

**New Durham Board of Selectmen
Minutes of Meeting ~ February 2, 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, Town Clerk Carole Ingham, Equipment Mechanic David Valladares, Terry Jarvis, Paddy McHale, Cathy Orlowicz, Katie Tohill, Ryan Noonan

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

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

3. Department Reports

Town Clerk – Town Clerk Carole Ingham announced new election hours, namely, opening at 8:00 AM instead of 10 AM and closing at 7PM. She also read off the filings for this year's election:~

- ❑ Board of Selectman ~ Bob Kroepel, Paddy McHale, and Terry Jarvis
- ❑ Planning Board ~ Dorothy Martin Veisel;
- ❑ Trustee of the Trust Funds ~ incumbent David Allyn.

Vacancies exist on Cemetery and Library Trustees. Town Administrator April Whittaker picked the names of the contested race from a bucket to determine order of appearance on the ballot. Selectmen candidates will be in the following order: Terry Jarvis, Bob Kroepel, and Paddy McHale.

Ms. Ingham announced Town Elections to be held at the New Durham Elementary School on Tuesday, March 10, 2009 and Town Meeting on March 11, 2009 at 7:00 p.m. She said absentee ballots should be available 30 days prior to the election. She also asked anyone interested in being a write-in candidate for the vacancies to let Town Hall know.

Cathy Orlowicz remarked that Wendi Fenderson would be running for School Board.

As Tax Collector, Ms. Ingham asked the Board to discuss the acceptance of two tax deeds in non-public session.

Highway – Road Agent Mark Fuller informed the Board that the propane tanks for the generator are to be delivered Wednesday morning, and that electrician Dana Doyon will be present. The lines will be hooked up and the generator should be ready to run 10 days after receipt of the survey.

He said his department was performing winter maintenance.

Regarding the Solid Waste facility, RA Fuller reported changing work hours so that personnel will report 15 minutes before opening and remain 15 minutes after closing for proper preparation and shut down. Due to that extra time, Monday work hours will be reduced. He said he was also looking for part-time help, in the event of a worker calling in sick, so that there will always be two staff members on duty.

Chair Rhoades asked about reports of the Town of Lee paying its tipping fees from recycling income. RA Fuller indicated bills for recycling were actually materializing for the first time due to the economic conditions. Selectman Ron Gehl said some communities excel at recycling strategies. Chair Rhoades said it was good RA Fuller was looking at efficiency tactics.

4. Meeting Appointment

Historic Structure Report - The Board met with historical preservation experts Steve Bedard and Liz Hengren, regarding the Historic Structure Report on the 1772 Meetinghouse. Mr. Bedard said they wanted an idea of what the Town and residents saw as potential uses of the Meetinghouse, to better prepare for LCHIP grant applications. Cathy Allyn, of the 1772 Meetinghouse Restoration Committee, briefly summarized how the building has been used for the past two years, citing Christmas caroling, Halloween haunted houses, and historical re-enactments. She also read a list of potential uses from the Committee's minutes, ranging from penny socials to family reunions. Chair Rhoades suggested holding a Board of Selectmen's meeting on the site when the weather improved, perhaps choosing a specific meeting such as the second meeting in July, and holding it in the Meetinghouse each year.

Selectman Gehl asked where Mr. Bedard and Ms. Hengren are in the process. Ms. Hengren said the project is a building assessment for preservation, and has five sections: a detailed history of the building, a description of how it looks today, which era each architectural section belongs to, and the existing conditions and type of work needed to be done. She said the last element would depend upon what the Town's ideas were for use of the building. The report is due at the end of February.

Chair Rhoades asked what the team suggested based upon the current conditions and what other towns have done. Ms. Hengren said they had not looked at specific events to be held there. Mr. Bedard said any work would be broken into different phases of interior and exterior efforts. He said the Town could consider installing heat or a kitchen area, for example. Any refurbishing or renovation would adhere to the Secretary of Interior's restoration rules. Chair Rhoades said the building would need heat if used year-round. He said he had concerns about the roof. He indicated he envisioned the Meetinghouse as a shell, and cold. Mr. Bedard said it could be made weather-tight and be heated. He outlines that the frame was constructed in 1772, wainscoting was added in 1792, the second story was cut down in 1838, and the inside was finished in 1847. He said the building could be good for another 200 years with proper care.

Chair Rhoades inquired as to historically accurate restoration. Mr. Bedard said there could be a complete envelope change, including jacking of the building. He said the first step would be to do the framework, then the roof. The building would not be restored to resemble what it was prior to 1838, when it was two stories. Ms. Hengren said other Meetinghouses were similar in appearance, and the top stories were often lopped off when the Toleration Act separated church and state. She explained that the government usually stayed in the meetinghouses and removed the upper story to keep heating costs down. Town Historian Cathy Orlowicz stated records indicate deterioration was cause for the upper story removal in 1838.

Selectman Gehl said going to year-round use would be taking a large leap. He said he would like an idea of costs to make the building structurally sound to be used seasonally. TA Whittaker said that work could serve as a springboard for future LCHIP grants, and this period of LCHIP grants drying up would give the Town the opportunity to make a savings plan. Ms. Hengren said overall preservation work was necessary to get additional grants. She said the HSR would provide the Town with a roadmap to allow for informed decisions.

Selectman Bickford asked if the building was in danger of collapse. Mr. Bedard replied that the roof is safe for the time being, and that the work done on it by volunteers is what saved it. He noted the Town has provided good stewardship. He said he would set up a maintenance schedule as part of the HSR. He said the roof was built to be under compression only and the wind braces were not pegged together. When the building was cut down, those wind braces were cut out, so the ceiling flexed and the plaster fell. He said the team would prioritize the work. Ms. Hengren added that the roadmap would not go out of date. She said they would provide a hard copy and another on CD. Mr. Bedard said the Meetinghouse is only one of five pre-Revolutionary meetinghouses on their original sites, so it is a rare thing to have.

5. Non-public Session

Motion by Selectman Gehl at 7:50 p.m. to enter into non-public session under RSA 91-A:3 II (c), to be followed immediately by a non-public session under RSA 91-A:3 II (a) and (c); second by Chair Rhoades. A roll call was taken. Rhoades – aye, Gehl – aye, Bickford – aye.

The Board reconvened in public session at 9:15 p.m. No decisions were made in non-public session.

6. Department Reports continued

Police – Police Chief Shawn Bernier said his department received a 50 per cent matching grant from Highway Safety. He said three grant applications have also been undertaken. Three officers are involved in training: Officer Meatty, for first line supervisor, Officer Durrance, for intoxilyzer 5000 operator, and Officer Chesley, for interview and interrogation. Chair Rhoades asked if the department was fully staffed, and Chief Bernier replied that with five full-time positions, the Town was covered for the majority of shifts, which is an expansion of active patrolling hours.

Building - Building Inspector/Code Enforcement Officer Arthur Capello said a Superior Court date of March 5, 2009 has been set for an ongoing case. He said he was gathering additional evidence, and a preparation meeting is scheduled for February 17, 2009. Chair Rhoades asked how many legal hours the Building/Code Enforcement department might use, and BI/CEO Capello said 20 – 30 hours for the two cases he is working on now.

Fire – Selectman Gehl said Fire Chief Peter Varney sent word that the department is doing cold water training with the Alton Fire Department this evening and next Monday. He reported that work on the ladder truck is to begin on Monday.

7. Administrative Review

Parks and Recreation Commission resignation and appointments - Chair Rhoades read a letter of resignation from the Parks and Recreation Commission from Dwight Jones, who has been unable to attend meetings due to his schedule.

Motion by Selectman Gehl to accept the resignation of Dwight Jones from the Parks and Recreation Commission, with regret; second by Selectman Bickford. The motion carried unanimously.

Motion by Selectman Gehl to appoint Al Koehler and Jennifer Nyman to the Parks and Recreation Commission; second by Selectman Bickford. Chair Rhoades pointed out that the terms of the positions should be included.

Motion by Selectman Gehl to appoint Al Koehler to the Parks and Recreation Commission to fill the vacancy left by Paula Gehl's resignation, a term to expire in 2011; second by Chair Rhoades. The motion carried unanimously.

Motion by Selectman Gehl to appoint Jennifer Nyman to the Parks and Recreation Commission to complete the term of Dwight Jones, to expire April 1, 2009. Chair Rhoades added that the appointment was made with the intention of re-appointing her for the full term in five weeks, which Selectman Gehl added to his motion; second by Chair Rhoades. The motion carried unanimously.

The Board signed the appointment forms.

Budget Cuts – TA Whittaker announced that with the latest budget cuts, the Town portion of the tax rate is now \$6.23, which is two cents below the target rate. She said she and Chair Rhoades would bring the figures to the Budget Committee for discussion. She said the public budget hearing will be February 9, 2009 at 6:30 p.m. in the library. She said last year's rate was \$6.11 and the March's Pond Dam bond adds 14 cents, so this year's budget is as lean and mean as can be made in recognition of the economic situation of residents. She said she hoped for the town's support, as a lot of hard work went into the budget this year. Chair Rhoades remarked that the Board had to go beyond

logic in its trimming. TA Whittaker said she would send a list of the cuts and budget sheets to department heads.

Selectmen's Report – Chair Rhoades said he had gone through the minutes of the past year, as well as old Town Reports, to draft the Selectmen's Report for the Town Report, and enjoyed and emulated the entries by Planning Board chair Rogers Smith, who wrote from a personal perspective. Chair Rhoades said he felt the Board experimented a lot this year, and cited March's Pond Dam and the Red Oak Ridge proposal. He said success is constantly pushing forward along a circuitous route, as it is never a straight road. He used the never-ending problems of the March's Pond Dam situation as an example, and exclaimed that when you look at its history, you wonder how the Board did not give up. He said the Town came up with a creative solution, which is March's Pond LLC. RA Fuller interjected that the contractor is planning on pouring the concrete for that project this winter. Selectman Gehl noted that would be more costly for the contractor. TA Whittaker agreed, but said the water level is at its lowest, so it is more cost effective than doing it in the spring when the water would rise. Referring to the report, Selectman Bickford suggested removing some of Chair Rhoades' personal remarks. Chair Rhoades acknowledged 50 per cent of the report was personal. He stated he was glad that the minutes reflect the flavor of the meetings.

Next Meeting – The Board scheduled its next meeting for February 16, 2009 at 7:00 p.m. at Town Hall, noting the day was a holiday.

8. Old Business

Street Name Changes – The Board agreed that simple, E-9-1-1 recommended changes, such as removing apostrophes, should be followed. After briefly discussing several, Selectman Gehl said the Board agreed to move ahead with the street mapping, and then decide what street names should be changed and hold public meetings. Chair Rhoades countered that if the board decide to change the street names as recommended by the Bureau, then the Board needed to decide what names are to be changed, and at this point, open discussion for input on what the new road name would be. He suggested each member decide which names to change and bring the list to the next meeting for discussion. TA Whittaker urged selectmen to think of possible names and asked Ms. Orlowicz to look at possible historical names. She said then the names could be discussed with the affected residents.

9. Approval of Minutes

The Board made the following changes in the minutes of January 26, 2009:

Page 1, under Police, first paragraph, line 3 – add “n” to the word “broke.”

Page 2, under Equipment Mechanic, third paragraph, line 3 – remove “ing” from “stilling.”

Page 4, under Set Polling Hours, line 5 – delete underscore between “Supervisors.” and “Mrs.”

Motion by Chair Rhoades to approve the minutes of January 26, 2009 as amended; second by Selectman Bickford. The motion carried unanimously.

Motion by Chair Rhoades to approve the non-public minutes of January 26, 2009 as written; second by Selectman Bickford. The motion carried unanimously.

10. Any Other Business

Land Conservation Committee meeting – Selectman Gehl updated Selectman Bickford and the public on the Land Conservation Committee’s meeting of January 27, 2009. He said the purpose of the meeting was to get input from the public with regard to the committee’s direction in the future with the Birch Hill matter. He said those present, more than 20, were unanimously supportive of moving ahead, but since there is no feasible way to move ahead this year, the consensus was to bring forth a resolution on the warrant that considers a measure of support of funding, without committing the Town. He said he would work on the draft. He said the key element in order to stay in the mix and provide a leg-up competitively for any grant monies is to receive forward movement on the part of the Town. Selectman Gehl said the “Forest Legacy Grant” is suited to this type of project. Selectman Bickford clarified that the resolution would basically be stating that residents are in favor of conserving the land, but don’t want to spend that much. Selectman Gehl said a figure that gauged the level of support would be in the resolution, without committing to it.

Ms. Orlowicz asked if attendees at the meeting were from all over the community. Selectman Gehl indicated yes, and that there were a limited number of lake residents. Chair Rhoades said the attendees were supportive, and the Committee wanted to generate discussion at Town Meeting. He said if interest in retaining the land as conservation land exists, that’s positive for being awarded grants. He said the “Forest Legacy Grant” is 75 per cent, but can take up to four years to cycle through. Selectman Gehl pointed out that the 25 per cent the town would be responsible for does not need to be all cash, but can take a variety of forms. TA Whittaker said that would be favorable for New Durham, if the owners of the land were willing to wait.

11. Non-public Session

Motion by Chair Rhoades at 10:00 p.m. to enter into non-public session under RSA 91-A:3 II (c); second by Selectman Bickford. A roll call was taken. Rhoades – aye, Gehl – aye, Bickford – aye.

The Board returned to regular session 10:25 PM. The Board determined to accept tax deeding for property as previously owned by Eric Guenard Map 27A Lot 130 – 3, and requested further investigation for a second property due for deeding.

12. Adjournment

There being no further business, motion Gehl, second Bickford to adjourn, vote 3- 0.

The meeting adjourned at 10:26 PM.

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.