

BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
JUNE 23rd, 2008

A business meeting of the Board of Selectmen was called to order at 7:32 PM in the New Durham Town Hall located off Main Street.

Present:

Chairman Peter Rhoades
Selectman David Bickford
Selectman Ron Gehl

Also Present: Town Administrator April Whittaker, Town Clerk Carole Ingham, Peter and Beth Varney, Michael Gelinias, Chris Lapierre, and Paddy McHale.

The Chairman invited all to stand for the Pledge of Allegiance.

Public Forum

Michael Gelinias representing the Snowmobile Club expressed his concerns for the proposed improvements to the Town Beach; said improvements to stop sand erosion into the lake and to mitigate rocks, which posed safety concerns. He felt that the retaining wall, as cited in the wetlands permit application, would be a hindrance and possible hazard to the path of the snowmobiles and expressed that the town beach property was the only access onto Merry meeting lake in the winter for the club. He also queried as to why a public hearing was not held on the proposed improvements.

Selectman Gehl advised that the proposed improvements had been discussed for well over a year and there was no legal requirement for a public hearing. Mr. Gehl had, using his engineering expertise, composed the Wetlands Permit for the beach improvements on behalf of the Recreation Commission. He advised that there were safety issues as cited by the Joint Loss Management Committee regarding the rocks and the Department of Environmental Services looked to the town to stop the erosion of sand from the beach into the lake. In fact, this was a requirement for the improvements. The proposed retaining wall would be about 2.5 feet high and he felt that the Wetlands Bureau would not entertain a permanent structure to be built into the lake to accommodate snowmobiles, but rather felt that a temporary structure would possibly be more acceptable and provide a solution for accessibility.

Selectman Gehl confirmed that the application was in process, but there would be an opportunity for any modifications during the administrative review. Therefore Mr. Gelinias was requested to put together what the club could do with respect to mitigate the beach property access concerns, and how the wall could be protected with a temporary structure. Mr. Gelinias was invited to present the same for the June 30th, 2008 board meeting.

Appointment of Fire Chief

Chairman Rhoades addressed the issue of appointment of new Fire Chief. He reminded his fellow Selectmen that Mr. Varney had been nominated at their June 16th, 2008 meeting, and that the appointment was now ready to be acted upon.

Motion Gehl to appoint Peter Varney as Fire Chief effective immediately, second Rhoades but with discussion as to whether or not the appointment should reflect an effective date of July 1, 2008. Mr. Gehl advised that he could support either effective date. Mr. Bickford opined that he felt the appointment should be effective immediately to fulfill expectations and that there was valid reason to wait further

Motion Gehl, second Rhoades, to appoint Peter Varney as the New Durham Fire Chief effective immediately, vote 3 - 0.

Mr. Varney took his oath of office as administered by the Chairman, and was presented with a badge of office, and Chief's helmet.

Ethics Committee

Following appointments per the Board's June 16th, 2008 meeting, it was noted that the terms of office needed to be determined and that the terms of office would be staggered for continuity. The Chairman organized a ballot session and drew names for the respective terms as follows:~

- ❑ Jan Bell 3 years
- ❑ Marcia Clark 3 years
- ❑ Debra Jelley 2 years
- ❑ Barbara Hunter 2 years
- ❑ Dennis Cooper 1 year

Mrs. Whittaker will organize the appointment forms with the town clerk and will make preparations for an inaugural meeting.

Non-Public Sessions

Motion Gehl, second Rhoades to enter into Non Public Session at 8:05 PM under the terms and conditions of RSA 91A : 3 II b (hiring) & c (matters, if discussed in public that may adversely affect the reputation of an individual.)

Roll Call: Rhoades ~ yes, Gehl ~ yes, Bickford ~ yes.

The Board returned to regular session at 10:05 PM following appropriate vote to return in non-public session.

Motion Gehl, second Bickford to seal the non-public minutes of June 23rd, 2008, vote 3 - 0.

Any Other Business

Mr. Rhoades noted that he was unable to attend the June 30th, 2008 posted meeting. Mr. Gehl advised that he had a problem too. The Board determined to cancel due to lack of a quorum and requested that Mr. Gelinas be contacted about the canceled meeting.

Mr. Bickford advised that he spoke with Paul Sanderson at the Local Government Center regarding sealing of non public minutes noting that minutes should be sealed in the actual session and then again during the same public session instead of waiting.

Note was made that the town's website was malfunctioning, all of June's minutes were missing and the Town Report together with other problems and that the Board of Selectmen's page needed updating with respect to the Chairman etc.

Adjournment

Motion Gehl, second Bickford to adjourn, vote 3 - 0.

The meeting adjourned at 10:30 PM.

Respectfully submitted,
April Whittaker

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.