

NEW DURHAM BOARD OF SELECTMEN
New Durham Fire Department Community Room
November 17, 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, Recording Secretary
Corky Mork, Videographer
Shawn Bernier, Police Chief
Mike Clarke, Road Agent
Rudy Rosiello, Resident
Greg Anthes, Resident

Call to Order

Chair Swenson called the meeting to order at 1:00p.m.

Appointments/Announcements

Chair Swenson stated the Thompson Easement officially closed last Wednesday and confirmed this with Town Administrator Bourgeois.

Public Input

Greg Anthes, resident, thanked Police Chief Bernier for having the additional police officer coverage for the recent elections.

Agenda Review

Chair Swenson added under Old Business: Department of Revenue Administration certificate; Copple Crown Village District transfer authorization information; budget progress summary.

Chair Swenson added under New Business: Department of Revenue Administration meeting of November 14, 2014; Highway budget discussion and update; tax rate discussion; miscellaneous items.

Selectman Jarvis added under New Business: audit evaluation; status update on tax-deeded properties/tax payment plans.

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Selectman Bickford added under New Business: employment interviews/contradicting information.

Department Reports/Issues

Police Department Part Time Officers

Police Chief Bernier stated that as of the cut-off date he received twelve resumes regarding the open part time police officer positions. He stated there were ten individuals confirmed for the PT tests although one dropped out; seven passed the test. Police Chief Bernier stated Sergeant Meatty would be coordinating the interviews for the seven individuals on his behalf.

Police Chief Bernier stated he is looking for one representative from the Board of Selectmen to sit in on the interviews. It was agreed that Selectman Jarvis would participate in the interviews.

Selectman Bickford stated he wants to see the applicants' resumes. It was confirmed they are available for review in Town Administrator Bourgeois' office.

Selectman Bickford stated he wants to see the question about picking up Board of Selectmen members removed from the interviews. Chair Swenson stated he wouldn't bar any questions that are within legal and proper limits. Police Chief Bernier stated it is a good question to ask to see how an individual will stand up under the pressure of arresting a public official. He stated he could provide a copy of the prepared questions although it was agreed every single question that could be asked would be anticipated.

Selectman Jarvis confirmed that Police Chief Bernier would continue with the writing examples. Police Chief Bernier replied they don't typically do them for the part time positions. Selectman Jarvis stated they did that for the Land Use Assistant and finds it beneficial to evaluate the candidates' command of the English language. Police Chief Bernier replied he would give the suggestion to Sergeant Meatty.

Mr. Anthes asked if the oral interviews are recorded. Police Chief Bernier replied they do not currently record them. He stated it puts more pressure on the candidate during the interview and police officers are already a high-pressure position in a town.

Town Administrator's Report

Town Administrator Bourgeois stated the IT contract will be finalized this week and they will be meeting on Thursday to discuss progress to-date. Selectman Bickford asked what the changes in the contract were. Chair Swenson stated it had to do with the termination clause.

Chair Swenson stated at the last meeting there were going to be some books purchased for the Code Enforcement/Building Inspector. He asked Town Administrator Bourgeois to follow up on that to see what the new Building Inspector will need before the end of the year.

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Selectman Jarvis asked about the status of the tax-deeded properties payment plans. Town Administrator Bourgeois one is ready to be signed by the Board of Selectmen and Ms. Ingham is finalizing another. He stated a third one still needs to be drafted.

Old Business

Complaint Procedure

Chair Swenson stated that in follow-up to a prior discussion there was a consensus to draft a citizen complaint form, although a formal complaint form is not required. Town Administrator Bourgeois provided a copy of a draft form. Selectman Jarvis stated she had some edits and suggestions. These were reviewed and discussed. Chair Swenson asked Town Administrator Bourgeois to have the edits completed with the form available for review at the next meeting.

Market Study/Compensation Analysis RFP

Chair Swenson stated this is a continuation of a discussion at one of the budget review sessions where it was suggested they conduct a market study and compensation analysis for Town employees.

Chair Swenson stated he has drafted an RFP which is now ready for review. Selectman Jarvis confirmed they are looking at both full and part time employees. Chair Swenson replied that is how he addressed it in the draft. The draft RFP was reviewed and discussed. It was agreed to add an addendum for quoting the costs of benefits comparison.

Further edits were made and Chair Swenson stated he would have the edits completed for review at the next meeting.

4902 Budget Discussion/Highway Department

Mike Clarke, Road Agent, stated he was informed the Board of Selectmen has some questions about items submitted for a warrant article. It was clarified this has to do with the heavy truck. Mr. Clarke stated he forwarded the information requested to Town Administrator Bourgeois on Wednesday.

It was clarified the bid was in the amount of \$41,106. Chair Swenson summarized there are two parts to this item including the purchase of the truck and the ancillary parts. Mr. Clarke stated these parts include: the dump body, cab shield, panel hook, plate, hard poly fenders, automatic load cover, custom LED lights, Everest front plow, the plow hitch, Everest wing, and all hydraulic systems for the plow and wing. He explained there is also a quote that was not included for a sander. Mr. Clarke stated the current sander does not need to be replaced. He reiterated these are only budgetary quotes for a diesel truck, and stated there are still other options such as a gasoline vehicle. Mr. Clarke stated that at the maximum it would be \$88,000 to replace the truck.

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Selectman Bickford stated when Mr. Clarke talked about this with the CIP, it was stated they wanted a gas vehicle. Selectman Bickford stated there is about an \$8,000 difference between the costs of a diesel versus gasoline. Chair Swenson noted they have to consider the total cost of ownership. Mr. Clarke stated he and the Town Equipment Mechanic have gone over this and suggested it may actually be cheaper to run the diesel, and it will get better fuel economy.

Selectman Bickford questioned why they couldn't use the old plow equipment and the need for a wing. He stated he wants to see a breakdown of the parts included in the bid. Selectman Bickford asked if they have a trade-in price. Mr. Clarke replied he can get a breakdown but there is no trade-in price. He explained the reason for a new plow and wing is the vehicle is the only one owned by the Highway Department that will run the front-runner rake, similar to a grader.

Mr. Clarke stated the plow and wing currently on the vehicle are about nine years old, and it has been welded and repaired multiple times. He stated it is his opinion along with that of the Town Mechanic, that it will not last another year. Mr. Clarke suggested it would be better to get a new plow and wing for the new truck.

Selectman Jarvis asked if they could get more money for the old vehicle by selling it. Mr. Clarke replied yes and explained trade-in is not the way to go for this size truck.

Chair Swenson summarized the new truck won't be available until next season; because of the condition of the plow it is preferable to leave it with the old truck and acquire a new plow as it won't last many more seasons; and the sander is not going to go with the old truck as it has been fixed.

Selectman Bickford asked about buying a plow without a wing. Mr. Clarke replied the wing was put on the old vehicle to reduce the time it takes to clear the roadways, almost doubling the width of the truck. Selectman Bickford stated they don't use the wing plow all the time and it doesn't seem worth it to have if it doesn't hold up. Mr. Clarke replied they use the wings every time they plow. He stated prior to wings being installed on the trucks, it took five guys 18 to 22 hours to plow the Town on a 12" snowstorm. He stated with a wing it cuts the time to plow the 126 miles of road in half. Mr. Clarke confirmed he would get a breakdown of the cost for a new wing. Further discussion will be at the next Board of Selectmen budget review meeting on November 24.

Selectman Bickford stated the Planning Board has questioned whether they should be paying membership dues to the Strafford Regional Planning Commission and asked Mr. Clarke how much they do for him.

Mr. Clarke replied the Highway Department doesn't get any real benefit from being a part of Strafford Regional Planning. He stated the only thing he has used them for are a couple of questions, which they don't charge him for, regarding populations of towns and road mileage. Mr. Clarke stated he does get information from traffic counts. Selectman

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Bickford stated that information could also be obtained from the State. Mr. Clarke suggested they might get more benefit from Belknap County Regional Planning. Mr. Clarke explained the planning commissions are mainly dealing with major projects such as sidewalks, trains, airports, bicycle paths, etc, all things that bigger cities are involved with that don't affect smaller towns. Selectman Jarvis noted the proposed dues for Strafford Regional Planning is over \$3,000 for next year.

Department of Labor Report

Town Administrator Bourgeois distributed a table summary of the inspection results along with comments on addressing the issues. Chair Swenson stated the summary needs to identify the date the remedy will be taken care of and the individual within the department responsible for making sure it is done.

Selectman Jarvis stated there is a problem with the remedy with regards to the Welfare Clerk privacy issue. It was clarified there are two parts of the issue: having both doors shut to provide confidentiality but having a door open for the safety of the Welfare Clerk. Selectman Jarvis suggested rearranging the office to provide more privacy with clients instead of closing both doors. Selectman Bickford suggested the clerk use a different office when meeting with a client. Town Administrator Bourgeois will work with the Welfare Clerk to determine a solution.

It was noted a response to the New Hampshire Department of Labor is needed by December 8. Chair Swenson asked Town Administrator Bourgeois to have this on the agenda for review at the next meeting. It was agreed it would be good to have many of the problems resolved by then.

Department of Revenue Administration Certificate

Chair Swenson stated this needs to be completed by December 15 and noted it can be reviewed at the next budget meeting.

Copple Crown Transfer Authorization

Chair Swenson stated additional information is needed from Copple Crown Village District. Town Administrator Bourgeois stated he is waiting for information from the finance office.

Selectman Jarvis asked if there has been any feedback in regards to whether they are interest in acquiring the Town owned land that is up there. Town Administrator Bourgeois replied he has requested a response but he has not received one yet.

New Business

Purchase Order 2305

Chair Swenson stated this is for brush grinding at the recycling center done by Thomas E. Huckins, LLC. Selectman Jarvis noted this is a budgeted item and Selectman Bickford stated it is an accumulation of two years of brush.

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Selectman Bickford asked why the individual who did it before did not do it again. Town Administrator Bourgeois replied the company previously used no longer services New Hampshire.

Chair Swenson made a motion to authorize Purchase Order 2305 to Thomas E. Huckins, LLC for the amount of \$3,500 to grind and remove brush Selectman Jarvis seconded the motion. Motion passed, 3-0.

Municipal Resources, Inc. Draft Contract – Town Administrator Services

Chair Swenson stated a draft of the agreement was distributed and reviewed. He stated the current agreement is a calendar year but the proposed agreement ends March 31, 2016. It was agreed by consensus to change the end date to the calendar year.

The on-site hours were discussed. Selectman Bickford stated he doesn't want them to feel like they need to come in to burn up time. Selectman Jarvis stated she likes having the hours available if Town Administrator Bourgeois needs them. She suggested they have a semi-set schedule to come in along with some extra hours for when questions arise. Chair Swenson clarified there are other quarterly hours available as well. It was agreed the hours need to be clarified and Chair Swenson suggested changing the hours from eight to ten with four on-site per month.

Mr. Anthes clarified this contract is for next year. Chair Swenson replied that is correct and he is trying to increase the number of hours for help from Municipal Resources, Inc.

Legal Inquiries Regarding Interviews of Appointed Individuals

Selectman Bickford stated Town Administrator Bourgeois has conducted legal inquiries on this and the recent Belknap case. He stated the information Town Administrator Bourgeois received was contradictory to what was received from the Town Attorney. Selectman Bickford stated they need to get further clarification and suggested sending the information to Bart Mayer to see what he has to say. Chair Swenson concurred that there needs to be clarification regarding the alternative opinions. Town Administrator Bourgeois will follow up and it will be discussed at the next meeting. Selectman Jarvis noted the Belknap case Selectman Bickford was referring to involved an elected official and stated that is different than hiring an employee.

Audit Update

Chair Swenson stated the audit book has been received and is available for public review in Town Hall and a copy online as well as.

Selectman Jarvis noted there was one item identified for non-compliance. The library trustees were informed of the need to formally adopt an investment policy in compliance with New Hampshire State statute.

Department of Revenue Administration Meeting of November 14, 2014

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Chair Swenson stated the meeting was about the verifications for elderly/disabled credits, current use assessment, veterans' credits, charitable/religious credits, etc. for tax and assessing purposes. He explained that every five years the Department of Revenue Administration conducts verification that the Town is appropriately verifying the various assessment situations.

Chair Swenson stated that he along with the Welfare Officer and Town Clerk/Tax Collector reviewed this and received input from the Department of Revenue Administration. Chair Swenson stated they went through the current Town records and gave a summary of the number of exceptions:

Elderly/Disabled	28
Veterans Credits	171
Current Use Parcels	392
Charitable/Religious Use	5

It was determined the reasonable amount of time necessary to do the requirements of the Department of Revenue will take about 300 hours. Chair Swenson stated this would need to be discussed further when discussing the assessing budget. It was clarified the Town needs to do the accounting work so the Department of Revenue can conduct the audit.

Budget Account Review

Chair Swenson distributed copies of a progress summary of the budget review. This included the 2014 and 2015 Budget amounts as well as the Board of Selectmen's actions to date.

Chair Swenson stated there are six items that need to be revisited including: Assessing; Tax Rate; account 4130-Executive Office; account 4155- Personnel Administration; account 4220- Fire; and account 4902 - Capital Outlay.

Selectman Jarvis noted there are six accounts where the Board of Selectmen 2015 numbers do not agree with the Budget Committee numbers. She stated this has do with the Board of Selectmen not having the same information available when they reviewed some of the accounts.

Tax Rate and Unassigned Fund Balance

Selectman Bickford asked what last year's surplus was. It was determined the total budgeted including appropriations and warrant articles was \$3,800,000; \$207,000 was not spent as of December 31, 2013. Of that amount \$85,755 was spent on warrant articles leaving a net of \$153,812 remaining in the unassigned fund balance.

Chair Swenson stated the current school rate is \$11.01 and they have already voted to apply roughly \$40,000 of the impact fees to that. He noted that for every \$43,000 in appropriations it is a reduction of about \$0.10 per \$1,000.

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A spreadsheet prepared by the Department of Revenue Administration was reviewed and discussed. It was confirmed the impact fee being applied was not calculated in the spreadsheet. Town Administrator Bourgeois stated with the impact fees calculated, the total rate is about \$21.83. Chair Swenson disagreed with the calculations. He stated the county and state rates are set and the school rate with the impact fees can be calculated but it depends on what is done now for the rest of the rate.

Mr. Anthes referred to the Annual Town Report of 2013 and stated the education rate was \$13.63. He asked if the rate was lowered to \$11.01. It was explained the local and state school rates were combined for the Report but it was noted both are going down this year and the county rate is going up.

Selectman Bickford stated that in regards to the county rate, the commissioners are working hard to keep the rates down. Selectman Jarvis noted they make quite a bit of money by housing detainees from other counties as well. Selectman Bickford stated there isn't a lot of room for the rate to go down. Selectman Jarvis stated the Strafford County Jail is actually being looked at a model for the country.

Selectman Bickford stated he would like to take \$100,000 or more and give it back to the taxpayers. Chair Swenson replied that one of the rationales used last year was the Board of Selectmen does want to give as much as they can back to the taxpayers but they also want to have the assurance of sustainability.

Selectman Jarvis suggested she would be in favor using \$100,000 to reduce the tax rate and then at the end of the year when they know how much will be coming back, using that to decrease the warrant articles.

Town Administrator Bourgeois stated that with the impact fees used, the rate would be \$21.826. Chair Swenson asked what just the school portion is and how the rate changes with the impact fees. Town Administrator Bourgeois replied it is already calculated in by Department of Revenue Administration so the school rate doesn't change. It was confirmed the spreadsheet included everything the Board of Selectmen has already voted on.

Chair Swenson asked if there is a projection for what will be unexpended this year. It was agreed it may be too early in the year at this point.

Selectman Jarvis made a motion to utilize \$100,000 from the Unassigned Fund Balance to reduce the tax rate. Chair Swenson stated he thinks the motion is premature at this point. Selectman Bickford concurred. **Motion failed for lack of second.**

Chair Swenson noted they have already voted to maintain a fund balance of 8% and this figure is based on the \$9,000,000.

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Chair Swenson summarized the Department of Revenue Administration spreadsheet and numerous calculations were reviewed and discussed. He stated using these calculations, without any fund balance or warrant articles applied, assuming the budget for 2015 is the same as 2014, and other revenues are the same, the Town rate is \$6.119. It was clarified this is setting the 2014 tax rate. The numbers are forwarded to Department of Revenue Administration and they set the tax rate.

After further discussion, **Selectman Bickford made a motion to reduce the 2014 tax rate with \$125,000 from the Unassigned Fund Balance. Chair Swenson seconded the motion.** Selectman Jarvis stated she is not comfortable with that number and prefers to go with \$100,000 and use more of the Unassigned Fund Balance for warrant articles. **Motion passed, 2-1.**

Chair Swenson summarized the Board of Selectmen have voted to apply \$125,000 of the Unassigned Fund Balance to the tax rate. The Department of Revenue Administration will provide a finalized calculation with that but it is estimated the tax rate will be lower than it was this year. Selectman Jarvis stated there would be \$883,539 in the Unassigned Fund Balance, which is \$6,000 over the 8% guideline.

It was determined the final calculations should be: Town rate of \$5.57; County rate of \$2.875; Local School rate of \$11.006 and State School rate of \$2.339 with a total rate of \$21.767.

Selectman Jarvis made a motion to authorize the Chair to sign the surplus retention form. Selectman Bickford seconded the motion. Motion passed, 3-0.

Public Input

Mr. Anthes asked if the computer maintenance contract has been signed. Chair Swenson replied the Town has signed it, but it has not been returned from the contractor.

Future Meetings

November 19, 2014, 1:00p.m. – Board of Selectmen Meeting with Assessing bidders, Fire Community Room.

November 20, 2014, 1:00p.m. – Board of Selectmen Meeting with Assessing bidders, Fire Community Room.

November 24, 2014, 1:00p.m. – Board of Selectmen Budget Review, Fire Community Room.

Approval of Minutes

Meeting of October 20, 2014 – Non-Public: Edits were made. **Selectman Jarvis made a motion to approve the minutes as amended. Selectman Bickford seconded the motion. Motion passed, 3-0.**

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Meeting of October 20 & 29, 2014 – Public: POSTPONED.

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

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