

NEW DURHAM BOARD OF SELECTMEN

DRAFT MINUTES

11 OCTOBER 2013

Present: Board members Selectman Terry Jarvis (Chair), Selectman Jeff Kratovil, Selectman David Swenson, Town Administrator Jeremy Bourgeois, Recording Secretary Amy Smith.

Others Present: Videographer Jim Ladd, Road Agent Mike Clarke, Equipment Mechanic Dave Valladares, Highway/Solid Waste Department Office Manager Cathy Orlowicz, Police Chief Shawn Bernier, Solid Waste Department Foreman Joe Bloskey, Baysider reporter/resident Elizabeth Cantrall.

Chair Jarvis called the meeting to order at 9:06 am.

Public Hearing

At 9:08 am Chair Jarvis opened the public hearing, pursuant to RSA 31:95-b, to accept the sum of \$20,952.42 appropriated to the Town for FEMA Disaster 4105-DR-NH. Board members reviewed the information provided by the New Hampshire Department of Safety. Chair Jarvis asked if there was any public comment. Road Agent Clarke asked what the Board intended to do with the money. Chair Jarvis stated it is considered unanticipated revenue and would be returned to the general fund. Road Agent Clarke questioned why the money was being returned to the general fund as he felt it should be going to the Highway Department. Discussion followed. Selectman Swenson stated first the Board would need to vote to accept the money then they can discuss where it goes. Chair Jarvis agreed and stated the money would be returned to the general fund and then it would be dispersed appropriately after further review. At 9:10 am Chair Jarvis closed the public hearing. **Selectman Swenson made a motion to accept the sum of \$20,952.42 appropriated to the Town for FEMA Disaster 4105-DR-NH. Selectman Kratovil seconded the motion. The motion was unanimously approved.**

Equipment Mechanic – Project System Update

Selectman Swenson questioned the wording on the agenda of ‘computer system update’ and suggested it is corrected to ‘inventory system update’. Equipment Mechanic Dave Valladares noted it is actually more of a ‘project system’ as the system was never designed to track inventory. Mr. Valladares explained the issues he has with the current system and noted the difficulty in changing the prices of items once they are entered into the system. Mr. Valladares stated he has looked into new software and prices range from \$700.00 to thousands of dollars. Mr. Valladares noted the current system is not a commercial package and was donated by a resident.

Chair Jarvis questioned to what degree items need to be tracked. Chair Jarvis noted at the 23 September 2013 meeting it was stated that individual nuts and bolts are being tracked. Mr. Valladares stated currently even consumable items such as paint and brake cleaner are being tracked. Chair Jarvis questioned the cost effectiveness of this. Selectman Swenson suggested the Equipment Mechanic come up with a threshold, that he thinks, is worthwhile to start itemizing individual cost of parts. Selectman Swenson also suggested the Equipment Mechanic look at 2-3 different software options that meet that needs of the department and fulfill the requirements of the Board. Selectman Swenson suggested talking to some surrounding communities to see what they are doing. Board members agreed to discuss this again at the 21 October 2013 meeting.

Chief Bernier and Road Agent Clarke expressed concern about tracking requirements as this is very time consuming and not within the budget. Road Agent Clarke gave an example of an individual on the Budget Committee who asked for research that took approximately 10 -15 hours for himself and Office Manager Orlowicz to find. Chair Jarvis stated she was concerned about the lengthy request from an individual as opposed to a Committee or Board. Road Agent Clarke noted it was an individual who went through the Town Administrator. Selectman Swenson stated the Departments do need to be responsive to citizens. Selectman Kratovil agreed. Chair Jarvis suggested documenting the amount of time it takes to do research for individuals or Committees.

Equipment Mechanic – CRF Expenditure Request

Mr. Valladares stated the Highway Department had two unanticipated expenditures that total approximately \$1,500.00. Mr. Valladares stated he would like to have that amount withdrawn from the Vehicle and Equipment Maintenance Capital Reserve Fund. Board members reviewed the Equipment Mechanic's Budget & Expenditure sheet dated 25 September 2013, and invoices from Milton Cat and H.P. Fairfield. Selectman Swenson stated the Equipment Mechanic's overall budget is in good shape. Chair Jarvis agreed and stated Mr. Valladares should pay the two invoices out of the '660 – Equipment Mechanic Highway Vehicles' line and the Board would reassess the situation in November. Board members agreed. Chair Jarvis noted the official spending of Capital Reserve Funds typically takes place in December.

Solid Waste Department – Municipal Solid Waste Contract

Office Manager Orlowicz stepped forward with the notice of award and agreement for hauling and disposal of municipal solid waste and construction debris that was voted on at the 23 September 2013 meeting. Ms. Orlowicz noted the contract will go into effect 1 January 2014. **Selectman Kratovil made a motion to authorize the Chair to sign the agreement and notice of award, to Casella for hauling and disposal of municipal solid waste and construction debris, for a period of three years with the conditions that there will be no CPI (Consumer Price Index) increase or rental charges. Selectman Swenson seconded the motion. The**

motion was unanimously approved. Office Manager Orlowicz will contact Chair Jarvis when the documents are ready for her signature.

Quonset Hut

Solid Waste Foreman Joe Bloskey stated he would like to have more concrete poured for the Quonset Hut. Mr. Bloskey explained his reasoning for the additional concrete. Board members reviewed information from Garry Perkins Concrete of Rochester, NH. Selectman Swenson asked the total cost to date for the project. Chair Jarvis stated \$13,183.50 and noted she did not think this amount included extra hours for personnel or overtime associated with the project. Chair Jarvis noted the amount approved for the Quonset Hut at Town Meeting was \$18,400.00. Chair Jarvis asked what additional costs there would be once the concrete is poured. Mr. Bloskey stated he already has the metal roofing to cover the shingles but posts and rafters would need to be purchased. Selectman Swenson suggested Mr. Bloskey come back with firm figures. Chair Jarvis suggested Mr. Bloskey have the information for the 21 October 2013 meeting.

Chair Jarvis noted a discrepancy in the information provided regarding the concrete. Chair Jarvis stated Section IV- 2 - A of the information states "Site work to be completed by Perkins at no additional charge to the town of New Durham." Chair Jarvis stated section VI – 'Exclusions' states "No subgrade prep work before concrete pad is poured." Office Manager Orlowicz stated she met with Mr. Perkins and he stated he would complete the site work at no additional charge to the Town. Chair Jarvis stated this should be corrected in the contract before it is signed.

Selectman Kratovil stated, he thinks, the Quonset Hut project should have had some type of engineering at the beginning of the project. Selectman Kratovil asked if any of the non-public session scheduled for the end of the meeting is regarding the Quonset Hut and if so he would like to discuss it in public session as opposed to non-public session. Chair Jarvis stated if time allows there is a scheduled non-public session at the end of the public meeting. Town Administrator Bourgeois stated if the issue is discussing personnel it needs to be discussed in non-public. Selectman Kratovil asked Mr. Bloskey if he was comfortable discussing the issue in public session. Mr. Bloskey stated he was not. Chair Jarvis noted the Board still has another appointment to meet with.

Tax Collector – Selling of Town Owned Property

Tax Collector Carole Ingham stepped forward and explained the difference in procedure between Town owned properties that have been owned by the Town for less than three years and those that have been owned by the Town for more than three years. Ms. Ingham noted that once a property is deeded to the Town it is no longer the realm of the Tax Collector. Board members reviewed a list of Town owned properties, the State RSA discussing real estate tax liens, and a letter from an auctioneer to another municipality regarding an auction of Town owned property.

Board members agreed they were interested in putting Town owned properties back on the tax roll and involving a Realtor. Chair Jarvis suggested the Town Administrator contact the Local Government Center for guidance. Selectman Swenson stated, he felt, it is important to find out if the lots are buildable and suggested getting the Code Enforcement Officer involved.

Public Input

Chair Jarvis asked if there was any public input. There was none.

Agenda Review

Selectman Kratovil stated he would like to add Quonset Hut, MRI contract, unassigned fund balance, and a request for the Planning Board regarding regionalization via Selectman Swenson (the Selectmen's representative on the Planning Board). Chair Jarvis noted the unassigned fund balance will be discussed under '2013 Tax Rate Setting' which is already on the agenda.

Highway Department – Davis Crossing Road

Road Agent Clarke gave the Board an update regarding the Davis Crossing road culvert which was discussed at the 23 September 2013 meeting. Road Agent Clarke stated the curb is in and he will be meeting with a representative from Earth Construction on Tuesday. Chair Jarvis asked Mr. Clarke if he had researched possible liability on the part of CMA. Road Agent Clarke stated he did not.

Highway Department - Garage Addition

Road Agent Clarke gave the Board an update on the addition. Mr. Clarke stated the concrete for the floor is being poured tomorrow and the roof should be started next week.

Plow

Road Agent Clarke stated he has a purchase order in the amount of \$4,900.00 for a plow. Mr. Clarke noted the plow was budgeted for. Road Agent Clarke continued to state the plow is two years old and has been looked at by the Equipment Mechanic. Selectman Kratovil asked why the current plow is being replaced. Mr. Clarke stated the current plow is a 1970's vintage and has gotten to the point that it is more expensive to repair than it's worth. Selectman Swenson asked what is being done with the 1970's plow. Mr. Clarke stated it will be scrapped. Selectman Kratovil asked for more specifics as to what needed to be done to the 1970's plow and what the repair cost would be. Chair Jarvis stated the personnel time to fix it should also be included when considering the cost. **Chair Jarvis made a motion to approve Purchase Order number 0203 for \$4,900.00 to S.A. McLean of Limerick Maine for a quick switch Flink plow. Selectman Swenson seconded the motion. The motion was approved with two affirmative votes**

(Swenson, Jarvis) and one negative vote (Kratovil). Road Agent Clarke stated he would not make the purchase until he got the information regarding repair of the 1970's plow.

Police Department – Animal Control Officer

Police Chief Shawn Bernier stepped forward and gave the Board additional information regarding a potential joint Animal Control Officer with the Town of Farmington that was originally discussed at the 9 September 2013 meeting. Chief Bernier stated the cost to the Town of New Durham would be \$7,000.00 which includes the \$1,600.00 for Cochecho Valley. Chief Bernier stated the position would be 25 hours per week with 17 hours for Farmington and 8 for New Durham. Chief Bernier noted that 3 of the hours would be on call hours with the remaining 22 scheduled. Chief Bernier gave the Board statistics for domestic animal calls stating in 2010 there were 97 calls; 2011 - 102 calls; 2012 - 114 calls; and 112 to date for 2013. Chief Bernier also noted there is an average of 100-125 civil forfeitures per year for unregistered dogs. Chief Bernier explained the procedure for civil forfeitures.

Selectman Kratovil questioned the call volume for animal issues in the Town of Farmington. Chief Bernier stated he is not positive but he would estimate in the 400's. Chair Jarvis questioned if necessary vaccinations would be the responsibility of Farmington. Chief Bernier stated they would be. Discussion followed. Board members asked Chief Bernier to get more information such as what would happen if the ACO exceeded or didn't use the hours allotted for New Durham and how many animal calls the Town of Farmington received. Board members asked Chief Bernier to have the additional information for the 21 October 2013 meeting. Selectman Swenson asked Chief Bernier to thank the Farmington Police Department for providing the information.

Highway Safety Project Application

Chief Bernier briefly explained 'Operation Safe Commute' for Board members and the viewing public. The project is through the State of New Hampshire and allows for Rte. 11 to be patrolled during heavy traffic times. Chair Jarvis stated the grant is for \$4,680.00 to cover (12) three hour shifts. Chair Jarvis noted the amount includes salary, over-time, and all payroll related deductions. Chair Jarvis noted the contract specifies when the shifts are to occur. **Selectman Kratovil made a motion to approve, and authorize the Chair to sign, the highway safety grant application entitled 'Operation Safe Commute' in the amount of \$4,680.00. Selectman Swenson seconded the motion. The motion was unanimously approved.**

Police Department Server

Chief Bernier informed Board members that he met with the Sheriff's Department regarding the server. Chief Bernier stated the integration project with the County should be done by mid -

December. Chief Bernier explained the process. Chief Bernier noted that the cost savings to the Town, for not having to purchase a new server, is between \$9,000.00 to \$12,000.00. Chair Jarvis questioned if the large server the Department currently uses will be removed once the integration with the County is complete. Chief Bernier stated it will be.

Timber RFP

Chair Jarvis noted the timber RFP will be ready for the week of October 14th. Chair Jarvis asked Board members to have any questions they may have to the Town Administrator as soon as possible in hopes of having a finished product for the 21 October 2013 meeting.

Town Hall Renovation – RFP

Chair Jarvis stated the site walk for the Town Hall renovations has been scheduled for 19 October 2013 and bids will be opened on 31 October 2013. Chair Jarvis stated if anyone is interested in attending the site walk they should contact the Code Enforcement Officer for the specific time.

Recreation Commission Meeting Location

Chair Jarvis noted the 9 October 2013 Recreation Commission meeting was held at the Library. Chair Jarvis asked Town Administrator Bourgeois to confirm if the Library will be the Recreation Commission's permanent meeting location.

Welfare Guidelines

Chair Jarvis noted all comments are due by 21 October 2013.

Assessing Software & RFP

Chair Jarvis asked Selectman Swenson if he has met with the Finance Officer regarding the assessing software. Selectman Swenson noted he had been out of Town but will schedule a meeting with the Finance Officer. Chair Jarvis noted Town Administrator Bourgeois contacted the State Department of Revenue Administration requesting a postponement of the re-evaluation. Chair Jarvis asked Mr. Bourgeois if he had received a response. Town Administrator Bourgeois stated he had not but will follow-up with DRA.

Town Forester

TA Bourgeois stated he had heard from an interested Forester, however, the individual did not have insurance. Town Administrator Bourgeois noted the Town could lower the hourly salary rate to cover the cost of insurance if the Town wished to contract with him. Chair Jarvis noted

the individual is not from New Durham and it would need to be confirmed that he is not doing any work in New Durham.

Strafford Regional Planning Commission – Appointment

Chair Jarvis noted that at the 27 September 2013 meeting the Board voted to appoint Theresa Chabot as New Durham's representative to Strafford Regional Planning Commission. Chair Jarvis noted the two week vetting period had been completed. Chair Jarvis asked Town Administrator Bourgeois to inform the Town Clerk that the Oath of Office paperwork for Ms. Chabot could be prepared. Selectman Swenson asked TA Bourgeois to contact SRPC and let them know Ms. Chabot has been appointed as New Durham's representative.

Facilities Maintenance Plan

Chair Jarvis stated the Budget Committee suggested having a Facilities Maintenance Plan as a working tool to help identify what needs to be done in a given year. Chair Jarvis suggested having the Code Enforcement Officer involved. Selectman Kratovil suggested having the Town Administrator develop a plan with input from the Department Heads. Selectman Swenson agreed.

Town of Alton Board of Selectmen – Regionalization, Mutual Aid, Workforce Housing

Selectman Kratovil stated he met with the Town Administrator from the Town of Alton regarding regionalization, Mutual Aid, and Workforce Housing. Selectman Kratovil stated the Alton Town Administrator suggested the New Durham Board of Selectmen meet with the Alton Board of Selectmen as a group if they wish to discuss these issues. Chair Jarvis stated she thought workforce housing is the realm of the Planning Board and also stated she believed the last time the study on workforce housing was done New Durham was found to be in compliance. Selectman Swenson agreed and stated the Planning Board will be requesting money in their 2014 budget to contract with the individual who did the initial study to update the data as updates need to be done periodically.

Selectman Kratovil stated the workforce housing was more for his information, mutual aid is what he would like to discuss with the Alton Board of Selectmen. Discussion followed regarding the current mutual aid agreements. Selectman Swenson suggested first looking at what the goal is and then researching the best way to accomplish it.

2013 Tax Rate Setting

Chair Jarvis stated due to time constraints she would suggest discussing the 2013 tax rate setting at the 21 October 2013 meeting. Chair Jarvis also suggested inviting the Finance Officer to

attend that meeting in case the Board has any questions for her. Chair Jarvis also stated the unassigned fund balance can be discussed at that time.

Future Meetings

Chair Jarvis informed the viewing public the Board would be meeting in non-public session on 15 October 2013 from 8:30 am – 11 am to meet with Department Heads to discuss their evaluations and also anything that was scheduled to be discussed at today's non-public session. Chair Jarvis noted Chief Bernier will not be able to attend the 15 October 2013 meeting. Chair Jarvis stated the Board will also meet on 21 October 2013 at 1 pm at the Fire Department Community Room for a regular business meeting; on 21 October 2013 at 6 pm in the Town Hall for budget review; 4 November 2013 at 9 am at the Fire Department Community Room for budget review; and 4 November 2013 at 7 pm at the Town Hall for a regular business meeting.

Minutes

Chair Jarvis suggested reviewing the minutes at the 11 October 2013. Board members agreed.

Recording Secretary

Chair Jarvis noted that Ms. Smith, who is currently taking minutes in place of Cathy Allen, informed the Town Administrator that due to her Land Use duties she will not be able to take minutes for the Board of Selectmen's budget review meetings. Chair Jarvis asked Town Administrator Bourgeois to ask Ms. Allen for her letter of resignation and then the Board could proceed with looking for another recording secretary. Selectman Swenson asked Ms. Smith if she could still do the business meetings. Ms. Smith stated she will take the minutes for the 21 October and 4 November business meetings, however, if the person they find to take the minutes for the budget review meetings would like to do all Selectmen's meetings that is fine with her.

MRI Contract

Selectman Kratovil thanked Town Administrator Bourgeois for his efforts and assistance to the Town of New Durham, however, he felt the 'format needs to be changed'. Selectman Kratovil suggested the Board direct the Town Administrator to find a replacement Town Administrator or to no longer contract with MRI. Selectman Kratovil cited the Quonset hut incident, computer issues, an incident at the Fire Department on 15 April 2013, and problems with right-to-know requests as his rationale. Chair Jarvis stated she is opposed to drastic change and stated the Town can't be without a Town Administrator during budget season. Chair Jarvis also noted as part of the budget process the Board will be looking into the Town Administrator position.

Town Administrator Bourgeois stated any performance issues with him should have been brought up during the review process. TA Bourgeois stated if the idea is to move away from

MRI then that is a separate issue from his job performance. Discussion followed. **Selectman Kratovil made a motion to have the Board of Selectmen ask the Town Administrator to look into various options, one being MRI replacing the current Town Administrator with an alternate Town Administrator, or going out into the market place and soliciting there. There was no second.** (The motion dies for lack of a second.)

At 11:56 am Chair Jarvis made a motion to adjourn. Selectman Swenson seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary