

TOWN OF NEW DURHAM

July 11, 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
Ken Fanjoy, Resident
Reginald Meattey, Police Department
Courtney Grugnale, Housing Navigator Strafford Regional Planning
Cathy Orlowicz, Boodey Farmstead / Town Historian
Ellen Phillips, 1772 Meetinghouse Committee
Peter Rhoades

CALL TO ORDER

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

Roll Call & Pledge Allegiance

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

PUBLIC INPUT

Ken Fanjoy, resident, stated there have been issues with the road in his area for many years. It was crowned about 7 years ago; he stated the road crown height is now causing problems with washouts and drainage in the area of 282 and 276 Kings Highway.

Town Administrator Zoltko stated the Fire Department received a letter of appreciation from the State Fire Marshal in regard to reporting efforts in 2022. She stated the data is available on the Town website.

TOWN ADMINISTRATOR'S REPORT

A. Recap of MMANH Conference

Town Administrator Zoltko outlined the key topics addressed during the conference including employee hiring and retention as well as management of First Amendment audits.

B. Reappointment – Mark D'Entremont, Parks and Recreation Commission

The Board reviewed the reappointment paperwork. Town Administrator Zoltko stated a verbal concern was made regarding Mr. D'Entremont but it was not put into writing; she stated overall there have been positive input regarding the appointment including support from the Parks and Recreation Director. Chair Swenson indicated that whenever comments are received about a nomination / appointment the Board needs to receive those comments.

MOTION: To appoint Mark D'Entremont to the Parks and Recreation Commission with a term to expire March 31, 2026. Motion by Chair Swenson. Second by Mr. DeCoff. Motion passed 3-0-0.

C. Appointment – Michael Hudon, New Durham Water Quality Commission

Town Administrator Zoltko confirmed the members of the commission are supportive of this appointment.

MOTION: To appoint Michael Hudon to the New Durham Water Quality Commission with a term to expire March 31, 2026. Motion by Chair Swenson. Second by Mr. DeCoff. Motion passed 3-0-0.

Report From Chair

A. Agenda Review

Chair Swenson added the following items to the Agenda:

- Library Land Swap Update.
- Boodey Farmstead septic update.
- Public Safety Committee.
- Accounts Payable Process.
- CRF/ETF Balance Update.
- Solid Waste Facility Wage Adjustment.

B. Announcements

Chair Swenson expressed condolences on behalf of the Select Board to the Library Director on the recent passing of her mother; as well as Amy Arsenault, Police Department Admin Ass't on the recent passing of her father-in-law.

Chair Swenson stated, full disclosure, that he and his wife have volunteered at the New Durham Food Pantry for more than a decade but wanted to express on behalf of the Select Board their appreciation to the New Durham Food Pantry for the renovations recently completed. Chair Swenson thanked those involved on behalf of the Board.

Chair Swenson asked that a presentation from Southeast Land Trust be put on the agenda for the regularly scheduled July 25, 2023 Board meeting.

Cathy Orlowicz, Boodey Farmstead Committee Chair, stated the Hometown Revels event is being held Saturday, July 15, at 29 Stockbridge Corner Road, 10:00 a.m. to 3:00 p.m.

87

88 **NEW BUSINESS**

89 ***Police Tasers – Lt. Meattey and Sgt. Swift***

90 Lieutenant Meattey presented a memorandum and copy of a contract for new tasers for review by the
91 Board. Sergeant Swift explained the technical differences between the devices available. Vendor
92 quotes were presented for models T7 and T10. The quote includes 6 cartridges annually for 5 years.
93 Per the police department this is more than enough including training needs. Batteries are
94 rechargeable and two (2) extras are part of the quote. Wolfeboro is going to the X7's. The
95 department currently has two tasers that are either defective or close to non-functioning and four
96 X26P in working order. Following various questions from the Board Chair Swenson requested Lt.
97 Meattey obtain written quotes for model X-26P which is the current model most New Hampshire
98 departments use.

99

100 ***Peter Rhoades, Class VI Road Policy Discussion***

101 Peter Rhoades, applicant, gave an overview of his case recently with the Zoning Board of
102 Adjustment; he stated he filed an appeal but it was submitted a day late per the regulations. Mr.
103 Rhoades stated he will be starting over again with a different proposal and presented this to the Board
104 for review. He stated he would like clarification on the process and whether he needs to go before
105 the ZBA first.

106

107 Chair Swenson stated he would need to know the rationale used by the Board of Selectmen last year
108 as well as review the current ZBA decisions and Town policy. It was agreed Mr. Rhoades would
109 return to a subsequent meeting tentatively in early August for further discussion allowing the Board
110 to research the necessary information.

111

112 ***C. Uncared For Graves in New Durham – Cathy Orlowicz***

113 Chair Swenson stated he was approached by a resident recently in regard to a property on Old Bay
114 Road in which there is a Town owned grave site surrounding by the privately owned property; he
115 stated per the tax card the grave site is owned by the Town. Per the property owner there is a tree
116 that has fallen on the Town owned grave site and needs to be cleaned up.

117

118 Cathy Orlowicz, Town Historian, stated in 1987 the Board of Selectmen voted to take care of old and
119 abandoned graveyards; she explained this included burial plots that had been neglected for many
120 years. Ms. Orlowicz funds were also established with the intention of caring for these lots. She
121 confirmed the tax card for the property on Old Bay Road indicates ownership by the Town and stated
122 they need to determine if the graveyard is truly abandoned per RSA. She also confirmed there is a
123 Trust Fund available to cover any expenses incurred.

124

125 **MOTION: To have the Highway Department remove the downed tree in the Town owned**
126 **burial lot and obtain permission from the landowner to cross the property to access the Town-**
127 **owned lot. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.**

128

129 ***D. Boodey Farmstead State Septic Permit Ownership Letter – Cathy Orlowicz***

130 Ms. Orlowicz stated Norway Plains Associations notified her that the NH DES septic approval
131 permit expired last month and offered to assist with renewing the permit. She presented documents

for review and signature by the Board to authorize the renewal. Selectman DeCoff noted the permit does not indicate the correct lot size; he stated per the Shirley Trust will, part of the land could be sold and suggested the acreage be correct on the application.

MOTION: To approve the new septic system permit application in the amount of \$300, and allot 3 acres of the 81-acre parcel on Map 251, Lot 21, to be used by the Boodey Farmstead house, the uncleared land stated in Mr. Shirley's will with funds to come from Account 4589 Boodey Farmstead account. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To approve the application for the Owners Certificate for the Town of New Durham for 29 Stockbridge Corner Road, New Durham, New Hampshire, dated 07/07/2023. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To authorize the Building Inspector to sign the Town of New Durham local approval for the construction of sewer disposal system for 29 Stockbridge Corner Road, New Durham, New Hampshire, Map 251, Lot 21. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

HOP Grant Contract and Community Event Report – Courtney Grugnale, Strafford Regional Planning Commission

Ms. Grugnale stated the Board of Selectmen and Planning Board approved the application and the grant has been awarded to the Town. Town Administrator Zoltko stated they have met with a consultant that is on the approved vendor list and will be meeting with another before going to the Planning Board for recommendations on the Master Plan. She explained there should not be any costs to the Town and explained the Housing Navigator will be working with the Planning Board and negotiations can be made with the consultant when the time comes.

Chair Swenson asked whether there is any matching required. He also asked if the Town is being reimbursed for administrative costs as the Town is incurring costs to manage the grant payments, etc. The Town is acting as a "pass-through" agent and it does cost the taxpayers for this service. He stated he is not comfortable without knowing the costs. In the future, no grant should be approved without verifying all Town costs are either covered in the grant or are part of any matching funds required as part of the grant.

MOTION: To authorize the Chair of the Board to sign Invest New Hampshire Municipal Planning and Zoning Grant Program Housing Navigator Grant in the amount of \$25,000, effective, June 06, 2023 with a completion date of July 31, 2024. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

Ms. Grugnale stated along with Strafford Regional Planning Commission, Russ Weldon and Mike Gelinas, a public meeting was held which had a great public resident turnout. They discussed various issues of economic development including short-term rentals, housing, and commercial development. This will be a first step in revising the Town's ordinances and Master Plan.

Meetinghouse Restoration Committee – Ellen Phillips

Ms. Phillips presented a proposal from the Meetinghouse Committee regarding the direction and goal of the committee. The Board reviewed and discussed the proposal. The Board made a one word edit.

MOTION: To approve the direction statement to have "One goal of the 1772 Meetinghouse Restoration Committee is to restore the meeting house so that it can once again be utilized as a community resource to hold meetings and other gatherings and meet life safety requirements." Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Donation Acceptance

Ms. Phillips presented a donation for acceptance by the Board.

MOTION: To accept the 1772 Meetinghouse donation in the amount of \$165.90 from the clothing shed on June 30, 2023 and the funds be deposited into the 1772 Meetinghouse Charitable Donation Expendable Trust Fund. Motion by Selectman Veisel. Second by Selectman DeCoff. Motion passed 3-0-0.

Ms. Phillips stated she contacted New Hampshire Municipal Association to see if she can redact the inscription forms and she received confirmation that can be done; she stated she did that and a copy will go to Town Administrator Zoltko and Ms. Phillips will retain the originals.

MOTION: That the 1772 Meetinghouse Restoration Committee move forward with the stone inscriptions per the changes described and confirm with the individuals for accuracy. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

Library Land Swap

Chair Swenson stated the land swap plans have been reviewed by Norway Plains, signed off by the Building Inspector and reviewed and approved by the Planning Board. He stated the deed registration process is underway.

Public Safety Committee

Chair Swenson stated there were initially three members of the public initially appointed by the Board; one changed their mind; however, another individual was found to fill the seat pending Board appointment.

MOTION: To appoint Mike Gelinas as part of the Public Safety Site Group with the appointment effective immediately and the appointment policy be waived in the essence of time. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Selectman DeCoff stated the committee has held its first meeting and plans were made for the direction which will start with walking around to look at Town-owned properties.

Landfill Monitoring Proposal

MOTION: To approve the Weston and Sampson New Durham Landfill Monitoring Proposal for 2023, proposal dated May 9, 2023, in the amount of \$14,446. Motion by Chair Swenson. Seconded by Selectman DeCoff. Motion passed 3-0-0.

Solid Waste Facility Rate Change

Chair Swenson stated a condition of hire for one SWF employee was obtaining a driving license which has now been completed.

MOTION: To approve the hourly rate change for James Gamble III as the Solid Waste Facility Attendant for a new rate of \$15.00 per hour effective July 13, 2023. Motion by Chair Swenson. Second by Selectmen DeCoff. Motion passed 3-0-0.

CRF / ETF Balance Update

Chair Swenson explained changes to the accounts which were approved by voters in 2023 Warrant Articles. He stated there was a discrepancy between the number on the Warrant Article and the actual amount in the checking accounts. The Board discussed options for correcting the error.

Chair Swenson stated the Trustee of Trust Funds have issued checks to the General Fund for accounts combined and discontinued. However, there are still remaining small dollars in the funds discontinued. Town Administrator Zoltko stated NHMA and the New Hampshire Department of Revenue Administration reviewed the articles when being presented and offered to contact them for further direction.

Change in Manifest Signature Process

Chair Swenson indicated he would like to have the Town Administrator's signature on the manifests prior to the Select Board placing their signatures for approval. While TA signature does not authorize the payments as the manifests still need Select Board signatures, the TA signature provides the Board the information the TA has reviewed and agrees with the information in the manifests.

MOTION: To have the Town Administrator sign the Manifest for all accounts payable manifests prior to Select Board formal signatory approval. Motion by Chair Swenson. Second by Selectman DeCoff. Motion passed 3-0-0.

Whitney Consulting Contract PO

The Board reviewed the service contract. Town Administrator Zoltko explained this is for quarterly invoice. She stated there will be a presentation by Whitney Consulting on August 3, 2023; she will follow up in regard to the questions on the view tax. Chair Swenson to his knowledge the Select Board was not aware of the presentation on 08/03/2023 until today.

MOTION: To approve invoice #21-1-110, dated February 16, 2023 in the amount of \$13,500 to Whitney Consulting Group LLC. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

Veterans Tax Credits

The Board reviewed applications for property tax credits. Town Administrator Zoltko explained the contract assessor asked the properties in trusts to reapply per State requirements.

MOTION: To approve the permanent application for the Veterans Tax Credit for Map 234, Lot 023 in the amount of \$750. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To approve the permanent application for the Veterans Tax Credit for Map 244, Lot 031 in the amount of \$750. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To approve the permanent application for the Veterans Tax Credit for Map 112, Lot 048 in the amount of \$750. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To approve the permanent application for the Veterans Tax Credit for Map 218, Lot 003 in the amount of \$750. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To approve the permanent application for the Veterans Tax Credit for Map 238, Lot 002 in the amount of \$750. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To approve the permanent application for the Veterans Tax Credit for Map 244, Lot 056 in the amount of \$750. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.

APPROVAL OF MINUTES

Meeting of April 13, 2023- Edits were made. **MOTION: To approve the minutes as amended. Motion by Selectman DeCoff. Second by Selectman Veisel. Motion passed 3-0-0.**

Meeting of May 18, 2023 - No edits were made. **MOTION: To approve the minutes as presented. Motion by Selectman DeCoff. 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 DeCoff. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

The Board entered non-public session at 6:32 p.m.

The Board reentered public session at 8:25 p.m.

MOTION: To seal the minutes of the non-public session of July 13, 2023 for reasons it may adversely affect the reputation of one other than the Board. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 3-0-0.

MOTION: To adjourn the meeting. Motion by Chair Swenson. Second by Vice Chair Veisel. Motion passed 3-0-0.

The meeting was adjourned at 8:26 p.m.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary