

**NEW DURHAM BOARD OF SELECTMEN**  
**New Durham Fire Department Community Room**  
**October 20, 2014, 1:00 p.m.**

*DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.*

**Present:**

Chairman David Swenson  
Selectman David Bickford  
Selectman Theresa Jarvis

**Also Present:**

Jeremy Bourgeois, Town Administrator  
Jennifer Riel, Minute Taker  
Corky Mork, Videographer  
Mark Arenberg, Building Inspector/Code Enforcement Officer  
Rudy Rosiello, Resident  
Greg Anthes, Resident

**Call To Order**

Chair Swenson called the meeting to order at 1:04p.m.

**Appointments/Announcements**

Chair Swenson stated that at a previous meeting, the Board of Selectmen approved the Enhanced 9-11 System and noted 3 copies were received to be made available at the Police Department, Fire Department/Emergency Management and Town Hall. He asked Town Administrator Bourgeois to confirm they have been received by the appropriate departments and made available.

Chair Swenson introduced the new Building Inspector/Code Enforcement Officer, Mark Arenberg.

Mr. Arenberg stated he is a licensed civil engineer in the State of New Hampshire with his specialties being in water resource and construction. He stated he plans to be at the Town Hall quite a bit the first month or so to learn how things work here, but understands there is a limited amount of hours budgeted. Mr. Arenberg stated he plans to cut down his hours during the winter when building and construction is slower. Chair Swenson confirmed there are budgeted hours and Mr. Arenberg is responsible for managing those based on the workload. Chair Swenson invited him to attend Planning Board meetings.

Selectman Jarvis noted the Town's fiscal year is January 1 to December 31 and there are still funds in the budget for the salary line.

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

**Public Input**

Greg Anthes, resident, asked whom the Fire Chief reports to. Selectman Bickford replied it is ultimately the Board of Selectmen. Chair Swenson stated the Town Administrator Bourgeois has day-to-day interactions with the Fire Chief but the Board of Selectmen has the ultimate responsibility.

Mr. Anthes asked if there is a fire or squad run, are the Board of Selectmen or Town Administrator Bourgeois notified of that. It was clarified that unless there is some issue that needs to be addressed, they are not.

Mr. Anthes asked if there is a fire and New Durham is the last to respond, is that something they would want to know about. Chair Swenson replied that would not necessarily be an issue.

Selectman Jarvis asked if Mr. Anthes was referring to a fire on Pine Point. She stated that area is often called in as being in Wolfeboro and because of the physical locations of the fire departments, oftentimes Alton and Farmington are able to respond quicker.

Chair Swenson replied he was at the scene Mr. Anthes is referring to, and stated Farmington was the first to arrive, then Wolfeboro and New Durham arrived at about the same time. Selectman Jarvis noted Farmington has a full-time staffed fire department. Mr. Anthes stated he heard that New Durham was the last to respond and wanted to know why.

Selectman Bickford suggested that if someone has an inquiry on an issue, that they go to the Fire Chief or Town Administrator Bourgeois to get more information.

Chair Swenson stated he has an agenda item that will address some of the issues Mr. Anthes raised.

**Agenda Review**

Chair Swenson stated he would like to add under Old Business: fuel pump replacement update.

Chair Swenson stated he would like to add under New Business: a citizen complaint response; the New Hampshire Department of Labor inspection; Police Department applications; a variety of miscellaneous issues.

**Department Reports/Issues**

No department heads were present.

**Town Administrator's Report**

**IT Status Update**

Town Administrator Bourgeois stated the contract with Spaulding Hill Networks is almost ready to be finalized. A representative will be coming on Wednesday to take a

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

look at what is going to be needed for software and equipment. Chair Swenson clarified the on-site service will be Thursdays, twice a month for the full day.

Mr. Anthes asked what the total cost has been of the new computer system. Chair Swenson suggested that if Mr. Anthes wants detailed information, he should contact Town Administrator Bourgeois and the Finance Officer to see accurate reports. Town Administrator Bourgeois replied it is not nearly as high as has been reported in the newspaper.

**Old Business**

**Voting Location/Security**

Chair Swenson stated this was discussed at the last meeting and it was determined that Town Administrator Bourgeois would contact Police Chief Bernier for his recommendations for safety. Chair Swenson stated Police Chief Bernier has fulfilled the request.

Chair Swenson stated Police Chief Bernier's recommendation was that there be one officer positioned at the front of the school so the public is directed into the gym and not other parts of the school. Police Chief Bernier also stated that at peak times of traffic, he would have the duty unit at the school to direct the public from parking areas and assist the buses in picking up school children. Chair Swenson stated he thinks this satisfies the security issue. Selectman Bickford stated he would like to have the recommendation forwarded to the school superintendent and stated they need to satisfy their requests as it is their property.

Mr. Anthes asked if the Board of Selectmen feels this is adequate. Chair Swenson replied he is confident in Police Chief Bernier's skills, expertise and recommendations and there is no one he knows in Town that has more capability to assess what is needed for public safety than the Police Chief.

Selectman Bickford stated he has talked to the school superintendent and principal and was told that the school wants to have one officer on duty and they did not request more. Chair Swenson stated they would need to request it officially and Selectman Bickford replied they have asked him via a telephone conversation.

Mr. Anthes asked if there would be an objection to him paying for another officer to be on duty. Chair Swenson replied he strongly objects to any citizen paying for private security in a public situation. Chair Swenson reiterated he thinks the Police Department should be responsible for public security in a situation like this.

Chair Swenson stated they have asked the Police Chief to come forward with his recommendations and stated that for anyone to suggest the Police Chief and Police Department came up with erroneous recommendations should not be approached.

**Committee Policy**

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

The draft of the Policy on Appointed Boards, Committees, and Commissions Appointed by the Board of Selectmen was reviewed and additional edits were discussed.

The requirement for a criminal background check being done on individuals who are being reappointed was discussed. It was agreed there needs to be further research into the RSA and requirements for criminal background checks for volunteers and appointed committee members.

Rudy Rosiello, resident, stated the RSA outlines background checks being clearly for individuals who are working with children, going into homes, handling money etc., and confirmed the policy needs to reflect that.

Selectman Bickford stated he wants to have all individuals looked at again before each term. Selectman Jarvis stated she doesn't want it to be cumbersome for individuals to volunteer for their Town with having to go through interviews and background checks every year. She stated they don't repeat them for employees unless there is an issue.

It was agreed that if there is a potential need for a repeat background check, it would be done by a majority vote of the Board of Selectmen.

Mr. Anthes asked if a criminal background check includes drug testing. Chair Swenson replied it does not, per the RSA.

After further review, it was agreed to have the draft reviewed by legal counsel before final approval.

### **Drug Policy**

The most recent changes to the draft policy were reviewed and discussed. Town Administrator Bourgeois will get a list of the drugs included in the five and ten panel drug tests. It was agreed the draft is ready for legal review before being finalized.

### **Assessing Meetings**

Chair Swenson stated at the last Board of Selectmen meeting they received responses to the RFP for assessing. It was agreed at that time these would be reviewed and the top three candidates would be selected for interviews.

Chair Swenson stated Town Administrator Bourgeois has reviewed all the bids and provided a summary with a combined consensus recommendation between Town Administrator Bourgeois, the Tax Collector and the Assessor. The recommendation was to go ahead with interviews with Cross Country, Municipal Resources, Inc., Granite Hill and CNMAS. Chair Swenson stated it was also agreed at the last meeting that the whole Board of Selectmen would be available for the interviews of the companies and asked if that was still the consensus. Selectman Jarvis stated she would not have a problem with just one member of the Board of Selectmen and the Town Administrator along with the Tax Collector and Assessor being there.

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

Selectman Bickford stated there is information missing from the summary and asked why some of the companies were eliminated. It was clarified the information is listed. Town Administrator Bourgeois stated two of the companies were from out of state and the bid amounts reflect that and were excluded.

The bid amounts were reviewed and it was agreed more information is needed. Chair Swenson stated these questions should be included in the interviews. It was discussed why there isn't more of a cost savings with doing a cyclical review rather than a full revaluation every five years. Town Administrator Bourgeois and Selectman Bickford stated they were under the assumption that update costs would be lower with this process but the bids clearly indicate otherwise. Town Administrator Bourgeois stated the Assessor doesn't recommend adjusting the budget too much at this point.

Selectman Jarvis stated that when going over the numbers, she calculates the savings over five years to be over \$155,000.

It was agreed to schedule the interviews for the afternoons of November 19 and 20, 2014.

Mr. Rosiello noted that when going with multi-year contracts, there is usually a stipulation about the cost of living and there may be an increase in rates.

**Committee Fundraising Policy**

Chair Swenson stated at the last Board of Selectmen, representatives of a Town committee requested permission to set up a fundraising effort utilizing social media and Paypal.

Town Administrator Bourgeois contacted the New Hampshire Municipal Association for legal review of this request. The recommendations were that 1. The treasurer should create an account line item designation where all received funds will be deposited, 2. the committee will have to comply with the Right to Know law, 3. all expenditures should be approved by the Board of Selectmen, and 4. a PayPal account is inadvisable as it would permit deposit and expenditure of funds outside the Town's normal accounting system and lead to the potential for fraud.

Town Administrator Bourgeois also provided a summary of how this is handled by other towns. Chair Swenson stated there are a variety of practices, where some towns have policies with restrictions and others simply do not allow it. Town Administrator Bourgeois suggested that if there is a link on the Town's website, donors could put directions in the comments so the Finance Officer knows which account to deposit the money.

Town Administrator Bourgeois stated he thinks that if they set it up so the Town controls the Paypal account, it would be a good opportunity that can be utilized by the Town and

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

committees. He stated it could be overseen by the Finance Officer to receive the funds and disperse it to the designated account.

Chair Swenson asked Town Administrator Bourgeois to do some additional research and bring that to the next meeting. Selectman Jarvis agreed and stated it is worth following up on.

**Default Budget**

Chair Swenson stated this has to do with the Town of New Durham using the SB2 form of government. He stated there has been much debate about how the default budget is set between New Hampshire Municipal Association and the RSAs. Chair Swenson stated it was his belief that the increases that were given to employees in 2014 must be part of the default budget for 2015.

Chair Swenson stated both he and Town Administrator Bourgeois had discussions with legal counsel and New Hampshire Municipal Association. After all the discussions, Chair Swenson stated his opinion remains the same that any increases given in 2014 must be part of the 2015 Default Budget. He stated his rationale for this comes under the third line of the RSA, b: *“Default budget as used in this subdivision means the same amount of appropriations as contained in the operating budget authorized for the previous year, reduced and increased as the case may be by debt service, contracts and other obligations previously incurred...”*

Selectman Bickford stated there are two lines, one is raises given out that year and the other being under another department. Chair Swenson clarified that Selectman Bickford wants to follow Chair Swenson’s rationale when going through the budgets but when doing particular accounts, they would not contain the amount of money that was in 2014 as part of the default budget.

Selectman Jarvis stated that based on the RSA, she believes the raises belong in the individual department accounts and the salary lines. She stated that when coming to the personnel administration account, she expects it to show all the money they put in, and the default budget reflects the personnel line being less the raises.

Town Administrator Bourgeois stated there is really no body that oversees the default budget and it is up to the Board of Selectmen. He stated Department of Revenue Administration will review it but they don’t control it.

Selectman Bickford stated he doesn’t think they should be going forward with the default budget as part of the motions as it is unnecessary. He stated there is a form they will fill out for the default budget to send to Department of Revenue Administration and he thinks this discussion is slowing down the process. It should be a one step process with the default budget being set up at the first meeting. Chair Swenson stated they are on schedule for the reviews and doesn’t see how it slows down the process. Selectman Bickford stated he can’t imagine other towns doing both the budget and the default

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

budget at the same time. Chair Swenson replied he can't see doing it any other way. He stated that from what Town Administrator Bourgeois has found out with input from various people, it is up to the Board of Selectmen anyways.

Selectman Jarvis stated that by including the default budget in the motion, it is actually simplifying what they are doing. She stated that if they did not include a default budget figure, they wouldn't have the discussions on salaries until December, at which point they would have to go back and revisit all accounts that have salaries in them. She stated this is actually speeding up the process.

Selectman Bickford stated the guidelines state the default budget is supposed to be established up front. Chair Swenson replied that refers to the budget hearings in January. Selectman Bickford noted the guidelines state "the governing body shall create a default budget form create by the Department of Revenue Administration to demonstrate how the default budget amount was calculated." He stated the default budget is pretty much already calculated, as it is last year's budget with the exception of a few issues such as pay.

#### **Fuel Pump Update**

Town Administrator Bourgeois stated he is working with the company that was approved and it was estimated the new pump would be about \$4200. He is waiting for a more solid figure before bringing it to the Board of Selectmen. It will be on the agenda for the next meeting. Selectman Jarvis asked if there is sufficient money in the capital reserve to do this. Town Administrator Bourgeois confirmed there is.

#### **New Business**

##### **Tax Deed Waiver Agreement**

Chair Swenson asked if this needed to be addressed in non-public. Town Administrator Bourgeois stated one has already been signed. It was agreed to review these in tonight's non-public meeting.

##### **Police Department Applications**

Chair Swenson stated applications are being received for filling the part time police officer pool. He asked Town Administrator Bourgeois what the department is doing with them. Town Administrator Bourgeois replied he gives all the applications to Police Chief Bernier. Chair Swenson asked for an update on the process status at next month's meeting.

Selectman Bickford asked where the positions are being advertised. Town Administrator Bourgeois replied it is on the Town website, the Primex website and in *Foster's Daily Democrat*.

Selectman Jarvis asked about the opportunity through the Great Bay testing. Town Administrator Bourgeois replied they have applications received over the years and will be going over those to see if any are still interested.

**New Hampshire Department of Labor Inspection**

Chair Swenson stated that on September 26, 2014 the State of New Hampshire Department of Labor conducted an unexpected inspection and from that a letter was received on October 17, 2014 which outlined the results of the visit. The letter noted areas in which the Town was in non-compliance and a written response was requested as to how each violation was being addressed.

Town Administrator Bourgeois stated he reviewed the recommendations with the Inspector and she indicated there are not many that require immediate attention as long as there is an explanation. He stated the letter that is due back December 8 would include any reasoning if extensions are needed. The next step is a meeting of the Joint Loss Management Committee and Town Administrator Bourgeois has forwarded the recommendations to all the departments covered.

Selectman Jarvis stated the Town was evaluated on 82 specific laws and statutes and out of those there were 17 for non-compliance. She stated she is aware of many of them being addressed through the process of revising the Joint Loss Committee guidelines.

Chair Swenson stated that for public information, the types of citations noted included noise conservation that needs be addressed in a safety and health program; the highway department has a drill press that needs a guard; MSDS sheets should be available in the Fire Department and the Highway Department, along with other citations of these types.

Selectman Jarvis noted that not many of them require a large financial expenditure. She noted that some of the issues are already being addressed such as Town Hall security and the issue with employees working alone after hours.

Chair Swenson summarized the inspection and suggested Town Administrator Bourgeois put together a spreadsheet timeline as part of the Town's response to the citations and recommendations.

**Miscellaneous Communications**

Chair Swenson stated a letter was received from the New Hampshire Department of Safety informing the Town that effective October 15, 2014, the Division of Emergency Services and Communications will be discontinuing the emergency stand alone functionality for isolated phone service for the entire State. Chair Swenson stated this already been addressed with the Police and Fire Departments through the Enhanced 911 service system being put in place.

Chair Swenson stated a letter was received in response to the Town's request for federal funds for the highway safety project #315-15A-044, entitled the New Durham Safety Commute Patrols. The request has been officially approved by the State of New Hampshire. He stated specific dates were outlined for the patrols to be conducted.



*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

Chair Swenson stated an email was received from Bruce Johnson, a Webster selectman regarding school funding. Chair Swenson summarized the letter and stated it requests an issue be put on the annual Town Meeting warrant. The suggestion is that *“the State of New Hampshire provide a comprehensive meaningful funding for state education needs. To see if the town will vote to ask our governor and our state legislators to reform state funding for education with that reform to be directed to significant reduction of property taxes. The record of this vote shall be transmitted by written notice from the select board to the governor and state legislators informing them of the instructions from their constituents within 30 days of the vote.”*

Selectman Jarvis clarified they are simply requesting that this issue be included as a Town warrant article. She stated she agrees that the funding for public education is an issue that needs to be revisited, as it is the school budget that is killing the taxpayers and the tax rate. She strongly recommends that it be added.

Selectman Bickford stated it is a complaint about a present system but the problem is there is no solution to paying for it. He stated the alternative is generally an income tax. Selectman Bickford stated the cost of education is there and unless something is done about wages, he isn't sure where it is going to be made cheaper. He stated that what Mr. Johnson is looking for is a just a different method of funding, through a different method of taxation which is predominately done now through property tax. Selectman Bickford stated he doesn't want to put it on the ballot as it is meaningless without a solution.

Chair Swenson stated he agrees with Selectman Bickford that the request is pretty non-descript but he also thinks school expenses to the towns are too much. He wants to get more information before agreeing to add it to the warrant articles.

Chair Swenson asked Town Administrator Bourgeois to follow-up and get more information on this from the Webster selectman.

### **Bridge Waterproofing**

Chair Swenson asked Town Administrator Bourgeois to follow-up on the application of waterproofing materials to Town bridges.

### **Citizen Complaint**

Chair Swenson stated that over the last seven weeks, seven emails have been received from one citizen, all related to the Fire Department command car and Fire Department issues. Chair Swenson stated he summarized these complaints using specific quotes from the emails along with facts, in order to formulate a response. He asked the Board of Selectmen if they want these discussed in detail or if he should present them another way. Chair Swenson noted that for public information, not a single complaint was valid in terms of reality. Selectman Bickford stated he knows about some of what he is referring to and thinks that all complaints should be addressed.

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

Selectman Jarvis stated she has seen some of the emails and she doesn't believe some of the information being requested is public information as it is part of personnel files. She stated at least two of them were referred to the appropriate department head and there was justification for the use of a Town vehicle. Selectman Jarvis stated she is taking it as something from someone who is unhappy with the current situation in the Fire Department.

Chair Swenson stated any taxpayer is entitled to a response to any concerns they may have but it is unfair to continually ask for information has been proven to not be valid or unavailable due to the Right to Know law.

Chair Swenson outlined the complaints and briefly summarized the responses, some of which have already been addressed by Town Administrator Bourgeois.

September 3, 2014 – Complaint that the Fire Department command car was seen in Alton with two individuals of the Fire Department were using the car for personal errands. The crew would not be able to handle a call if it came in. Chair Swenson stated the reality of that was individuals were picking up supplies from the New Durham Fire Station, went to the ATM to get cash for lunch which was ordered for the Fire Department. They were always able to respond as the car has a medical kit and there is no medical provider requirement to the command car and any New Durham Fire Department member can drive the vehicle to a call or any authorized use.

September 12, 2014 - Complaint that around 17:00, the command car was “seen in Alton with 2 uncertified people in it” and “appears to be on personal errands”. Chair Swenson stated the reality was the New Durham Fire Department was asked to drop off some fire prevention materials from the State Fire Marshals office to local communities. He stated that in this case, one of the individuals was a certified fire fighter and EMT.

October 8, 2014 – Complaint “NO answers as to why the Fire Department command car has been seen in multiple locations outside of New Durham with unlicensed personnel.” Chair Swenson stated the Board of Selectmen did address this on 9/14/14 at the Board of Selectmen meeting so he doesn't understand why the statement was made on October 8 that there has been no response made. Chair Swenson stated that in both instances the command car was on specifically directed Fire Department business and as noted in the meeting minutes, all the Board of Selectmen members concurred with that statement.

October 9, 2014 – Complaint “the New Durham command car was spotted in Portsmouth last week....seems kind of far of approved business with tax payer dollars.” “Used to be a mileage log, is it possible to get a copy of this from the beginning of the year.” Chair Swenson stated the reality is that the command car was on Fire Department business which Interim Fire Chief MacCaffrie had assigned for training approved by the Chief.

October 10, 2014 – Complaint that the incidents of September 3 and October 8 had not been addressed; request for one of the individual on the Fire Department's rate of pay;

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

request for mileage logs of command car from the beginning of the year. Chair Swenson stated there is no medical provider requirement for the command car; any New Durham Fire Department member can drive the command car to a call or any authorized use; according to Deputy Chief Stewart, a mileage log has not been kept for the vehicle for years. Therefore a mileage log cannot be provided.

October 10, 2014 – Complaint – “New Durham Fire Department was seen at Subway in Farmington last week. (the individual specified) was getting food.” “The New Durham Fire Department command car was seen on Route 11 with a lone female driving...this is approved Fire Department business?!” Chair Swenson stated the individual was on New Durham Fire Department business picking up a hose tester and stopped for supper on his way back. Chair Swenson stated he thinks this is a reasonable explanation. Chair Swenson stated the EMT-1 person that was seen driving alone on Route 11 was sent by Interim Fire Chief MacCaffrie to pick up supplies for the New Durham Fire Department’s use.

October 13, 2014 – Complaint “I hereby request all Fire Department call logs from the last three months to include 2013/2014” “The certifications, qualifications, pay rate and status of (an individual)”. Chair Swenson stated an email response was sent to the requester on October 14, 2014 in which it was stated the Fire Department call logs can be received from the Town at current copy rate; due to RSA 91:A, the certifications, qualifications and rate of pay of members of Fire Department is denied due to personnel files not subject to disclosure; according to Deputy Chief Stewart mileage log has not been kept on this vehicle for years, therefore no record can be provided; there is no medical provider requirement for the command car and any New Durham Fire Department member can drive the vehicle to a call or any authorized use.

Chair Swenson stated that in every instance, there was no indication that the command car was being used inappropriately. He stated that in all cases noted, over a period of seven weeks, the command car was appropriately authorized and appropriately qualified people were using it. Chair Swenson stated he wanted to make sure that for public information, these complaints and requests have been addressed and this information was provided.

Selectman Jarvis stated the rate of pay of a public employee is public information and that information was released. She stated that from her experience, the use of the command car was that it was for the use of the Fire Chief or any member of the department that he assigns it to. She stated she has never been aware of a requirement stating there be medical personnel in the vehicle at all times.

Chair Swenson stated he wants to make sure that going forward they ensure things are done in the department in the right manner.

Selectman Bickford stated there are a few issues he wants to go back to. He stated the command car has always been an issue that people complain about and suggested going

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

back to mileage reimbursement. Selectman Bickford stated there was always a requirement with Fire Chief Varney that there be a logbook. Chair Swenson replied that according to Deputy Chief Stewart, there is no logbook.

Selectman Jarvis replied there was a requirement that the command car have a log and there was a request that it be turned in once a month and at the time she was designed by the Board of Selectmen to review it. She stated there continual issues with keeping it and getting it submitted, and stated it was agreed to discontinue it years ago. Selectman Jarvis stated that if you go back to the minutes, you would find that the Board of Selectmen told the Fire Chief the logbook was no longer necessary.

Selectman Bickford stated he thinks it is a good thing to do to address the complaints. He stated that when any truck goes out, there should be a logbook and stated he thinks they should do it for all the equipment. It should be brought back for accountability.

Selectman Bickford stated he is surprised that certification information is not public and thinks it should be public information. He stated they need to be sure people are properly certified. Chair Swenson replied the department heads are responsible for making sure individuals have the proper qualifications and this is part of personnel files.

Selectman Jarvis replied that in the past they have waived a particular requirement for a period of time but that is done at a public meeting so everyone knows the requirement is temporarily not being met. Selectman Bickford stated you can't have an EMT and not let them do EMT work. Selectman Jarvis stated that in all the complaints she has read, there are no allegations that anyone is providing medical care without a license but rather someone has determined that there needs to be a medically qualified individual in the command car at all times and that is not the case. Selectman Bickford stated he still doesn't see why they can't get the certification information for an individual and thinks they should try to find a way to do it. Chair Swenson replied Town Administrator Bourgeois has information from Attorney Stephen Buckley that can help explain that.

Selectman Bickford asked if the Fire Department is required to submit a roster to the Board of Selectmen. Selectman Jarvis replied it is required only if there is a change within the department. Chair Swenson stated he thinks it is a fair request to have a periodic roster. Selectman Jarvis noted licensing and certification is not automatically public record although names and rates of pay may be disclosed. Town Administrator Bourgeois confirmed he has clarified this with the New Hampshire Municipal Association and it is considered part of the employee's personnel file.

Chair Swenson summarized that there are several complaints but they are from a single individual taxpayer and a factual response has been given for all of them.

**Future Meetings**

October 20, 2014, 7:00p.m. – Tax-Deeded Property Meeting, Town Hall.

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

October 21, 2014, 1:00p.m. - Board of Selectmen Budget Meeting, Fire Community Room.

October 28, 2014, 9:00a.m. - Board of Selectmen Budget Meeting, Fire Community Room.

October 31, 2014 1:00p.m.- Board of Selectmen Budget Meeting, Fire Community Room.

November 3, 2014, 7:00p.m. – Board of Selectmen Meeting, Town Hall.

**Public Input**

Greg Anthes, resident, asked about the process on how a citizens' concern or complaint is addressed. He asked if the person gets an email response after an investigation by the Board of Selectmen, Town Administrator Bourgeois or department head. Chair Swenson replied yes, although it can depend on the complaint.

Town Administrator Bourgeois stated he will reply right away if he can, otherwise he forwards the issue to the appropriate department head. Mr. Anthes stated he wants to be sure they are being responsible in handling citizens' concerns. Town Administrator Bourgeois stated there is a difference between someone asking a general question and the same thing being brought up over and over. He stated that in this situation the command car is under the purview of the Fire Chief and until he has reason to believe it is being misused, he trusts the department that it is being used properly. Town Administrator Bourgeois stated that each time this complaint came in, he checked and received a reasonable response as to why a vehicle was seen in an area. Chair Swenson stated that when the complaints came in, the email went to all the Board of Selectmen and Town Administrator Bourgeois. He stated he investigates an issue himself and there is always a formal response.

Selectman Bickford stated there is a policy that if a complaint goes to a department head, it is supposed to be forwarded to the Board of Selectmen as well within 30 days.

Selectman Jarvis stated she remembers talking about establishing that process but recalls it being vague and she was not in agreement at the time. Chair Swenson agreed, and stated he doesn't recall a formal policy being established. Selectman Jarvis stated that at one time, the Board of Selectmen said the Town Administrator is the individual who is responsible to receive requests and follow up as necessary. She stated a form was created but it can't be required to be used.

Mr. Anthes asked if there is a duty roster for when a vehicle goes out.

Selectman Jarvis stated that when she was in the Fire Department, there was a roster but not for a particular vehicle as they don't know who is going to show up at a given time. It would depend on qualifications and skills as to who would go on the various vehicles. Selectman Jarvis noted that with the fire referenced earlier, the Fire Chief actually drove the fire truck and normally you wouldn't see a chief doing that but it was during the day and they needed him to.

*New Durham Board of Selectmen Meeting  
October 20, 2014  
DRAFT*

Chair Swenson referred Mr. Anthes to the Fire Chief if he has specific questions regarding details of the department. Selectman Jarvis encouraged Mr. Anthes to speak to Interim Fire Chief MacCaffrie directly and stated there is a board that shows what kind of vehicles go to particular calls. She stated then when she was in the department, there was a roster of who went on the call when returning from a call.

Rudy Rosiello, resident, stated he would like to commend the Board of Selectmen for taking a good look at all the policies and it is a good step in modifying behaviors. He stated he hopes there is consistency across the board with all policies in ensuring there is no hostile environments and no retaliation, always dignity and respect being maintained by all members. Mr. Rosiello stated he holds the Board of Selectmen to a higher level and wants to see them stopping any retaliation or hostile environments and maintain the highest ethical standards.

**Approval of Minutes**

Meeting of September 17, 2014 – Public Session: Edits were made. **Selectman Jarvis made a motion that the minutes be approved as amended. Chair Swenson seconded the motion. Motion passed, 3-0.**

Meeting of October 2, 2014 – Non-Public/Public Session: Edits were made. **Selectman Jarvis made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Motion passed, 2-1. Selectman Bickford opposed.**

Meeting of October 6, 2014 – Public Session: Edits were made. **Selectman Jarvis made a motion to approve the minutes as amended. Chair Swenson seconded the motion. Motion passed, 3-0.**

Meeting of September 4, 2014 – Public Session: Edits were made. No motion was made to approve until changes have been reviewed.

**Adjourn**

**Selectman Jarvis made a motion to adjourn the meeting. Selectman Bickford seconded the motion. Motion passed, 3-0.**

The meeting was adjourned at 4:50p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary