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**New Durham Board of Selectmen
Public Meeting Minutes
Town Hall
Wednesday, July 30, 2014 & Friday, August 1, 2014**

Present:

Chairman David Swenson
Theresa Jarvis, Selectman
David Bickford, Selectman

Also Present:

Jeremy Bourgeois, Town Administrator

Chair Swenson called the meeting to order at 6:02 P.M. at the Town Hall.

Chair Swenson made a motion to enter into non-public session, pursuant to RSA 91-A: 3 II (a) – the dismissal, promotion or compensation of any public employee or the disciplining of such employee, (b) – the hiring of any person as a public employee & (c) – matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. **Seconded by Selectman Jarvis. Roll Call Vote: Chair Swenson-Aye, Selectman Jarvis-Aye, Selectman Bickford-Aye.**

The Board entered nonpublic session at 6:03 P.M.

Selectman Jarvis made a motion to leave nonpublic session. Seconded by Chair Swenson. All in favor. Motion passed unanimously, 3-0.

The Board returned to public session at 9:54 P.M. During nonpublic session the Board of Selectmen conducted interviews for the Building Inspector/Code Enforcement Officer and fire department officer positions.

Selectman Jarvis made a motion to offer the position of Building Inspector and Code Enforcement Officer to James Daley at an hourly rate of \$22.00. Seconded by Selectman Bickford. All in favor. Motion passed unanimously, 3-0.

The Board decided to recess the meeting until Friday, August 1, 2014 at 12:00 P.M. at the Town Hall to finish discussing fire officer appointments.

Selectman Jarvis made a motion to recess the meeting until Friday, August 1, 2014 at noon. Seconded by Selectman Bickford. All in favor. Motion passed unanimously, 3-0.

The meeting was recessed at 9:55 P.M.

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Friday, August 1, 2014

Present: David Swenson, Terry Jarvis, David Bickford

Also Present: Jeremy Bourgeois-Town Administrator, Kevin MacCaffrie-Fire Chief, Carole Ingham-Town Clerk

Meeting resumed on Friday, August 1, 2014 at 12:01 P.M. at the Town Hall.

The Board continued their discussion of the Building Inspector/Code Enforcement Officer position. The options were outlined as contracting with MRI at \$45 per hour, a new hire at the rate of pay offered with the possibility of starting right away, the offer from the outgoing employee at \$45 per hour, or contracting with another Town/sharing an employee.

Chair Swenson made a motion to enter into non-public session, pursuant to RSA 91-A: 3 II (a) – the dismissal, promotion or compensation of any public employee or the disciplining of such employee, (b) – the hiring of any person as a public employee & (c) – matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. **Seconded by Selectman Jarvis. Roll Call Vote: Chair Swenson-Aye, Selectman Jarvis-Aye, Selectman Bickford-Aye.**

The Board entered into nonpublic session at 12:07 P.M. Fire Chief Kevin MacCaffrie joined the Board to discuss fire officer appointments.

Selectman Bickford made a motion to seal the minutes. Seconded by Selectman Jarvis. All in favor. Motion passed unanimously, 3-0.

Selectman Bickford made a motion to leave nonpublic session. Seconded by Chair Swenson. All in favor. Motion passed unanimously, 3-0.

The Board returned to public session at 3:09 PM.

Chair Swenson explained the nonpublic session was to discuss the Building Inspector/Code Enforcement Officer position and fire officer promotions within the Fire Department.

Selectman Jarvis made a motion to offer the position of Building Inspector (BI)/Code enforcement Officer (CEO)/ Health Officer (HO) to the candidate previously indicated at the rate of \$22 per hour for BI/CEO and an annual stipend of \$1,400 for HO effective the individual start date of Monday August 4th with continued employment contingent upon successful reference checks and background checks as required by the New Durham Hiring Policy. The BOS waives the requirement that all background checks & references be received prior to the initial start date. The BOS is doing this waiver because of the essence

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of time for the position. Seconded by Selectman Bickford. All in favor. Motion passed unanimously, 3-0.

Chair Swenson explained there is a contingency plan in place in case the offer is not accepted.

Chair Swenson made a motion to make an agreement with MRI as a bridge should it be necessary and the current candidate declines the offer and/or not be able to start on August 4th that we have an agreement with MRI at \$45 to cover the BI/CEO position until that position is filled. Selectman Bickford seconded the motion. He asked to have it amended to include consulting. Chair Swenson amended the motion to add **that the Town be able to utilize consulting and other opportunities in terms of the organizational structure of that office.** **Selectman Bickford seconded the amendment to the motion. The vote for the amendment to the motion was unanimous.** Selectman Jarvis stated she would prefer to accept the current BI/CEO's offer. **Motion passed 2-1, Selectman Jarvis was opposed.**

Selectman Jarvis stated based on results of the interview procedures and the recommendations of the Fire Chief she nominates David Stuart as Deputy Fire Chief of the New Durham Fire Department (NDFD). Selectman Bickford seconded the motion. Selectman Jarvis added for all of the fire officer positions they all have a one year probationary period and in accordance with Town rules and other regulations they serve at the will of the Fire Chief. **All in favor. Motion passed unanimously, 3-0.**

Selectman Jarvis stated that all of the Fire Officer positions will serve a one year probation period and all of the officers serve at the will of the Fire Chief. The Town Administrator will be reviewing current personnel files to ensure that the Town has all documentation the promotion and transfer policy requires.

Chair Swenson stated all of the motions relative to the Fire Department are in adherence with the Town's promotion policy and also as part of that there is a two week vetting period.

Selectman Jarvis stated based on results of the interview procedures and the recommendations of the Fire Chief she nominates Lon Berry II as a Captain of the NDFD contingent upon starting an acceptable emergency medical services course within six months and successfully completing and obtaining his NH ambulance attendant license within twelve months. Chair Swenson seconded the motion. Selectman Bickford stated Lon Berry II is a great guy and has the potential to do that work but they had another candidate who was fully qualified. He also stated that Lon Berry II did not meet all of the qualifications and he would be voting no. Chair Swenson stated there were nine criteria they looked at and Selectman Bickford was correct Lon Berry II did not meet one criterion but meets or exceeds the other eight criteria. He stated that a major factor for him was the ability for the candidate to respond and the one candidate not selected indicated his work load was heavy. **The motion passed 2-1, Selectman Bickford was opposed.**

Selectman Jarvis stated based on results of the interview procedures and the recommendations of the Fire Chief she nominates Robert Varney as a Lieutenant of the

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NDFD. Selectman Jarvis referenced Mr. Varney's focus within the department as well as being experienced in emergency medical services. **The vote was unanimous.**

Selectman Jarvis stated based on results of the interview procedures and the recommendations of the Fire Chief she nominates James Shepherd as a Lieutenant of the NDFD. Chair Swenson seconded the motion. Selectman Jarvis indicated that for the time being Mr. Shepherd's focus will be primarily fire based rescue but that he is actively attempting to regain all his medical ratings including EMS as part of his scope of services. Selectman Bickford stated he does not feel certain Mr. Shepherd is ready to do the job. Chair Swenson said that the probationary period is part of the evaluation process. Selectman Jarvis stated it is the Fire Chief's responsibility to keep the Board apprised of Mr. Shepherd's progress. **The motion passed 2-1, Selectman Bickford was opposed.**

Selectman Jarvis addressed the complaint letter the BOS received concerning the Fish and Game shooting range. According to RSA 159-B, the shooting range is grandfathered and she asked TA Bourgeois to include a copy of the RSA in the response letter.

It was announced that the next BOS Public Meeting will be held on August 4th, 2014 at 7:00PM at the Town Hall.

There will be a training session on the transition to an SB-2 form of Town Meeting on Wednesday, August 6th, 2014 at 7:00 PM at the Library.

Selectman Bickford stated he would like to have all the pertinent information available when the Board meets to hire or promote an employee or to appoint someone to a committee. Selectman Jarvis said she agrees with having everything needed for hiring or promoting but not for re-appointment of someone to a committee.

Selectman Jarvis made a motion to adjourn. Selectman Bickford seconded the motion. All in favor. Motion passed unanimously, 3-0.

The meeting adjourned at 3:30 PM.

Respectfully submitted,
Jeremy Bourgeois, Town Administrator