 p.m.

Respectfully Submitted,

*Jennifer L. Riel*

Jennifer Riel, Recording Secretary