

**New Durham Board of Selectmen**  
**Minutes of Meeting ~ February 20, 2008**  
**Town Hall**

**Members present:** Ronald Gehl, Peter Rhoades, David Bickford

**Also present:** Town Administrator April Whittaker, Police Chief Shawn Bernier, Road Agent Mark Fuller, Interim Fire Chief Rod Nelson, Solid Waste Facility Director Joe Bloskey, Town Clerk/Tax Collector Carole Ingham, Ethics Committee Chairperson Cecile Chase, Elizabeth Cantrall, Mike Clarke, Fred A. Corbezzolo, Mike Gelinis, Gigi Giambanco, Tom Goss, Kenneth Haskell, Jr., Barbara Hunter, Terry Jarvis, Brad Meyerriecks, Mary McHale, Tom Swett, Cathy Orlowicz, Katie Woods, other members of the public

**1. Call to Order** – Chairperson Ronald Gehl called the meeting to order at 7:09 p.m. and led the Pledge of Allegiance.

**2. Citizens' Forum** – Elizabeth Cantrall of Chamberlin Way asked the Board to revisit the issue of mailboxes and mail delivery along that road. She stated she did not understand why residents there could not have boxes in front of their homes. She described the cluster mailboxes at the end of the road as temporary, insufficient in number for the number of houses, and not secure. Mail holds have occurred due to buildup of snow, but no resident is responsible to clear out the area. She wanted to know what the residents could do, as she understood that Chamberlin Way was the only street with clustered mailboxes.

Chair Gehl advised that many townspeople live on roads without boxes in front of their homes, including him. He said the mail was kept at one location at the request of the Post Office. Road Agent Mark Fuller added that he has also asked for cluster boxes in new developments due to road damage i.e. the shoulders are worn away by the constant pull on and off of the paved road by the mail carrier's vehicles, thus eroding both pavement and graveled shoulder areas. He said paved aprons at all the homes would help prevent damage.

Ms. Cantrall indicated the Post Office said the Town said home delivery was not possible because the road was not wide enough. Chair Gehl said the road was constructed as presented to and approved by the Planning Board, and is wider than many other town roads. He explained that the question of the mailboxes came up after that approval. He said some bond money is still being held for the final topcoat but did not think there would be enough to provide aprons for all the homes. Kenneth Haskell concurred that roads narrower than Chamberlin Way have mailboxes. Ms. Cantrall said their developer told them they would have mailboxes. She said they needed to know if the Road Agent was telling the Post Office things.

Chair Gehl said that the width of the road is not the determining factor in this case. He said new developments are built to higher standards and the roads are wider than others in town. He added there had been talk of "bumping" out the pavement. RA Fuller explained, again, that the constant turning in the area of mailboxes causes a maintenance problem. He said he asked the Planning Board for cluster boxes for this sub-division. Chair Gehl said the final sub-division plan that was approved had the cluster boxes, but that nothing prohibits change. He said such a change would take an agreement between the Post Office and the Town. However, he stated that the Town would not want to acquire more maintenance costs.

Ms. Cantrall said most people on the road would be willing to pay for the paved “bump” out. She added that in general, cluster mailboxes have locks on them and this cluster does not. Selectman David Bickford said it was a federal situation, and therefore not the Board’s call. Ms. Cantrall said the residents needed the selectmen’s help. Selectman Peter Rhoades said individual delivery increases the Post Office’s costs, and that many cluster boxes in town are built as she described. He suggested the residents of Chamberlin Way get specs from RA Fuller, confer with the Post Office, and pay for the paving themselves. Chair Gehl pointed out that residents are responsible for the cost of their own mailboxes. He said the Town would initiate discussions with the Postmaster to determine the parameters, and the issue would be placed on the agenda for the next meeting. Ms. Cantrall said the “bump” outs could be installed when the paving is done in the spring.

Ms. Cantrall also brought up the proposed development past Chalk Pond. She said that developers might buy lots on the lake that would provide access to that development. Chair Gehl noted that was the purview of the Planning Board.

### **3. Public Hearing ~ Issuance of Bonds and Notes under RSA 33: 8-a ~ Marchs Pond Dam Reconstruction**

**Motion by Selectman Rhoades to open the public hearing for issuance of bonds and notes in excess of \$100,000 in respect to March’s Pond Dam reconstruction at 7:27 p.m.; second by Selectman Bickford. The motion carried unanimously.**

Chair Gehl summarized the situation that began in July with the discovery of small leaks in the embankment of March’s Pond Dam. The Town notified the Dam Bureau, which, after inspection, ordered the lowering of water to prevent a breach. A measure was installed on an interim basis to regain a few feet of water. Chair Gehl explained that this project has been worked on for three years and that the leaks hastened it. He said that the funding for this type of project that the Town was counting on has dried up due to flooding events nationwide and Hurricane Katrina damage. He said the dam’s category has now been changed to High Hazard, so some design changes were called for in the plans of CMA Engineers, Inc. Low bid came in at \$547,000. After eliminating some aspects of the project and adding others such as the constant supervision of a third party engineer as required by the state and a contingency fund, the price is \$620,000. With an interest rate of 4.99 per cent, the annual cost to the Town is \$61,000. Chair Gehl said as of April 1, 2008 the properties around the pond would be devalued, as they would no longer be waterfront property, which would amount to a loss of \$101,000 per year. He described the project as spending \$61,000 a year to avoid losing \$101,000 a year, with a six or seven year payback period. He said the reconstruction would cost approximately \$14 per \$100,000 assessed valuation. The contract will not be officially awarded until approval of the bond at Town Meeting. In response to Mr. Haskell’s question about contract watch and other bidders suing if the contractor comes back with extras, Chair Gehl noted the 10 per cent contingency fund and diligent overview by an on-site engineer. He said the engineering work has been in process for three years, so the Town knew what was coming up and did not have to start at square one in July.

Chair Gehl closed public comment at 7:37 p.m.

Town Administrator April Whittaker noted the public hearing was properly advertised per RSA 33:8-a in “Foster’s Daily Democrat” on February 7, 2008 and “The Baysider” on February 14, 2008 and was duly posted in 2 public places.

Selectman Bickford asked if removing culvert installations from the project would cause any problems after the close of bids. Chair Gehl advised that the replacement road culverts were not part of the dam reconstruction project, but were an “add-on” by the town, and further advised that the process followed sound contract law, as the contract language provides for modification and it is typical to negotiate after all bidders bid on the same project.

**Motion by Selectman Bickford to support the bond issuance of \$620,000 for the March’s Pond Dam reconstruction project, and to move the article to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.**

Chair Gehl closed the public hearing at 7:41 p.m.

#### **4. Informational Meeting ~ Code of Ethics**

*Proposed Code of Ethics Ordinance* – Chair Gehl noted the Ethics Committee was appointed by the Moderator per 2007 Town Meeting voter request, and has prepared a proposed ordinance for presentation at Town Meeting 2008. Cecile Chase, Ethics Committee chairperson, and Katie Woods, committee member, presented the proposed “Code of Ethics Ordinance”. Ms. Chase said the committee began meeting last spring and looked at what it thought served the best interests of the town. She said it came up with something unlike what members expected, but that the ordinance would protect the Town, board members, and employees. After she read the Code, Town Clerk/Tax Collector Carole Ingham suggested some modifications and asked for clarification on some points in the complaints section. Ms. Chase said the committee foresaw board members and employees reviewing and signing the ordinance yearly.

Mike Gelinas stated that the ordinance would prohibit Don Voltz from serving on the Planning Board, as he could not also represent clients before that board. Ms. Chase said that a person could not represent clients before the board on which he/she serves. She said the ordinance was not geared toward specific boards, but was the best operating procedure for every board. She said individuals could be advisors to any board, to keep things clean. Mr. Gelinas said it is difficult to have a qualified board in a small town if regulations are too restrictive. He said the ordinance would eliminate people who balance a board. Ms. Chase explained the committee struggled with that issue, but that people are not eliminated as they can be called on.

Ms. Cantrall had questions regarding the complaints section. Terry Jarvis brought up several points, including the language would preclude her from defending a family member who might need help since she served on the ZBA, and that it would be preferable if people recused themselves, rather than not allowing them to serve. She said the Investments section put a burden on Town employees, as they could not invest because it might be a possible conflict. She said she would rather have the committee write the rules in respect to the Complaints section, since the language now implied that rules would be written on a case-by-case basis. Ms. Chase advised the language was Town Counsel’s.

Ms. Woods said the committee’s job was to get an ordinance written to present to the Town. She said the committee held public meetings and did what it could to advertise the same. She said there was not time to change it now. Ms. Jarvis felt the changes would help get the ordinance approved. She added that it should be written that every person involved in a complaint situation receive a copy of the complaint. Ms. Woods said she assumed there would be amendments suggested at Town Meeting. Ms. Chase said the committee met from April to November and that every meeting was posted and open. Ms. Jarvis said she was not debating that. Police Chief Shawn Bernier pointed out that the code is an ordinance, not a policy.

Mary McHale said she attended several meetings and was thrilled with the ordinance. She said the Town needed it and the Committee worked hard. Chair Gehl said he felt strongly that an individual should not represent clients before a board served on. He said the entire procedure would be colored, even if the individual recused himself. Mr. Haskell, referring to the hypothetical scenario Ms. Jarvis cited earlier in discussions, said she could speak for her father if she had power of attorney. Ms. Chase said if there were not other family members or others who could represent someone, paragraph 2 in the "Exclusions" section covered that, since it prevents someone being denied his/her rights of due process.

Fred Corbezzolo asked if the vote under "Complaints" had to be unanimous. Ms. Chase said it would take a majority vote. She went on to say that writing the ordinance was difficult. The committee did not want to eliminate utilizing valuable people, but that it protects the Town and individuals. She said the Town needs a strong ordinance. Barbara Hunter stated that in her opinion, the Ordinance as proposed, strengthens the Town and may even encourage people to get involved, as negative connotations weaken a town.

Ms. Chase said she hoped everyone would attend Town Meeting and support the ordinance.

Chair Gehl said the Board appreciated the time taken and the work done on the ordinance. Selectman Bickford said that he voted against the ordinance last year, as he felt the code provisions regarding representing clients went too far. He said Alton is proposing to do away with that provision, due to a lack of people to sit on the boards. He said most of the ordinance was pretty good. He said a complaint should go to the Board of Selectmen. Ms. Chase said the committee discussed that, and decided people would be more likely to make a complaint if it went to an impartial board before going to the selectmen. She said it could also protect an employee or public servant from embarrassment. Selectman Bickford pointed out there was a non-public session at one of the committee's meetings.

Selectman Rhoades said he held the opposite view of Selectman Bickford regarding a loss of skill level if board members could not represent clients. He said the Planning Board writes ordinances and regulations and people who might represent clients would have to recuse themselves from that, also, so that they would be recused 90 per cent of the time. He said professional bodies are always available to the board to review the Planning Board's work. He added that Selectman Bickford has come to Planning Board meetings and offered his opinions and expertise on many occasions. Selectman Bickford said the ordinance would result in giving up expertise.

Ms. Chase said the Planning Board is a hot topic, but the ordinance was not developed to specifically address the Planning Board. She said the committee looked at the best policy for all boards in town and in the best interests of the town.

**5. Public Hearing ~ Issuance of Bonds and Notes in Excess of \$100,000 RSA 33:8-a**  
**Motion by Selectman Rhoades to open a public hearing at 8:33 p.m. regarding the proposed acquisition of a fire truck and issuance of bonds and notes in excess of \$100,000; second by Selectman Bickford. The motion carried unanimously.**

Chair Gehl noted the hearing was scheduled and advertised in Foster's Daily Democrat on February 7, 2008 and The Baysider on February 14, 2008. It was called on the possibility that a pumper/rescue truck might be folded into a bond issuance. A lease/purchase agreement does not require a public hearing, but the financing mechanism is unknown at this time. He said the combination vehicle was a used pumper/rescue truck that would provide flexibility to meet the

response needs of the Town. And it had been determined to place an article on the warrant that would allow the Town to enter into a five-year lease/purchase agreement with financing of \$58,000 a year rather than attempt to roll further monetary requests into a bond payment. Said cost translates into approximately \$.14 per \$1,000 assessed valuation.

Fire Department IPO Tom Swett said the current Capital Improvement Plan concept is to take the current rescue vehicle out of service and use its chassis for the forestry vehicle, and to take out the tanker and replace it with this proposed vehicle. He said the combo vehicle would add versatility to how the department answers calls and would bring the department into the CIP updated schedule. Chair Gehl added that acquiring this vehicle would postpone having to get other vehicles for many years.

Brad Meyerriecks asked what the water capacity was and Lt. Swett answered 1,000 gallons. Mr. Meyerriecks said that tanker 1 holds 1,500 gallons and in a rural area it would be wrong to decrease the water capacity. Lt. Swett disagreed, saying the amount of capacity difference is small, and that a residential fire requires 1,000 gallons. He said any need beyond that would be a multi-alarm situation. In response to Mr. Meyerriecks' suggestion that the rescue/pumper would have to go to draft in certain situations, Lt. Swett said that was what it would do, thereby taking off pressure off engine 1. Mr. Meyerriecks said it would be nice to have a rescue vehicle that could also transport. Lt. Swett said it was statistically rare to have events stack up to need a rescue vehicle also ambulance transport, and that a compromise was being made for versatility.

Katie Woods asked about using money from the "Fire Truck Capital Reserve Fund". Lt. Swett said that fund was specifically for purchase of a new truck, not a lease/purchase agreement. He said if money were taken from that fund, then the Capital Reserve Fund would have to be rebuilt. Ms. Woods said it has been a crunch year for Town departments re the budget, and many departments had taken cuts to their budgets. Chair Gehl said having the money in the Capital Reserve Fund was great as fire vehicles are extremely expensive. He said he hadn't heard complaints from department heads in core operating areas.

Selectman Bickford asked if the capital reserve fund money could be released. TA Whittaker said not after the budget committee's public hearing that finalizes the appropriations for the warrant. She described the situation as robbing Peter to pay Paul in the short term, and said that the CRF money should remain in tact ready for the next planned acquisition, as down the road we would wind up paying more, and destabilizing the future tax rate. Selectman Bickford pointed out that this replacement would push back the need for a new acquisition. TA Whittaker stated the Town would need every dollar for the next planned future acquisition. Chair Gehl said it was good to have monies accumulating in the fund to avoid any further borrowing. Lt. Swett said the department was now in line with the CIP. Chair Gehl observed also, that the hope of having the combo apparatus is to reduce maintenance costs by having less rolling stock. Mr. Haskell agreed that that was an excellent way to do it. He said people have no idea of the cost of fire equipment, which can be more than two million dollars. He said this action was in the best interest of the Town.

Interim Fire Chief Nelson said the Town would be getting more apparatus for its bucks because with this vehicle there will be less equipment to buy and fit out on said apparatus. He said the Town would be better off this way. Lt. Swett said warranties would depend upon which company the department dealt with. Cathy Orlowicz asked about guarantees if the pump failed, saying that if this vehicle were in repair, the Town would lose the rescue capability then. Chair Gehl said it was incumbent upon the Board to ensure the Town was protected, and use of mutual aid has been a long serving tool for all communities.

Don Vachon asked what vehicles had been looked at. Lt. Swett said several of a general configuration. Ms. Jarvis asked if the cost of conversion of the chassis into a forestry vehicle would come from next year. Lt. Swett said the Town Mechanic stated he believes he can do the conversion himself, and that it would not be huge money. Chair Gehl said the Town Mechanic would be involved in the choice of vehicle and that mileage and wear would come into play regarding what vehicle to take. Selectman Bickford asked what the department expected in a warranty. Lt. Swett said it would depend on the company, but the department would expect the truck to be fully functional.

Chair Gehl closed public comment on the pumper/rescue fire truck acquisition at 9:01 p.m.

## **6. Department Reports**

*Fire Department* – Chair Gehl read Chief Nelson’s retirement letter. The chief indicated he would retire by June 30, 2008 with regret, and would like to serve as deputy chief during the transition period. He also stated in the letter that a leadership team is in place that can serve the needs of the Town.

Interim Fire Chief Nelson said it was time for a younger person to be chief. He said two people can do it better than one. He thanked the townspeople and the Board. Chair Gehl praised the Chief for his work. Chief Nelson said the fire department was in good shape. Chair Gehl said the chief brought the department through quite a transition and it now has more capability than in a long time. He said he was proud of the department and hoped the crew would take advantage of Interim Fire Chief Nelson’s expertise for a long time.

**Motion by Selectman Rhoades to accept Interim Fire Chief Rod Nelson’s retirement as of June 30, 2008 or earlier with regret and thanks; second by Selectman Bickford. The motion carried unanimously.**

Selectman Rhoades commented that the Mr. Nelson stepped into a rough situation, but pulled it around. Chief Nelson said the department now has eight more certified firefighters, bringing the total to 19 or 20; three paramedics; and 8 or 9 EMTs.

*Highway* – RA Fuller said he’d sent out a memo stating he needed more salt and sand. He said the Town has used over 800 tons of the original 1,100 tons of salt. He has ordered 300 tons and will run over that line item by \$1,300. TA Whittaker said the operating budget may need to be amended at Town Meeting to cover the costs of the additional salt and sand. RA Fuller said he has gone through 3,500 cubic yards of sand, out of the original 4,000. He said that line will be over, also; and overtime will be higher.

*Police* – Chief Bernier said all the light outlets in the PD garage are fixed and are all now GFI.

He cited several recent accidents throughout town involving motor vehicles and snowmobiles.

He reported that he and Sgt. Jason Lamontagne patrolled snowmobile trails after complaints of reckless driving, but saw nothing.

## **7. Non-public Session**

**Motion by Chair Gehl to enter non-public session at 9:22 p.m., pursuant to RSA 91-A:3 II (c) and (d), reputation of an individual other than a board member, and potential acquisition of**

**real estate; second by Selectman Rhoades. A roll call was taken. Gehl – aye, Rhoades – aye, Bickford – aye.**

The Board met with Tax Collector Carole Ingham and TA Whittaker to discuss requests by owners and former owners of property regarding deeding, abatement of tax interest, and potential buy back of property by the former owner. The Board returned to public session at 9:40 p.m.

**Motion by Selectman Bickford to not sell Map 27A Lot 86 on St. Moritz Drive in Copple Crown back to its previous owner; second by Selectman Rhoades. The motion carried unanimously.**

**Motion by Chair Gehl to abate the interest charges on property tax payments for map 38, parcels 31 and 228A in the amount of \$96.85; second by Selectman Bickford.** It was noted that a mistake had occurred with new change of address by the town. However, Selectman Rhoades asked that the owners be advised that the Town would appreciate timely payments and notification if payment may be late. **The motion carried unanimously.**

Chair Gehl said TC Ingham brought a potential property tax deeding before the Board regarding Map 6 Lot 30, which will be taken under advisement. The Building Inspector is to look at the building.

#### **8. Administrative Review**

- ❑ ***Contract for On-going Landfill Monitoring*** – Chair Gehl requested additional time to review the document, and therefore requested that the matter be continued to the next meeting
- ❑ ***Junkyard Recycling Registration*** – Chair Gehl reviewed Cameron’s Auto Salvage annual application for automotive recycling dealer registration and applauded them for operating legally. Selectman Rhoades said the Board did not have to walk the site per the Local Government Center seminar. He said he was impressed on how the Cameron’s ran their operation. Chair Gehl said it should be the responsibility of the Board to set eyes on it otherwise, how would compliance with the “Greenyards” statute be upheld.
- ❑ **Motion by Selectman Bickford to grant a certificate of approval to Cameron’s Auto Salvage; second by Selectman Rhoades.** Chair Gehl said he would prefer having a local inspection as part of the approval process. **A vote was called. Gehl- nay, Rhoades – aye, Bickford – aye. The motion carried.** Chair Gehl stressed that his vote was absolutely no reflection on the quality of the Cameron’s operation, but felt that the Town should review the junkyard in person on an annual basis.
- ❑ ***Encumbrances 2007-2008***– TA Whittaker said 99 per cent of encumbrances from last year are being encumbered this year. She said much of it was FEMA money. She offered last years’ encumbrance listing as evidence to support the new request.
- ❑ **Motion by Selectman Bickford to move encumbrances as outlined in the memo of February 19, 2008 from fiscal year 2007 to 2008; second by Selectman Rhoades. The motion carried unanimously.**
- ❑ ***Milfoil Committee*** – TA Whittaker reported Lee Ann Beals has expressed an interest in serving on the Milfoil Committee and has been recommended by that committee. The Board

agreed to wait its customary two-week period related to appointments and requested information on any resignations from that committee.

- ❑ **Ladder pipe** – TA Whittaker informed the Board that Peter Varney provided an explanation for Town Meeting of what is needed for the ladder hose nozzle.
- ❑ **Fire Department Roster** – The Board reviewed the current Fire Department roster.
- ❑ **End-of-Year Trustees of Trust Fund Report** – The Board reviewed the TOTF report.
- ❑ **End-of-Year Surplus** – unaudited: TA Whittaker provided a comparative statement of appropriation expenditures and a revenue statement of surplus and overdraft for 2007, and noted \$42,016 unexpended from the operating budget and \$106,446 in additional revenue above that anticipated for an estimated amount just shy of \$150,000 to be returned to the general fund.
- ❑ **Newsletter** – TA Whittaker presented articles she wrote on the budget, the Shoreline Protection Act and surface waters, disposal of mercury, the tax collector notes, and the new Town website for the newsletter. She said inclusion of the warrant narrative would be decided depending on how many pages it was.
- ❑ **Fire Department Medicare Rates re Ambulance Billing 2008** – The Board was requested to wait for a recommendation from the Fire Department.
- ❑ **Next Meeting** – The Board scheduled its next meeting for **March 3, 2008 at 7:00 p.m. at Town Hall.**

## **9. New Business**

**Finalization of the Warrant – Motion by Selectman Bickford to move Article 3 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.** Chair Gehl to speak to it.

**Motion by Chair Gehl to recommend Article 4 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.** It was noted that an escape clause in the lease/purchase agreement allows the Town to return the equipment without payment of full price if the yearly payment is not raised at any Town Meeting.

**Motion by Chair Gehl to recommend Article 5 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.**

**Motion by Selectman Bickford to recommend Article 6 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.**

**Motion by Selectman Bickford to recommend Article 7 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.** Chair Gehl to speak to the article.

**Motion by Selectman Bickford to recommend Article 8 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.** Selectman Bickford to speak to the article.



**Motion by Selectman Bickford to recommend Article 9 to the Town Warrant; second by Selectman Rhoades. A vote was called. Gehl- abstain, Rhoades – aye, Bickford – aye. The motion carried.** Selectman Rhoades to speak to the article.

**Motion by Selectman Bickford to recommend Article 10 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.** Selectman Bickford to speak to the article.

**Motion by Chair Gehl to recommend Article 11 to the Town Warrant; second by Selectman Bickford. The motion carried unanimously.** Chair Gehl to speak to the article.

**Motion by Selectman Rhoades to recommend Article 12 to the Town Warrant; second by Selectman Bickford. The motion carried unanimously.** Selectman Bickford to speak to the article.

**Motion by Selectman Rhoades to recommend Article 13 to the Town Warrant; second by Chair Gehl. The motion carried unanimously.** Selectman Rhoades to speak to the article.

**Motion by Chair Gehl to recommend Article 14 to the Town Warrant; second by Selectman Rhoades. A vote was called. Gehl – aye, Rhoades – aye, Bickford – nay. The motion carried.** Chair Gehl to speak to the article.

**Motion by Chair Gehl to recommend Article 15 to the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.** Chair Gehl to speak to the article.

Article 16 – The Board discussed not having to recommend the article because it is not a monetary article. The Board modified the Code by adding “No” in front of the Investment title, and “No” in front of the nepotism title. **Motion by Chair Gehl to place Article 16 on the Town Warrant; second by Selectman Rhoades. A vote was called. Gehl – aye, Rhoades – aye, Bickford – nay. The motion carried.**

**Motion by Selectman Rhoades to place Article 17 on the Town Warrant; second by Chair Gehl. The motion carried unanimously.** Selectman Bickford to speak to the article.

**Motion by Selectman Bickford to place Article 18 on the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.**

**Motion by Selectman Rhoades to place Article 19 on the Town Warrant; second by Selectman Bickford. The motion carried unanimously.**

Articles 20 and 21, as “petition warrant articles”, are automatically on the Town Warrant.

**Motion by Chair Gehl to place Article 22 on the Town Warrant; second by Selectman Bickford. The motion carried unanimously.**

**Motion by Chair Gehl to not recommend Article 22; second by Selectman Rhoades. The motion carried unanimously.**

Article 23 – Chair Gehl said he drafted this article for discussion purposes because the Town needed an article on how a fire chief is appointed. He said the issue was addressed in 1995, but no term was mentioned. Chair Gehl said he wished to withdraw the article as he felt it was premature. Selectman Bickford said the term is now open-ended and he would prefer that it be clarified. He suggested leaving it at the three-year term Chair Gehl had originally drafted.

**Motion by Selectman Bickford to amend Article 23 to read in the first section: To see if the Town will vote to approve to reorganize and restructure the New Durham Fire Department as follows: Per RSA 154:1 (a) and III: A Fire Chief appointed by the local governing body for a three-year term with fire fighters being appointed by the Fire Chief; second by Selectman Rhoades. The motion carried unanimously.**

**Motion by Selectman Bickford to place Article 23 on the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.**

**Motion by Chair Gehl to place Article 24 on the Town Warrant; second by Selectman Rhoades. The motion carried unanimously.**

The Board signed the 2008 Warrant.

**Warrant Narrative** – The Board reviewed the Warrant Narrative. Several modifications were incorporated and the Board was in agreement.

**Board of Selectmen’s Report** – The Board reviewed the report for the Town Report, making minor modifications.

#### **10. Old Business**

**Solid Waste Disposal Contract** – The Board agreed to take the matter under advisement until the next meeting. TA Whittaker will check to see if any other agreement term rather than three-years is offered.

#### **11. Approval of Minutes**

**Motion by Selectman Bickford to accept the minutes of February 4, 2008 as amended; second by Selectman Rhoades. The motion carried unanimously.**

#### **12. Adjournment**

**Motion by Chair Gehl to adjourn at 12:15 a.m.; second by Selectman Bickford. The motion carried unanimously.**

***Respectfully submitted,  
Cathy L. Allyn***

A video recording of this meeting is on file with the Office of Town Clerk, is available for public viewing during normal business hours, and will be retained in accordance with the New Hampshire Municipal Records Board rules established under RSA 33-A:4, or for a minimum of 24 months.

Approved: New Durham Board of Selectmen 2/20/08