

**Approved**  
**New Durham Board of Selectmen**  
**Minutes of Meeting ~ January 26, 2009**  
**Town Hall**

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

**Also present:** Town Administrator (TA) April Whittaker, Police Chief Shawn Bernier, Road Agent (RA) Mark Fuller, Building Inspector/Code Enforcement Officer (BI/CEO) Arthur Capello, Equipment Mechanic David Valladares, Recreation Commissioners Sheri Joy, Wendi Fenderson, Kristyn Bernier, Town Clerk/Tax Collector Carole Ingham, Michael Clarke, Cathy Orlowicz, Katie Tohill, Al Koehler, Jennifer Nyman, David Curry

**1. Call to Order** – Chairperson Peter Rhoades convened the meeting at 7:04 p.m. and led the Pledge of Allegiance.

**2. Citizens' Forum** – Selectman Gehl announced there will be an informational meeting by the Land Conservation Committee regarding the Red Oak Ridge Project on January 27, 2009 at 7:00 PM in the Library.

**3. Department Reports**

***Highway*** – RA Fuller stated the department was basically dealing with winter and maintenance issues.

***Police*** – Police Chief Shawn Bernier presented a statistics handout breaking down what all the calls for 2008 entailed. Chair Peter Rhoades questioned the number of abandoned vehicles. Chief Bernier explained that included broken down vehicles and motor vehicle assists. Selectman Bickford asked what welfare checks were. Chief Bernier explained it was when an officer was sent to check on an elderly person if they are not answering their phone or someone has not seen them for a while to make sure they are okay.

He also included a breakdown of mileage for each of the cruisers. The total mileage for 2008 was 68,746 miles of patrolling. It is a reduction of 5,086 from 2007, which was 73,832. The reduction was due to doubling up the officers to save on gas.

The Chief also showed the Selectmen the property check/business check list that has the necessary information for each of the officers in the laptop computers in the cruisers. He explained that he has Officer LaMontange working on cleaning up the list and updating the contact information.

**4. Meeting Appointments**

The Selectmen met with Al Koehler to discuss his interest in joining the Recreation Commission. Chair Rhoades asked why he was interested in

joining. He explained that he is active in sports and has seen areas where he feels there is a need for improvement. He has coached different sports, has fund raising experience, and has helped to start teams for different sports. Chair Rhoades explained that the Board will be discussing the position and a decision will be reached in two weeks.

## **5. Continuation of Department Reports**

***Equipment Mechanic*** – David Valladares updated the Board on the options for fixing the grader transmission. A Nortrax technician was in to look at the transmission. There are a couple of possible options and he is hoping to know more in the coming week.

David Valladares stated the transmission in the 2003 Explorer has failed and a new transmission has been ordered.

Selectman Gehl inquired as to price increases in the cost of tires. He stated that prices have recently dropped and would like to know if Mr. Valladares is still anticipating an increase in March. David Valladares answered that he was still anticipating an increase, but there is a chance it will not be as high as originally thought.

Selectman Bickford asked about the status of the solid waste loader and Mr. Valladares stated the parts are in production. Selectman Gehl asked if David could get a definitive date for delivery. David stated the last definitive date they had given him has come and gone. Selectman Bickford asked how long after the gears are received will it be before the loader is working. David answered he was anticipating it would take 20-25 hrs to finish assembly of the motor and another 20-25 hrs to put the loader back together because there is a good amount of sheet work that needs to be done.

***Building/Code Enforcement*** - Building Inspector/Code Enforcement Officer Arthur Capello said there are several pending legal cases for code enforcement. He went on to say there are a couple of cease & desist orders that have been served by the police. One order is awaiting a court date. Another order has been answered by the attorney of the person served and has been forwarded to Town Counsel.

## **6. Administrative Review**

April Whittaker asked the Recreation Commissioners present if they had announced their choice for Volunteers of the Year. Sheri Joy stated they have not as yet because the Board of Selectmen Agenda was full. April asked them if they would consider it being presented at the Town Meeting and Sheri stated that had already been discussed by the Commissioners and agreed upon.

TA Whittaker advised the Board that the Recreation Commission had received a donation of \$200 for the Creative Kids Preschool Program and a letter of thanks had been sent. She informed the Board that there is some confusion as to the

status of the criminal background check policy because of changes to the State law and there is a chance that the State law would supersede the policy.

TA Whittaker asked the Selectmen what they would like to do about draft minutes being posted to the web site. She referenced the recommendation per the Local Government Center in as much that they advised not to place preliminary minutes on the web which people may rely on as factual. Selectman Bickford said he was in favor of posting the draft minutes on line to make them available to the public. It was noted by all that hard copy minutes are still available per the state timelines under state statute. After further discussion, the Board agreed to post draft minutes with a disclosure on the fact they are draft minutes only and not yet approved.

### **7. Meeting Appointments Continued**

The Selectmen met with Jennifer Nyman about her interest in joining the Recreation Commission. Chair Rhoades asked what she felt she could bring to the Commission. Jennifer explained that she volunteers at the school, she has been involved with recreation activities for 5 years. She has a son that is just starting to get into sports. She has coached for the Rochester Recreational Department, she is active in the Boy Scouts, and she is good at organizing her time. She said she is excited about being involved with the Commission. Chair Rhoades explained that the Board will be discussing the position and a decision will be reached in two weeks.

### **8. Administrative Review**

Ms. Whittaker stated she has a meeting with the NHMA's Municipal Advocacy Committee on Friday, January 30<sup>th</sup>. She asked the Board if they would stay with the standing policy of the Municipal Advocacy Committee of not lobbying re additional revenue sources. Selectmen Bickford stated he did not want to get the Town involved in lobbying. Noted to board that it was the NH Municipal Association who would be the lobbyists on behalf of towns and cities. Selectman Gehl disagreed. He noted that, without question, it was clear that the town's state revenues could be in jeopardy, which would drastically affect the town's tax rate. He therefore, felt that the Town should support the \$.05 gas tax as presented by Representative Campbell, however he was not in support of lobbying for gambling. After some discussion there was a 2 ~ 1 agreement to support lobbying for the gas tax and a 3 ~ 0 agreement to not support lobbying for gambling.

April Whittaker gave the Board the respective bids for the lighting at the Recycling Shed. April Whittaker read the quotes as follows:

Rines Electric - \$2,615, Greg Brooks Electric - \$2,850, Doyon Electric - \$3,867. After a brief discussion, **Motion Peter Rhoades, second Ron Gehl to accept the lower bid of \$2,615 plus \$68 for plastic tubes, each tube to be installed at the time the fixtures are put up. Vote was unanimous.**

### **9. Schedule Next Meeting**

The Board scheduled its next business meeting for **February 2<sup>nd</sup>, 2009** at 7:00 p.m. at Town Hall.

**10. Street Mapping/Street Name Changes**

This item was moved to the next meeting on February 2<sup>nd</sup>, 2009.

**11. Set Polling Hours**

After a brief discussion it was agreed that there will be new polling hours per authority vested in RSA 669:25. **Motion Ron Gehl, second David Bickford, to open the voting polls from 8:00 AM to 7:00 PM.** Selectman Bickford asked Town Clerk Carole Ingham if there were any objections to this. Carole answered there were no objections from either herself or the Supervisors. Mrs. Whittaker further noted that Moderator Fenske had no objections either. **Vote was unanimous.**

**12. Any Other Business**

**Generator and Heating at Fire Department**

Mark Fuller explained that he expected to hear from the people who did the survey before the end of the week to get the temporary tanks in. The propane people, Doyon Electric, and the generator company have to get together to finish installing the temporary tanks to run the generator. Chair Rhoades asked April Whittaker where they were at with the heating and she stated that Santoro is still working on it and when he is done the insulation will be put in.

Selectman Bickford asked about the storage of the fire truck. It was determined that it is still down at the Town barn. It is to be moved to the Rochester Fairgrounds for winter storage.

**13. Non-Public Minutes**

**Motion Ron Gehl, second David Bickford to enter in to non-public session under RSA 91:3 II a and c to be followed immediately thereafter by a second non-public session under RSA 91:3 II c. Ron Gehl –Aye, Peter Rhoades – Aye, David Bickford – Aye. The Board of Selectmen entered into non-public session at 8:20 PM.**

The Board returned to regular session at 9:05 PM following appropriate vote to return in non-public session.

Selectman Gehl explained there was a recent bid process for a cab and chassis for a dump truck and they had received two bids. The purchasing policy requires three bids. **Motion Ron Gehl, second Peter Rhoades to reject the bids received and rebid the process. Vote was unanimous.**

The other issue discussed was the decision to make Mark Fuller the Manager of the Transfer Station. Michael Clarke asked if in the absence of Mr. Fuller, would he be taking on the responsibility of the transfer station. Chair Rhoades stated that had not yet been discussed and referred the matter to Mr. Fuller to be taken up with his employee.

TA Whittaker reminded the Chairman that a report from the Board of Selectmen needed to be written up for the Town Report. Notes were provided of the 2008 activities.

**14. Approval of Minutes**

The Board of Selectmen reviewed the minutes of January 12<sup>th</sup>, 2009.

Page 2, paragraph 1, line 6 replace “new” with “remanufactured”

Page 2, paragraph 1, line 11 start new paragraph with “TA Whittaker...”

Page 4, paragraph 2, line 8, add “to accommodate anticipated purchases without over capitalizing the reserves over the short term.” after “in the reserves”

**Motion Ron Gehl, second Peter Rhoades to approve the minutes of January 12<sup>th</sup>, 2009 as amended. Vote was unanimous.**

**Motion Peter Rhoades; second David Bickford to approve the minutes of non-public session of January 12<sup>th</sup>, 2009 as written. Vote was unanimous.**

The Board of Selectmen reviewed the minutes of January 15<sup>th</sup>, 2009.

Page 1, Acct 4902, end of sentence, change “an” to “a”

Page 3, Town Buildings & Improvements, line 6, add “labor to install” before “new steel beams” and “be” before “donated”

**Motion Ron Gehl, second Peter Rhoades to approve the minutes of January 15<sup>th</sup>, 2009 as amended. Vote was unanimous.**

**15. Budget Review**

April Whittaker stated that the Budget Committee would like to keep at level funding of last years’ tax rate i.e. \$6.11, if possible. Chair Rhoades expressed that if he had known he would have to make cuts from Town maintenance to cover the cost of the bond for March’s Pond, he would have voted against the bond. TA Whittaker pointed out that this will be the first year for a payment on the bond and the impact on taxes is \$.14. Selectman Gehl stated he is in favor of trying to keep the budget as close as possible to last years’, but recognized the impact of a bond payment, which he felt, should also be factored in.

TA Whittaker explained that the Budget Committee was not demanding, but had painstakingly reviewed each account to see where possible cuts could be made. They had also requested that each department head review their budget and try to reduce it by 10%.

Acct 4130 Executive Offices-	no cuts	
Acct 4140 Elections & Registrations	voting booth	\$ 403
Acct 4150 Financial Administration	no cuts	
Acct 4152 Assessing	no cuts	
Acct 4153 Legal Expenses	no cuts	
Acct 4155 Personnel Administration	no cuts	
Acct 4191 Planning Board	contracted services	\$3500
	GIS software	\$ 750
Acct 4192 Zoning Board of Adjustments	no cuts	
Acct 4194 General Government Buildings	SWD Bldg.	\$2100

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	Highway Bldg.	\$5125
	Police Bldg	\$5000
Acct 4195 Cemeteries	no cuts	
Acct 4196 Insurance	no cuts	
Acct 4199 Other Government Bldgs	Town Engineering	\$5000
Acct 4210 Public Safety Police	no cuts	
Acct 4220 Public Safety Fire	Master Stream	\$2800
	Mule Lift Kit	\$1800
	Rehab/Decon Tent	\$ 790
Acct 4240 Building Inspection	no cuts	
Acct 4290 Emergency Management	no cuts	
Acct 4299 Other Public Safety	no cuts	
Acct 4312 Highways & Streets	Equipment rental	\$24000
	Brush Cutter	2000
Acct 4316 Street Lights	no cuts	
Acct 4319 Equipment Mechanic	Highway vehicles	\$10200
	Fire vehicles	\$ 800
Acct 4324 Solid Waste	Part-Time	\$ 2382
	Telephone	400
	Demo & Debris	8300
	Equipment rental	\$ 5122
	Supplies	\$ 2000

Additions to Account 4324 are \$1000 for building maintenance, \$450 for vehicle fuel.

The Board of Selectmen will hold a Budget Workshop Meeting on January 28<sup>th</sup>, 2009 at the Town Hall located on Main Street at 7 PM to continue budget review.

Chairman Rhoades noted the time and asked for an adjournment vote.

**Motion Peter Rhoades, second David Bickford to adjourn. Vote was unanimous.**

The meeting adjourned at 11:12PM

Respectfully submitted,

*Laura Zuzgo*

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.

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