

**NEW DURHAM BOARD OF SELECTMEN**  
**New Durham Town Hall**  
**June 15, 2015, 7:00 P.M.**

**Present**

Chair David Bickford  
Selectman David Swenson  
Selectman Gregory Anthes

**Also Present**

Corky Mork, Videographer	Cecile Chase, Resident
Shawn Bernier, Police Chief	Robert Chase, Resident
John Babcock, Resident	Jen Nyman, Resident
Nils Babcock, Resident	Rudy Rosiello, Resident
Joan Swenson, Resident	Alicia Hernandez, Resident
Don Vachon, Resident	Mike Clarke, Road Agent
Linda Roy, Resident	Deborah Tremblay, Resident
David Valladares, Equipment Mechanic	Reginald Meattey, Police Sergeant
Clayton Randall, Resident	Mark Sullivan, Resident
Patty Tollner, Resident	Carolyn Sullivan, Resident
Carol Allen, Resident	Denis Martin, Resident
Marissa Rosiello, Resident	Joan Martin, Resident
Jim Tollner, Resident	Terry Jarvis, Resident
Dot Veisel, Resident/Ethics Committee	Nichole Hunter, Parks and Recreation
Ellen Phillips, Resident	Commission
Scott Drummey, Resident	

**Call to Order**

Chair Bickford called the meeting to order at 7:00p.m.

**Public Input**

Clayton Randall, resident, spoke regarding the 1772 Meetinghouse Restoration. He stated he had a building restored in 2008 and highly recommends Arron Sturgis and his crew. Mr. Randall stated Mr. Drummey was present at Mr. Randall's project and then had his own building done by Mr. Sturgis. Chair Bickford asked if Mr. Randall had a contract with Mr. Sturgis. Mr. Randall replied no. He went on to give an overview of the work done on his building.

Scott Drummey, resident, asked Mr. Randall questions regarding Mr. Randall's job done by Mr. Sturgis. Mr. Randall clarified Mr. Sturgis did have to come back to finish things that were not part of the original agreement.

Eileen Berry, resident, asked the Board of Selectmen if they knew when they were going to hire someone to fill Ms. Wood's position. She stated she has an incident she needs to report but has been unable to get in touch with anyone at the Police Department. Chair Bickford asked if she tried calling 911. Ms. Berry replied it is not an emergency. She

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stated she doesn't want to waste the time of dispatch on something for which she should be able to call her Police Department.

Police Chief Bernier confirmed dispatch is for emergencies and after hours, not for handling administrative calls. He stated the administrative calls that happen in the department are between 8 and 4. Police Chief Bernier stated he is not asking for the position to go back to full time but at least part time during the weekdays.

Selectman Anthes asked when Ms. Woods was unavailable, how the calls were handled. Police Chief Bernier stated there is a line where messages can be left at extension 2751. He stated he and Sergeant Meattey have been working to ensure the calls are checked and returned.

Cecile Chase, resident, gave a statement in response to information given regarding the Police Department to the public at the last Board of Selectmen meeting. In summary she stated the plan seems to be to terminate the Police Chief with nothing in place to appropriately protect the community. Ms. Chase asked that the Board of Selectmen act with transparency and in the best interests of the citizens of New Durham as promised at elections.

Selectman Swenson suggested there be a response to this under the discussion of Department Reports. He stated there is a tremendous amount of information that needs to be conveyed to the public. Selectman Anthes stated he would be happy to open the sealed minutes. He went on to explain the reasons for non-public meetings.

Selectman Swenson stated there are two different issues. One is the structure of the Police Department and future planning. He stated Ms. Chase is right in having a plan before making changes to personnel. Selectman Swenson stated the other issue is the current situation of the Police Chief that was triggered by a social conversation between Police Chief Bernier and Selectman Anthes. He stated there were clear misunderstandings there. Selectman Swenson stated if Police Chief Bernier agrees, the minutes from non-public meetings regarding his position could be made public after Selectman Swenson has a chance to review.

Selectman Swenson stated from his discussions with citizens over the last few weeks, it is clear most are in favor of a police chief type organization and have no issues and actually commend the current Chief for his work. He stated from a business perspective there is no reason to look at any other structure, with the exception of possible cost savings. Selectman Swenson stated that is what was also driving Police Chief Bernier's discussion.

Selectman Swenson stated he has spoken with some members of the Merrymeeting Lake Association, which makes up a significant portion of the Town's tax base. It is clear they strongly support the current structure and Chief.

**Appointments/Announcements**

**1772 Meetinghouse**

Selectman Swenson summarized he made a motion at the last meeting to release the funds. The motion failed for lack of second. Chair Bickford requested the RFP be revised by Town Administrator Bourgeois along with Scott Drummey, removing the requirement of Timber Framers Guild membership.

Selectman Swenson asked Ms. Allen if any bids were received. Ms. Allen replied one bid was received, from the same individual as before and it is now higher.

Selectman Anthes stated he reviewed the 1772 Meetinghouse Assessment and Preservation Report. He stated he has also reviewed documents provided by Arron Sturgis and Steve Bedard and noted their assessments and recommendations were very different. Selectman Anthes went on to outline steps he suggested are necessary to complete the project from beginning to end. Selectman Anthes stated they need to clearly know what is needed for the Meetinghouse and they can put it out to bid again for work from start to finish. He stated that then funding needs to be determined as well as an endowment fund for future care.

Patty Tollner, resident, stated at the last meeting it was Selectman Anthes who requested a RFP be resent for just phase one. That was done and they were here now to request the funds. She stated it seems he is now asking for a RFP for the entire project after asking for just phase one. Selectman Anthes replied his concern is that they do the first phase and then would not have funds to go further.

Clayton Randall, resident, asked why the Board of Selectmen is going on and on when the Town's people voted a long time ago to move forward with this. He stated he is sick of seeing the Board of Selectmen micromanaging departments.

Cathy Allen, resident, explained the reasons for dividing the project into phases, which was recommended by Mr. Sturgis. She explained the degradation of the conditions as time continues to pass. Ms. Allyn stated they are stalling this project. She explained they believe the phases are the most cost efficient way to go and explained how the project is grant worthy. Ms. Allyn stated that as a Timber Framers Guild project, Mr. Sturgis is paid but the workers are not because it is educational in nature. She stated the NH Preservation Alliance is there to help, as they want the project done too. Ms. Allyn stated she cannot know what the second and third phase costs are going to be nor can it be determined without a lot more work by Mr. Sturgis.

Ms. Allyn gave a summary of Mr. Sturgis' new bid, which is \$4,000 higher than in 2012. She explained Mr. Sturgis' costs have not increased from the 2012 bid but the costs of the subcontractors have.

Ms. Allyn read an email from Mr. Sturgis outlining his reasoning for his recommendations on the project.

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Rudy Rosiello, resident, stated he has experience with multimillion-dollar projects and suggested you take one year at a time and remain committed to the project. He stated the legislative body of New Durham voted to pay for this project a long time ago and the Board of Selectmen are entrusted to do what the legislative body passes. Mr. Rosiello stated Ms. Allyn has done everything asked of her on this project.

Chair Bickford replied a lot of what Mr. Rosiello said is not correct. Chair Bickford stated he wants to understand the changes in the bids in such a short period of time and wants to move forward with getting a contract together.

Selectman Swenson stated that as with any agreement with contractors in a construction project, there are certain specifications that are put into a contract and obligations for the contractor and an "not to exceed" clause can be added. He stated it is up to the Meetinghouse Committee to make sure the specifications are very clearly defined. Chair Bickford stated the Board of Selectmen should do it. Selectman Swenson replied he doesn't want to get into that level of detail. Ms. Allyn stated that has been done by Mr. Sturgis and he has broken it down into detail. She reminded Chair Bickford that if the project is not done by the end of the year, they lose the LCHIP grant.

Jim Tollner, resident, stated the Board of Selectmen have an opportunity here to have a legacy and the first step forward is to approve the contract that has been out to bid a few times. He stated there is someone willing to do the work for a set price and suggested putting it in the motion to "not exceed" a certain price.

Selectman Anthes asked if anyone is worried about raising money for the other phases. Ms. Allyn stated they are going to be more grant worthy and outlined the numerous sources of grants and funding. Selectman Swenson stated to Ms. Allyn that if they don't have the support from the Board of Selectmen, they will never raise the money.

Sue Randall, resident, stated she respects the Board of Selectmen business perspective but if they try to wait until one can plan, they won't need it because there won't be a building. She reiterated that money is in-hand already for phase one. Ms. Randall stated Mr. Sturgis did an excellent job on their barn and made good suggestions to help them make it more usable to them while maintaining the historical structure. She suggested Mr. Drummey may have had a bad experience. Ms. Randall stated from her personal experience with Mr. Sturgis and his crew, they are excellent people to work with and he brings more than just experience to the project. She stated once the project is started they will have time to start working on the rest of the project phases.

Chair Bickford clarified no one has told him that Mr. Sturgis does not do good work.

Selectman Swenson stated it is excellent to have discussion with public input and he agrees with some of Selectman Anthes' points but there is no reason to not do those things concurrently.

**Selectman Swenson made a motion to release the funds for the 1772 Meetinghouse Restoration Committee and to meet LCHIP Grant and award the contract to Arron Sturgis for that work that has been described, provided specific specifications are defined and an “not to exceed” dollar amount contract developed with the amount as defined in the submitted bid. Chair Bickford seconded the motion. Motion passed, 3-0.**

Selectman Swenson stated it is the responsibility of the Committee to make sure the contract is well defined and suggested they work with Town Administrator Bourgeois as well.

Terry Jarvis, resident, stated there are numerous documents along with the 64-page report for review regarding this entire project, available in a box upstairs.

### **Ethics Committee Appointment**

Dot Veisel, Ethics Committee, stated the Committee has some proposed changes to existing language in the Ethic Policy. These were reviewed and discussed.

Selectman Swenson summarized that the Ethics Committee is intended to be a solely advisory committee and allows for people to get some neutral feedback without coming before the Board of Selectmen.

Selectman Anthes clarified that if people come in and have a problem, they go to the Ethics Committee. Ms. Veisel replied the Committee does not investigate or solve problems but answer questions and provide advice. Ms. Veisel gave an overview of the process followed by the Committee. The wording of the revisions were discussed.

After further discussion it was agreed Ms. Viesel would come back to the next Board of Selectmen with the revisions discussed.

### **Department Reports/Issues**

#### **Parks and Recreation Commission – Summer Hires**

Nichole Hunter, Parks and Recreation Director, applications for the summer positions were reviewed and discussed and Ms. Hunter gave her recommendations. It was confirmed interviews have been conducted although background checks have not been completed. Ms. Hunter asked that provisional hiring be approved pending background checks.

**Selectman Swenson made a motion to hire Katelyn Savery and Amber Asuaga for the position of beach attendant at the rate of \$8.00 per hour subject to the required background checks. Selectman Anthes seconded the motion. Motion passed, 3-0.**

#### **Police Department – Office Administrative Assistant; Full-Time Officer**

Police Chief Bernier stated he is asking for permission to go forward with filling the Office Administrative Assistant position.

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Selectman Swenson clarified this was posted approximately three months ago and four to six applications were received. He stated a majority of the Board of Selectmen chose not to act with interviews at that time and clarified Police Chief Bernier is asking to resurrect this process.

Selectman Anthes stated there was a lady at the last Board of Selectmen who worked in Farmington who gave an overview of the setup in that department. He asked if she would be interested in applying. Selectman Swenson replied there is a process and they can't do that. It is unethical and improper.

Selectman Anthes rephrased his question and asked Police Chief Bernier if he can call other departments and inquire if an assistant who are already trained are interested in a position. Police Chief Bernier replied he could do that and confirmed if what Selectman Anthes is asking is that they push aside the other seven applications.

Chair Bickford stated he wants justification for how many hours are needed for the position. Police Chief Bernier stated two job descriptions were submitted and Chair Bickford is correct that the position was at one point full time. When Ms. Woods asked to go to part time, the work was still getting done. Police Chief Bernier stated he believes the 32 hours per week for the position would work. It was clarified she never worked just two days. Chair Bickford suggested 24 hours a week as it may work but they won't know until they try.

Police Sergeant Meattey stated he is spending four to five hours of his 8-hour shift doing administrative work in the department. He stated it involves a variety of tasks but it is not his skill set and creates an increased workload. Sergeant Meattey stated it takes him off the road a lot of the time. He stated there have been problems with dispatchers getting in touch with him as a result. Sergeant Meattey outlined the various paperwork tasks he is handling including court filings and pistol permits. Police Chief Bernier noted they do about one hundred pistol permits per year at \$10 each.

Police Chief Bernier stated they also have 911 documentation and accidents reports that have to be organized and sent into Concord along with court paperwork. Sergeant Meattey stated Ms. Woods was also their in-house IT person.

Joan Swenson, resident, stated that at the April 20, 2015 Board of Selectmen meeting she offered her professional services in regards to the structure of the Police Department as well as help in reviewing human resources policy. She stated there is a systematic and logical way to go through determining what hours are needed for a job within the department. Ms. Swenson stated since that time she hasn't heard anything there for she sent an email to Town Administrator Bourgeois in which she asked him to follow-up with the Board of Selectmen to determine if they desire to have her help. One member was interested and one recused. Selectman Anthes stated he doesn't think they are ready for it yet. Chair Bickford stated he is very interested.

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Police Chief Bernier stated if the public wants an administrative assistant in the office one day a week, he will go with that but he is hearing more complaints that they want someone in there every day during the week.

Mark Sullivan, resident, stated he is the President of the Merrymeeting Lake Association and at the last meeting there was discussion regarding the Police Department. He stated in summary the question from the Association Board to the Board of Selectmen is if it isn't broken, why fix it. Mr. Sullivan stated association members are very happy with how the Police Department is being run.

Mr. Sullivan stated the Board of Selectmen has been discussing this position for a few months and the core issue seems to come down to eight hours a week, approximately \$180 a week and asked if it is worth the turmoil the Board of Selectmen is putting in the Town. He stated the meetings of the Board of Selectmen are embarrassing. Mr. Sullivan stated they need to allow the professionals who were hired to do their jobs.

Selectman Swenson stated they may need to repost the job at this point given the amount of time that has passed but he doesn't see any reason that can't be done concurrently with going forward.

Ms. Jarvis stated the position is still posted at the Post Office and suggested interviewing the current applicants while the survey is being done with Ms. Swenson, while letting applicants know the position will be no more than thirty-two hours. Ms. Jarvis stated she is concerned how they will have coverage over the summer with some officers going to active military duty.

Selectman Anthes stated he agrees with Chair Bickford's suggestion to go with 4 hours for five days a week.

It was agreed to have Town Administrator Bourgeois contact the applicants to determine current interest and for interviews.

Police Chief Bernier asked the Board of Selectmen the direction they would like him to go in filling the open officer position. He stated Officer Joy left to go to Carroll County with little to no availability to the New Durham Police Department.

Selectman Anthes asked Police Chief Bernier if he knows why so many senior officers are leaving. Police Chief Bernier replied he conducted an exit interview with the last one that left. There were three major issues: pay, the Town Hall/Board of Selectmen, and scheduling. He stated the prior officer left due to medical issues. Police Chief Bernier stated the exit interviews for the two prior officers gave their reasons as due to politics. He went on to list the positions in Town that have had turnover the last year: 4 building inspectors, 3 treasurers, 2 finance officers, 1 Parks and Recreation Commission director, 1 highway department employee, 2 police officers, 1 administrative assistant and a Fire Department that has turned over twice, along with 3 other high profile Town employees who have applications in for other positions. Chair Bickford replied that if all these

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people who are leaving because of the Board of Selectmen, Police Chief Bernier isn't leaving so he must like it.

Selectman Swenson addressed Chair Bickford and stated there is a difference between a hired employee and an elected official. The Board of Selectmen must be open to criticism from the public.

Chair Bickford stated he has always said four full time officers is enough. He stated he knows officers who have left for positions in other departments for less money. Chair Bickford stated he does not want to fill the position.

Selectman Anthes stated he thinks they should look into more part time officers but four full time officers is fine.

Sergeant Meattey stated while it is nice to have part time officers and they do add value, he doesn't think it is the answer. He stated a problem with part time officers is their limited availability. They also don't have the same training and certifications as full time officers. Sergeant Meattey stated there is also a workload concern here as it is already pretty heavy. He clarified he is not opposed to adding part time officers but it is not necessarily the best solution. Sergeant Meattey stated it doesn't feel like the department is getting much support.

Chair Bickford stated Tuftonboro does it with four officers. Police Chief Bernier replied there is a difference in population as well as calls for service. He stated this was discussed last year.

Chair Bickford stated Police Chief Bernier puts warning stops in his Annual Report which are not really calls for service. Police Chief Bernier asked him where he got that.

Mr. Drummey asked Chair Bickford if he would prefer the police to not give warnings. He stated he conducted an informal survey online asking Townspeople what they wanted from the Police Department and it was not to cut it down. Mr. Drummey asked where the people are who want to do this to the Department and stated the taxpayers did not vote against the Police Department budget at Town meeting.

Mr. Sullivan reiterated that 50% of the Town's tax base comes from Merrymeeting Lake properties and stated he was here to represent their opinion on the issue. Their intent is to leave the structure and Police Chief as it currently is with five full time officers.

Police Chief Bernier clarified that if the Board of Selectmen will not fill the full time position, then yes, he wants a part time officer but he believes it is the best interests of the Town to fill the full time position.

Ms. Chase asked if this issue is the best use of the Board of Selectmen's time and suggested using the professional resources available.



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Selectman Swenson stated the number of full time police officers is an important discussion and they need to determine a good number based on the size of the Town. He confirmed the budget was for full time police officers and noted there have been two major changes within the Department with the leaving of an officer as well as the administrative assistant. Selectman Swenson stated there seems to be a consensus from taxpayers for five full time police officers. There was further discussion on the factors that need to be considered to solve this issue. Selectman Swenson stated he would like to go back and review the data from other departments.

Mr. Rosiello stated it is his understanding that the Board of Selectmen is responsible for appropriating funds as voted by the Townspeople. He referenced the NH State RSA relative to Board of Selectmen and the processes they must follow in carrying out the decisions made at the Town Meeting. Mr. Rosiello stated the budget committee recommended the budget and it was approved at Town Meeting. If changes need to be made, they need to start looking at it for next year. He reminded the Board of Selectmen that the Town is a customer service organization.

Chair Bickford replied that when someone leaves it is an opportune time to look at changing things but if they wait until the budget review, then they have to let someone go.

Ms. Chase stated it is commendable for them to look at staffing levels when someone leaves, but they are still budgeted for the position in this fiscal year. She stated if they make decisions in budget season to reduce the number in a department, that will happen by attrition.

Selectman Swenson stated he would be in favor of keeping the fifth officer position. Selectman Anthes stated he would stick with four officers and look to hire more part timers. Chair Bickford stated he has been in favor of four full time officers for a long time.

Police Chief Bernier stated if the Board of Selectmen is not going to go forward with the full time position he would propose hiring two additional part time officers.

Mr. Sullivan stated that if five police officers were approved at Town Meeting approved why are they not doing that. Chair Bickford replied some people don't feel the need is enough.

Selectman Swenson stated he has been a taxpayer for twenty-two years and when he didn't live in Town, it was helpful to him to know the police coverage was adequate. He stated many others in the Merrymeeting Lake Association share his view.

Dot Veisel, resident, stated she had a critical need for the services of the Police Department and they were able to respond to help her.

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Police Chief Bernier asked for an official motion from the Board of Selectmen for the actions he is to take.

Selectman Swenson stated that Police Chief Bernier going to thirty-two hours may be one possible solution and suggested that rather than a vote from the Board of Selectmen, explore that more thoroughly and have an exchange of ideas. Police Chief Bernier agreed. He stated he would want it to be done in public. After discussion it was agreed to meet.

Chair Bickford clarified they are still going forward with the police administrator position and it has been posted. Police Chief Bernier asked the pay range for the position. It was unclear but is indicated on the posting.

Ms. Swenson asked if the Board of Selectmen still wants her to do the position study. It was confirmed they do.

**Chair Bickford made a motion to allow Joan Swenson to look at the need for a police administrator number of hours with her conclusions in the next couple weeks. Selectman Anthes seconded the motion. Motion passed 2-0. Selectman Swenson recused.**

**Fire Department – Work Session Date**

A date could not be set as Fire Chief Varney was not available.

**Equipment Mechanic**

David Valladares, Town Equipment Mechanic, stated he has received numerous personal calls in regards to why he is leaving the Town and the Town is looking to contract out services. Chair Bickford replied it is possible, as Town Administrator Bourgeois was asked by the Board of Selectmen to call various garages to see what they can do. Mr. Valladares asked the reasoning for that. Chair Bickford replied they will be reviewing his position and determine whether they will contract out to various garages. Mr. Valladares asked that as a fourteen-year employee, why wasn't he given the courtesy of notification on that decision. He stated he doesn't disagree with looking into it but would have liked to know the direction they were thinking of going. Mr. Valladares stated Selectman Anthes recently said the only method of losing employees would be through attrition. Mr. Valladares suggested he could offer unbiased advice with twenty-five years of experience as opposed to the vendors wanting the Town's business. Chair Bickford went on to say the Board of Selectmen is gathering information on more than just his position. There are no "sacred cows."

Selectman Swenson agreed that Mr. Valladares deserved the common courtesy and noted there has been no formal action taken on this.

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**Old Business**

**Command Vehicle Update**

Selectman Swenson stated upon further investigation it appears there are more options for repair and asked Mr. Valladares to give an update.

Mr. Valladares stated the vehicle was looked at when Fire Chief Varney returned in April. It was determined it needed a head gasket. He stated a couple weeks ago it was looked at again and determined a cheaper fix was actually needed. He noted it is about \$600.

Chair Bickford confirmed the bodywork was estimated at \$5600. Selectman Swenson clarified the repairs with an inspection would carry it through to March 2016 which is the scheduled replacement date.

**Selectman Swenson made a motion to approve the \$600 repair to the engine to carry it through to the scheduled replacement date of March 2016. Selectman Anthes seconded the work. Motion passed, 3-0.**

Mr. Drummey asked if they are planning to replace the Command Vehicle, should they start speaking with State vendors to get prices. Selectman Swenson stated that usually takes place in the Fall.

Mr. Rosiello stated an assessment report was done on the Fire Department vehicles this spring and asked if there is any advice as to how the vehicle should be properly outfitted. Chair Bickford replied that would be up to Fire Chief Varney.

Ms. Swenson stated at the last meeting she asked about employees hired by Fire Chief Varney and hiring family members within a department.

Selectman Anthes stated the policies are not correct with the state RSAs.

Ms. Swenson presented copies of the policies for review. She stated Fire Chief Varney may be able to hire all the staff in the department, however there are restrictions as to hiring family members. These were reviewed and Ms. Swenson referenced it is good business practice that family members not supervise employees who are family members without specific approval by the Board of Selectmen.

Ms. Jarvis noted other RSAs that also give the fire chief a wider range of authority subject to the Town's policies and regulations.

The wording of the RSAs and policies were further reviewed and discussed.

Ms. Swenson stated the point is there are policies in Town which outline the process that must be followed for supervisors to hire family members. This was not done by Fire Chief Varney.

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Chair Bickford stated no one usually follows the policy. It was noted that doesn't make it right and the policy needs to be followed now.

Ms. Jarvis stated this is the first time a family member has been hired since the policies were created and agreed that the Board of Selectmen is responsible for making sure the policies are followed.

Selectman Swenson asked how they are going to handle the improper hiring.

Selectman Anthes stated the Fire Chief can hire whoever he wants. Selectman Swenson replied Fire Chief Varney must still follow the policies established and the proper process. Mr. Rosiello clarified the policy is in adherence to the state RSA.

It was agreed this would be addressed in the workshop session with Fire Chief Varney.

Ms. Chase stated there have been proposed promotions and raises, and asked if those will be discussed at the workshop session. Selectman Swenson replied it would be if added to the agenda.

There was discussion as to the probation status of fire department employees by the prior Board of Selectmen. It was clarified there are none currently on probation.

**F550 Bid and Warranty**

Chair Bickford stated he is still interested in taking advantage of the warranty. Bids for sale were presented for review. It was clarified these bids included the plows.

Mr. Valladares stated the bids are as he expected.

**Chair Selectman Bickford made a motion to have the warranty honored and have the truck sent out to have a new engine installed. Selectman Anthes seconded the motion.** Discussion: Mr. Valladeres stated the warranty does not reset but would continue for the remainder of the time on the existing warranty agreement. Selectman Swenson outlined the expenses. It was clarified the parts could be covered by the warranty but labor is not. The total costs could be up to \$7200 to appropriately repair the truck. Mr. Drummey asked the life expectancy of this truck brand new. Mr. Clarke replied it is 12 years. Mr. Drummey summarized that \$80,000 spread out over 12 years breaks down to \$7,000 which is the amount of the repairs. There was further discussion of the pros and cons of repairing the F550. Road Agent Clarke stated his opinion would be to get a new truck, plow and wing. Mr. Valladares stated his opinion is that it's a waste of money to pursue the warranty. Selectman Anthes suggested selling the truck for the highest bid. **Chair Bickford withdrew the motion.**

**Selectman Anthes made a motion to sell the F550 to the highest bidder in the amount \$4,175 to Lee Condon of South Hampton, New Hampshire. Selectman Swenson seconded the motion. Motion passed, 3-0.**

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Selectman Swenson asked what the Board of Selectmen wants to do about a new truck. Mr. Valladares stated he would need to order it now to receive it in September. Selectman Swenson stated it is part of the CIP scheduled replacement and will be around \$83,000.

Selectman Anthes asked if there are any older models available. Mr. Valladares stated there are no Fords, there are some Dodges but that was six weeks ago. The Board of Selectmen asked Mr. Valladares to look into finding a 2015 model.

**Selectman Swenson made a motion to replace the current Ford F550 with an equivalent vehicle comparably equipped with what has been outlined in the quote with the money to come from the already established Capital Reserve Fund for the Highway truck. Selectman Anthes seconded the motion.** Discussion: Selectman Anthes asked the replacement schedule for the other trucks. It was clarified there is none. It was clarified Mr. Valladares needs to come back to the Board of Selectmen with a final cost before taking the next step. **Motion passed, 3-0.**

**Appointments – Zoning Board of Adjustment Nominations, Building Inspector Nomination**

Mr. Rosiello confirmed background check has been done for the applicant for building inspector.

**Chair Bickford made a motion to appoint Joseph Asbury as the New Durham Building Inspector/Code Enforcement Officer with a term expiring March 2016. Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to appoint William Meyers as Inspector of Elections. Selectman Anthes seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to nominate Stephanie Kearns a regular board member of the Zoning Board of Adjustment. Selectman Anthes seconded the motion. Motion passed, 3-0.**

Ms. Swenson noted if Ms. Kearns becomes as regular member, they would have an open alternate position.

**Selectman Swenson made a motion to nominate Theresa Jarvis to the Zoning Board of Adjustment as an alternate member.** Discussion: Chair Bickford stated he cannot do that now. Ms. Jarvis asked why. He replied he did not want to say.

Ms. Swenson stated the ZBA is down two regular members and there is an important meeting in July. Decisions are put in jeopardy if there is not a full board for the meeting. Ms. Swenson referenced the RSA requiring a full board for a vote. She stated there is potential for the hearing to be delayed and it is unfair to the citizens of the Town. If the ZBA can't move forward, neither can the Planning Board in this case.

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Selectman Swenson stated he doesn't see what Chair Bickford's hold-up is. This is only a nomination and there is still the two-week vetting period. Just because there is a vote for a nomination does not mean there is a vote for an appointment. **Chair Bickford seconded the motion. Motion passed, 2-1. Selectman Anthes opposed.**

**New Business**

**Eversource Lighting Proposal – Highway/SWF**

Selectman Anthes asked if there were other bids received. Road Agent Clarke Stated that is not an option as it is a utility service from Eversource (formerly PSNH).

Road Agent Clarke gave an overview of the lighting proposal which is being required by the New Hampshire Department of Labor inspection. He stated the LED lights would pay for themselves within a year.

The payment options were reviewed and discussed.

**Chair Bickford made a motion to approve the high performance lighting project as proposed by Eversource Energy Management Consultants Inc. as prepared for the Town of New Durham Highway Department and Solid Waste Facility dated May 15, 2015. The Town will use the payment option #2 by using 100% of the savings to pay back the project within 34 months and to authorize the Chairman to sign the documents on behalf of the Town. Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Annual Review of the Fund Balance Guideline; Investment Policy**

After review of the Fund Balance Guideline, **Selectman Swenson made a motion to retain the current Fund Balance Guideline last revised on September 4, 2014.**

Discussion: Chair Bickford stated Department of Revenue Administration had promised them a worksheet to help them determine the right number. It was noted the auditors request they have this policy. Chair Bickford stated it is not set and can be changed anytime. Selectman Swenson briefly reviewed the Policy and reiterated the 8% is a goal.

**Chair Bickford seconded the motion. Motion passed, 3-0.**

After a brief review of the Investment Policy, **Selectman Swenson made a motion to retain the current Investment Policy last revised May 5, 2014. Chair Bickford seconded the motion. Motion passed, 3-0.**

**2015 Revaluation Call Back Letter from Vision (Draft Review)**

The draft letter was reviewed and discussed. Edits were made.

**East Central Arms: License to Sell Pistols and Revolvers**

The license application was reviewed. Selectman Anthes asked if there is any liability to the Town from this.

Selectman Swenson explained this application includes the State of New Hampshire applications and copies of the individual's Federal Firearms License.

**Chair Bickford made a motion to approve the license to sell pistols and revolvers to East Central Arms, 30 Depot Road, New Durham, New Hampshire, Michael and Paula Sheppard. Selectman Anthes seconded the motion. Motion passed, 3-0.**

Mr. Drummey asked if this is an allowed use in the business district as it never came before the Planning Board. Chair Bickford replied it could be discussed at the next Planning Board meeting.

### **Inventory Letters**

Chair Bickford stated the Department of Revenue Administration wants to know whether New Durham will do it or not. Selectman Swenson stated they have not done it in the past and there is no real advantage for the Town to do.

**Chair Bickford made a motion to not use the PA-28 Inventory of Taxable Property Form for 2016. Selectman Swenson seconded the motion. Motion passed, 3-0.**

### **Board of Selectmen Email Addresses**

It was confirmed Selectman Anthes needs to set up personal email address for Board of Selectmen and Town business.

Jennifer Nyman, resident, asked what the issue was. It was explained Selectman Anthes had shared an email address with his wife. Ms. Nyman asked how issues with confidentiality that may have been breeched were handled. Selectman Anthes replied that if Town business came through the email, she did not read the email. He stated that the solution has been agreed that he would set up his own email address. Selectman Swenson suggested concerns for anything in the past may be addressed with legal advice.

Ms. Jarvis stated the IT Policy requires dedicated email addresses for all Town employees, boards and committees. It was clarified that as a member of the Board of Selectmen and Selectman Anthes should have been aware of the policies.

Mr. Rosiello stated the policy also provides for the Town moving towards all email addresses being on a Town server and people not use personal email addresses for Town business. He stated there is a lot of private and confidential information that should be protected on a Town server. Chair Bickford asked if that applies to all board members. Mr. Rosiello replied it does.

Selectman Anthes stated this conflicts with what Town Counsel recommended. Ms. Jarvis clarified the attorneys recommended they have Town email addresses that they are able to access from their own computers.

Mr. Rosiello explained that in the event of a lawsuit, all the computer systems associated with an email address could be subpoenaed but if they are maintained on a Town server, that is as far as it could go. Selectman Swenson suggested Selectman Anthes ask Town Administrator Bourgeois to set him up on the Town server with a Town email address.

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**2015/2016 Fuel Bids: Gasoline**

The rates for this year's contract pricing were reviewed and discussed. It was clarified diesel is not included in the proposal.

Selectman Swenson suggested locking in with these prices. He stated anything within the range presented is acceptable. There was further discussion with Chair Bickford and Selectman Anthes being concerned if they accept this pricing they would get locked in at the higher prices.

**Selectman Swenson made a motion to have Laura Zuzgo communicate with Irving to lock-in the gasoline price of \$2.2676 plus or minus within a reasonable amount of the price of June 15, 2015 for 10,000 gallons. Chair Bickford seconded the motion. Motion passed, 3-0.**

**Public Input**

Mr. Rosiello stated there are policies in the Town that help show transparency and consistency in how things are done. He stated the rehiring of the Fire Chief Varney was circumvented by the Board of Selectmen. Mr. Rosiello stated there was no application or supporting documentation, no background check, no physical examinations, no credit check and no motor vehicle checks. The vetting process was also waived.

Mr. Rosiello asked the Board of Selectmen if they were aware of Mr. Varney's fiduciary responsibility to avoid any credit checks. He stated it is public records and Mr. Varney manages one of the largest budgets in Town.

Selectman Swenson asked that Mr. Rosiello not refer to the board as a whole on this as Selectman Swenson is on record multiple times advocating the hiring policy should be followed. He stated he was not in favor of the appointment because the policy was not followed.

Mr. Rosiello questioned the fuel usage of the Fire Department command vehicle. He stated there was a usage of 80 gallons by Fire Chief Varney since he started on April 9 through May 3, compared to 58 gallons from January 7 to March 30 with Interim Fire Chief MacCaffrie. Mr. Rosiello asked where his tax dollars are going.

Selectman Anthes stated that information tells him that Fire Chief Varney goes out on more calls while the previous fire chief did not do so. He stated they now have an active fire chief. Selectman Anthes replied they felt it was important to bring back Peter Varney as soon as possible. He stated the Town Attorney looked at Town policies and said they could do it this way legally.

Selectman Swenson clarified the Town Attorney never said they should be bringing back Peter Varney. He stated Selectman Anthes statement was misleading. Selectman Swenson stated "we" was inaccurate as well because he was clearly opposed.



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Mr. Rosiello clarified they must have felt there were extenuating circumstances for them to circumvent the Town policies. He asked who else uses the Command Vehicle and it was confirmed that regardless if the Fire Chief takes the vehicle to a call, someone else does. Selectman Anthes stated they don't know how many calls there were. He read a statement he will be submitting to *The Baysider* in defense of the reappointment Peter Varney including finding the numerous code violations in the Fire Station. Selectman Swenson cautioned Selectman Anthes on the information he just presented.

Ms. Swenson suggested that Selectman Anthes is bordering on difficult comments that could put the Town in a serious position with making accusations that may or may not be proven.

Ms. Phillips asked them to return to Mr. Rosiello's question as to whether the Board of Selectmen was aware of Mr. Varney's significant financial liabilities against him. Chair Bickford replied yes. Selectman Swenson stated that was one of the reasons he was against the reappointment. Chair Bickford asked what does significant mean.

Mr. Rosiello stated Fire Chief Varney is also significantly over the number of hours he was hired for and if he continues to do this, they will be required to provide health benefits for him.

There was further discussion regarding the following of Town policies.

Mr. Drummey stated Mr. Varney has been a member of the Fire Department for over 20 years and noted since he was Fire Chief, Mr. Varney's numbers always came in below budget. Ms. Nyman stated this is nothing against Mr. Varney but it is about the process.

**Abatements**

Selectman Swenson stated all the abatements have been presented with recommendations by the Assessor.

The abatement applications along with the Assessor's recommendations were reviewed and discussed.

**Chair Bickford made a motion to deny the abatement for Map 121 Lot 018 and Map 121 Lot 074-17.** Discussion: It was clarified the requests were not made by the deadline which is a legal requirement. **Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to deny the abatement for the NH Co-op Utility property at Map 250 Lot 139.** Discussion: The value of the property was determined to be accurate. **Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to approve the abatement for Map 102 Lot 026 in the amount of \$20,700.** Discussion: The assessor indicated there was a topographical change

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for this property, which resulted in a lowering of the taxes. **Selectman Anthes seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to approve the abatement for Map 212, Lot 003.**

Discussion: The abatement was recommended based on a reduction in the assessed value.

**Selectman Anthes seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to approve the abatement for Map 234 Lot 045 and Lot 046 in the amount of \$14,400. Selectman Anthes seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to approve the abatement for Map 261 Lot 029 in the amount of \$36,100. Selectman Anthes seconded the motion. Motion passed, 3-0.**

**Chair Bickford made a motion to deny the abatement for Map 121 Lot 046.**

Discussion: The request was based on an appraisal for refinancing and Selectman Swenson questioned why the assessor recommends a denial. He suggested a partial abatement. **Selectman Anthes seconded the motion. Motion passed, 2-1. Selectman Swenson opposed.**

**Other**

Selectman Anthes asked whether they should be allowing people to speak for as long as they do. Selectman Swenson replied he always made sure everyone had an opportunity to speak but ensured they stayed on topic. Chair Bickford stated Selectman Anthes is engaging a lot with more back and forth discussion. Selectman Swenson suggested Selectman Anthes go to the committees' meetings to ask his questions.

Selectman Anthes stated the group here at the meetings does not necessarily represent the Town. He stated he gets a lot of calls from people who watch the meetings and compliment him.

**Approval of Minutes**

Postponed to the next Board of Selectmen meeting.

**Future Meetings**

July 6, 2015, 7:00p.m. – Board of Selectmen Meeting, Town Hall

**Adjourn**

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

The meeting was adjourned at 12:48a.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary