

*Draft Minutes  
Trustee of the Trust Fund (TOTF) Meeting  
December 9, 2021 at 6PM*

New Durham Town Hall

Present: David Bickford, Angela Pruitt and Fred Quimby

Guest: Nicole Zoltko

Bickford called the meeting to order at 6:00 PM.

New Business:

1. Draft Minutes from the November 29, 2021 meeting were distributed and discussed. Bickford moved and Quimby seconded a motion to accept the minutes with corrections as amended by Bickford. The vote in favor was unanimous.
2. Quimby reviewed a discussion he had with an attorney from the New Hampshire Municipal Association (NHMA) regarding the distribution of minutes to committee members following the meeting for the sole purpose to making correction before their publication. Fred was told the purpose of the Right to Know Law on this point is to prevent members from continuing a meeting, after adjournment, by email and in the absence of a public announcement. The attorney had two suggestions and neither involved waiting until the next meeting to make corrections. Suggestion 1 was for Quimby to disperse the Draft Minutes to each member separately and ask each to direct their replies to him. This avoids someone accidentally hitting the "return to all" feature, such that all members are part of the reply. Suggestion 2 has Quimby sending the Draft Minutes to the Town Administrator (TA) who will post the Draft Minutes and inform the members of their publication with a request to send corrections to her. Then the TA sends all replies to Quimby who makes the changes alone and generates a second draft which is sent back to the TA to post as the final Draft Minutes. These options were discussed and the TOTF decided to adopt Suggestion 2 in the future.
3. The TOTF received two groups of requests from the Board of Selectmen (BOS) to transfer funds from Capital Reserve Funds (CRF), Expendable Trust Funds (ETF) and Capital Trust Funds to the Town's General Fund for purchases and services affected in the year 2021. The first group (Group A) was received several days prior to the meeting and was accompanied by the Draft Minutes of the November 30, 2021 meeting of the BOS and contained 16 requests for transfer. A second group (Group B) was presented at the meeting and included 4 additional requests for transfer.

Quimby moved and Bickford seconded a motion to approve 15 of the Group A transfers as requested by the BOS from accounts as listed in the Selectmen's signed letter which accompanied each request with funds deposited in the Town's General Fund. The one request not included in this motion was for the transfer of \$10,530.82 for work conducted on the Library's heating system. The motion to approve this group of transfers was unanimous. The approved transfers included:

- a. A request in the amount of \$5073.58 for additional repairs to the Town grader by Chadwick-Baross to be taken from the Vehicle Equipment Maintenance CRF.

- b. A request in the amount of \$1444.86 for architectural services for town building improvements, rendered by A.G. Architects, PC, to be taken from the Town Building Improvement ETF.
- c. A request for \$1174.32 for parts and installation to service the town's computers by ANS Networking, to be taken from the Computer Systems and Office Equipment Maintenance ETF.
- d. A request in the amount of \$1006.01 for architectural services on town building improvements by A.G. Architects, PC, to be taken from the Town Building Improvement ETF.
- e. A request for \$267.50 for gravel to be used on dirt roads as supplied by Radford Messenger Inc., from the Gravel Fund CRF.
- f. A request for \$1400.32 to pay for culverts purchased from Eliminator Systems Inc., to be taken from the Road Construction CRF.
- g. A request for \$12,600.00 for the treatment of variable milfoil by Aqualogic Inc., to be taken from the Water Quality and Milfoil Treatment Fund CRF.
- h. A request for \$924.00 for gravel to be used on dirt roads as supplied by Radford Messenger Inc., from the gravel Fund CRF.
- i. A request for \$372.50 for surveying as a necessary provision before acquiring land for the Town by Norway Plains Associates, from the Municipal Facility Land CRF.
- j. A request for \$2,653.75 for surveying as a necessary provision before acquiring land for the Town by Norway Plains Associates, from the Municipal Land CRF.
- k. A request for \$2,513.75 for surveying as a necessary provision before acquiring land for the Town by Norway Plains Associates, from the Municipal Facility Land CRF.
- l. A request for \$478.23 for planning for road reconstruction by Strafford Regional Planning, from the Road Construction CRF.
- m. A request for \$4368.00 for gravel using on dirt roads by Radford Messenger Inc., from the Gravel Fund CRF.
- n. A request for \$3640.00 for the purchase of culverts from Eliminator Systems Inc., from the Town Road Construction CRF.
- o. A request for \$286.14 for planning road reconstruction by Strafford Regional Planning, from the Road Construction CRF.

The only remaining Group A request was for \$10,530.82 for work on the Library heating system by Santoro Plumbing and Heating, LLC., from the Library Facilities CRF. After reviewing the balance in this account and finding only \$8829.56 remains, Angela Pruitt moved and Bickford seconded a motion to transfer \$8829.56 from the Library Facilities CRF to the Town's General Fund. The vote for approval was unanimous. After review of the agent to expend for the Library Facilities CRF and finding that it is the Library Trustees and not the BOS Angela Pruitt moved and Bickford seconded a motion to rescind the previous motion. The vote in favor was unanimous. The transfer is denied.

- 4. Group B included 4 requests for transfer by the BOS. Quimby moved and Pruitt seconded a motion to approve three requests with funds to come from the CRF and ETFs designated by the BOS and all funds transferred to the Town's General Fund. The vote in favor was unanimous. The approved transfers included:

- a. A request for \$2254.78 for grader muffler hardware provided by Chadwick-Baross, from the Vehicle and Equipment Maintenance Fund CRF.
- b. A request for \$1943.58 for computer maintenance by ANS Networking, from the Computer Systems and Office Equipment Maintenance ETF.
- c. A request for \$3,337.37 for parts and labor to repair the town's grader by Chadwick-Baross, from the Vehicle and Equipment Maintenance Fund CRF

The only remaining request from Group B was a request to transfer \$897.00 from the Office Systems Fund ETF to the Town's General Fund for the purchase of Toshiba office equipment. The TOTF does not control any account with the name Office Systems Fund ETF. The request is denied.

5. The TOTF were provided a copy of the independent auditor's communication to New Durham Management (BOS) written by Roberts and Greene, PLLC and provided to the TOTF by Anina Soucy. The report noted that "amounts voted to the Capital Reserve Funds are required to be transferred by December 15 of the year voted". The auditors noted that transfers were not made until December 31 and they asked the town to establish procedures to ensure that transfers are made as directed by NH RSAs. A copy of this article will be sent to Anina Soucy.

Also, the report identifies three instances where warrant articles passed in these years, one in 2014 and two in 2016, had funds approved for work to be done which was paid for from the Town's General Fund and never reimbursed from the appropriate CRF or ETF by the TOTF. The TOTF will send to Anina their policy regarding each review for acceptance of a transfer. Essentially, we need an invoice and proof of payment before a transfer can be made from an ETF or CRF into the General Fund. There is also the problem that the Road Construction CRF currently does not have sufficient funds for the requested transfer. In 2016 warrant article 7, there is no fund named the Shirley Forest Trust Fund.

6. Nicole Zoltko, Town Administrator, provided the TOTF with changes made in the Computer Systems and Office Equipment ETF since its original adoption in 1996. Changes made in 2000 involved the title only and did not change the function which is equipment maintenance. Changes made in 2011 again were changes in title only. The original purpose, to maintain computer and office equipment, remain intact. The TOTF believes, if the BOS wants to purchase computers and office equipment from this account they should seek a change in purpose of this ETF via a revised warrant for the next town vote.

Quimby volunteered to review each warrant article passed over the past 20 years to see if there are any other changes in the title or purpose of the original warrant article which need to be updated by the TOTF. Bickford thought this a good idea.

7. Pruitt moved and Bickford seconded a motion to adjourn. The vote in favor was unanimous. The meeting adjourned at 8:35PM.

Respectfully submitted,

Fred Quimby, TOTF member