

TOWN OF NEW DURHAM
Board of Selectmen Meeting
December 15, 2023, 10:00 AM
New Durham Community Room, New Durham, NH 03855

Disclaimer: If technology fails, the meeting physically occurring will continue at the location above. 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.

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.

PRESENT

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

ALSO PRESENT

Cecile Chase, Interim Town Administrator

CALL TO ORDER

Chair Swenson called the meeting to order at 10:12 AM.

Public Input

Rudy Rosiello, resident
Cathy Orlowicz, resident
Mike Gelin, resident

AGENDA REVIEW

Chair Swenson added public input; a recognition statement was added under New Business.

Interim Town Administrator Chase added items under the Town Administrator Report.

PUBLIC INPUT

None.

APPOINTMENTS/ANNOUNCEMENTS

Chair Swenson recognized ???? of the Solid Waste Facility; he stated he has worked hard with training and education this year and is being promoted from Operator I to Operator III.

TOWN ADMINISTRATOR'S REPORT

Interim Town Administrator Chase stated there was a Department Head meeting this past week to review budgets through the end of the 4th quarter and business plans heading into 2024.

Interim Town Administrator Chase stated the Town Hall will be closing at 1:00 PM on December 20 to allow employees to enjoy a holiday party.

Interim Town Administrator Chase stated the Building Inspector position was recently vacated and the job has now been posted with applications coming in. Interviews will begin after the holidays. She stated there is also a job posting for a Police Officer and a Light Equipment Operator for the Highway Department.

Interim Town Administrator Chase stated various maintenance projects are being completed around Town Hall and the Fire Department.

Interim Town Administrator Chase stated Town Hall staff are working through the spreadsheets to manage the Building Inspector permits and inspections; she stated the Fire Chief is familiar with the processes and is also assisting; she stated they need to review the Best Management Practices letters with the Planning Board to determine if fines need to be assessed as only one BMP was received. Chair Swenson noted the Board will need to review the ordinance to determine the next steps to be taken.

Interim Town Administrator Chase explained work that needs to be done as part of the reorganization of the Town Hall.

MOTION: To authorize a transfer from the ETF for the Town Buildings and Improvements, the amount of \$4,720 for new countertop renovations in Town Hall, with work to be completed by Ian McKenzie. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Interim Town Administrator Chase stated a request was received from the Farmington Fish and Game Club for approval by the Board to place a pedestrian crossing on the sides of the road; the costs will be covered by the Club. She confirmed this request was reviewed by the Road Agent; she has not presented it to the Police Chief but will do so. Selectman DeCoff suggested they research flashing signs for better visibility.

MOTION: To approve the installation of a pedestrian crossing between the properties on either side of the Fish and Game with the understanding that it is conditional on approval from both the Police Department and the Road Agent and that flashing signs will be installed and paid for by the Farmington Fish and Game Club. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Interim Town Administrator Chase stated there was a finding in the 2021 audit and explained that if the Town needs to go for a bond in the future, it would be advantageous to have the item cleared up. Chair Swenson stated this is an internal notation and the cost for the correction exceeds the cost of the liability. He stated historically, since 2014, the Board has made a motion to recognize the fiscal responsibility and indicate they don't want to correct the findings. Selectman DeCoff agreed.

MOTION: To recognize the 2021 audit had an actuarial finding on the accrued benefits but recognize that for fiscal responsibility that it makes no sense for the Town to address the issue at this time. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Chair Swenson stated a few weeks ago an individual was in Town Hall and had a health issue; he thanked the Fire Department and Town Hall staff for their assistance to the individual involved in the incident. Interim Town Administrator stated it was specifically the Town Clerk, Janelle, who assisted and likely saved the man's life.

NEW BUSINESS

Rename Charitable Donation Trust

Chair Swenson stated motions were made at the last meeting relative to CRFs and ETFs for the Meetinghouse and Boodey Farmstead; he stated after a meeting with the chair of the Trustees of the Trust Funds, it was determined the names utilized in the motions were legally incorrect.

MOTION: To keep everything in place relative to a prior action by the Board of Selectmen on December 7, 2023 and in confirming that the trust, but change the name to the 1772 Meetinghouse Expendable Charitable Trust. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To have everything done by the Board of Selectmen on December 7, 2023, relative to the Zechariah Boodey Farmstead fund that was set up and substitute the name to Zechariah Boodey Farmstead Expendable Trust. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To keep the action of the December 7, 2023 Board of Selectmen meeting and change the name from Road Construction to Road Reconstruction. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: That the prior action is \$102,840 from the Road Reconstruction CRF. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To keep the action of the December 7, 2023 Board of Selectmen meeting in the amount of \$49,000 from the Road Construction CRF and to make it the Road Reconstruction CRF, Account 4174. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To keep the action of the December 7, 2023 Board of Selectmen meeting in the amount of \$57,500.19 from the Road Construction CRF should be the Road Reconstruction CRF, Account 4174. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Powder Mill Snowmobile Club Request for Event Permit & Seasonal Parking Space

Mike Gelinas stated they will be having a club event at Johnsons Restaurant; he stated in the past they have run out of parking space and would like to use the ballpark area. He confirmed this was discussed with the Road Agent and Parks and Recreation Director and confirmed the trail is on Town-property; they will have to plow the area if there is snow. Selectman DeCoff suggested they check with Primex to ensure there are no issues with that.

Boodey Farmstead

Cathy Orlowicz, chair of the Boodey Farmstead Committee, stated a resignation from a member of the committee, Fran Frye was received. She requested the Board make a formal acceptance so the vacancy doesn't affect her quorum; she stated they are actively working to fill the vacancy.

MOTION: To accept the resignation of Francis Frye based on the letter of resignation submitted on December 15, 2023 and express appreciation from the Board for her services to the committee. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Ms. Orlowicz stated the rental agreement for the storage trailers for the barn, expires at the end of the year and asked the Board to authorize the processing of a monthly rental billing.

MOTION: To renew the Board of Selectmen's vote to authorize the processing authorizing the Prime monthly warehouse billing for the storage of the Zechariah Boodey Farmstead project for the 2024 billing cycle. Motion by Selectman Veisel. Second by Selectman DeCoff. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Review FY24 Budget – Determine Alignment with Budget Committee Actions

The Board reviewed accounts which need to be aligned with the Budget Committee due to recalculation of rates and costs.

MOTION: To accept the Budget Committee's number of \$235,789 for Account 4130. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To accept the Budget Committee's number of \$5,066 for Account 4195. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To accept the Budget Committee's number of \$11,602 for Account 4199. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To accept the Budget Committee's number of \$352,096 for Account 4220. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To accept the Budget Committee's number of \$99,563 for Account 4240. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To accept the Budget Committee's number of \$3,584 for Account 4411. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

MOTION: To accept the Budget Committee's number of \$168,470 for Account 4550. Motion by Selectman DeCoff. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Warrant Article Review of Draft

The Board reviewed and discussed the draft warrant articles as well as the draft for election of town officer positions.

The Deliberative Session is set for Tuesday, February 6, 2024, 7:00 PM, New Durham School Gymnasium; snow dated is February 7, 2024.

The Second Session of the Annual Meeting is voting set for Tuesday, March 12, 2024, 8:00 AM to 7:00 PM, New Durham School Gymnasium.

Article 4: Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by the vote of the first session, for the purposes set forth therein, totaling \$4,045,922. Should this article be defeated, the default budget shall be \$3,991,499, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold a special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

Majority Vote Required

*[Note: Operating Budget & Default Budget includes the Library Budget.
Estimated Tax Rate Impact – 2024 Proposed Budget: \$ 6.634 per \$1,000 assessed valuation.
Estimated Tax Rate Impact – 2024 Default Budget: \$ 6.440 per \$1,000 assessed valuation.*

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 5: To see if the Town will vote to raise and appropriate the sum of \$400,000 for the purposes of a Road Program with \$98,000 to come from Highway Block Grant Aid and the remaining \$302,000 to come from general taxation.

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.487 per \$1,000 assessed valuation

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 6: *To see if the Town will vote to raise and appropriate the sum of \$305,000 to be placed in previously established Public Works related **Capital Reserve Funds** as follows with said funds to come from taxation:*

Account	Established		2024
Highway Trucks	March 4, 1988,	Article #9	\$180,000
Vehicle & Equipment			
Maintenance	March 10, 2010,	Article #15	\$20,000
Road Reconstruction	March 10, 2010,	Article #5	\$100,000
Gravel	March 13, 2012,	Article #5	\$5,000

Total \$305,000

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.492 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-no; Chair Swenson-aye. Motion passed 2-1-0. Selectman DeCoff stated he wants the items to be separated.

Article 7: *To see if the Town will vote to raise and appropriate the sum of \$120,000 to be placed in previously established Municipal Facility Land related **Capital Reserve Funds** as follows with said funds to come from taxation:*

Account	Established	2024
Municipal Facility Land	March 13, 2007, Article #8	\$120,000

Total \$120,000

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.184 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 8: *To see if the Town will vote to raise and appropriate the sum of \$50,000 to be placed in previously established Public Safety related **Capital Reserve Funds** as follows with said funds to come from taxation:*

Account	Established	2024
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Police Cruisers March 15, 2000, Article #7 \$15,000
Fire Vehicles March 12, 2003, Article #11 \$20,000
Fire Department Ancillary
Equipment March 10, 2015, Article #15 \$15,000

Total \$50,000

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.081 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-no; Chair Swenson-aye. Motion passed 2-1-0. Selectman DeCoff stated he wants the items to be separated.

Article 9: *To see if the Town will vote to raise and appropriate the sum of \$15,000 to be placed in previously established Water Quality & Milfoil related Capital Reserve Funds as follows with said funds to come from taxation:*

Account	Established	2024
<i>New Durham Water Quality & Milfoil Treatment</i>	<i>March 9, 2009, Article #7</i>	
	<i>Amended March 12, 2019,</i>	
<i>Article #11</i>		<i>\$15,000</i>
Total \$15,000		

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.024 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 10: *To see if the Town will vote to raise and appropriate the sum of \$44,000 to be placed in previously established Facilities related Capital Reserve Funds as follows with said funds to come from taxation:*

Account	Established	2024
<i>Smith Ballfield & Equipment</i>	<i>March 13, 2000, Article #9</i>	<i>\$5,000</i>
<i>Public Safety Facility</i>	<i>March 10, 2010, Article #17</i>	<i>\$35,000</i>
<i>Library Facilities</i>		
<i>Improvement</i>	<i>March 13, 2007, Article #7</i>	<i>\$4,000</i>
Total \$44,000		

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.071 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 11: To see if the town will vote to raise and appropriate the amount of \$20,000, to be added to the 1772 Meetinghouse Capital Reserve Fund, previously established, for urgently needed structural repair. Further, to direct the New Durham Board of Selectmen to work with the 1772 Meetinghouse Restoration Committee to find qualified restoration contractors and complete this work as soon as possible."

Account Established 2024

1772 Meetinghouse \$20,000

Total \$20,000

(Majority vote required)

Estimated 2024 Tax Rate Impact: \$ 0.032 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read with the understanding a table will be added to the end. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 12: To see if the Town will vote to raise and appropriate the sum of \$398,000 for the purposes of replacing / repairing the large culvert on Middleton Road in New Durham with \$373,000 to come from taxation, and the remainder of \$25,000 to come from the Road Reconstruction Capital Reserve Fund.

Majority Vote Required

Estimated 2024 Tax Rate Impact: \$ 0.602 per \$1,000 assessed valuation.

MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.

Article 13: To see if the Town will vote to raise and appropriate the sum of \$140,000 to be placed in previously established **Expendable Trust Funds** as follows with said funds to come from taxation:

Account Established 2024

*Computer Systems & Office
Equipment*

March 13, 1996, Article #11

Revised March 9, 2011, Article #26

346 \$50,000
347 *Records Management March 23, 1999, Article #23* \$15,000
348 *Town Buildings &*
349 *Improvements*
350 *March 15, 2000, Article #15* \$75,000

351
352 **Total \$140,000**

353
354 **Majority Vote Required**

355
356 *Estimated 2024 Tax Rate Impact: \$ 0.226 per \$1,000 assessed valuation.*

357 **MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by**
358 **Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair**
359 **Swenson-aye. Motion passed 3-0-0.**

360 **Article 14:** To see if the Town will vote to raise and appropriate the sum of \$20,000 to be placed
361 in previously established **Expendable Trust Funds** as follows with said funds to come from
362 taxation:

363
364 **Account** **Established 2024**
365 *Accrued Benefit Liability* *March 1992, Article #16* \$15,000
366 *Dam Maintenance* *March 13, 2018, Article #13* \$5,000

367
368 **Total \$20,000**

369
370 **Majority Vote Required**

371
372 *Estimated 2024 Tax Rate Impact: \$ 0.032 per \$1,000 assessed valuation.*

373 **MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by**
374 **Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-no; Chair**
375 **Swenson-aye. Motion passed 2-1-0.**

376 **Article 15:** To see if the Town will vote to appropriate the sum of \$7,000 for the purposes of
377 funding contributions to Health & Other Agencies i.e. Cornerstone VNA, CAP of Strafford
378 County, Kingswood Youth Center, and Strafford Nutrition – Meals on Wheels with this sum to
379 come from authorizing the withdrawal of \$7,000 from the JC Shirley Timber Trust (Trust Fund
380 #28). Said trust established for the purpose to “benefit of the Town of New Durham for such
381 lawful purposes as the Town may direct at its annual meeting.”

382
383 **Majority Vote Required**

384
385 *Estimated 2024 Tax Rate Impact: \$ 0.00 per \$1,000 assessed valuation.*

386 **MOTION: To recommend the Article as read. Motion by Chair Swenson. Second by**
387 **Selectman Veisel. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair**
388 **Swenson-aye. Motion passed 3-0-0.**

389 Selectman DeCoff stated he would have approved the articles which he voted “no” on if the
390 items were separate warrant articles.

391 **MOTION: To approve all articles had they been separated. Motion by Selectman DeCoff.**
392 **Second by Chair Swenson. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye;**
393 **Chair Swenson-aye. Motion passed 3-0-0.**

394 Selectman DeCoff left the meeting at 11:47 AM.

395 ***Medical Opt Out Benefit for FY24***

396 Chair Swenson explained the Board must take a formal action each year to approve the opt-out
397 for employees.

398 **MOTION: To set the medical opt-out benefits for those employees who are not currently**
399 **using Town health insurance, in the amount of \$103 in weekly payroll for a total of \$54,56**
400 **annually. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 2-0-0.**

401 ***FY24 Revenues – Confirm Transfer in FY24 for Other Agency Account (\$7,000)***

402 The Board reviewed and discussed the funding for the Other Agency Account and the transfers
403 from the Shirley Trust. The Board also reviewed the revisions to the revenues which reflect the
404 transfers for this account.

405 **MOTION: To approve the revised revenues for FY 2024 in the amount of \$1,122,055.**
406 **Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 2-0-0.**

407 ***Tax Rate Setting Update***

408 Interim Town Administrator Chase stated the Copple Crown Village District meeting is
409 scheduled for December 21; results should be available that evening and setting the rate will
410 depend on the response from the New Hampshire Department of Revenue Administration.

411 ***Total Notice Contract***

412 The Board reviewed and discussed the contract.

413 **MOTION: To approve the agreement with Total Notice LLC as recommended by the**
414 **Town Clerk/Deputy Tax Collector and the Finance Manager to do the 2024 tax lien**
415 **exclusion and tax collectors deed-taking based, on a rate for research for notice**
416 **preparation at \$25 per parcel searched; and based on registry research only for liens for**
417 **parcel search \$20, in addition to certified mail costs at the USPS rates. Motion by Chair**
418 **Swenson. Second by Selectman Veisel. Motion passed 2-0-0.**

419 **MOTION: To authorize the Town Administrator to sign. Motion by Selectman Veisel.**
420 **Second by Chair Swenson. Motion passed 2-0-0.**

421 Interim Town Administrator Chase left the meeting at 12:12 PM.

422 ***Sales Ratio Study – Assessing***

423 The Board reviewed the memo of December 7, 2023 from the supervisor of the contract assessor,
424 Whitney Consulting Group.

MOTION: That the Board has reviewed the memo dated December 7, 2023 from Whitney Consulting Group and there are no further comments or edits, and to accept it as submitted. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 2-0-0.

Review of Public Minutes Log – Schedule Meetings for Initial Review

The Board will meet December 20, 2023 for the purpose of reviewing meeting minutes.

HR Policy Edits – PTO/FMLA/Other

Postponed.

Current Use Application

The Board reviewed the application. Chair Swenson confirmed this has been reviewed and approved by the contract assessor.

MOTION: To approve the Current Use Application for Map 250, Lot 065. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 2-0-0.

APPROVAL OF MINUTES

Postponed.

NEXT MEETING

December 20, 2023, 10:00 AM.

MOTION: To adjourn the meeting. Motion by Chair Swenson. Second by Selectman Veisel. Motion passed 2-0-0.

The meeting was adjourned at 12:20 PM.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary