

**NEW DURHAM BOARD OF SELECTMEN  
MINUTES  
5 AUGUST 2013**

**Present:** Board members Selectman Terry Jarvis (Chair), Selectman David Swenson, Selectman Jeff Kratovil; Town Administrator Jeremy Bourgeois.

**Others Present:** Road Agent Mike Clarke, Police Chief Shawn Bernier, Deputy Town Clerk Stephanie MacKenzie, Highway Department Manager/Town Historian Cathy Orlowicz, Planning Board member Dot Veisel, 1772 Meetinghouse Committee Chair/Assistant Librarian Cathy Allyn, Meetinghouse Committee member/Planning Board member Bob Craycraft, Building Inspector/CEO Arthur Capello, Fire Department members Marc & Valerie Behr, Baysider Reporter/Resident Liz Cantrall, Videographer Jim Ladd, residents/audience members Cheryl Cullimore, Jason Roy, David Stuart, Cameron Libby, Kevin Ruel, George Gale, Clayton Randall, Skip Fadden, Mark Foynes, Patty Tollner, Maurice Crotteau, John Michaud, David Bickford.

**Non-Public Session**

Meeting called to order at 6:20 pm.

**Chair Jarvis motioned at 6:21 pm to enter nonpublic session under RSA 91-A:3, II (b) the hiring of any person as a public employee and (c) matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any applications for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant. Selectman Kratovil seconded the motion. A roll call vote was take: Kratovil- Aye, Swenson – Aye, Jarvis- Aye.**

**Chair Jarvis motioned to leave nonpublic session at 7:00 pm. Selectman Swenson seconded the motion. The motion was unanimously approved.**

While in nonpublic session, the Board of Selectmen discussed a tax lien repayment and an offer to purchase Town owned property.

**Public Meeting**

Due to the large number of people standing in the hallway, Chair Jarvis asked New Durham Fire Captain Stuart what the Department's wishes were in regard to continuing the meeting. Captain Stuart indicated that the meeting could continue.

**Chair Jarvis made a motion to not sell Map 209 Lot 046 to the individual requesting to purchase it for the amount specified as it is far below market value. Selectman Kratovil seconded the motion. The motion was unanimously approved.**

Chair Jarvis stated the Town Administrator will be in contact with both the Planning Board and Conservation Commission to see if either Board has any recommendations for the property.

Chair Jarvis stated the Board has had several requests for information regarding the process for appointing a Fire Chief. Chair Jarvis stated the Board has decided to release the Fire Chief Interview Evaluation Form that was used by members of the Advisory Interview Committee who interviewed the candidates. Chair Jarvis stated the Selectmen also used this form when they did their interviews. Chair Jarvis noted the form will be made public shortly.

### **Public Forum**

Road Agent Mike Clarke stepped forward and stated, in 2008 he believed, the Town of New Durham contracted with a private company called MRI to oversee running the Town. Road Agent Clarke stated as a resident of New Durham and a Department Head he believes it is time for the Town to hire their own Town Administrator. Mr. Clarke continued to state the three Selectmen were voted in by the taxpayers and he believes they should take back the Town and do the job they were voted in to do. Chair Jarvis stated the Town is currently contracted with MRI until, she believes, March 2014 but she would double check.

Police Chief Shawn Bernier stepped forward and stated he agreed with what Road Agent Clarke had just stated and the Selectmen should move away from MRI and hire a full-time Town Administrator.

Fire Department member Valerie Behr stated she read in the newspaper that the new Fire Chief should be welcomed. Ms. Behr continued to state as a member of the Fire Department she would like to know who the new Chief is. Chair Jarvis stated there is no new Fire Chief at this moment. Selectman Kratovil clarified by stating at the time the letter in the newspaper was written the candidate for Fire Chief was going through the required background checks. Selectman Kratovil stated he believes the candidate backed out because of intimidation.

Town Historian Cathy Orlowicz stated she had a couple of announcements and a Special Event Permit that needed to be signed by the Selectmen. Town Historian Orlowicz stated the Boodey House Committee is hosting an event which will take place on 11 August 2013 from 1pm – 3pm at the old Free Will Baptist Church on the Ridge. Town Historian Orlowicz noted the cost is \$10.00 per person with proceeds going to the Boodey House restoration project. Town Historian Orlowicz invited everyone to attend and stated light refreshments will be served. The Selectmen reviewed the Special Event Permit which Ms. Orlowicz noted had already been reviewed and signed by the Police Chief. **Chair Jarvis made a motion the Board of Selectmen authorize and sign the Special Event Permit for the Boodey House Committee to hold an event on 11 August 2013 from 1pm – 3pm at the Free Will Baptist Church on the Ridge. Selectman**

**Swenson seconded the motion. The motion was unanimously approved.** The Selectmen signed the permit. Town Historian Orlowicz thanked the Board.

Town Historian Orlowicz stated her second announcement is an event hosted by the Historical Society in conjunction with the Meetinghouse and Boodey House Committees regarding the update of the 'Historic & Cultural Resources' section of the Master Plan. Town Historian Orlowicz stated the meeting is scheduled for 8 August 2013 at 7 pm at the Library. Ms. Orlowicz invited everyone to attend.

Resident Skip Fadden stated he had a question for Selectman Kratovil. Mr. Fadden stated a letter Selectman Kratovil submitted to the Baysider stated the Fire Chief candidate had received negative e-mail, Mr. Fadden stated if no one knew who this person is how could they be sent negative e-mail. Selectman Kratovil stated it was not e-mail but regular mail, a card to be specific. Selectman Swenson stated in answer to Mr. Fadden's question, the Board does not know how anyone got the information regarding the Fire Chief candidate.

Resident and Fire Department member Marc Behr questioned what the status of the Fire Chief position is. Mr. Behr stated the process has been going on for 8 months and as a resident and a Fire Department member, he would like to know when a decision will be made. Chair Jarvis stated the Board will be reconvening in non-public session, at the conclusion of the public portion of the meeting, to discuss the issue. Mr. Behr asked for a time-frame. Chair Jarvis stated she was unable to give a time-frame. Heated discussion followed regarding the length of time involved in the Fire Chief appointment process, PAF's, and cameras located within the Fire Station.

Resident Skip Fadden stated whether the Fire Chief is an appointed position or an employee of the Town, there would need to be just cause to replace him. Mr. Fadden asked the Selectmen what cause there is to replace the current Fire Chief. Mr. Fadden continued to state he believes the current Chief has done a good job. Chair Jarvis stated this question has been asked and answered several times. Chair Jarvis continued to state the current Fire Chief's appointment expired in May or June of 2012, from that point on he became an 'employee at-will'. Chair Jarvis continued to state under the law 'employees at-will' can be terminated without cause. There was some discussion regarding language in a 91-A request submitted by Mr. Fadden. Chair Jarvis stated without having the request in front of her she could not resolve the issue. Chair Jarvis suggested attaching the request to the minutes.

### **Agenda Review**

Selectman Kratovil stated he would like the Board's input in having the Town Administrator look into having the lock in the Land Use Office fixed as it cannot be locked now and due to the recent computer issues he thinks it should be locked. Selectman Swenson stated he didn't think that required a Board action. Selectman Kratovil stated he cannot just direct the Town

Administrator unless the Board agrees. Chair Jarvis asked Town Administrator Bourgeois to look into having the lock fixed and ensuring the Chairs of the Planning Board, Zoning Board, and Conservation Commission would have access to the Land Use Office.

#### **1772 Meetinghouse Committee Charter Review**

Board members reviewed the Meetinghouse Restoration Committee Charge provided by Meetinghouse Committee Chair Cathy Allyn. Chair Jarvis noted the charge is to be reviewed on an annual basis. Chair Jarvis stated the Committee has successfully completed charges one and four. There was a question as to whether once a Charge has been completed, should it be removed from the document. Meetinghouse Chair Allyn did not think the completed tasks should be removed from the document as they serve as a historical record. Ms. Allyn suggested leaving the completed Charges in the document but adding 'completed' in parenthesis. Chair Jarvis agreed. It was noted that the partnerships mentioned in Charge two have been established and should be continued. Chair Jarvis recommend Charge 3 be clarified to state a report will be included in the Town Report on an annual basis so people are not confused thinking there is an additional report.

Selectmen Kratovil stated he was made aware, on 27 July 2013, that information on the Town's website regarding the Meetinghouse is no longer there. Selectman Kratovil asked Meetinghouse Committee Chair Allyn if she had any information regarding this. Ms. Allyn stated she had received an e-mail from the Town Administrator regarding that issue. Selectman Kratovil asked if the information is back on the website. Town Administrator Bourgeois stated he believes it is. Chair Jarvis informed the audience and the viewing public that there have been computer issues at the Town Hall and asked for people's patience as the issues are being resolved. Chair Jarvis noted meetings were posted on the website in good faith and if they do not appear on the website at the moment due to the technical difficulties that does not mean the meetings are invalidated. Chair Jarvis asked if there is a time-line for the Strategic Plan. Meetinghouse Chair Allyn estimated within 10 years for the structural work, however, it does depend on funding. Selectman Swenson suggested adding a comprehensive restoration plan. Chair Jarvis stated there was a structural report done on the building which listed a phasing plan for the Meetinghouse. Selectman Swenson stated he would like a copy of the report. Chair Jarvis stated the report was on the website but due to the recent computer issues, she is not sure that it is currently on the site. Chair Jarvis stated Selectman Swenson could also get a copy from the Town Administrator. Selectman Kratovil stated there were concerns brought to his attention that the RFP will be written so specifically that the only contractor that would be able to bid would be Arron Sturgis. Meetinghouse Chair Allyn agreed that the specifications will be specialized due to the nature of the project but wondered how the rumor about Mr. Sturgis came about since the actual specifications had not been drafted yet. Discussion followed. Resident Clayton Randall and Town Historian Orlowicz both spoke to the quality of Mr. Sturgis' craftsmanship.

Chair Jarvis stated she would like to redirect the discussion back to the review of the Meetinghouse Charges. Selectman Swenson stated he would like to see a 'Vision Statement' added to the Charges. Meetinghouse Chair Allyn explained the role of the Friends of the Meetinghouse. Selectman Kratovil stated it was brought to his attention from some residents that they thought the Committee was exclusive. Meetinghouse Chair Allyn stated anyone who has approached her that was interested in helping out has been assigned a task. Ms. Allyn noted people have different interests and areas of expertise so their roles would be so delegated.

Ms. Allyn also noted if anyone has any concerns they are more than welcome to attend the meetings and express them. Selectman Kratovil stated he believes what Ms. Allyn is stating is that interested people may be delegated to various sub-committees but the main Meetinghouse Committee is determined based on benefit and therefore exclusionary. Meetinghouse Chair Allyn and member Bob Craycraft questioned the use of the word 'exclusionary' and felt the word was inflammatory. Discussion followed. Meetinghouse Chair Allyn stated the makeup of the Meetinghouse Committee is based on recommendations from LCHIP (Land & Community Heritage Investment program). Chair Jarvis again stated she would like to redirect the discussion back to the review of the Meetinghouse Charges. Chair Jarvis suggested inserting in the Charges that the make-up of the Meetinghouse Committee is based on recommendations from LCHIP. Selectman Swenson reiterated that he would like to see a Vision Statement incorporated into the document, as well as, a time-line listing the various phases and funding specifics. Chair Jarvis thanked the Meetinghouse Committee.

**Town Historian – Cathy Orlowicz**

Town Historian Orlowicz stepped forward and stated she would like to comment on some of the statements made at the 15 July 2013 Selectmen's meeting. Ms. Orlowicz noted she has spoken with the Boodey House Committee, Meetinghouse Chair Cathy Allyn, and Historical Society, as well as, several residents informing them she would be making a statement. Town Historian Orlowicz also stated she contacted Don Jutton of MRI and stated he asked her to inform the public that he is in no way advocating the demolition of the Meetinghouse. Ms. Orlowicz stated Mr. Jutton indicated he was unaware of the specifics of the project but if it has received LCHIP money, it must be worthy. Town Historian Orlowicz took the time to thank present and past members of the Historical Society and Meetinghouse Committee, as well as, organizations such as Boy & Girl Scouts and all others who have volunteered their time and efforts over the years to the preservation of the Meetinghouse. Ms. Orlowicz then gave a history of the 1772 Meetinghouse. Chair Jarvis asked Town Historian if she would mind having her written statement attached to the minutes. Ms. Orlowicz agreed this would be fine. Chair Jarvis asked Town Administrator Bourgeois to include the Town Historian's statement as part of the official minutes. Meetinghouse Chair Allyn stated that at the 15 July 2013 Selectmen's meeting a statement was made that very little of the original structure was left. Meetinghouse Chair Allyn stated this was an incorrect statement and listed dates of various parts of the building such as the

roof frame and interior posts which date from 1768 or 1769 and wainscoting which dates from 1792. Meetinghouse Chair Allyn also noted the \$300,00.00 figure mentioned by Selectman Kratovil is not an accurate figure. Meetinghouse Chair Allyn suggested Board members get their facts straight before stating them at a public meeting. Chair Jarvis pointed out that there were other appointments on the agenda, as well as, other items to be discussed and suggested moving on.

**Merrymeeting Lake Eastern Shores Association re: Lions Camp Pride Road**

Chair Jarvis stated Land Use Clerk Amy Smith has done more research on the Lions Camp Pride Road issue brought to the Board by the Merrymeeting Lake Eastern Shores Association. Chair Jarvis stated at the 15 July 2013 meeting Selectman Swenson had a list of documents he requested copies of regarding the issue. Chair Jarvis stated Land Use Clerk Smith was able to find copies of some of the documents Selectman Swenson requested but not all of them. Chair Jarvis gave a brief description of the project and the documents that were found. Chair Jarvis stated she believes the matter should be turned over to the Town's Code Enforcement Officer. Chair Jarvis stated there may be civil issues, however, she also believes based on the documents reviewed the Lion's are not in compliance with the conditions of approval given by the Planning Board or the Zoning Board of Adjustment. Selectman Swenson stated has no problem giving the information to the CEO for his review and comment. Selectman Swenson stated he would also like to see conversation between the CEO and the Merrymeeting Lake Eastern Shores Association after the CEO has reviewed the information. Selectman Kratovil also agreed he did not have an issue with the CEO reviewing the information.

**Stephanie MacKenzie – Town Hall Renovations**

Deputy Town Clerk MacKenzie stepped forward and stated, as a result of a brainstorming session among Town Employees, she has come up with a 'wish list' to present to the Selectmen which the Town Employees would like them to consider when making decisions regarding the Town Hall renovations. Deputy Town Clerk MacKenzie made it clear that while her husband did help her with the information he is not soliciting work. Deputy Town Clerk MacKenzie submitted the document to the Selectmen for review and proceeded with her presentation. Ms. MacKenzie noted the proposal would, in the opinion of the Town Employees who actually work in the building, not only conserve heat and cooling costs while providing an ADA compliant bathroom and sanitary kitchen facilities for staff but also offer better service to the tax payers while still preserving the historic character of the building. Chair Jarvis asked CEO Capello what he thought of the plan. CEO Capello stated this is the first time he is hearing of the plan, so he can't really make comments on it until he reviews it further. CEO Capello did state he believed there would be a problem with the location of the proposed ADA bathroom as he did not feel the requirement for the minimum turning radius would be met. Chair Jarvis passed out a handout listing estimates for previously discussed renovation options '1', '2', and '3'. Selectman Kratovil asked if Deputy Town Clerk MacKenzie's proposal was option 3. Chair Jarvis stated no and

briefly explained the three different options listed. Chair Jarvis noted the cost of the electrical and plumbing work was encumbered in 2012. Selectman Swenson suggested CEO Capello and Deputy Town Clerk MacKenzie work together to incorporate her suggestions and still ensure ADA compliance. Deputy Town Clerk MacKenzie stated the plan is not just her plan but that of the Town Employees who work in the building. Ms. MacKenzie also noted that none of the employees liked option '3' which essentially shrunk the meeting room space substantially and had an 'office' which was basically just a small non-private space surrounded by filing cabinets. CEO Capello stated he agreed with Deputy Town Clerk MacKenzie and suggested since option 3 consisted of time and the labor of the Highway Department and not an outright expenditure this could be tried first so the Selectmen and Employees could see whether or not that option is really viable.

#### **Department Reports - Police Department**

Chair Jarvis stated at the previous two Selectmen's meetings Outside Detail Rates were discussed. Chair Jarvis continued to state at the 15 July 2013 meeting the Board had asked for clarification from the Financial Officer as to how the \$18.00/hour figure for the administrative fee was generated. Board members reviewed the information provided by the Financial Officer. Chief Bernier tried to clarify the figures and stated he does not like the way the current system works and would prefer a revolving fund. Chief Bernier stated due to computer issues he was unable to provide the most current figures.

Selectman Kratovil stated, on a side note, he understood that the computer company had the Land Use computer in an attempt to get information off it. Selectman Kratovil stated he would like to get the computer back from the company whether or not they can retrieve any information.

Selectman Kratovil stated getting back to Chief Bernier, he was not prepared to make a decision on the revolving fund. Chair Jarvis stated a revolving fund would need to be established by a warrant article and voted on by the Townspeople at Town Meeting. Selectman Swenson stated he didn't believe the question as to how the \$18.00 per hour figure was generated has been completely answered. Selectman Swenson stated \$12.21 of the figure is accounted for but not the remaining \$5.79. Selectman Swenson stated he still does not have enough information to make a decision. Discussion followed. Chair Jarvis asked Town Administrator Bourgeois to speak with the Financial Officer for clarification regarding the remaining \$5.79.

Chief Bernier stated Officer Mitchell was given orders by the Military and shipped off to Fort Hood for three weeks. Chief Bernier noted other Officers will be covering his shifts and their pay will be coming out of the over-time line but money that would have been designated for Officer Mitchell's salary will remain in the full-time line.

### **Highway Department**

Road Agent Clarke stated there is an accumulation of scrap metal at the Highway Garage that he would like to sell as scrap and then use the proceeds of the scrap metal to purchase new metal to have in stock for fabrication. Road Agent Clarke asked if he could do this or did the money need to be turned in to the general fund. Chair Jarvis asked Road Agent Clarke if he had any idea how much scrap metal was there. Road Agent Clarke estimated \$700.00 - \$800.00. Brief discussion followed. Road Agent Clarke stated he would turn the scrap in and then come back before the Board with the exact figure and then go from there. Board members agreed this would be the best way to proceed.

Road Agent Clarke next stated, at the last Department Head meeting, it was stated that the Town Administrator would like to have employee evaluations by the end of September. Chair Jarvis stated this is correct. Road Agent Clarke stated he wished to go back to the 'old' Employee Evaluation forms. Chair Jarvis stated the 'old' form was a generic form that could be used for all employees while the current form is specific to position. Discussion followed. Selectman Swenson stated he believes the evaluation should be tied to the job description but without all the information in front of him he could not make a decision. Chair Jarvis asked Town Administrator Bourgeois to make hard copies of the job descriptions for Selectman Kratovil and electronic copies for Selectman Swenson and herself.

Chair Jarvis stated she attended the mandatory walk through on Saturday regarding the RFP for the Highway Garage. Chair Jarvis stated it was very informative and worthwhile to ensure everyone was hearing the same information. Road Agent Clarke thanked Highway Foreman Don Vachon and Office Manager Cathy Orlowicz for attending the walk through in his absence and also for all the hard work Ms. Orlowicz put into the RFP and to Selectmen Swenson for his input regarding the RFP. Selectman Swenson asked how many contractors attended the site walk. Office Manager Orlowicz stated four. Road Agent Clarke informed Board members that the culvert work has been completed on Birch Hill Road and paving should commence the end of August beginning of September. Road Agent Clarke also informed Board members that the new loader is in but he is waiting for delivery on the new pick-up truck. Board members thanked Road Agent Clarke.

### **Solid Waste Department**

Office Manager Orlowicz stated she has a purchase order for a Quonset hut. Board members reviewed the information. Office Manager Orlowicz stated she is pleased to inform the Board that the proposal has come in under budget. Office Manager Orlowicz continued to state \$11,595.00 was budgeted and the purchase order is for \$10,110.00. Ms. Orlowicz stated once she submits a down payment she will have a better idea as to a delivery date. Selectman Swenson asked if this purchase was part of a warrant article. Office Manager Orlowicz stated it was. Ms. Orlowicz continued to state \$18,400.00 was voted for the installation and purchase of a Quonset



hut. Office Manager Orlowicz stated she believed the entire project will come in under budget. **Chair Jarvis made a motion the Board authorize Purchase Order 1035 to Autumn Breeze Group of Bradford, Vermont for the purchase of a 30' x 28' arched roof Quonset hut in the amount of \$10,110.00. Selectman Kratovil seconded the motion. The motion was unanimously approved.**

#### **Appreciation for Those Involved in Celebrate New Durham Day**

Selectman Swenson stated he would like to thank all the people involved with the planning and implementation of Celebrate New Durham Day.

#### **Criminal Record Checks from the State**

Chair Jarvis asked Town Administrator Bourgeois if he contacted the State regarding the amount of time it is taking to get criminal background checks back. Town Administrator Bourgeois stated he did speak with someone at the State, and the lady he spoke with stated she felt the background checks are being done in a timely manner and gave Mr. Bourgeois her contact information if there are any future issues. Chair Jarvis stated she did not believe the turnaround time is timely. Selectman Swenson suggested the Town Administrator contact the person he spoke with periodically if it is felt the background checks are not being received in a timely manner.

#### **Highway Garage RFP**

Chair Jarvis stated the Highway Garage RFP bids are due on 16 August 2013 at 3:00 pm and bids will be opened on 19 August 2013 at 10:00 am. Chair Jarvis stated, depending on the complexity, review and awarding of the bid may potentially be on the agenda for the 19 August 2013 Selectmen's meeting.

Selectman Swenson indicated that given that bids are opened at 10AM on 19 August 2013 it is unlikely that the Road Agent would have sufficient time to review all of the bids to assure RFP specifications were addressed and that they would be ready for Board of Selectmen review within 3 hours of opening bids.

#### **Solid Waste RFP**

Chair Jarvis stated the bids for the Solid Waste RFP are due on 16 August 2013 at 3:00 pm and bids will be opened on 16 August 2013 at 3:30 pm. Chair Jarvis stated the Solid Waste RFP may be on the agenda for the 19 August 2013 Selectmen's meeting.

#### **Town Forester**

Board members reviewed a handout regarding Town Foresters. Town Administrator Bourgeois stated DRA strongly recommends the use of a Forester but noted there are some Towns where the Selectmen grade the timber cuts. Board members also reviewed a list of local licensed New

Hampshire Foresters. Chair Jarvis recommended the Town Administrator send out letters to the relatively local Foresters on the list asking them if they are interested in the Town Forester position. Selectman Kratovil asked if the hiring process comes into play. Chair Jarvis stated no as the Forester position would be for a contracted individual.

#### **Appointment to Milfoil & Invasive Aquatic Plant Committee**

Chair Jarvis stated the Board received a request to appoint William Meyer to the Milfoil & Invasive Aquatic Plant Committee. Chair Jarvis stated as was mentioned at previous meetings there is no limit to the number of members on this Committee. **Chair Jarvis made a motion to begin the vetting process for the appointment of William Meyer to the Milfoil & Invasive Aquatic Plant Committee. Selectman Swenson seconded the motion. The motion was unanimously approved.**

#### **Report of 31 July 2013 Budget Committee Meeting**

Selectman Swenson updated Board members on the 31 July 2013 Budget Committee meeting. Selectman Swenson stated the Budget Committee requested a joint meeting with the Selectmen. Board members discussed possible dates for the September meetings as Labor Day falls on the Selectmen's regularly scheduled meeting date. Board members decided to meet on 9 September 2013 at 1:00 pm and to hold the joint Budget Committee/Selectmen's meeting on 23 September 2013 at 7:00 pm. Selectman Kratovil mentioned a concern he had regarding a vacancy on the Budget Committee and how the seat was filled. Chair Jarvis explained the procedure for filling vacancies. Selectman Swenson noted that a member of the Budget Committee has resigned, and to his knowledge, there is still a vacant seat on the Committee. Selectman Kratovil also stated he was concerned with line item 4312 of the Highway Department budget and line item 4210 of the Police Department budget. Board members reviewed the line items. Board members reviewed paperwork from the Financial Officer regarding the transfer of merit raise monies to their respective departments. **Chair Jarvis made a motion to transfer monies from line item 4155 to the respective department accounts based on the handout submitted by the Financial Officer. Selectman Swenson seconded the motion. The motion was unanimously approved.**

#### **Department Head Evaluations**

Chair Jarvis noted Department Head evaluations are due 30 September 2013. Chair Jarvis explained how the procedure has been done in the past. Chair Jarvis stated the Board would be evaluating the Road Agent, Police Chief, Fire Chief, and Equipment Mechanic. Selectman Swenson asked Town Administrator Bourgeois to forward the appropriate evaluation form. Selectman Kratovil asked about the status of the evaluation of the Town Administrator. Chair Jarvis stated she will be contacting Don Jutton of MRI tomorrow and she will ask him.

### **2014 Budget Meeting Process & Schedule**

Board members discussed the schedule for the upcoming Budget season. Chair Jarvis stated she would work with the Town Administrator and Financial Officer to come up with a draft schedule.

### **Health Trust Reimbursement**

Chair Jarvis gave Board members follow-up information regarding the Health Trust Reimbursement discussed at the 15 July 2013 meeting. Chair Jarvis stated 10% of the total amount, \$40,423.27, would be reimbursed to current employees with the remaining balance being returned to the general fund. **Chair Jarvis made a motion to notify LGC that the Town of New Durham would like their reimbursement in the form of a check and once the total amount is received, the 10% contribution that is returned to current employees, is issued by the Financial Officer. Selectman Kratovil seconded the motion. The motion was unanimously approved.**

### **Assessing & Tax Collecting Software**

Board members discussed the potential conversion of Assessing/Tax Collecting software from Vision to Avitar. Selectman Swenson stated before any RFP's are written or conversions made, he would like to see the time-line, cost, and conversion plan. Chair Jarvis asked Town Administrator Bourgeois to speak with the Town Clerk, Financial Officer and Assessor and ask them to come up with a conversion implementation plan, using current data, along with a rationale for the conversion.

Selectman Kratovil suggested having the IT Committee look into the recent computer issues at the Town Hall. Chair Jarvis noted there had been a resignation on the IT Committee and stated anyone interested in serving on the Committee should contact the Town Administrator.

Selectman Swenson stated as a follow-up to a comment made at a previous meeting, the Selectman will be looking into Town owned property and currently are looking to do that at one of the September Board of Selectmen meetings.

### **Review of Minutes**

Board members reviewed the minutes of 15 July 2013. Minor corrections/edits were made. **Selectman Swenson made a motion to approve the minutes of the 15 July 2013 public meeting as amended. Selectman Kratovil seconded the motion. The motion was unanimously approved.**

Board members reviewed the non-public minutes of 15 July 2013. **Selectman Kratovil made a motion to approve the non-public minutes of 15 July 2013. Selectman Swenson seconded the motion. The motion was unanimously approved.**

**Future Meetings**

Chair Jarvis stated the next Selectmen's meeting will be 19 August 2013 at 1:00 pm at the Fire Department Community Room. Chair Jarvis also noted the Selectmen will be meeting on 9 September 2013 at 1:00 pm and there will be a joint Selectmen/Budget Committee meeting on 23 September 2013 at 7:00 pm. Chair Jarvis asked Town Administrator Bourgeois to post the notices early for the September meetings as the September schedule is different than the normally scheduled monthly meetings.

**Public Input**

Resident David Bickford stepped forward and submitted a copy of the Appointment Policy and read the policy for the viewing public. Mr. Bickford stated there seems to be some confusion between the vetting policy and appointment policy. Mr. Bickford also stated the Board should follow the policy so it doesn't appear that people are not being treated equally.

**At 10:21 Chair Jarvis made a motion to enter non-public session pursuant to RSA 91-A:3 II (b) the hiring of any person as a public employee and (c) to discuss matters, which if discussed in public, would likely adversely affect the reputation of another person other than a member of this Board unless such person requests an open meeting. This exemption shall extend to include any applications for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant. Selectman Kratovil seconded the motion. A roll call vote was taken: Kratovil – Aye; Swenson – Aye; Jarvis – Aye.**


**Selectman Swenson made a motion to seal the minutes. Selectman Kratovil seconded the motion. The motion was unanimously approved.**

**At 11:02 pm Chair Jarvis made a motion to exit non-public session. Selectman Swenson seconded the motion. The motion was unanimously approved.**

While in nonpublic session, the Board of Selectmen gave the Town Administrator instruction to continue with a tax deeding process and how to proceed with the Fire Chief hiring process.

**At 11:06 pm Selectman Swenson made a motion to adjourn. Chair Jarvis seconded the motion. The motion was unanimously approved.**

Respectfully submitted,



Amy Smith  
Recording Secretary

## **Town Historian Response to Board of Selectmen Meeting July 15, 2013**

Since the July 15th Board of Selectmen's meeting there has been a lot of chatter about statements made and opinions given regarding the 1772 Meetinghouse. As a result I see this as an educational opportunity to provide a little history about New Durham and its Historic Structures. I've spoke with Cathy Allyn, Chair of the Meetinghouse Committee, members of the Board of Selectmen and a number of citizens, Boodey House Committee and Historical Society Members letting each know I would be speaking tonight. As you can see many are here showing support for the efforts to preserve New Durham's History.

I have had contact with Don Jutton from MRI, seeking clarification of his position regarding the Meetinghouse. He has asked me to tell the committee he was in no way advocating for the demolition of the Meetinghouse, that he wasn't familiar with the project, and where it has successfully received LCHP funding, it must be worthy. Don shared that he personally feels " that we need to preserve and protect historically significant structures for posterity; however, I also believe that "old" doesn't automatically translate into "historically significant."

I feel obligated to speak tonight to honor the 20 plus years of dedicated service spearheaded by Eloise Bickford, the Historical Society, Boy scouts, Girl scout, 4-H Groups, the Elementary School, prior Meetinghouse and Meetinghouse Park Committees, the current Meetinghouse Committee and those who volunteered their time toward the perseveration and rehabilitation of the Meetinghouse, and at the risk of sounding selfish my time and effort over the years.

I would like to take this opportunity to give a little back ground and history about the Town's 1772 Meetinghouse.

Town records record the first Town Meeting held at the Meetinghouse in 1772. Construction was not completed, however it was closed in enough to call a meeting to order. Originally it was a two story, timber frame structure, 42 feet by 35 feet, with 25 windows. Over the years pews were added and stoves put in to heat the building, just to name a few changes. One of the biggest changes came in 1838, when a vote was taken to reduce the building to a single story structure. The first floor was removed and the second floor was lowered, new sills put under

## **Town Historian Response to Board of Selectmen Meeting July 15, 2013**

the building and it was finished off. Plaster was put on the interior walls. Records show a minimal amount of money was spent towards the up keep of this building over the years. It's interesting how 241 years later the Town still does minimal up keep of its buildings.

1907 the Town contracts to have a New Town Hall built to accommodate the needs of a growing community. 1909 the Meetinghouse and six acres are sold to Mr. Berry. The Meetinghouse becomes a storage building. Lua Pike, who had inherited her family's home and property was at a point in her life where it was time to down size. She was trying to decide what to do with the Meetinghouse and property. David Bickford suggested to her to ask the Town if they would want it back. After a period of time Mrs. Pike donated the building and property to the Town, the voters at Town meeting 1978 voting to accept the gift.

1987 a Warrant Article is drafted and presented to the voters to raze the Meetinghouse. John Rollins assist a group of citizens with assessment of the building proving the building is worth saving and rehabilitating and preserving, after all it is a part of the Town's Heritage. The voters voted to save the building, to enclose it and stabilize it. Donations of labor and materials begin the rebirth of this historically important Building. Many hours of sweat and labor have been given to bring this building to where we are today. It has been made weather tight and stabilized, ready for the next phase, whatever that maybe.

During the meeting of July 15<sup>th</sup> it was suggested to have the building condemned, and demolition, leaving a few token timbers up as a memorial. I strongly disagree with this idea. I would have to make the point if you owned a Rembrandt Painting, and it was in need of a little repair and restoration, would you make a copy of it, keep a few paint chips, and destroy the original? Our Meetinghouse is our Rembrandt Painting.

The Town owns two pre- revolutionary war historically important building, the Meetinghouse and the Boodey House. It takes a lot of effort to bring together resources to keep moving these projects forward. Committees don't always know where the next warm body will come from or funding for these projects, however

## **Town Historian Response to Board of Selectmen Meeting July 15, 2013**

as long as we continue to educate the public the volunteers and support keep coming.

I hope this demonstrates to the Board of Selectmen and anyone watching that the community has made commitments over decades to preserve its past. Each generation before us has left a legacy from the past, our heritage which is our legacy to pass on to the next. Preservation of the past ensures its future.

Respectfully;

Catherine Orlowicz  
Town Historian  
August 5, 2013

July 24, 2013

Town of New Durham  
New Durham Board Selectmen  
Terry Jarvis, Chair  
P.O. Box 207  
New Durham, NH 03855

**Dear New Durham Selectmen:**

This is a request for information releasable under RSA 91a and the Freedom of Information Act. This request is for access to documents and information not copies of. At the time of access I will determine which documents need be copied.

I request that you provide me access to the following documents pertaining to the appointment of a new Fire Chief and interview process of all candidates;

- 1.) Access to all applications submitted by applicants applying for the position of New Durham Fire Chief.
- 2.) Access to all letters of recommendation submitted to the interview panel and the Board of Selectmen regarding the appointment of a new Fire Chief.
- 3.) Access to all candidate score sheets pertaining to the Fire Chief's position.
- 4.) Access to all electronic correspondence between the interview panel, the Board of Selectmen and applicants applying for the current Fire Chief's position.
- 5.) Access to minutes, personal notes and all other records of non-public meetings regarding the appointment of a new Fire Chief and interview of all candidates.

***All non-public or secret meetings held by the New Durham Board of Selectmen and interview panel concerning the appointment of a new Fire Chief are in direct violation of RSA 91a.***

***Re: Lambert v Belknap County Convention.***

I am willing to pay fees for this request up to a maximum of \$25.00. If you estimate that the fees will exceed this limit, please inform me first. I further request a waiver of all fees for this request since the disclosure of the information I seek is not primarily in my commercial interest, and is likely to contribute significantly to public understanding of



the operations or activities of the New Durham Selectmen, making the disclosure a matter of public interest.

If you deny any or this entire request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

Skip Fadden  
41 Old Bay Road  
New Durham, NH 03855

CC.  
David Swenson  
Jeffrey Kratovil  
Jeremy Bourgeois