

TOWN OF NEW DURHAM
June 13, 2023, 4:00 PM
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
Jen Guarino, Tax Collector
Ellen Phillips, Chair, 1772 Meetinghouse Committee
Kathleen Blaney, Finance Manager
Will Cardinal, DPW Road Agent
Reginald Meattey, Police Department
Tammy St. Gelais, New Hampshire Bond Bank

CALL TO ORDER

Chair Swenson called the meeting to order at 4:00 p.m.

Roll Call & Pledge of Allegiance

NEW BUSINESS

Property Abatement – Janelle Guarino, Tax Collector

The Board reviewed the abatement requests presented. It was noted a tax bill was sent to the wrong mailing address so interest and penalties were assessed. The other items had errors in the assessments due to lot mergers.

MOTION: To approve the abatement as presented for Map 111, Lot 034 in the amount of \$17.85 which is a penalty of \$16.50 and interest of \$1.35. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

MOTION: To approve the abatement as presented for Map 209, Lot 095 in the amount of \$29.65. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

MOTION: To approve the abatement as presented for Map 209, Lot 069 in the amount of \$36.54. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Public Input

None.

TOWN ADMINISTRATOR'S REPORT

A. Nomination for Reappointment – Mark D'Entremont Parks and Recreation Commission

Town Administrator Zoltko presented a request for reappointment for review by the Board. She confirmed the Parks and Recreation Commission is in favor of this reappointment.

MOTION: To nominate Mark D'Entremont for reappointment to the Parks and Recreation Commission. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 3-0-0.

B. Nomination for Appointment – Michael Hudon New Durham Water Quality Commission

Town Administrator Zoltko confirmed the Water Quality Commission supports the nomination for Mr. Hudon to the committee.

MOTION: To nominate Michael Hudon for appointment to the New Durham Water Quality Commission. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Town Administrator Zoltko stated the Boodey Farmstead is planning an event for July and would like to explain the plans at the next meeting.

Chair Swenson stated at the last meeting there was a discussion about the Town Managers' Meeting at the end of June and whether the Town Administrator would attend.

MOTION: To have the Town Administrator attend the Town Managers' Meeting at the end of June. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

AGENDA REVIEW

Selectman DeCoff added a discussion for Kings Highway Snow Plowing.

Selectman Veisel added ratification of the Town Administrator's Agreement.

Highway Department Openings – Will Cardinal, DPW Road Agent

The Board discussed the wage ranges for light equipment operators and equipment mechanic. A summary of the rates for surrounding towns was reviewed and noted many towns are having problems with retaining employees. Chair Swenson suggested reaching out to the technical colleges to see if they can find interested graduates. Selectman DeCoff asked if the snow plowing for Kings Highway is contracted out, will two employees still be needed. Mr. Cardinal stated no. It was agreed to move forward with posting the positions.

MOTION: To post the Light Equipment Operator position with the pay range to be determined at the June 14, 2023 meeting and recommend a more succinct posting be developed. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 3-0-0.

R&D Paving / Messenger Purchase Order

The Board reviewed purchase orders presented.

MOTION: To approve purchase order #2937, and invoice for J.D. Messenger of Strafford, NH in the amount of \$27,900 with a request to expedite payment. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 3-0-0.

Chair Swenson stated the following purchase order is for the Ham Road project.

MOTION: To approve purchase order #2940 in the amount of \$338,595.94 and invoice #1248 for the same amount to R & D Paving with the funds to come from account 01-4910-10-081. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

C. Quotes for Quonset Hut & Tar Pad at Solid Waste Facility – Will Cardinal, DPW Road Agent

The Board reviewed the estimate for a 32 by 40 foot Quonset hut as well as a replacement cover for the existing hut. It was noted there is a 15-year warranty for the hut. Preparation work is needed including brush clearing but that can be handled by town DPW employees. The Board also reviewed information for purchasing for storage trailers which could be less costly than the hut; additional information will be provided at a future meeting.

The Board discussed having an outside contractor for the snow plowing of Kings Highway. Chair Swenson asked that Mr. Cardinal do research and come back to the Board with recommendations.

1772 Meetinghouse Donation Expendable Trust Fund Deposits / Reimbursement Request – Ellen Phillips, Meetinghouse Chair

The Board reviewed the summary of donations received by the 1772 Meetinghouse. Town Administrator Zoltko stated confirmation from the Department of Revenue and Town Counsel will be needed but there may be a requirement to have a non-monetary special meeting with 14-day public notification to set up the Expendable Trust Fund. She stated they can move forward now but an adjustment may be needed at a future meeting. Ms. Phillips asked if the special checking account still exists or if the funds went into the ETF. Ms. Blaney confirmed there is still a checking account but that will change as soon as the Trustees of the Trust Fund establish the approved new ETF's.

MOTION: To accept the charitable donations in the amount of \$433.19 received by the 1772 Meetinghouse per the information provided at the June 13, 2023 Board of Selectmen meeting to be deposited in the Meetinghouse Restoration Charitable Donation ETF. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Ms. Phillips presented the list of inscriptions for the memory stones for review by the Board. She stated a right-to-know request was received for this information and questioned whether the personal information can be released. Chair Swenson advised this be discussed in non-public. The Board reviewed the proposed stone inscriptions.

Ms. Phillips gave an update on the grant application the committee is putting together. She stated instructions indicate a plan from the Board of Selectmen outlining the long-term usage of the building after restoration would be beneficial; as well as plans for maintenance and staffing. The Board agreed the committee would put together this information to bring it to the Board for approval.

Police Department – Taser / Tablet: Potential ARPA Funding Source

Reginald Meattey, Police Department, presented quotes from the Axon taser representative for review by the Board. Chair Swenson asked Lieutenant Meattey to see if the tax can be removed, and if there is a full payment discount.

Lieutenant Meattey presented a request from the department to use ARPA funds to place two of the cruiser tablets due to age; he stated an opportunity also came up to use ARPA funds to replace a cruiser that is due to be replaced next year. A memo from Sargent Swift was presented for review. Lieutenant Meattey explained \$7,000 of the \$11,000 budget for repairs has already been expended this year, with 80% going to the cruiser due for replacement. He outlined the costs for purchasing and outfitting the new cruise; it was confirmed ARPA funds could be utilized. The Board discussed the allowed use of ARPA funds.

MOTION: To approve the purchase of the MHQ for the 2024 Ford Explorer Police Cruiser, outfitted with all police equipment for a total cost of \$55,053.15 with up to \$1,800 for additional lettering, etc., to make it a workable police cruiser, for a total of \$56,853.15 with the full amount of funds to come from ARPA. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Discussion and Scheduling of Site Walk – Mike Gelinas

Town Administrator Zoltko stated Mr. Gelinas was unable to attend this meeting and requested a date be set for the site walk. After discussion, the site walk was set for June 27, 3:00 p.m. Town Administrator Zoltko stated she will confirm the specific site location with Mr. Gelinas.

New Hampshire Bond Bank Presentation

Tammy St. Gelais, representative from New Hampshire Bond Bank, presented information regarding the services provided by the Bond Bank; she stated it is an independent state agency that helps municipalities obtain financing. She explained the process and deadlines for obtaining bonds and recommended they work with a bond attorney through the process. Town Counsel Stephen Whitley is a qualified Bond Attorney. Ms. St. Gelais stated three years of audits will be requested and maintained through the term of the bond. Chair Swenson asked if they decide to put a project on the warrant, when do they need to apply. Ms. St. Gelais recommended being in touch with the Bond Bank in early fall to get the project on the warrant for spring 2024. She presented payback and level debt examples for review.

Avitar Associates ETF Request

Ms. Blaney stated the Avitar tax system was implemented with Tax Collector and Town Clerk last year; the request is to take funds from Office Maintenance Systems ETF. She confirmed all systems have been installed and are working well. The Board reviewed the purchase order. Town Administrator Zoltko confirmed the purchase was approved last year but the PO had not come until now; she stated a portion of the invoice was already paid.

MOTION: To approve purchase order #2820 for DMV Invoice Cloud in the amount \$31,800 to Avitar Associates of New England, invoice dated May 15, 2023 with the funding to come from the Office Maintenance Systems ETF and request transfer of the Trust Funds in the amount of

\$31,800 to the Trustees of the Trust Funds. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 3-0-0.

TitlePro Right to Know Request

Town Administrator Zoltko stated an unusual Right to Know Request was received regarding minutes that may have been sealed at a prior meeting. She stated they do not have minutes that address what the person is looking for. A response was sent to the requester and they have requested to talk directly with Town Counsel to rectify the question. Town Administrator Zoltko stated it is not recommended as discussion with legal counsel is reserved for the Board and staff. She stated they tried to have a conversation with the individual as well as communications via email and telephone with no responses. She asked if the Board would like to move forward with legal at this point. It was the consensus of the Board that they would continue to review and determine what the next steps will be.

Town Administrator Agreement

Chair Swenson stated Ms. Zoltko was hired as Town Administrator in 2021 however the agreement was never finalized; the necessary signatures have now been completed.

MOTION: To ratify the Town Administrator Agreement dated April 12, 2021 as agreed by the Town Administrator and set forth in previous Board meetings. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To enter nonpublic session pursuant to RS 91:A-3II, (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; (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; (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 Selectman 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 6:03 PM.

The Board reentered public session.

MOTION: To seal the minutes of the non-public session of June 13, 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.

The meeting was adjourned.

232 Respectfully Submitted,
233 *Jennifer Riel*
234 Jennifer Riel, Recording Secretary