

Approved:

**New Durham Board of Selectmen
Minutes of Meeting ~ November 3, 2008
New Durham Town Hall**

Members present: Peter Rhoades (via ground-breaking, history-making telephone conference per new changes in the Right to Know law), Ronald Gehl, David Bickford

Also present: Town Administrator April Whittaker, Police Chief Shawn Bernier, Road Agent Mark Fuller, BI/CEO Arthur Capello, Town Clerk Carole Ingham, Town Historian Cathy Orlowicz, Barry Cox, Katie Tothill

1. Call to Order – Chairperson Peter Rhoades called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

Motion by Chair Rhoades to have Selectman David Bickford act as chairperson, in his physical absence; second by Selectman Bickford. The motion carried unanimously.

2. Citizens' Forum – There was no public input.

**3. Public Appointment –
Pay and Classification Study**

The Board met with Barry Cox, personnel consultant at the Local Government Center, to review the Pay and Classification Study he had created. Mr. Cox indicated he studied 25 positions, using five comparable communities chosen by the Board of Selectmen and another three chosen by Mr. Cox. In some instances, other towns were used for comparison where data was not available from the Board's chosen communities.

Within the classification portion of the study, Mr. Cox listed 15 labor grades. He said the factor valuation system he used to ensure internal equity is standard in the industry and can evaluate any job. Job descriptions tie into the system and the different levels of each description are rated to provide the labor grade. Selectman Rhoades asked how Mr. Cox knew the descriptions were unbiased, as they were prepared by the employees and reviewed by their supervisors. Mr. Cox replied Town Administrator (TA) Whittaker made the chore easier because everything was so organized. She provided the original job descriptions, then employees filled out a questionnaire related to their jobs, and Mr. Cox wrote a draft from that information. The draft went back to the department heads, and employees for review, then Mr. Cox made any necessary revisions. Mr. Cox said once the job descriptions were satisfactory, they were graded to determine what labor grade they fell in to by score. He said the scoring summary displays 10 criteria. Acting Chairperson Bickford registered surprise that so many people were grouped in the 350 points portion under criteria marked as "Knowledge". Mr. Cox explained that the different levels of that particular criterion dealt with certification and educational requirements. Selectman Ron Gehl noted some big jumps exist, but that only a few different levels pertain to the New Durham workforce. Mr. Cox said there are several ways to display labor grades to accommodate new, different jobs. Selectman Rhoades asked if the number of labor grades made sense compared to other towns, and Mr. Cox replied "yes".

Mr. Cox said comparative pay and benefits goes to external equity. Chair Bickford clarified that it was the "mean", and not the "median", that was being discussed. Mr. Cox said a town's goal is not to pay more or less than other towns, but only as much as it takes to retain an efficient and

effective work force given the range of occupations. He advised that in his opinion, New Durham is right on target regarding pay and benefits. He said this study lays forth the most common labor grade and step system, as it is easily understood and administered. TA Whittaker said it gives employees an idea of future earnings. Mr. Cox said the system has 15 labor grades and 20 steps. He said the LGC does not recommend which step individual employees are placed into. Selectman Gehl said the grade is more specific to the type of work performed and does not take into account experience and merit. He said he was glad to see a greater number of steps, as it gives the Town more flexibility. Mr. Cox said there is a three per cent difference between steps. If less than three per cent, the system would have 30 steps, which would be harder to manage. He said he tested all the exemptions. From the analysis of pay data, eight positions were deemed highly competitive, five, competitive, eight, less competitive as they were below the median, but not below the minimum, and only four below the average minimum. He said overall the Town does well. Those positions that fell below the minimum are police officers (Full and Part-time), Land Use administrative assistant, and Building Inspector/ Code Enforcement Officer, based on full-time wage data.

From the analysis of benefit data, Mr. Cox said only two areas are low: the Town offers 10 holidays, rather than 11 or 12, and it does not provide life insurance. New Durham's cost sharing and health insurance is highly competitive. He said the sick leave policy is generous, and could take care of short-term disability.

He said the LGC provides 10 copies of the study and a CD with the information. He felt that overall, the study is now as good as it will get, and suggested that the department heads and their staff have access to it now that he has met with the Board. He said if any employees are concerned over classification or questions, he will meet with them. Selectman Rhoades said there should be a period for review, and then Mr. Cox could come back just once to meet with those concerned.

Mr. Cox advised that the board need to formally adopt the study, and wondered if that might happen at this meeting. Selectman Gehl said he would rather not adopt the system to provide him more time for a thorough reading and understanding. He said he did not want to belabor it, but would prefer to vote at the next meeting. Selectman Rhoades questioned what the Board should look at specifically. Selectman Gehl said he had no concerns per se, but he wanted to get a better feel for the study. Mr. Cox agreed there was a lot of information to digest. He suggested department heads look at it. Selectman Gehl expressed a desire to get another set of opinions on it. He said it provides lots of wiggle room, but something glaring might be missing. Selectman Rhoades said he would prefer only department heads weigh in on the actual study mechanism, and Mr. Cox said he would prefer that, also. Selectman Gehl clarified that Selectman Rhoades was not suggesting denying access. Selectman Rhoades said the Board's goal was to make the final decision at the next meeting. TA Whittaker noted time is of the essence, so she would tell the department heads it must be back before the next meeting. She said it was a pleasure working with Mr. Cox. Selectman Gehl said he was very impressed with the document. He stated it was the first equitable and comprehensive plan for the Town.

4. Department Reports

Building/Code – Building Inspector/Code Enforcement Officer (BI/CEO) Arthur Capello said he has met with the owners of the illegal junkyard on Old Bay Road, and they are to get back to him with a clean-up plan. He said he is following up on other code issues.

Highway – Gatehouse - Road Agent (RA) Mark Fuller said Town Historian Cathy Orlowicz asked him to preserve the gear works of the old gatehouse during the work on the Birch Hill

Dam. Selectman Rhoades said Adam from the construction company had been generous to offer to erect a frame around the gatehouse and carry it to a safe site. Ms. Orlowicz said her interest was in the gear housing and mechanism; she said the structure is modern, and she did not know where it could be placed. She suggested storing the gear works in the Meetinghouse. TA Whittaker said Mr. Pond volunteered to have the structure on his property. She said a carefully worded agreement would be in order. Ms. Orlowicz answered Selectman Gehl's question regarding the mechanicals, saying they could be disassembled and reassembled. Selectman Gehl said he would like to preserve them. Ms. Orlowicz suggested selling the gatehouse to Mr. Pond, but said she did not know how much it would be worth. Chair Bickford said if it has a value, it needs to be opened up to everyone. Selectman Gehl asked that having the building go to Mr. Pond be followed up on, as well as saving the mechanicals. RA Fuller said he could dismantle the insides this week. Selectman Rhoades asked that the structure be moved next door to Mr. Pond's property. TA Whittaker said if Mr. Pond does not want it, the construction crew could dismantle it.

Fuel bids – TA Whittaker said the only response on fuel bids were from “Irving” for rack plus. Selectman Gehl read the bid aloud. The adder on heating fuel is 28 cents, on ultra low sulphur diesel, 16.11 cents, and gasoline, 18.11 cents. The pricing is exclusive of any applicable taxes or mandated fees.

Road conditions – RA Fuller said the highway department has most everything ready for winter; he noted minor repairs to the new truck. Selectman Rhoades cited a financially crushing bond the town of Amherst needs to take on, due to cutting costs on road maintenance through the years, and asked if New Durham is keeping up with what it needs to. RA Fuller said the Town is behind. Selectman Rhoades asked him to bring the figure he would need to get the roads up to speed and address the top five highway issues to the next budget workshop. RA Fuller pointed out that it isn't the best practice to fix all roads at the same time, as then they will be due to be redone all at the same time. He said the Town has numerous roads that need to be rebuilt that weren't. Selectman Gehl pointed out that Amherst had been putting away a paltry amount each year for roads, to the extent of major neglect.

Marches Pond Dam ~ Use of Town stone, Traffic and Noise during construction – RA Fuller said the construction company is interested in buying the Town's ¾ inch stone. He said they are also looking for staging areas. He told the site manager that they can use the Town pits to dispose of debris. Selectman Gehl said a unit price for stone is specified in the contract, so an equitable deduct can be discussed. He said the situation was favorable to both the contractor and the Town. He indicated the engineers will do the adjustment, and expressed pleasure that the Town will save some money.

TA Whittaker said the company has asked for the use of police officers when traffic control is needed, and that could also be taken as a deduct. Selectman Rhoades asked how long of a detail it would be. Police Chief Shawn Bernier said three hours in the mornings and three hours in the late afternoon, if warranted. Flag people could be used if there is not a lot of traffic.

TA Whittaker advised that the construction company would like to start warming up diesel equipment at 6:30 a.m. and the noise ordinance is in effect restricting noise from 11:00 p.m. to 7:00 a.m. therefore she asked the board to consider a waiver. Selectman Gehl said a waiver would have to be granted only in deference to the fact that Daylight Savings Time is off and the crew must work in the light. Chair Bickford said a blanket waiver could always be changed. Selectman Rhoades agreed, saying the situation could be different in the spring. RA Fuller said

the company had discussed pouring concrete in the spring, but to cross that bridge when we get to it.

Motion by Selectman Gehl to waive the terms of the Noise Ordinance to allow the construction crew to begin work at 6:30 a.m. to begin the reconstruction of March's Pond Dam; second by Chair Bickford. The motion carried unanimously.

Police – Election traffic - Chief Bernier said he met with Town Moderator Jim Fenske and New Durham School Principal Barbara Reed regarding concerns about traffic on Election Day. He said a police officer will be on duty at the school from 8:00 a.m. – 1:00 p.m., and that the duty officer will check in and be in attendance in the evening. He said the handicapped spaces would be kept open.

CHANCES – Chief Bernier read a reply from CHANCES, indicating as of January 2008, 39 New Durham youth had been served, with six new referrals coming. They said they expect to exceed last year's numbers by the end of the year. TA Whittaker said she would make copies of the letter for the Budget Committee, and Board.

Damaged Police Vehicle – Chief Bernier reported the Impala struck a deer while the on-call officer was returning home. The officer was uninjured, but the vehicle sustained significant damage, especially in the hood area. PRIMEX has confirmed the claim.

Defibrillator – Chief Bernier asked permission to overspend his equipment line to buy a new battery at \$134.10 and two sets of pads for the defibrillator. He said it would not put him over on his total budget. He also provided the Board with a thank-you note from the McQuiston's on Ely Point regarding the police department assistance after the tornado.

Town Historian – Ms. Orlowicz met with the Board as the chairperson of the Boodey House Committee. She reported dismantling of the historic structure began this morning, with the help of several volunteers and donated services. She said more bracing is needed, but she is hopeful the task will be completed before Friday. She said she has been logging information and photographing the procedure, and is pleased about the support received. She said some unique discoveries regarding its architecture have come to light.

Chair Bickford said Ms. Orlowicz had sent a copy of the Committee's charge to the Board, and asked about moving funds from the Town Historian's budget to the Committee. Ms. Orlowicz stated there were unexpended funds in the budget, and \$1,200 was needed to meet the Committee's goal. TA Whittaker said the Boodey House agreement was in hand, but not all the minutes regarding its drawing up. Selectman Rhoades said he would like to move forward with the project. He said the agreement states the Town may participate, but is not required to. Selectman Gehl said the Board had had reservations about a large renovation project and did not want to obligate the Town. Selectman Rhoades asked why the available money should go to the Boodey House rather than the Meetinghouse. Ms. Orlowicz pointed out the urgency of preserving a building that will not stand through the winter. She said the Meetinghouse has an established source of funds, as it has a capital reserve fund. Chair Bickford said the Meetinghouse was stabilized, which was the goal. He said his feeling was to shift the funds to the Boodey House.

Motion by Selectman Gehl to expend \$1,200 from the Town Historian's budget to the Boodey House Committee to complete the dismantling of the Boodey House; second by Selectman Rhoades. The motion carried unanimously.

5. Administrative Review

Deputy fire warden – Motion by Selectman Gehl to appoint Jonathan Roy as deputy fire warden; second by Chair Bickford. The motion carried unanimously. The Board signed the appointment form.

Health Care costs – TA Whittaker said the health insurance quote for 2009 is 0.8 per cent lower than last year. She said the current prescription program offers co-pays of \$10-\$20-\$30 for prescription medication, but that the Town could realize a savings of \$7,752.24 if it went with a program of \$10-\$20-\$45 as a co-pay on prescriptions. The change affects only non-preferred drugs.

Motion by Selectman Rhoades to change the Town's prescription drug program to the \$10-\$20-\$45 co-pay plan as discussed this evening, noting there is no change in the health insurance plan and the additional \$15 cost would occur only in the rare situation when there is no generic available for a particular drug; second by Selectman Gehl. The motion carried unanimously. Selectman Gehl noted that with that change, the reduction in premium costs for 2009 will be 3.2 – 3.5%. Selectman Rhoades asked that the personnel policy reflect the change.

Emergency lights – TA Whittaker reported that the Town Hall emergency lights are not working, and additional exit lights are also needed.

She also provided an estimate received by Solid Waste Facility Manager Joe Bloskey for lights at the transfer station although needed to confirm that Mr. Bloskey had written specifications as to numbers of lights etc. Chief Bernier said the police and highway department buildings also need them. TA Whittaker said she would coordinate getting an overall estimate.

Selectman Rhoades noted that programmable thermostats he installed in Town Hall were working and in place.

The Board discussed the roof repair estimates submitted by Mr. Bloskey regarding replacement of screws and grommets to stop leaks. Selectman Gehl asked that all contractors understand that the Town will provide the supplies.

Ladder Truck repair – TA Whittaker reported that the financial policy must be waived in order to effect a \$30,429 upgrade on the ladder truck. Greenwood must install the waterway and reconstruction otherwise the warranty on the truck would be affected. Selectman Gehl advised that the repair and reconstruction is a safety feature, as it provides a remote control aspect. Without such a repair, the ladder truck currently has no aerial capability.

Motion by Selectman Gehl to waive the terms of the Town purchasing and finance policy requiring three bids for items in excess of \$15,000, because it is a repair to be effected only by the original installer in order to maintain the warranty on the equipment; second by Chair Bickford. The motion carried unanimously.

E-9-1-1 – TA Whittaker said she had prepared the public hearing notices and letters to residents on roads with like-sounding names, which would need to have a new street name, regarding the E-9-1-1 system and GPS enhancements and mapping. Chief Bernier pointed out that other towns have directional street names, and felt that North Shore Road and South Shore Road, as originally submitted by E9-1-1 as two streets that require new street names, are two different names and should be retained. TA Whittaker said those streets represented the bulk of residents to be

notified. Selectman Gehl posited that Ridge Road Top become Ridge Road as it runs along the ridge, and Ridge Road be the road name that is changed. Chief Bernier said he would contact E-9-1-1 regarding North and South Shore Roads for clarification. TA Whittaker said she would therefore hold off on mailing out the letters re notice of street name changes and public input for new street names. Chief Bernier asked what the road naming procedure will be with new developments. Selectman Gehl said the Board decides on the suggestions on the plat so that in the future there will be no further like-sounding street names.

Municipal Advocacy Committee nomination – TA Whittaker said she had been nominated to the Municipal Advocacy Committee of the New Hampshire Municipal Association, which meets on Fridays, and asked the Board if they were approving of her attendance to such a committee. She said she would then know immediately what new legislation affects municipalities. Selectman Gehl congratulated her on the nomination and the board concurred that this would be a help to New Durham.

Next Meetings – The Board scheduled its next meeting for November 17, 2008 at Town Hall at 7:00 p.m. TA Whittaker noted that the December meetings will be held in the library, as larger audiences are expected due to the road name change hearings. The Board scheduled its next budget workshop for November 18, 2008 at Town Hall at 6:30 p.m. to meet with the highway, solid waste, and fire departments.

6. Old Business

The Board decided to continue discussion of Class VI roads to the next meeting.

March's Pond Dam – TA Whittaker announced a neighborhood informational rally to be held November 8, 2008 at 10:00 a.m. on the construction site. She said engineers and the construction crew would be there to answer any questions. She said she would be in attendance. Selectman Rhoades said he hoped members of the Board could be, also. He said the Board wanted the public informed. TA Whittaker said the area has been delineated with orange fencing so everyone can see the scope of the project, and know immediately what needs to be removed.

Budget Accounts – Selectman Gehl said some budgets reviewed last Monday are steady or decreased. The following slate was approved per their workshop budget meeting, which took place on October 27th, 2008.

- ❑ **Motion by Selectman Gehl to approve the bottom line total of \$4,750 for the Animal Control Account, number 4414; second by Chair Bickford. The motion carried unanimously.**
- ❑ **Motion by Selectman Gehl to approve the budget amount for the Zoning Board of Adjustment of \$1,625, account number 4192; second by Selectman Rhoades. The motion carried unanimously.**
- ❑ **Motion by Selectman Gehl to approve the Town Historian account for \$350, account number 4583; second by Selectman Rhoades. The motion carried unanimously.**
- ❑ **Motion by Selectman Gehl to approve the bottom line total for the Forest Fire account and Emergency Management Account number 4290 at a level of \$12,100; second by Chair Bickford. The motion carried unanimously.**

- ❑ **Motion by Selectman Gehl to approve the cemetery account, number 4195, for the amount of \$1,101; second by Chair Bickford. The motion carried unanimously.**
- ❑ **Motion by Selectman Gehl to approve the Conservation Commission's budget for \$2,000, account number 4312; second by Chair Bickford.** Selectman Gehl stated he brought the amount to the attention of the Conservation Commission and no reservations on the part of the Conservation Commission were expressed. **The motion carried unanimously.**

7. New Business

Background checks – The Board reviewed the background check policy and related information submitted by the Parks and Recreation Commission. TA Whittaker said the information was supplied by Kristyn Bernier, and thanked her for her hard work. Mrs. Whittaker asked permission of the Board to send the proposed draft policy to Town Counsel, and the Board agreed.

Metrocast Franchise Renewal – TA Whittaker advised that the franchise renewal process with Metrocast has been noticed and as it is a laborious process felt that it should be deferred until 2009. Selectman Gehl noted it needed to be in place before September 2011.

8. Approval of Minutes

Motion by Chair Bickford to approve the minutes of October 20, 2008 as amended; second by Selectman Gehl. The motion carried unanimously.

The Board tabled the minutes of the October 27, 2008 budget workshop.

Motion by Chair Bickford to approve the non-public minutes of October 20, 2008; second by Selectman Gehl. The motion carried unanimously.

9. Any Other Business

Chair Bickford provided a news article from the October 1, 2008 edition of the Union Leader that reported state officials getting a Cost of Living Adjustment, and said it was something to think about.

Brief discussion ensued regarding permitted use of vehicles by abutters on Class A trails, and that Class B trails are more restrictive.

10. Adjournment

Motion by Selectman Gehl at 9:34 p.m. to adjourn; second by Selectman Rhoades. 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.

