

**TOWN OF NEW DURHAM**  
***Board of Selectmen Meeting***  
**December 7, 2023, 7:00 PM**  
**New Durham Town Hall, 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 – via Zoom  
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 11:10 AM. He stated this meeting meets the requirements for an emergency meeting in order to set the tax rate although two members of the Board are unable to be physically present. Interim Town Administrator Chase stated the budget meeting for the Copple Crown Village District is set for December 21, 2023. The Board will try to meet on December 22 or December 26 after confirmation has been received from the New Hampshire Department of Revenue Administration. Chair Swenson stated the Budget Committee was informed at the last meeting that a Tax Anticipation Note; the interest rate is going to be about 5.9%. The Board agreed to ask Cathy Allyn to write a notice for *The Baysider* to residents, explaining the TAN.

**Public Input**

No public present.

**TOWN ADMINISTRATOR'S REPORT**

Interim Town Administrator Chase stated the employee holiday party will be December 20, and offices will close at 1:00 PM.

Interim Town Administrator Chase stated a notice was received regarding unanticipated revenue from the State of New Hampshire for municipal bridge and road work.

**MOTION: To accept the State of New Hampshire Unanticipated funds of \$11,508.74 for purposes stated in the financial receipt of funds. 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 additional wording is needed for the Boodey Farmstead and Boodey Farmstead ETFs.

Letter to the Trustees of the Trust Fund was reviewed by the Board:

During the Board of Selectmen meeting of May 9, 2023, a public meeting was held and the Board voted on the establishment of the Boodey Farmstead Donation Expendable Trust Fund for the purpose of receipt and expending of non-taxed donated funds for the intention of construction and operating the Boodey Farmstead property and buildings. Please establish this ETF with the Board of Selectmen as the designated agents to expend. Furthermore, the Board of Selectmen voted that this ETF be established until rescinded by a vote of the Board of Selectmen. As the Trustees of the Trust Funds will be the holders of these monies, a check is prepared for \$15,544.89 to be deposited in the newly created ETF.

**MOTION: To revise the May 9, 2023 action by the Board relative to the Boodey Farmstead and reword the motion according to what was read by Interim Town Administrator Chase during. 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.**

During the Board of Selectmen meeting of May 9, 2023, a public meeting was held and the Board voted on the establishment of the 1772 Meetinghouse Donation Expendable Trust Fund for the purpose of receipt and expending of non-taxed donated funds for the purpose of construction and operating the 1772 Meetinghouse property and buildings. Please establish this ETF with the Board of Selectmen as the designated agents to expend. Furthermore, the Board of Selectmen voted that this ETF be established until rescinded by a vote of the Board of Selectmen. As the Trustees of the Trust Funds will be the holders of these monies, a check is prepared for \$29,546.37 to be deposited in the newly created ETF.

**MOTION: To revise the May 9, 2023 action by the Board relative to the 1772 Meetinghouse and reword the motion according to what was read by Interim Town Administrator Chase during. 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 presented corrections which are needed for trust fund transfers.

**MOTION: To revise the vote by the Board of Selectmen of December 7, 2023, for the Water Quality Account 4915, for Aqualogic with a revised number of \$8,570 and request that the Trustees of the Trust Funds to transfer the funds from the Water Quality CRF to the Town's General Fund. 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.**

**MOTION: To approve the transfer from the Trustee of the Trust Funds account for the Public Works Facilities Improvement account #4380 per the statement of Interim Town Administrator Chase for the expenditure of \$11,000 from the Public Works Facilities Improvement Account 4380 for Recycling Mechanical of New England, dated August 15, 2023. 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 request a transfer from the Trustees of the Trust Funds from the Road Construction CRF to correct an audit finding from a warrant article of 2014, Warrant Article #7, passed by Town vote to transfer \$102,840 to the General Fund. Discussion: Chair Swenson stated the funds came from the General Fund, but it was never reimbursed by the Road Construction 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 request a transfer from the Trustees of the Trust Funds from the Road Construction CRF to the Town's General Fund in the amount of \$49,000 to correct an audit finding from a warrant article of 2016, Warrant Article #3. 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 rescind the action by the Board of Selectmen of November 14, 2023 relative to the Road Construction CRF and motion to transfer from the Road Construction CRF to the General Fund, \$57,553.19 for purchases made in FY 2022 for R&D Paving. 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.**

**MOTION: To rescind the action by the Board of Selectmen of November 14, 2023 relative to the Water Quality and Milfoil CRF, in the amount of \$1,500 and \$540 for purchases in 2023, and to approve the amount to transfer from the Water Quality and Milfoil CRF to the Town's General Fund, per the statement of Interim Town Administrator Chase. 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.**

**MOTION: To rescind the action by the Board of Selectmen of November 14, 2023 relative to a request to the Trustees of the Trust Funds to transfer from the Water Quality Account 4116, to the General Fund in the amount of \$8570. 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 he met with the Chair of the Trustee of the Trust Funds, David Allyn, and gave him the rationale and legal support for establishing the CRFs for the Meetinghouse and Boodey Farmstead; he noted that has not yet been done. Interim Town Administrator Chase stated today's actions should clear things up.

Interim Town Administrator Chase stated she has had discussions with NH DRA regarding Copple Crown Village District; she stated the District was previously advised that the Town would not be managing the trust funds for the District however per RSA, the Town is required to be the holder of the trust funds. She stated she discussed this with Kelly Bisson, Copple Crown Village District Commissioner and they hope to get this cleared up.

#### **APPROVAL OF MINUTES**

Postponed.

#### **OTHER**

The Board discussed setting up a system for employees who do not participate in the Town-funded health insurance and saving the Town money on insurance and deductible costs. It was agreed to discuss this further at the next meeting.

Chair Swenson stated they need to begin drafting warrant articles. It was agreed to begin drafting warrant articles at the meeting on December 15.

**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 the inability to pay or poverty of the applicant; (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; (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: Selectman Veisel - aye; Selectman DeCoff-aye; Chair Swenson-aye. Motion passed 3-0-0.**

The Board entered non-public session at 12:20 PM.

The Board reentered public session at 12:51 PM.

**MOTION: To seal the minutes of the non-public session of the December 7, 2023 meeting for reasons it may adversely affect the reputation of one other than the Board. 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.**

#### **Next Meeting**

December 15, 2023, New Durham Community Room

172

173 **MOTION: To adjourn the meeting. Motion by Chair Swenson. Second by Selectman**  
174 **DeCoff. Roll Call Vote: Selectman Veisel -aye; Selectman DeCoff-aye; Chair Swenson-aye.**  
175 **Motion passed 3-0-0.**

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177 The meeting was adjourned at 12:53 PM.

178 Respectfully Submitted,

179 *Jennifer Riel*

180 Jennifer Riel, Recording Secretary