

## **NEW DURHAM BOARD OF SELECTMEN**

### **Public Meeting**

**March 17, 2014**

### **Fire Station Community Room**

### ***DRAFT MINUTES***

*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:**

Chair Theresa Jarvis

Selectman David Bickford

Selectman David Swenson

#### **Also Present:**

Jeremy Bourgeois, Town Administrator

Jim Ladd, Videographer

Jennifer Riel, Minute Taker

Scott Drummey, Resident

Jeffrey Kratovil, Resident

Fred Quimby, Resident

Michael Clark, Road Agent

Shawn Bernier, Police Chief

Kevin MacCaffrie, Fire Chief

Chair Theresa Jarvis called the meeting to order at 12:00 p.m. at the Town Hall.

**Chair Jarvis made a motion to enter into non-public session pursuant to RSA 91-A: 3 II (a) Compensation of a Public Employee. Selectman Swenson seconded the motion. The motion passed unanimously, 3-0. Roll Call Vote: Chair Jarvis-Aye, Selectman Swenson-Aye, Selectman Bickford-Aye.**

The Board entered non-public session at 12:05 p. m.

**Selectman Bickford made a motion to seal the minutes. Selectman Swenson seconded the motion. The motion passed unanimously, 3-0.**

**Chair Jarvis made a motion to leave non-public session at 12:54 p.m. Selectman Swenson seconded the motion. The motion passed unanimously, 3-0.**

Chair Jarvis resumed the public meeting at 1:05 p.m. at the New Durham Fire Department Community Room. Chair Jarvis introduced recently elected Selectman David Bickford and Jennifer Riel, who is anticipated to be appointed the Minute Taker for the Board of Selectman.

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**Public Input**

Chair Jarvis opened the floor to welcome public input and reminded speakers of the 15 minute time limit to discussion, and asked speakers to identify themselves before the Board.

Fred Quimby of 46 South Shore Road, stated that he has concerns regarding having been confronted with a lot of literature about town issues. He states that he can no longer decipher between fact and fiction. Mr. Quimby states that his concern is specifically in regards to the response times of the emergency medical and fire departments. He asked if the circumstances of the last six months have placed the residents in a position that is less safe, in terms of safety response times. Mr. Quimby asked for reassurance from the BOS that everything is as safe now, as it was a year ago. He also wants to be on record as having asked the question before the BOS. Selectman Bickford stated that he is not in position to answer at this time as he recently joined the Board. Chief Kevin MacCaffrie entered the meeting and introductions were made between himself and Selectman Bickford. Mr. Quimby then restated his questions to Chief MacCaffrie. He wants reassurance that in terms of response time, both fire and medical are going to be as good now, as in the past. He believes that the townspeople don't feel they have a firm answer. Chief MacCaffrie responded that the department's number of responders is down from a year ago, and they are currently trying to build the roster numbers back up. He stated that the current responders are responding as they were in the past, but many have full time jobs and those who do not, still need increased training. Chief MacCaffrie stated that advertising would be going out soon to recruit more volunteers. Mr. Quimby thanked Chief MacCaffrie for his response and asked that a simple answer also be given at the upcoming Town Meeting, as a lot of residents will be there to hear. Selectman Swenson asked Chief MacCaffrie if he has a specific number when he states that the number of responders is down. Chief MacCaffrie replied that 6 have officially left, although this was before he arrived. There were also 8 in the last year that left before. Selectman Swenson clarified that the number of responders is down significantly from where it was a year ago. TA Bourgeois stated that an important fact to remember is that just because individuals were on the roster a year ago, does not mean all of them were active responders at the time. The number of people responding also depends on the time of the calls, as days are always harder in getting people to respond. Chief MacCaffrie stated that it also depends on the time of the call, as it affects how many responders will be available and that has always been the case and has not changed. Selectman Bickford asked Chief MacCaffrie if there are members that are choosing to not respond and are they being considered inactive. Chief MacCaffrie confirmed, and said that as volunteers, it is their choice to do so. Chair Jarvis asked Chief MacCaffrie if the automatic mutual aid system is still in effect. Chief MacCaffrie confirmed and said yes, nothing has changed regarding the mutual aid coverage. He confirmed that it is automatic with other towns including Wolfeboro and Farmington. He further explained that it has always been that way, and said that the towns of Farmington, Wolfeboro and Alton in particular, always have full time people on duty. Selectman Swenson clarified with Chief MacCaffrie as to what the current response time is and asked if there has been a major shift. Chief MacCaffrie stated he has not seen an increase but has only gone over the records for about the past six months. He feels the response times are good, and the times vary depending on where the call is from, what time of day the call comes in and where the responders are coming from. He stated that the time of response has not gone up in the last six months. Mr. Quimby stated he thinks that a lot of people of the town would like to be reassured and thanked Chief MacCaffrie for his response to his questions.

Scott Drummey of Old Bay Road, stated that his question is somewhat more specific, and is more pointed towards Selectman Swenson. Mr. Drummey stated it is in regards to the previous meeting where the previous Fire Chief was fired. Selectman Swenson clarified that he was not fired, and Chair Jarvis stated that he was not reappointed. Mr. Drummey said that Selectman Swenson had indicated it was time for the Fire Department to go in a new direction, and asked that Selectman Swenson make a public, detailed statement within 2 weeks, of what the new direction is that he wants the Fire Department to go in. Selectman Swenson reiterated that the former Fire Chief was not reappointed, nor was he reappointed back in 2012, and that this occurred before his time on the BOS, and he could therefore not answer that question. Relative to a new direction, he stated that while there has been a fair amount of adverse comments regarding this issue, he stated that information will be given, as requested, however it will be coming from the entire BOS, not just him. Selectman Swenson agreed that all contributions to a new direction do need to be heard and need to be addressed. Chair Jarvis noted that an agenda item today, is to setup a work session to outline the goals for the current Fire Chief, and for a direction to be taken with regards to the Fire Department. Selectman Swenson stated that he had drafted an outline of goals back in January for the interim Fire Chief, and those were made available to the public in February. Selectman Swenson reiterated that they are not the BOS goals for the Fire Chief, but an initial draft of his personal thoughts.

Mr. Kratovil stated that regarding comments to the Fire Department, he asked if it is true that there was a fatality that occurred during one of the Fire Department's responses. He clarified that it was a resident. Chief MacCaffrie replied that to his knowledge, there was one who had "died of natural causes, prior to our arrival." Mr. Kratovil asked if a suggestion which he had made while he was a selectman to TA Bourgeois, had been passed on to the BOS regarding citizens' concerns about response times. Mr. Kratovil stated that he has spoken with Fire Chief Fowler of Farmington, who said he is willing to continue to provide coverage to New Durham with mutual aid. Mr. Kratovil indicated Chief Fowler feels that perhaps responders, who are not responding currently, may choose to do so under his direction. Selectman Swenson asked to what degree Chief Fowler offered his support. Mr. Kratovil replied that he had not gotten into details with Chief Fowler, but that in his role as a regional Fire Chief, he is willing to help where he can. Mr. Kratovil stated that with New Durham having been taken off of their transmitting frequency, he is curious as to what the status is of when New Durham is going to be initiating the process of getting their own frequency. Mr. Kratovil stated that the last he heard, they were no longer on the same frequency as Farmington. Chief MacCaffrie replied that Chief Fowler has asked the New Durham Fire Department to look into going on to their own frequency, as there are currently three other departments on the same frequency. He explained that when the departments changed from wide band to narrow band frequencies, New Durham did not file with the FCC for a new frequency, so in order to meet the federal standards, they asked to piggyback with Farmington. In doing so, that was supposed to be for a year while New Durham looked into getting their own frequency. However, that has still not been done after eighteen months. Chief MacCaffrie stated that when he got the letter from Chief Fowler, he immediately contacted 2-Way Radio to start the process of looking into getting New Durham's own frequency. TA Bourgeois clarified that New Durham is not being dropped from Farmington's frequency, but they want to know the progress of New Durham getting its own frequency. Chief MacCaffrie went on to explain the process of obtaining our own frequency. Mr. Kratovil asked what the costs would be and the timeline of this project. Chief MacCaffrie stated that it could take anywhere from three months to a year, depending on how long it takes to find an available

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frequency with the FCC, which do open up periodically. However extensive research is required, as well as research to ensure the current equipment is compatible. Chief MacCaffrie stated that a repeater may need to be purchased, and the costs may be anywhere from \$20,000-40,000 for its purchase and setup. Chair Jarvis suggested speaking with the Road Agent regarding existing communications equipment. Chief MacCaffrie stated that it has been looked into, as well as three separate sites in the area, but the Highway Department one will probably not work, as it won't reach the whole area of coverage needed. The Prospect Hill site would work and there is a private site in the area that could work as well. Mr. Quimby asked if there is enough money already available for this project, or if a motion needs to be added at Town Meeting rather than having to wait another year to get the necessary funding for the equipment for this project. Selectman Swenson stated that the capital reserve funds will need to be checked as this is something that should have been done back in 2012. Chief MacCaffrie stated that he could get an estimate at this point but a study still needs to be completed in order for the details to be worked out to know what equipment is needed, costs and availabilities. Selectman Bickford stated that at this point we are looking at next year's budget. TA Bourgeois stated that federal grants may be available. Selectman Bickford stated that getting a frequency is really out of the Town's control and is handled by the federal government. Mr. Drummey asked if this situation was a result of a change to the Strafford County dispatch which triggered the frequency issue, and asked whose responsibility it was to get the ball rolling in getting New Durham's own frequency. Chief stated that it was due to the changes ordered by the federal government that required all departments to go to narrow banding frequency 2 years ago. It was the responsibility of the Fire Department to have started the process at that time. As a quick fix, the Fire Department jumped on a frequency with Farmington but the grace period has expired. For final clarification, Mr. Drummey asked if Farmington's complaint is that there is too much traffic on their frequency, and asked for clarification as to how the system currently works, for example if there is a major emergency event, and everyone is on a different frequency, do all in the mutual aid system have to share the frequency. Chief MacCaffrie replied that currently all the departments have frequencies that can be tuned in to when on the same scene. The Strafford County Dispatch oversees the frequencies and can switch the frequencies to ensure all units are operating on the same when necessary.

Mr. Kratovil stated that he wants to be on public record as having turned in his key. Mr. Kratovil also stated that he wrote a 3-page paper regarding the Town Annual Report, at TA Bourgeois' request. Mr. Kratovil stated that unfortunately he had to take vacation time in order to attend Town Meeting last week, and wants to advise everyone ahead of time, with a week's notice, that he is not prepared to again use vacation time to attend Town Meeting, and will therefore be unable to attend.

Mr. Kratovil stated he heard that paperwork for a lawsuit has been filed against the Town. He wants to know where he, and the public, can go to get more information regarding this, and asked if the BOS are prepared to provide information regarding a lawsuit. Selectman Swenson asked Chair Jarvis if she was aware of any lawsuits having been filed. Chair Jarvis replied that she is not aware of anything that has been filed and Selectman Swenson confirmed he was also unaware. Selectman Bickford stated he is not aware of lawsuit having been filed and asked if TA Bourgeois was aware and he was not. Mr. Drummey asked the BOS for clarification. Chair Jarvis stated that as the BOS, they have not seen any documentation regarding a lawsuit and therefore cannot address it. Selectman Swenson suggested to Mr. Drummey that he would need to ask whoever is threatening the lawsuit in order to obtain more

information. Chair Jarvis stated that if need be, it will be addressed in non-public session.

### **Appointments/Announcements**

Chair Jarvis stated that interviews for the minute taker position were completed and that a conditional offer of employment was made. Chair Jarvis stated that she does not recall that an official motion was made as to a start date, nor did Selectman Swenson.

**Chair Jarvis made a motion that Jenifer Riel be appointed as the Board of Selectman Minute Taker, effective immediately. Selectman Swenson seconded the motion. Selectman Bickford stated that he would abstain as he was not involved in the hiring process prior to being elected to the Board . The vote was 2 in favor (Swenson, Jarvis) 1 abstain (Bickford).**

### **Agenda Review / Minutes**

Chair Jarvis stated that there is a backlog of draft minutes from previous meetings still requiring edits and approval. Selectman Swenson proposed that the review of the minutes be moved to the end of meeting to get to the rest of the agenda items. Chair Jarvis agreed as long as everyone agrees to stay until they are done. All agreed to remain in the meeting until all minutes were reviewed. Selectman Bickford suggested reviewing February 18, 2014 at this point rather than at the end as it seems to have some priority.

Selectman Swenson moved to add to the agenda Follow-Up Items for 2013, as well as add the review of the meeting minutes to the end of the meeting. Chair Jarvis added the Library Request for Proposals to the Agenda.

### **Department Reports/Issues**

No Department Heads were present.

### **Town Administrator's Report**

**Town Hall Construction Update:** TA Bourgeois stated that the construction in the Town Hall is getting there, and the finishing up of the front bathrooms is currently underway. The only things left to do are to move the IT equipment to the new server room on the first floor, and to finish up the kitchen.

### **Interview Boards**

Chair Jarvis stated that there was advertising of employment positions for the Highway Department Office Manager, Town Treasurer and a Highway Department light truck operator. Applications have been received for all positions, 15-20 applications for the Highway Department Office Manager, 2 applications for the Town Treasurer, and 3 applications for the Highway Department light truck operator. Chair Jarvis stated that in accordance with the Town Hiring Policy, there must be a member of the BOS on the interview panels. Chair Jarvis stated that she couldn't sit on the panel for the Highway Department Office Manager as she knows many of the candidates, but she can sit on the panel for the Treasurer and the Highway light truck operator. Chair Jarvis asked Selectman Swenson and Selectman

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Bickford if they had preferences as to which panel they would sit on. Selectman Bickford said he is busy the next couple months but will help out where he can. Selectman Bickford will sit on the interview panel for the Town Treasurer. Selectman Swenson will sit on the interview panel for the Highway Department Office Manager. Chair Jarvis suggested that for the interview panel of the Town Treasurer, both the Town Clerk and Tax Collector be included on the panel, as they do work quite closely with the Town Treasurer. Selectman Swenson stated that the Road Agent would be on the panel for the Highway Department positions, as well as the Town Administrator being on the panels for all of the positions.

**IT Status**

Chair Jarvis stated that given the fact that construction is almost done, it is anticipated that the painting will be done tomorrow and the equipment should be moved soon. Mr. Drummey asked if there is documentation/list, outlining specifically what equipment is being bought and installed. TA Bourgeois replied that there is a graphic in the Annual Town Report that shows what the end result will look like. Chair Jarvis stated that there is record of all the purchase orders on file and asked TA Bourgeois to obtain the document showing what was purchased. The Annual Town Report was reviewed for the graphics document.

**Old Business**

**Signing Hiring & Promotional Policies and Personnel Manual**

Chair Jarvis stated that changes were made to the Hiring & Promotional Policy as well as in the Personnel Manual, and both are still waiting for a second signature. Chair Jarvis suggested that Selectman Swenson do so, and he replied that he would need to go back to review both before signing.

**Award Reevaluation Contract**

Chair Jarvis stated that three bids were received for a full reevaluation from KRT Appraisal, Vision Appraisal and Cross Country. Completion is due to be done by 2015. Chair Jarvis asked Selectman Bickford if he has had an opportunity to review and he has done so.

Selectman Bickford stated that he has questions regarding the differing costs for the superior court appeals, with one being billed at \$125.00 per hour, one at \$87.50 per hour, and another at \$75.00 per hour. He wants to know what can be expected during appeals. Selectman Swenson replied that this was discussed, and included in the bids; however, it is not something that can be predicted. Differences between the three bids were discussed. Selectman Swenson pointed out that how the bids were put together differs and referred to a chart he compiled, which outlines the differences between the bids. He based it on an estimate of 2500 properties. There are also some additional costs associated with upgrading the software edition.

KRT Appraisal bid is \$111,000, with Defense/Appeals charged at \$700/day, includes photo updates of properties, first half of 2015 pickups are at additional costs, with a September 1, 2015 completion date.

Vision Appraisal bid is \$85,000, not including photos (charged at \$2/each), pickups for 2015 are at additional costs and charged at \$25/parcel, Defense/Appeals charged at \$1,000/day, software upgrade

fee is \$5,000.

Cross Country bid is \$160,000 for remeasure, relist with Vision software (additional costs with Avitar software), 2015 pickups included, appeals for first year are included then billed at \$75/hour, will audit 10% of properties, \$50 per parcel for any over 2,508, photos will be redone if not representative of the property, Assessor Supervisor will be onsite 25% of the time, and Town must supply office space.

Mr. Kratovil stated that when he spoke with Robert Estes, Mr. Estes suggested that the cost should be closer to \$100,000, and suggested that the Town go with the high bidder for \$160,000, as they would likely be putting more effort into the assessment and supervisors would be onsite. Mr. Kratovil stated that while there are always a certain number of abatements anyways, he questioned whether those are factored in by the BOS, and if so, would those costs mitigate the requests for abatements. He stated that going with the higher bidder in that case, you could almost count on not having to grant abatements. Selectman Swenson stated that there are a few issues here. One that quality is not assured just because of a higher price, and second, there is no assurance that the time spent by each is going to be the same, but rather it is more important that they meet the requirements of DRA. Third, it is simply not known how many abatements are going to be received. Selectman Swenson states that if the contract is written properly and the requirements for DRA are met, then a more solid position will be provided. Selectman Swenson stated that he recalled speaking with DRA last fall, relative to the prior evaluation, and the major issue was that it was not done according to what the DRA requirements were, specifically condition. Selectman Swenson pointed out that in his scoring system of the bids, following DRA requirements carries higher weight in his analysis. Chair Jarvis noted that on that point, all three scored the same. Selectman Bickford asked for clarification regarding annual costs listed for software. He stated that he understands that Vision software is already being paid for, and Selectman Swenson confirmed that it is and it would continue. It will be a new version but will not be additional costs. Selectman Bickford asked what the histories of appeals to the courts were for the companies. Chair Jarvis stated that she presented this question to Robert Estes, and there is no way to know if an appeal will go all the way to court. She stated that Mr. Estes indicated he did not recall any appeals for either of the companies. Selectman Swenson suggested that a request be forwarded for a history of appeals to courts from each company, including a numbers of abatements. Chair Jarvis agreed that all three companies would be asked for a history of their appeals to the court. She also stated that the Town would pay whether an appeal is won or lost. Chair Jarvis asked TA Bourgeois to contact all three companies regarding their history of appeals to New Hampshire Superior Court as well as the appeals at the town level. TA Bourgeois stated that he found a suggested contract that was downloaded from DRA site, which has all the requirements, and suggested that a draft contract be put together to review at the next meeting. Chair Jarvis stated that a decision would be made by the BOS at the next meeting regarding the bids. Selectman Swenson suggested talking to the Town Assessor, to see if there are any clauses that should be included, relative to unique situations specific to the town of New Durham.

### **Approval of IT Maintenance RFP Policy**

Chair Jarvis asked if Selectman Bickford had reviewed the drafts. He did one, but not the other. Approval of these will be moved to the next meeting. Chair Jarvis said she has been working on making the policy simpler, but with going from  $\frac{3}{4}$  of a page to 16 pages, she is concerned that the length may deter people from reading it. The policy will be reviewed at the next meeting.

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**2014 Appointments**

Chair Jarvis stated that in January the BOS began looking into the members of various committees, figuring out who is up for reappointment or replacement, and who wants to be reappointed. A sheet outlining the current members and nominees was distributed and reviewed. See below.

**Chair Jarvis moved that all names be placed in nomination, with a vote at the next meeting to approve. Selectman Swenson asked that the ZBA nomination be removed from this motion, for personal reasons. Chair Jarvis restated the motion to submit the names previously read for nomination, with the exception of the ZBA. Selectman Swenson seconded the motion. The motion passed unanimously, 3-0.** Mr. Kratovil asked if the next meeting is at least 2 weeks away, to be in line with the 2-week vetting policy. It was confirmed that the next meeting is April 7, 2104.

***2014 Appointments***

Arthur Capello, Building Inspector/Code Enforcement Officer/Health Officer – YES  
Ken Quigley, Deputy Health Officer – YES

**Capital Improvement Plan Committee (CIP)**

George Sherback – YES  
Scott Drummey – HOLD  
Anthony Bonanno – YES  
Cameron Quigley – YES

**Zoning Board of Adjustment (1 year term)**

Larry Prelli – YES  
Joan Swenson – YES  
David Shagoury – YES (Alternate)

**Milfoil Committee (3 year term)**

William Meyer – YES  
Arthur Hoover – YES  
Susan Hoover – YES  
Tom Rogenski – YES  
Wayne Glidden – YES  
Aline Goss – YES  
Alan McQuiston – no response  
Fred Quimby – YES  
Cynthia Quimby – YES

**Conservation Commission**

Ron Gehl – YES

**Historian**



Cathy Orlowicz, Town Historian – YES  
Cheryl Cullimore, Assistant Town Historian – YES

Ethics Committee  
Ellen Phillips - YES

**Chair Jarvis moved that the names of Larry Prelli, Joan Swenson as full members of the Zoning Board and David Shagoury as an alternate, be placed in nomination. Selectman Bickford seconded the motion. Two in favor (Jarvis, Bickford) Selectman Swenson abstained.**

Chair Jarvis stated that for public information, there are 2 regular member seats and 1 alternate, available on the Conservation Committee, 2 regular member seats available for the Parks and Recreation Committee, 3 alternate member seats available on the Planning Board, and the CBA has 4 alternate positions available. If anyone is interested, please contact the Town Administrator. There is also a form available on the Town website.

### **Ambulance Write-Off Policy**

Chair Jarvis referred to the draft Ambulance Billing Policy that was distributed and reviewed. The policy is to be used to evaluate requests for abatements from monies owed after all insurances have been paid for ambulance services. Chair Jarvis asked for comments in order to come up with a final draft for vote at the next meeting. Selectman Bickford stated he is concerned with the statement that the Town Administrator may write off any or all portions of the ambulance bill or take any action necessary to resolve unpaid ambulance bill. Selectman Bickford feels that is an incredible abdication of selectmen duties to just turn it over to the Town Administrator. Chair Jarvis clarified that she had suggested that once the Town Administrator has completed the review, the Town Administrator would then present it to the BOS for their approval. Selectman Bickford questioned the need to have the Finance Officer as part of the process of reviewing the list, as it seems unnecessary. Chair Jarvis replied that the BOS had asked Chief MacCaffrie to find an example of a policy and she believes that whatever community he drew that from, likely required review by their Finance Officer. Selectman Swenson stated he feels the Finance Officer should be a part of the process and asked Selectman Bickford to clarify why he doesn't believe the Finance Officer should be included along with the Welfare Officer. Chair Jarvis agreed that there doesn't seem to be a reason for the Finance Officer to be involved. She stated that in years past, the Town Administrator and Welfare Officer handled it. All agreed that makes sense. The Fire Department requested to be kept out of decision-making regarding payments. Chair Jarvis proposed that the Town Administrator and Welfare Officer be responsible for reviewing the list and marking each case for disposition to be brought before the BOS.

Selectman Bickford proposed removing the wording of “all attempts” under *Determination Factors for Disposition, B.* to specify number of attempts and who is making the attempts. After discussion of interpretations, Chair Jarvis suggested changing it to “billing company has made 3 attempts” and all agreed. Chair Jarvis proposed changes under *Annual Write-off Procedures* to “Each December, the Town Administrator shall submit a list of all outstanding ambulance bills to the Board of Selectman that have been over one year in process without resolution. The New Durham Board of Selectmen shall review the list for final disposition and write-off as un-collectable or take any other action deemed appropriate.” All were in favor of such changes.

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**Assessing Software Demonstrations**

Chair Jarvis asked if the software companies had responded to TA Bourgeois. TA Bourgeois said he wanted to clarify that the BOS would want to go forward. Selectman Swenson said it would be a moot point if the current leading bidder already includes the software. Mr. Kratovil asked if there is a discount for going with a company that already has the software. Selectman Swenson clarified that there is no discount, and but that the current low bid leader is a company that provides assessing software so it would be a waste to pay for it twice. The cost would need to be added to the baseline pricing for the other bidders.

**Request for Proposals for Repainting of Library**

Chair Jarvis stated that since the proposed work was for the outside of the building, it falls under the responsibility of the BOS. Anything done inside the building is the responsibility of the Library Trustees. The cost of this will be coming out of the Building Maintenance Fund. The Board of Trustees and BOS will work together on this. Selectman Bickford asked when it was last done. Chair Jarvis replied that the inside was painted 2-3 years ago. However, it is unclear exactly when the outside was last done, and volunteers did it, probably about 4-5 years ago. Chair Jarvis stated that there would be some clapboards that will require replacement as well. It was discussed that the building is stained and the trim is painted. Selectman Bickford asked what the expected cost would be. Chair Jarvis replied that at this point it is unclear. Selectman Bickford also asked if this was the sort of thing a Town employee could do. Chair Jarvis anticipates that this would be more than \$3,000 worth of work, and it is beyond the scope of an employee, as the potential for injury may not be covered by the current job description. Selectman Bickford suggested having the work done in the fall and to remove the 30-day restriction. Selectman Bickford asked TA Bourgeois to pull up the RFP for the last time it was painted to verify what was done and when. Edits were made to the Request for Proposal to clarify that the bid is for the exterior of the building, and that the work must be completed by September 30.

**Follow-Up Items from 2013:**

Selectman Swenson stated that he has recently reviewed all of the BOS meeting minutes from 2013. Selectman Swenson stated he did this for several reasons. First, to get a summary of the various activities that the BOS covers as well as to ensure that the BOS is following up on things that are hanging over to this year. He noted that there are about a dozen items to go over. Selectman Swenson comprised a list of Primary Actions of Note of the New Durham BOS, copies of which were distributed. It lists 9 top key items that in his opinion are the most critical. It is then divided into 3 sections including Tax Payer Impact and Cost Containment, Public Safety, and IT and Improved Town Operations Related, and outlines the top actions of the BOS in 2013. Copies of this were distributed and reviewed. *See Attached.*

The BOS reviewed the analysis composed by Selectman Swenson. It was suggested to make this analysis available on the Town website. Selectman Swenson pointed out that when looking at the trends in school and town tax rates in 2013, the largest tax rate reduction in over 10 years was given. He recognized the part department heads played in this, in looking at their budgets and working to maintain the same level of services along with a reduction in tax rates. Mr. Kratovil thanked Selectman Swenson for his efforts on this analysis. He also encouraged the BOS to be mindful that public education on issues plays a significant role. Selectman Swenson said he has already discussed with TA

Bourgeois about sharing this information, and agrees that it will be appropriate to do so at Town Meeting as it includes information critical to the town taxpayers. Selectman Swenson also noted that the IT infrastructure improvements were all done within the tax rate reduction structure. Chair Jarvis stated she was impressed with the information contained in the analysis and it shows the continuing increase in the tax rate due to the costs of the school. She stated the BOS has requested a representative meet with the BOS in the past, but they have refused. After hearing of overcharging in neighboring communities, she is concerned how to know if we are only paying what we should be in the school system. Chair Jarvis stated that the BOS has no control over school costs and cannot dictate what they do, or do not do.

Mr. Kratovil reiterated that he believes it is good information for citizens and residents, and posting on website will be beneficial. Mr. Kratovil stated that in regards to the solicitations by the police department from school children, he respectfully requests that the BOS look into the solicitation of donations from minor citizens at elementary school, as he believes it is inappropriate. He asked specifically for the BOS to come to a decision about soliciting donations from school children. Chair Jarvis said this is the first she has heard of this and wants to find out more information, however, the BOS has no authority over the police relief association. While the BOS does have jurisdiction over town departments, it has none over outside, private associations or organizations. Mr. Kratovil clarified that if it were in fact by the police department, then it would be within the jurisdiction of the BOS.

At this point, Police Chief Shawn Bernier entered the meeting and spoke in response to the presented issue. Chief Bernier stated that the school approached the department in wanting to raise funds for the canine unit, and the local girl scouts and boy scouts all have raised money as well to go towards the canine unit as well. He specified that Principal Lisa Tremblay initiated the solicitations and fundraising. Chief Bernier further explained the process of raising funds, stating that people purchase t-shirts to raise money, as well as putting on a pizza party, all suggested by the school and police relief association. Selectman Swenson stated that the word "donations" on item 7 of the tax rate analysis will be added to the document to clarify the statement. Chair Jarvis stated that is not unusual for the school to take on endeavors to raise money, donations, collect food for the food pantry, and the school frequently becomes involved in these types of community activities.

Selectman Swenson stated that going back to other the Follow-up Items of 2013 was a Citi Financial offer for a certain property, which was declined by the BOS. TA Bourgeois indicated that they had inquired again recently. Selectman Swenson stated this issue would remain on the action items going forward.

Selectman Swenson stated that there was a forestry action relative to some woodcutting, etc, and asked TA Bourgeois to follow up on that.

Selectman Swenson stated that a flat storage unit was discussed at a prior meeting. Chair Jarvis provided an update to the status. She said that thanks to the efforts of Amy Smith and Laura Zuzgo, in combination with cleaning the entire second floor stage, they went through the entire flat unit and it was determined that there were multiple copies items that were not needed. Therefore, there is no need to spend money for an additional flat unit.

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Selectman Swenson referenced a letter of support that was sent to the Strafford Regional Planning and Economic Development Commission, and asked if any word had been received on the outcome of that. Selectman Swenson asked TA Bourgeois to follow up with the County Representative.

Selectmen Swenson stated that there had been discussion of a scrap metal sale and indicated that there needed to be follow up on that.

Selectman Swenson asked what the status was regarding the Solid Waste inspection. Chair Jarvis stated that it all has been completed with the exception of a written plan. However TA Bourgeois has successfully received an extension. It will be an item on the next agenda.

Selectman Swenson asked TA Bourgeois to take a look at the Universal Performance to make sure that there is the cost savings as expected. Also, check to ensure that all departments are participating and to see if there are any opportunities for additional cost savings.

Selectman Swenson stated that as he was going through the public records of the meeting minutes in composing his tax analysis, he noted that there are copies of drafts included. He proposed that the book only contain final approved minutes and no copies of the drafts. Chair Jarvis stated that it had been verified with the Town Clerk that only final approved minutes need to be maintained on file. Selectman Bickford stated that there was previous recommendation from attorneys to keep drafts. TA Bourgeois stated that they will all continue be online as well as on record digitally. The BOS agreed that only final approved copies would be retained on file for public review, with the draft copies only being kept until approved copies are available.

**New Business**

**Fire Department Purchase Order- Protective Clothing**

Chair Jarvis stated that the Fire Chief submitted a purchase order to the BOS in January in the amount of \$3,305.18 for two sets of firefighting protective clothing, including two coats and two pairs of pants. Chair Jarvis confirmed that this equipment purchased would remain the property of the Town.

**Chair Jarvis made a motion to approve the purchase order #2251, to Bergeron Protective Clothing, for the purchase of two sets of firefighting protective clothing in the amount of \$3,305.18. Selectman Swenson seconded the motion. The motion passed unanimously, 3-0.**

Mr. Kratovil inquired as to a RFP regarding education certification, which he signed a few weeks ago. Chair Jarvis confirmed that all documentation has been received and processed.

**Tilton/Sanbornton Request- Welfare**

Chair Jarvis stated that the BOS received a letter of February 20, 2014 from the Board of Selectmen of Tilton and Sanbornton, which invited a New Durham official to attend a meeting relative to concerns about new welfare guidelines regarding residency and requirements that were imposed on towns due New Hampshire welfare laws. Specifically, the Boards are concerned that anyone staying overnight within town borders or stating that they intend to be a resident of any town, becomes the responsibility of that town. The meeting is scheduled for March 26, 2014 at 1:00p.m. Selectman Swenson proposed it

would be appropriate to have the Town Welfare Officer attend the meeting on behalf of New Durham. Selectman Bickford said he was hesitates to pay someone at this point to attend. Selectman Swenson responded that as no member of the BOS can attend, someone should attend on their behalf as he feels it is appropriate to understand what is being discussed and in the spirit of collaboration, try to understand what they are trying to do. He also views it as part of their job. Selectman Bickford stated that he is opposed to sending anyone that would have to be paid to attend. Chair Jarvis suggested that the Town Administrator attend. Selectman Swenson stated that he would like to get an understanding of what their view of the situation is and ultimately the position of New Durham. Chair Jarvis said no vote was needed to send Town Administrator.

Chair Jarvis asked TA Bourgeois to obtain a recent letter regarding optional coverage and welfare legislation for the BOS to review. Selectman Bickford stated that he is concerned about sending someone to these types of meetings, to cover issues regarding state laws, as it may be unnecessary. Chair Jarvis stated that is an issue that needs to reviewed as it is not an optional bill but mandatory, and it will need to be addressed in the Town's welfare guidelines.

### **BOS Meeting Schedule**

Chair Jarvis stated that as this is the first meeting with the returning board member, there would be discussion regarding the BOS public meeting schedule. She stated that currently, meetings are Monday evenings and Monday afternoons. Chair Jarvis proposed maintaining the same schedule going forward. Selectman Bickford suggested moving to evening meetings. Selectman Swenson stated that he could do either. Chair Jarvis stated that she likes one evening and one afternoon. All agreed to maintain current schedule. The BOS will revisit this issue in May or June. The next meeting is April 7, 2014, 7:00p.m. and the following meeting is April 21, 2014, 1:00p.m.

### **Appointments**

Chair Jarvis listed the appointments available including the BOS Chair, representative to the Planning Board, representative to the Budget Committee, and representative to the CIP. Selectman Bickford stated he would sit on the CIP again. Selectman Swenson stated assignments do not need to remain the same, and suggested to perhaps make a rotation. Chair Jarvis noted that the learning curve is quite high for these positions. It was agreed that Selectman Swenson will remain on Planning Board, Selectman Bickford on the CIP; Chair Jarvis will remain on the Budget Committee.

**Selectman Bickford made a motion to nominate Selectman Swenson for Chairman of the Board of Selectman. Chair Jarvis seconded the motion. Motion passed, unanimously, 3-0.**

### **Fund Transfer and Deposit Authority**

Chair Jarvis noted a few typos and indicated that she is hesitate to sign at this point. Selectman Bickford suggested that there be a statement included as to why this form is needed and to define "MAAP". Edits were agreed upon and TA Bourgeois will follow up on changes and clarifications to form.

### **Public Input**

None at this time.

### **Future Meetings**

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**BOS Business Meeting**

Chair Jarvis reiterated that the next meeting is April 7, 2014 at 7:00 p.m. Agenda items to include the voting of reappointments, edits to welfare guidelines.

**Goals Work Session**

Chair Jarvis stated the BOS needs to set up three work sessions. One for the BOS goals, one for Fire Chief goals, and one for merit raises.

Selectman Swenson passed around a draft that he has compiled for the BOS goals for review. Chair Jarvis suggested completing both the BOS and the Fire Chief goals at same meeting if possible.

Selectman Bickford reminded the BOS that the budgeting process needs to be started a month earlier this year. Chair Jarvis noted that a day and a half was spent last year on merit raises.

**For the purposes of reviewing merit raises, the BOS agreed to meet for an all day meeting on Friday, March 21, 2014 at 10:00 a.m.** TA Bourgeois will post appropriately.

**For the purposes of working on the goals for the BOS and Fire Chief, the BOS agreed to meet on Monday, March 24, 2014 at 7:00 p.m.** TA Bourgeois will confirm Fire Chief MacCaffrie is available but stated that it is a training night for the Fire Department.

**Minutes Review**

Public Meeting, January 3, 2014: No edits were made to the draft. **Chair Jarvis made a motion to approve the minutes as written. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in January. Chair Jarvis and Selectman Swenson approved.**

Public/Non-Public Meeting, January 6, 2014: Edits were made to the draft. **Chair Jarvis made a motion to approve the minutes as amended. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in January. Chair Jarvis and Selectman Swenson approved.**

Public Meeting, January 9, 2014: Edits were made to the draft. **Selectman Swenson made a motion to approve the minutes as amended. Chair Jarvis seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in January. Chair Jarvis and Selectman Swenson approved.**

Public/Non-Public Meeting, January 16, 2014: Edits were made to the draft. **Chair Jarvis made a motion to approve the minutes as amended. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in January. Chair Jarvis and Selectman Swenson approved.**

Public Meeting, February 3, 2014: Edits were made to the draft. **Chair Jarvis made a motion to approve the minutes as amended. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in February. Chair Jarvis and Selectman Swenson approved.**

Public Meeting, February 6 & 7, 2014: Edits were made to the draft. Mr. Kratovil made a motion for further discussion to confirm that the purchasing policy requires approval of the BOS if in excess \$3,000.00. All in agreement for discussion. Mr. Kratovil went on to say that even though the event in question was an emergency and occurred on Christmas Eve, he feels that the Town Administrator should have been notified before the Road Agent went ahead with the repairs to the plow truck. Selectman Swenson clarified that the dispute had been in regards to the source of the vendor. **Chair Jarvis made a motion to approve the minutes as amended. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in February. Chair Jarvis and Selectman Swenson approved.**

Public /Non-Public Meeting, February 18, 2014: Edits were made to the draft. **Chair Jarvis made a motion to approve the minutes as amended. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in February. Chair Jarvis and Selectman Swenson approved.**

Public Meeting, February 19, 2014: Edits were made to the draft. **Chair Jarvis made a motion to approve the minutes as amended. Selectman Swenson seconded the motion. Selectman Bickford abstained from voting, as he was not a member of the BOS in February. Chair Jarvis and Selectman Swenson approved.**

Mr. Kratovil stated he had one last thought, going back to the earlier discussion regarding the police department and solicitation of donations from school children. He stated that while he agrees it is a good thing for kids to raise money for charity, the police department is not a charity, and requested that the BOS keep that in mind when discussing this issue. Selectman Swenson acknowledged his request. Mr. Kratovil thanked the Board for their consideration in this matter.

**Chair Jarvis made a motion to move into non-public session at 4:46 p.m., pursuant to RSA 91-A: 3II (e)- Discussion of a threatened lawsuit. Selectman Swenson seconded the motion. The motion passed unanimously, 3-0. Roll Call Vote: Chair Jarvis- Aye, Selectman Swenson.- Aye, Selectman Bickford- Aye.**

The Board reconvened at Town Hall at 5:00 p.m.

**Selectman Swenson made a motion to seal the minutes. The motion died due to a lack of a second.**

**Chair Jarvis made a motion to leave non-public session at 5:39 p.m. Selectman Bickford seconded the motion. The motion passed unanimously, 3-0.**

**Selectman Swenson made a motion to adjourn. Selectman Bickford seconded the motion. The motion passed unanimously, 3-0.**

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While in non-public session the Board discussed a threatened lawsuit against the Town.

Meeting adjourned at 5:42 p.m.

Respectfully Submitted,

Jennifer Riel, *Minute Taker*