

**New Durham Board of Selectmen
Minutes of Meeting ~ September 13, 2010
Town Hall**

Members Present: Theresa Jarvis, David Bickford, Frederic March

Others Present: Administrative Consultant Alison Rendinaro, Road Agent Mark Fuller, Police Chief Shawn Bernier, Fire Chief Peter Varney, Parks and Recreation Commissioner Kristyn Bernier, Building Inspector/Code Enforcement Officer Arthur Capello, Charles Bickford, Sherri Brulotte, Roger Murray III, Mary McHale, Stuart Rinschler

1. Call to Order – Chair Terry Jarvis called the meeting to order at 7:01 p.m. and led the Pledge of Allegiance.

2. Agenda Review – Selectman David Bickford added Alcohol Ordinance to the agenda.

3. Citizens' Forum – Cathy Allyn acknowledged Bonnie Dodge's weekly work on the beautiful garden at the traffic island in the center of town. She said Ms. Dodge has been spending her own money on the annuals, compost, and plant food. Ms. Allyn said Ms. Dodge told her she would not be in a position to pay for everything again next year. She recounted that many people comment on and appreciate the flowers. Chair Jarvis said perennials were going to be donated. Road Agent (RA) Mark Fuller said Les Turner did work on the island, too. Chair Jarvis said she helped the Cub Scouts at the location at the beginning of the season.

4. Appointments

Roger Murray III of Copple Crown Road met with the Board. He explained he was seeking clarification of the Wolfeboro/New Durham town line, that runs through his property, as the tax map generated by Cartographics Associates does not match the survey done by White Mountain Survey and Engineering in October of 1982. He said in the 1980s, he received full tax bills from both towns. Wolfeboro hired White Mountain Survey to survey the line in 1984, and they found a one foot difference. He said he sought and received a tax abatement from New Durham on his house, and now pays 20 per cent of the full bill to New Durham.

He stated Cartographics has the line represented incorrectly, as they did not use the iron pin marker on New Garden Road, and he had received no satisfaction from them. He said, according to the Wolfeboro tax map, the line runs through the front of his house. He said, in his opinion, the town line runs down to the pin and should be one foot more into Wolfeboro. He said New Durham gained a foot from White Mountain's survey paid for by Wolfeboro. He was concerned that he would be taxed twice again, due to Cartographics' error.

Administrative Consultant Alison Rendinaro said she spoke with Cartographics and they decreased Mr. Murray's property to 23 acres by reshooting the line from the iron pin. Mr. Murray said New Durham places the town line running through the back of the addition on his house. Chair Jarvis said the town does not yet have the updated

map after this reshoot. When it is received, the Board will be able to see where the line actually goes through Mr. Murray's house.

RA Fuller said there is a pin and a marked stone on New Garden Road. He said the Winipesauckee Golf Course and others along the line could be affected by a change. He said there was a clear monument marking the northern part of New Durham. Selectman Fred March asked if Mr. Murray's concern was being taxed in full by New Durham for his house. Mr. Murray said that was not happening now, but he was concerned something like that could happen again. Selectman March asked what was wrong with paying a percentage, and Mr. Murray said there was nothing wrong with it, that that was what was happening now and he wanted to keep it that way. He said he felt Wolfeboro moved the town line too far one way, so some of his land has been recorded as being in both New Durham and Wolfeboro. Chair Jarvis clarified by saying Mr. Murray was asking the Board to ask Cartographics to use the line established in 1984 and that 23 acres, or 20 per cent of his land, is in New Durham.

Chair Jarvis said according to the current tax maps, Mr. Murray has 24 acres in New Durham. AC Rendinaro said that has been fixed. RA Fuller said the last perambulation was in the early 1990s. Chair Jarvis said it was an excellent time for a site walk and perambulation. She asked AC Rendinaro to research an official perambulation of the town line between Wolfeboro and New Durham, and to set up with Wolfeboro when it could take place. Selectman Bickford read aloud that perambulations are to take place every seven years. Chair Jarvis told Mr. Murray that AC Rendinaro would keep him apprised.

5. Board, Commission and Department Reports

Parks and Recreation - Parks and Recreation Commissioner Kristyn Bernier introduced Sherri Brulotte, saying the Commission unanimously recommended her for the vacant position on the Commission. Chair Jarvis explained the Board's two-week vetting policy regarding appointing volunteers. Ms. Brulotte spoke briefly on herself and her involvement in the town. She said she understood the time commitment and hard work necessary to serve. Ms. Bernier said no one else has come forward to fill the spot left vacant by Lucinda Erwin.

Motion by Selectman Bickford to nominate Sherri Brulotte as a candidate for the New Durham Parks and Recreation Commission; second by Selectman March. 3-0.

Police - Police Chief Shawn Bernier said his department is investigating three burglaries, including one at the Town Shed. Regarding officer training, Officer Durrance will be attending criminal investigation school, Corporal Meattay, Trauma and Rescue Tactics for First Responders, and Katie Woods, safety certification for child seats. Chair Jarvis asked about the individual working on a criminal justice degree in Concord who will be observing officers. Chief Bernier said the department works with the school and the student receives hands on experience.

Equipment Mechanic - Chair Jarvis reported Equipment Mechanic David Valladares is at another meeting and could not be present. RA Fuller said the tool vendors have been notified, and Mr. Valladares purchased the tools he needs to continue working.

Solid Waste Transfer Station – RA Fuller noted that the Town has saved \$1,190 in haulage fees by renting a container for the plastics compactor for \$100 until the purchased one arrives. He said the transfer station went seven weeks without needing plastics hauled away.

Sand Bids – Chair Jarvis announced that the winter sand and solid waste and construction debris collection and disposal contracts expire in December. She said bids for both are due by 10:00 a.m. on September 30, 2010 and will be opened at 10:00 a.m. on October 1, 2010.

Road Agent Retirement – Chair Jarvis said RA Fuller submitted a letter of resignation, effective January 1, 2011, after serving the town for 34 years.

Motion by Chair Jarvis to accept the resignation of Road Agent Mark Fuller with extreme regret, and to offer congratulations on his retirement; second by Selectman Bickford. 3-0.

6. Status Reports

Chair Jarvis said the ZBA meeting to consider a variance for the Town Hall bulletin board was postponed due to lack of a quorum. She also told the Board she provided the latest drafts of the Fire Department Rules and Regulations and Health and Safety issues in their boxes.

7. Old Business

Highway Department Purchase Order - The Board discussed a purchase order for single stone chip sealing by All States Asphalt, Inc, noting the company is the only one in the state that does chip seals, and is on the state bid list. The project is part of the road surface management program.

Motion by Chair Jarvis to waive the purchasing policy requiring going out to bid, as it is a state bid list item; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis to spend \$63,000 for single stone chip seal, payment to All States Asphalt, Inc. of Massachusetts; second by Selectman Bickford. 3-0.

The Board signed the purchase order.

Legislative Policy Process Workshop – Selectman Bickford said he believed he would be available to attend the Local Government Center's workshop on September 17, 2010.

Recycling – Chair Jarvis said NRRA wants to speak with the Board, and she has asked AC Rendinaro to schedule them in. AC Rendinaro drafted a letter to be sent to those not abiding by recycling, which will include the November 2, 2009 updated version of the Recycling Ordinance. Selectman Bickford said the Board could authorize the police department to enforce the ordinance. Chair Jarvis said employees at the Transfer Station are authorized to submit information pertaining to who is not following the ordinance, and either the Board can send out letters, or authorize AC Rendinaro or the police to send out letters. Selectman Bickford said he would prefer the police enforce the

ordinance. He raised the concern that the letter indicates the Board is charged with enforcement.

Chair Jarvis said she and AC Rendinaro will draft a procedure. She indicated Chief Bernier is helping with the form. She said once the referenced ordinance numbers are changed to the 2009 version, she will get the names and addresses from police (based on the supplied license plate numbers). She said a warning comes with the first offense, a \$25 fine with the second, a \$50 fine with the third, and court action after that. She asked RA Fuller how much a sign would cost that laid out those fines. He suggested four inch letters so it would be easy to read, and asked for the exact text so he could get a price. Chair Jarvis said to put the ordinance on the "to do" list, as she wanted to revisit it.

Transfer Station Hours of Operation – RA Fuller recommended keeping the hours consistent. The Board decided not to change the hours.

Department Evaluations – Chair Jarvis said the evaluations were to be completed by September 30, 2010. She said the four major department heads would do self-evaluations and also evaluate their colleagues. She said the Board needed to do evaluations by September 20, 2010.

Ambulance Change of Rate Form – Chair Jarvis advised that ComStar said the Board needed to sign the form indicating that New Durham will retain its current rates. She said the Town charges Medicare rates plus 10 per cent.

Motion by Chair Jarvis to approve the current rates for ComStar billing and to authorize the chairperson to sign; second by Selectman Bickford. 3-0.

Chair Jarvis signed the form.

8. New Business

Tax Rate Authorization Form – AC Rendinaro said, with the approved form, DRA will send the Town its tax rate as email, saving time by not waiting for it through the mail.

Motion by Selectman Bickford to authorize the Town to receive the tax rate electronically, and to authorize the chairperson to sign; second by Selectman March. 3-0.

Chair Jarvis signed the form.

Budget Season – Chair Jarvis said the Budget Committee meets this Wednesday at 6:30 p.m. and that Selectman March is the Board's representative, with Chair Jarvis as alternate. She asked the Board what its goals were for the upcoming meeting. Selectman Bickford said he wanted to spend as little money as possible. Selectman March said we'll get a format for the operation. Chair Jarvis explained that, due to the reassessment, we don't have some of the information we did last year at this time. She suggested discussion of second year pay equity for those people not matched to the wage scale. Selectman Bickford said the document was adopted as a study. Chair Jarvis countered that the wage scale was part of the study. She said the Board was awaiting analyses of positions not included in the first study. She said she would like to discuss that, as well

as raises. She said three people have recently been appointed to the Budget Committee, and that AC Rendinaro has notified the department heads of the schedule. The Board went over the form Chair Jarvis drafted for budget reviews on Mondays and Thursdays through December 13, 2010, and agreed it was a start.

Chair Jarvis said she and AR Rendinaro would assign times, and that the reviews would start at 7:00 p.m. and be done by 10:00 p.m. She added that the Board needed to discuss a security system for Town Hall and custodial and handyman services. She said all budgets are due in to Financial Assistant Vickie Blackden by October 14, 2010.

Court Fee Payments – Chair Jarvis reported the Town has received its first payment of \$1,000 toward court fees from Peter Dudley, and will continue to receive payments monthly. She said the payments were court ordered, but DRA says, to be safe, the Board should hold a public hearing to accept the money. She said AC Rendinaro would call the LGC regarding the matter. AC Rendinaro said DRA considers the money unanticipated. Selectman March noted it was anticipated after the court order.

Stockbridge Corner Road – Chair Jarvis said the Board discussed closing Stockbridge Corner at a previous meeting. RA Fuller said he would need to determine how much time his department spends on it. Selectman Bickford asked what the cost of winter maintenance was. RA Fuller said there are 230 trips per day on the road, and Chair Jarvis observed that would be a lot to add to Valley Road.

Alcohol Ordinance – **Motion by Selectman Bickford to accept the Alcohol in Public Places Ordinance.** Chair Jarvis said a public hearing was needed when the Board revised the ordinance in April. Selectman Bickford pointed out that a public hearing is necessary only if a right is being taken away. Chair Jarvis said Chief Bernier should be present, but he had left the meeting, and that material needed to be given to him. Selectman Bickford said the Board would wait until next Monday to discuss it, and withdrew his motion.

9. Schedule Next Meetings

Chair Jarvis noted the Budget Committee meeting on September 15, 2010. The Board scheduled a work session on September 20 to discuss the alcohol policy, schedule evaluation review dates, discuss physical exams, discuss the video policy, finish the edits to the fire department Rules and Regulations, and discuss the Shirley Forest. Selectman Bickford said the Board should hear recommendations from forester Peter Farrell, recently hired, before bringing the matter before the public.

The Board scheduled its next business meeting for September 27, 2010 at 7:00 p.m. at Town Hall.

10. Approval of Minutes

Motion by Chair Jarvis to accept the minutes of August 16, 2010, as written; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis to accept the minutes of the work session of August 30, 2010, as amended; second by Selectman Bickford. 3-0.

11. Nonpublic Session

Motion by Chair Jarvis at 9:04 p.m. to enter into non-public session under RSA 91-A:3 II (a), (c), (d), and (e); second by Selectman Bickford. A roll call was taken.

Jarvis – aye, Bickford – aye, March – aye.

Motion by Chair Jarvis to authorize a taxpayer to pay monthly payments of \$800 for back taxes; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis at 11:20 p.m. to come out of nonpublic session; second by Selectman March. 3-0.

12. Adjournment

Motion by Chair Jarvis to adjourn at 11:22 p.m.; second by Selectman March. 3-0.

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.