

**TOWN OF NEW DURHAM**  
**May 30, 2023, 3:00 P.M.**  
**New Durham Community Room, New Durham, NH 03855**

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**PRESENT**

David Swenson, Select Board Chair  
Dorothy Veisel, Select Board Vice Chair  
Marc DeCoff, Select Board Member

**ALSO PRESENT**

Nicole Zoltko, Town Administrator  
Anna Cole, Town Counsel, Drummond Woodsum  
Shawn Bernier, Police Chief  
Rudy Rosiello, Resident

**CALL TO ORDER**

Chair Swenson called the meeting to order at 3:00 p.m.

**Roll Call & Pledge Allegiance**

Roll call was taken for Board members. The Pledge of Allegiance was said.

**Public Input**

None.

***Agenda Review***

No changes were made to the agenda.

***NEW BUSINESS***

***Award of bids on Police Cruiser and Road Agent Truck***

Town Administrator Zoltko presented bids for the police cruiser for review by the Board; she stated the highest bid was received in the amount of \$1,250 for the 2014 Ford Interceptor. Chief Bernier stated it is his opinion that the bid is a bit low and should be in the \$2,000 to \$3,000 range. Town Administrator Zoltko explained that the auction was posted for 14 days which is the typical bid length. Selectman Veisel asked the cost to relist it. Town Administrator Zoltko stated there is not a cost but she will have to check to see if the same vehicle can be reposted; she stated typically it is awarded to the highest bidder. She also explained a lot of work is needed on the vehicle.

39 **MOTION: To accept the bid in the amount of \$1,250 for the 2014 Ford Interceptor cruiser; the**  
40 **pick-up location is 56 Tash Road, New Durham, NH. Motion by Selectman DeCoff. Seconded by**  
41 **Vice Chair Veisel. Motion passed 3-0-0.**

42 Town Administrator Zoltko presented the bids for the Road Agent's truck, a 2014 Ford F-250; she  
43 stated a lot of work is needed on this vehicle including rust issues and would be sold as-is. The highest  
44 bid was received from Fairview, New Jersey in the amount of \$4,550.

45 **MOTION: To accept the bid in the amount of \$4,550 for the 2014 Ford F250, as is; the pick-up**  
46 **location is 56 Tash Road, New Durham, NH. Motion by Selectman DeCoff. Seconded by Vice**  
47 **Chair Veisel. Motion passed 3-0-0.**

48 Town Administrator Zoltko explained payment will be required within seven days of the bid being  
49 awarded; the details of the pickup will be determined with the buyers.

50 ***Other Business***

51 Chair Swenson stated some information came to the attention of the Board at the May 30, 2023  
52 meeting; he stated at the recommendation of the Town Counsel, the Board would appoint a member of  
53 the Board with authority to contact Town Staff between Board of Selectmen meetings to make  
54 reasonable requests for information necessary for the Board.

55 **MOTION: To authorize Chair Swenson to contact Town Employees between Board meetings for**  
56 **the purpose of making reasonable requests for information necessary for the operations of the**  
57 **Board. Motion by Chair Swenson. Seconded by Selectman DeCoff. Motion passed 3-0-0.**

58 Chair Swenson stated at the May 23, 2023 meeting information was submitted by the Town  
59 Administrator regarding a harassment complaint and an independent investigation was requested. He  
60 stated the Board needs to appoint a liaison to investigate the Town Administrator's complaint.

61 Chair Swenson stated because of the nature of the complaint, he would recuse himself and turned this  
62 portion of the meeting over to Vice Chair Veisel.

63 **MOTION: To authorize an independent investigation into the complaints related to the Board of**  
64 **May 23, 2023 and to appoint Vice Chair Veisel as liaison to the Board to select and hire the**  
65 **investigator and consultation with Town Counsel; thereafter, to provide the Board with updates**  
66 **on the investigation. Motion by Vice Chair Veisel. Seconded by Selectman DeCoff. Motion**  
67 **passed, 2-0-0.**

68 **MOTION: During the interim of the investigation, that to the extent the Board Chair needs to**  
69 **communicate with the Town Administrator with regard to the business of the Board between**  
70 **meetings, he shall do so by contacting the Town Administrator's Administrative Assistant in**  
71 **writing, by email or other written means. Motion by Vice Chair Veisel. Seconded by Selectman**  
72 **DeCoff. Motion passed 2-0-0.**

73 Chair Swenson rejoined the Board.

**MOTION: To enter nonpublic session pursuant to RS 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;* (d) *Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community;* (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;* (l) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.* Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed, 3-0-0.**

The Board entered non-public session at 3:15 p.m.

The Board reentered public session at 4:02 p.m.

**MOTION: To seal the minutes of the non-public session of May 30, 2023 for reasons it may adversely affect the reputation of one other than the Board. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.**

Chair Swenson stated while in non-public, the Board voted to approve a 35-hour work week for the Town Administrator with the 5 hours to 40 hour work week be taken from the employee's PTO and asked Town Administrator Zoltko to explain how that schedule would work.

Town Administrator Zoltko outlined the Town Administrator Job Description along with the job description for the administrative assistant and explained the assistant has picked up new tasks quicker than anticipated and has helped the last couple of months doing tasks related to meeting preparation. She stated if she is unable to attend a meeting she will ensure a staff member is present in her place. Town Administrator Zoltko stated she is recommending the Finance Manager be utilized for weekend contacts as needed; she stated she will be delegating tasks, with consideration to employees' schedules, and presented a sample of assignments for review by the Board. She stated she is still working on a CIP representative but it may switch between herself and the Finance Manager.

Chair Swenson asked what she has for a schedule of trainings. Town Administrator Zoltko stated there are two upcoming meetings: one for the cable consortium and the other for managers throughout the State. She explained each will be about eight-hour days and stated both have been very beneficial for her in the past.

117 After discussion, it was the consensus of the Board that Town Administrator Zoltko not attend the  
118 managers' conference.

119 **Meeting Schedule**

120 The Board reviewed the future Board meeting schedule. Chair Swenson suggested that any requests to  
121 extend beyond the two-month schedule would come before the Board. It was agreed by consensus that  
122 Town Administrator Zoltko will check in on that with the Board at the July meeting.

123 Town Administrator Zoltko stated she has had many employees come forward and asked about when  
124 they would be getting a raise. She explained that in her contract there is a stipulation that if a raise is  
125 not given by a specific time, there is an automatic raise but other employees don't have that clause.  
126 She suggested the Board consider giving raises, noting a schedule about raises was given to the Board  
127 in September but none have been implemented recently. Chair Swenson stated in his history on the  
128 Board, they have tried to look at raises and merit increases in the May to June period and anticipates  
129 this Board may do the same, with the item on the agenda for the June 13, 2023 meeting.

130 **Other**

131 Chair Swenson, on behalf of the Board, thanked Cathy Orlowicz, Sue Randall, and Mark McFadden  
132 for their volunteer work in placing the flags for Memorial Day.

133 **MOTION: To adjourn the meeting. Motion by Selectman DeCoff. Seconded by Vice Chair**  
134 **Veisel. Motion passed 3-0-0.**

135 The meeting was adjourned at 4:23 p.m.

136

137 Respectfully Submitted,

138 *Jennifer Riel*

139 Jennifer Riel, Recording Secretary

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