

NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
April 20, 2015, 7:00 p.m.

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

Present:

Chair David Bickford
Selectman David Swenson
Selectman Gregory Anthes

Also Present:

Jeremy Bourgeois, Town Administrator
Corky Mork, Videographer
Cathy Allyn, Chair of the 1772 Meetinghouse Committee
George Gale, 1772 Meetinghouse Committee
David Valladares, Town Equipment Mechanic
Mike Clarke, Road Agent
Peter Varney, Fire Chief
Ellen Phillips, Budget Committee

Jen Nyman, Resident/Parks and Recreation Commission
Carol Allen, Ethics Committee
Don Vachon, Supervisor, Highway Department
Cecile Chase, Town Moderator
Rudy Rosiello, Resident
Joan Swenson, Ethics Committee
Dorothy Veisel, Ethics Committee
Alicia Hernandez, Resident
Scott Drummey, Planning Board

Call to Order

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

Appointments /Announcements

Meetinghouse – Foundation Repair

Cathy Allyn, Chair of the 1772 Meetinghouse Committee, stated the committee is asking for consideration by the Board of Selectmen for Arron Sturgis to be the sole contractor for the foundation work on the Meetinghouse. Ms. Allyn presented a copy of an email from Mr. Sturgis which outlined the plans to complete the work in 2015, as well as noting he would honor the quote from 2012 pending site review.

Ms. Allyn stated the project to restore the meetinghouse in order for it to function as a town center/community center, has two phases. She explained this is to make it financially feasible. The first phase is to stabilize the foundation; the second phase is the roof work. Ms. Allyn explained this project could be part of the timber framers' guild.

Selectman Anthes asked the total cost for the first phase of stabilizing the foundation. Ms. Allyn replied the figure from Mr. Sturgis is \$52,158. Selectman Anthes asked if other bids were obtained. Ms. Allyn replied no, and that is why they are asking the Board of

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

Selectmen to consider Mr. Sturgis the sole source. Ms. Allyn stated there are only a couple of people around the state who can do this type of project from start to finish. There was further discussion of other contractors who could possibly complete the project. The committee prefers to go with someone from the timber framers guild, specifically Mr. Sturgis as he is willing to act as a liaison for the entire project.

Selectman Anthes asked if they have looked into how they will fund the second phase. Ms. Allyn replied they have some donors and are hoping for help from the New Hampshire Preservation Society.

Chair Bickford stated he doesn't agree in going forward if they don't put it out to bid. Ms. Allyn stated if they don't have it done by the timber framers guild, it could be more expensive. She stated there aren't many other timber framer guild members who are nearby and willing to act as a liaison for the project.

Selectman Swenson clarified the meetinghouse is a unique structure and in order to achieve the restoration of the historical structure they need to have a plan in place. He stated because it is a historical structure there may be unique skill sets required to do the work, which the timber framers guild seems to have. Selectman Swenson also confirmed with Ms. Allyn the way they see it is the timber framers want to be able to ensure the foundation is done properly in order to support their work above it. Ms. Allyn stated that is correct. Mr. Sturgis will have a vested interest in making sure the foundation is done properly.

Scott Drummey, resident, stated he is not aware there has been a public meeting on this since 2014. Ms. Allyn replied they have not been able to get a quorum of the committee but they are on the same path they have been since 2012. They have just been waiting for the monies to come in. Selectman Swenson clarified the decisions were made in public meetings in 2012/2013.

Mr. Drummey stated LCHIP and the NH Preservation Society have approved vendor lists with several contractors, including Stephen Bedard of Gilmanton, who are capable of doing the entire project. Ms. Allyn stated there other contractors but Mr. Sturgis is willing to oversee the whole project and they will get more grant money if it remains a timber framers guild project.

Ms. Allyn reiterated what she is asking the Board of Selectmen is to vote so they can move forward and contract with Mr. Sturgis to get the work done this year. She clarified the complete costs have been outlined and presented for review. Ms. Allyn outlined the sources of funding available to complete the project in 2015. She clarified enough money is in the Capital Reserve Funds to complete the first phase of the project. There is also an LCHIP grant available in the amount of \$13,000 awarded in 2012 and it has been extended.

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

Selectman Anthes stated that while money is in the CRF account and is designated, he is concerned they will have to go back to taxpayers and ask for the entire amount. Ms. Allyn stated that going with timber framers guild process makes them more grant-worthy. Selectman Anthes clarified the amount of the second phase of the project is in the ballpark is \$150,000 and will need to be raised through private funds or the Town budget. Ms. Allyn stated that it comes out to about \$85 per household to finish the project by 2022.

Chair Bickford stated the Board of Selectmen need to decide if they want the committee to go forward.

Selectman Swenson stated he sees merit for the approach taken and has a “soft spot” for competitive situations. He stated it appears there are certain requirements in the overall product i.e. timeframe, etc. and it provides a valid point for going after grants. Selectman Swenson stated it isn’t clear why there is hesitance to go for competitive bids. It was clarified Stephen Bedard is not a member of the committee.

George Gale, 1772 Meetinghouse Committee, stated he has worked hard on this project for eleven years and the last thing he wants to do is waste money.

Selectman Swenson suggested the committee develop new requirements very specific to what they want done then go out and get competitive bids. He stated that while they may not find another contractor who can offer what Mr. Sturgis is, it would be a more fair and open process. Ms. Allyn stated it would delay the process even more, the contractors’ schedules fill up and they could possibly lose the grant. Selectman Swenson stated they should be able to get a bid within two to three weeks.

Ms. Allyn clarified that what the Board of Selectmen wants is for her to find a couple bids. She stated she has looked and haven’t found others interested in completing the entire project.

Public Input

Ellen Phillips, resident, stated she is still upset by the fact that two women who worked very hard for the Parks and Recreation Commission were not reappointed. She read a copy of Chair Bickford’s letter written to *The Baysider* in 2014. Ms. Phillips stated at the June 2, 2014 Board of Selectmen meeting, a letter was drafted for the school superintendent, releasing the Town from all liability. The superintendent never signed that letter, which was requested by the insurance company.

Ms. Phillips asked Chair Bickford if he agrees that the Parks and Recreation Commission should protect taxpayers from liability, as recommended by Town Counsel. Selectman Swenson clarified this advice was from the Town Attorney. Chair Bickford replied Ms. Phillips asked a loaded question and gave no further answer. Ms. Phillips stated the Commission made the responsible decision at the time that they could not take a chance

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

on the safety and liability of children and workers in order to continue the program in the school.

Cecile Chase, resident, stated they spent 45 minutes discussing the Meetinghouse project to ensure they go out to bid, in accordance with Town policy, and she is concerned why they didn't follow the same Town policies when it came to the appointment of the Fire Chief. She stated the court decided in the Town's favor and a normal business practice would have been to start a search for a new Fire Chief with an independent panel to request applications and interview. Ms. Chase stated the process Selectman Anthes and Chair Bickford went forward with was a disgrace.

Selectman Swenson replied there was a process before the lawsuit but after that was started, the Town couldn't appoint anyone until it was resolved.

Ms. Chase stated she wants to know Mr. Varney's qualifications. Chair Bickford stated his response would be in the paper on Thursday. Ms. Chase asked why they didn't take the appropriate approach in the appointment. She stated it would have been in the Town's best interests to follow the interview process after the lawsuit was settled. Selectman Swenson replied he agreed, and qualified applicants should be able to apply in a fair and open process.

Rudy Rosiello, resident, stated that at the meeting prior to the Town winning the court case, Selectman Anthes directed Town Administrator Bourgeois to get in touch with Town Counsel, to do whatever it takes to stop the case so they could reappoint Mr. Varney immediately. Mr. Rosiello stated that just because the motion could be made doesn't mean it was the right thing to do. He stated in order to show transparencies to the Town, the Board of Selectmen should have gone through the proper processes. Chair Bickford stated a prior Board of Selectmen went through the long process already and he just wanted to move on.

Ms. Chase asked why Chair Bickford didn't reappoint Mr. Varney before the lawsuit. Chair Bickford replied they didn't need to as the law allowed him to just stay on as Fire Chief. He stated it is the same with the other committees. Ms. Chase suggested they don't reappoint people so the Board of Selectmen can fire them at will. Chair Bickford stated there has been conflicting advice from attorneys.

Mr. Drummey stated in 2012 Fire Chief Varney's three-year appointment expired. At that point Chair Bickford was part of the Board of Selectmen that decided to not reappoint. Mr. Drummey stated the RSA specifically outlines that if an individual is not reappointed, they remain an "at will employee." Chair Bickford stated that was his intent at the time. Mr. Drummey stated it was the next Board of Selectmen that made the decision to terminate an "at will" employee. Selectman Swenson clarified the correct term was "hold over status", not "at will."

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

Joan Swenson, resident, stated she would like to offer her consultation services regarding human resources. Ms. Swenson outlined her experience and current projects, stating that part of the problem seems to be the lack of clarification in the appointment policy about time frames, purposes and hiring policies. Ms. Swenson stated the Board of Selectmen set the tone for the entire organization.

Alicia Hernandez, resident, stated in regards to a letter by Chair Bickford in *The Baysider*, he and Town Administrator Bourgeois discovered there was only about \$10,000 in the revolving fund of the Parks and Recreation Commission. Selectman Swenson stated that was a mistake or misstatement as there is significantly more than that. Selectman Anthes suggested finding the correct balance amount before continuing this discussion. Town Administrator Bourgeois stated they really don't know what the balance is right now.

Agenda Review

Selectman Swenson stated he wants to add under Old Business: Correction of facts/misleading information; Tax-deeded Property.

Chair Bickford stated he would like to add under New Business: Videotaping of Library meetings.

Department Reports

Equipment Mechanic – Fire Command Vehicle

David Valladares, Equipment Mechanic, stated two weeks ago the Fire Department Command vehicle came in with head gaskets leaking internally. He stated he and Fire Chief Varney were asked to look for a replacement vehicle.

Mr. Valladares stated there are two options – a Ford Explorer or Ford Expedition through State bid. He stated the cost of the Explorer is \$26,000 and the Expedition would be about \$32,000. Selectman Anthes asked what would work best. Mr. Valladares he can recommend a vehicle but he can't say what Fire Chief Varney's needs are.

Fire Chief Varney Chief outlined the differences, with the major difference of one being a V6 and the other a V8. Road Agent Clarke noted there are two other vehicles available at the Highway Department that could be used for towing. It was confirmed the funds are already available in CIP.

Mr. Drummey stated a head gasket isn't necessarily a reason to replace a vehicle. He asked where the vehicle is in CIP and questions replacing a vehicle for this reason. Selectman Swenson stated while there will be quotes there will also be further discussion on it. Town Administrator Bourgeois stated the Command Vehicle was supposed to have been replaced last year. Mr. Valladares stated the Command Vehicle is a 2003 Expedition; extensive bodywork has been done; further bodywork is needed to pass inspection and a blown head gasket significantly reduces its value.

*New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT*

Highway Department – Truck Replacement; Seasonal Employee

Mr. Valladares stated he has been working with Road Agent Clarke and CIP to replace the Ford F550. He stated they have quotes from different manufacturers, ready to be submitted to the Board of Selectmen for review. These were reviewed and discussed. Mr. Valladares stated his recommendation is to go with the Dodge because of the history they've had with the Fords. Road Agent Clarke concurred. Road Agent Clarke stated there are other towns who are feeling the same way about getting away from the Fords. It was confirmed there is already CIP funding for this.

Road Agent Clarke stated the F550 is the frontline vehicle in the Highway Department and outlined the various uses this vehicle has throughout Town departments. He stated there have been previous meetings with the Board of Selectmen as well as CIP and he was told to move forward on replacement.

Mr. Valladares explained the extensive damage with the engine failure and the process of repairs involved with the F550, as well as the costly expenses to diagnose and confirm damages for warranty purposes. Road Agent Clarke stated even if the engine is covered by warranty, the vehicle is still worn out. Mr. Valladares noted the resale value of the vehicle isn't worth what it will cost to repair the engine.

Selectman Anthes asked the approximate cost of the new truck. Mr. Valladares replied it would be about \$44,389 for the cab and chassis plus \$42,000 for the rest of the equipment installed.

Selectman Anthes asked what the Highway Department has for trucks currently. Road Agent Clarke replied there are four six-wheel 2x4 trucks, one six-wheel 4x4, one F250 pickup and one F350 pickup. He stated the only proposal is to not replace one six-wheeler and which is only operated in the winter. It was due to come out of rotation in 2014. CIP decided not to replace it.

Chair Bickford stated he felt they are "truck heavy" and asked Road Agent Clarke for something outlining the reasons the department needs the F550 replaced. Road Agent Clarke replied they have a plow route for the F550 with the sander. When they put the sander on the F350 this year, they had to replace all six tires as it isn't rated to carry the sander.

Road Agent Clarke reiterated he is looking for the Board of Selectmen to authorize the purchase of a replacement for the F550. Selectman Swenson asked for official quotes prior to the next meeting for further discussion and decision.

Mr. Valladares stated he also needs permission to send it to Maine for the warranty diagnosis, which could cost \$1,350. Chair Bickford asked what the scrap price is. Mr. Valladares replied it is about \$58 per ton. Selectman Anthes clarified it could be about \$8,000 to repair without the warranty and it is due to cycle out next year.

*New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT*

Selectman Swenson made a motion to not move forward on the warranty at this time. Selectman Anthes seconded the motion. Motion passed, 2-1. Chair Bickford opposed.

Mr. Valladares asked for permission to post the vehicle for sale. Selectman Swenson agreed it doesn't cost anything to put it out to bid and then Mr. Valladares can come back with that information.

Selectman Anthes stated information was received indicating the Town could receive federal funds for damages from a winter storm. Road Agent Clarke replied this has already been applied for.

Selectman Anthes stated he found the process of paying fees at the Solid Waste Transfer Station complicated and it is being looked into. He stated Ms. Nadeau is also addressing the issue of the station workers being more proactive in helping people dispose of their items.

Road Agent Clarke asked if he can post the seasonal part time position. Chair Bickford stated he doesn't have a problem with him hiring when he needs help but wants the position justified. Road Agent Clarke replied he doubts he can just call someone when he needs something done and this part time position has been justified in the past and done since 2007. He outlined the various duties this position covers and stated it is 40 hours per week for the season, if the work is available. Selectman Swenson stated there may be a problem regarding labor laws and the position being 40 hours a week.

Ms. Swenson asked if the position is included in the department's budget. Road Agent Clarke stated he has always had a line item he budgeted for the position. Ms. Swenson stated that if Road Agent Clarke is going to be staying within his budget that has already been approved, she doesn't see where the "angst" is coming from.

Selectman Swenson replied that personally he prefers the management style of having the department heads remain responsible for managing their own budget. Chair Bickford replied he disagrees. He stated they should always be looking for ways to reduce expenditures. Ms. Swenson replied the budget has been approved and passed by the people and if Road Agent Clarke is going to remain within it, Chair Bickford's approach is contrary to any other organization she has seen managed. Selectman Swenson clarified the need is justified through the budget process.

Selectman Swenson made a motion that the Highway Department post and hire a seasonal employee based on the qualifications established and the procedure of the interview process, at the rate of \$12.53 per hour, with a start date of May 1 through October 1, 2015. Selectman Anthes seconded the motion. Motion passed 2-1. Chair Bickford opposed.

Town Administrator's Report

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

RightSignature Program

Town Administrator Bourgeois stated the question was asked at the last meeting regarding data storage. He stated the information is stored in data centers at multiple locations. Town Administrator Bourgeois stated the only thing lost if the company were to go down would be the database maintained by the company. Copies of all uploaded documents are emailed to the sender. Compatibility was verified with the current IT systems. Compatibility with Apple products will need to be verified.

Old Business

Building Inspector Position

Selectman Anthes suggested to start interviews as there are plenty of applicants. Chair Bickford stated he had asked Town Administrator Bourgeois to come back with the amount of hours the current Building Inspector is putting in. Town Administrator Bourgeois stated he does not have that information yet. It was agreed to put the discussion on the agenda for the next meeting after that information has been obtained.

Wage Adjustment

Road Agent Clarke asked if it is possible for the Board of Selectmen to have a meeting with all employees so they can know what direction they are going and not feel like they are being strung along. Road Agent Clarke stated the budget process was started in September and the Board of Selectmen still hasn't made a decision on raises; department heads have completed evaluations and submitted surveys as requested by the Board of Selectmen and it is being put off to another meeting.

Selectman Swenson replied all evaluations have been read and the decision on the insurance issue does not need to be made until May 15. He stated there are a few different approaches to that and it will be addressed at a workshop in the next week.

Road Agent Clarke stated that out of courtesy to the employees, department heads should be a part of the decisions on the merit raises. He stated the Board of Selectmen gave \$0.12 per hour raises to some of the guys in the Highway Department while surrounding towns give \$3.00 per hour raises. Road Agent Clarke stated he has dedicated employees but they could go to other towns and start out making what they make after six years here.

Selectman Anthes replied the insurance part of this is very complicated. What they are trying to do is keep that benefit for the workers and improve on it financially. Selectman Anthes stated he thinks it is important that employees know there are future raises but it will take a process to implement that.

Selectman Swenson noted the current Board of Selectmen recently voted 2-1 to not do an outside wage comparison, of which has not been done since 2008. A minimal update was done in 2010. He stated an independent, neutral study was approved by the prior Board of Selectmen and approved in the budget by the people. Selectman Swenson stated they

*New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT*

need to know where they are in a competitive position for the various jobs and make judicious decisions based on that data and employee performance.

Selectman Anthes stated he didn't believe in paying someone to do the study when that money could go to employees. He stated the Board of Selectmen directed Town Administrator Bourgeois to start looking at other towns and he wants to do an in-house study.

Ms. Swenson stated when you have an independent person doing a wage study, there are certain perimeters that are filled in order to ensure they are comparing "apples to apples." They won't always get that when doing it themselves.

Selectman Swenson stated he is not always in favor of outside studies but in the case of financial and wage assessments it is important to have a neutral, independent study. Chair Bickford stated he has asked for that for departments too.

Mr. Rosiello stated it comes down to trusting the "executive team" and explained how the business environment for employees is impacted by the leadership.

Speed Limits

Chair Bickford stated Bill Lambert from the New Hampshire Department of Transportation advised if they want speed limits below 35mph they are supposed to have an independent study done. This is in accordance with state statute. Selectman Swenson stated this is not exactly what Mr. Lambert said.

Chair Bickford stated his interpretation of the RSA is all speed limits are 35mph if there is no study. He suggested that when they come to budgeting, to put in the budget for the engineering study.

Selectman Swenson asked if Chair Bickford is referring to established speedlimits or those that have not been set. Chair Bickford replied all roads are 35mph with the exception of Route 11. He stated if they want them higher or lower, they must have an engineering study done.

Road Agent Clarke stated that currently all the dirt roads in New Durham are 25mph. His recommendation is that if 25mph is what needs to be enforced to maintain safety, then they need to do an engineering study. Chair Bickford stated the problem is they can't enforce those limits now without a study.

Ms. Hernandez asked who is complaining about speed limits. Chair Bickford replied it is about being out of compliance with the law. Selectman Swenson replied that is not quite accurate as they have to look at whether a limit is "grandfathered" or is for a newly installed road and they desire to change the limit. Selectman Swenson stated they need clarification from DOT and Town Counsel whether there is a difference between

*New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT*

changing a speed limit or are all roads that were done, are now illegal. Chair Bickford stated the signs are illegal.

Ms. Hernandez stated what she is hearing from Chair Bickford is his interpretation and what he says is not what she understood from Mr. Lambert. She suggested that the way Chair Bickford is interpreting the RSA, he is personally putting her children in danger. Chair Bickford replied Ms. Hernandez is putting her children in danger because she doesn't want an engineering study. Ms. Hernandez stated that what Chair Bickford just stated was all roads are now 35mph but her road is actually posted 25mph. Chair Bickford replied that they are now aware the limits are wrong and now need the study done.

Selectman Swenson stated for clarification, there is no permission for anyone to exceed the posted speed limit of any road. It needs to be clear Chair Bickford's opinion is based on the RSA.

Road Agent Clarke stated the current speed limits were set by a prior Road Agent and Police Chief based on traffic counts, which is part of the study.

Chair Bickford stated they need to start looking into the costs of an engineering study.

Appointment Policy

Selectman Swenson stated that what Selectman Anthes brought up at the last meeting is already part of the process. No further discussion is needed.

Emergency Management Director Appointment

Selectman Anthes made a motion to appoint Peter Varney as the Emergency Management Director. Chair Bickford seconded the motion. Motion passed, 3-0.

Correction of Misleading Information/Tax-Deeded Property

Selectman Swenson stated it is his position that they need to continue the process of getting the tax-deeded properties off the Town books and make them tax producing. He distributed a summary of data outlining actions by the Board of Selectmen to date. The summary of goals was reviewed and discussed. *See attached.*

New Business

Ethics Committee

Chair Bickford suggested discussing how this committee is structured. He referenced page 6 of the Ethics Policy and noted the Board of Selectmen shall appointed no less than three members to the Committee. Chair Bickford stated there are currently five members. He stated they need to look at the makeup of the committee and reduce the number. The policy was reviewed and definitions were discussed. It was suggested that if the number were reduced it may be more difficult to have a quorum.

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

Selectman Anthes stated this started with there being conflicts between a contract and current policies. Ms. Swenson suggested a continual process of working through all the policies and procedures.

Selectman Swenson stated he thinks five is the right number.

Selectman Anthes stated he wants to talk to the committee members and see what they think.

Ethics Complaint

Selectman Swenson stated the complaint is in regards to Chair Bickford relative to an occurrence from last August. He stated the complaint was written and presented to the Ethics Committee as well as Town Administrator Bourgeois who then consulted legal counsel. The legal opinion was that based on the information provided in this case only, was “ *I do not see an ethics violation in the ethics complaint filed by ****. The Board of Selectmen simply did not get around to signing the appointment papers as quickly as desired...* ” Selectman Anthes stated the complaint also went on to say Chair Bickford didn’t like women and Town Counsel also spoke on that issue that he did not see anything there. Selectman Swenson stated it is a delicate matter that should be addressed publicly relative to the decision. However, beyond that it gets into matters of opinion and he does not believe that discussion is appropriate here.

Selectman Swenson summarized procedure was properly followed by the Ethics Committee and the Town Administrator. Town Counsel then reviewed all the information and gave an opinion.

Mr. Drummey asked if when the Ethics Committee reviews the complaint, do they take a vote as to whether or not to pursue it.

Dorothy Veisel, Ethics Committee, stated the decision to pursue the complaint was solely that of the individual making the complaint. The committee does not make a statement regarding a complaint but only provide advice and consultation in accordance with committee policies.

Mr. Drummey asked if the Board of Selectmen is going to make an official action on the complaint. Selectman Swenson stated the consensus by the Board of Selectmen is to accept Town Counsel.

Selectman Swenson made a motion to accept Town Counsel on this particular issue. Selectman Anthes seconded the motion. Motion passed 2-0. Chair Bickford abstained.

Mr. Drummey suggested they change the policy so the Board of Selectmen will make a decision on every complaint. There is no policy saying the Board of Selectmen have to

New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT

do anything on a complaint. Selectman Swenson asked Town Administrator Bourgeois to put that on the agenda when policies are reviewed.

Fire Department Light Upgrade

Town Administrator Bourgeois presented the invoice is from AJC Electric for installation of additional lights in the Fire Department, as suggested by the New Hampshire Department of Labor inspection. Selectman Swenson asked Town Administrator Bourgeois to have the invoice amounts verified.

The source of funding for the invoice was discussed. Chair Bickford asked Town Administrator Bourgeois for an accurate balance of the TD Bank account for Capital Reserve Funds.

Library Eye Wash Station

Town Administrator Bourgeois stated this upgrade is also a result of the NHDOL inspection and the Library Trustees did not want to do it. It was agreed the funding should come from the Library account. Selectman Swenson advised Town Administrator Bourgeois to inform the Trustees it is a necessary under the advice of the NHDOL inspector.

Vision Appraisal Letter/Form

Selectman Anthes stated it was brought to his attention that a letter was sent out to business owners from Vision Appraisal. It is in regards to rental income information requested and indicates the request is from the Board of Selectmen. He stated tenants names are also requested. Selectman Anthes stated the reason the appraisal group is going out but doesn't think they should be going into people's personal business lives.

Selectman Swenson replied Selectman Anthes has a valid concern but the letter is not well written. He explained the entity does not have to reveal the information requested. Selectman Swenson suggested the letter should have explained the two approaches in gathering information and indicate that the business owners have a choice. Selectman Anthes suggested another letter be sent. The Board of Selectmen asked Town Administrator Bourgeois to contact Vision Appraisal to have a follow-up letter sent explaining the issue to the business owners. Chair Bickford stated it is because of state law the letter was sent. Town Administrator Bourgeois stated the owners lose their right to an abatement if they decline to provide the information. It was clarified the Board of Selectmen wants to review the letter prior to being sent out.

Library Meeting Videotaping

Chair Bickford stated there is confusion over whether videotaping of the meeting should be done.

Selectman Swenson stated the response of the Town Counsel is pretty clear that the Board of Selectmen does not have the authority to force the trustees to do it. Chair

*New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT*

Bickford stated it was discussed and put into the budget; if they aren't going to move forward with doing so, they need to rescind that action.

Selectman Swenson replied that just because it was budgeted for does not mean it needs to be done. He stated they can just choose to not use the money for it. Town Administrator Bourgeois noted they are contracted with Wolfeboro Community TV for a certain amount of meetings.

Selectman Anthes stated that if the trustees don't want it and the Board of Selectmen don't want it done, it seems like a moot point.

Selectman Swenson suggested taking a look at the budgeted amount and discuss this at the next meeting.

Corky Mork, videographer with Wolfeboro Community TV, stated the first library trustees meeting this year that was to be covered under the new contract did have a conflict of time because it was the same day as the Planning Board meeting. He was planning to setup an extra camera but when he arrived the librarian was concerned with people coming and going in the cramped area and it was decided at that time to postpone videotaping the meetings. Mr. Mork stated he has been communicating with the trustees since that time but at this point they told him they do not want to go forward with videotaping.

Selectman Swenson suggested looking at the budget and then have Town Administrator Bourgeois contact the library trustees to see if they had an official vote on this issue.

It was questioned whether all committees are to be videotaped. Selectman Swenson replied all public meetings are eligible to be videotaped. Town Administrator Bourgeois stated the difference is the library trustees are their own entity. It was suggested the videotaping process was put forward because money is being spent in meetings and they want accountability.

Mr. Drummey asked if during a meeting (i.e. the Planning Board) and a member of the public says they don't want to be recorded. Chair Bickford replied they need to leave. Selectman Swenson replied that unless it is a confidential meeting. Chair Bickford stated they don't have the right to stop the recording.

Public Meeting

Ms. Swenson asked when a name is presented for re-appointment and the reappointment is not approved, what happens. It was clarified they are in "hold over" status until the position is filled by someone else or they are presented again for reappointment.

Selectman Swenson stated he appreciates the public attending the meeting.

Approval of Minutes

*New Durham Board of Selectmen Meeting
April 20, 2015
DRAFT*

Postponed to next public meeting.

Future Meetings

Wednesday, April 22, 2015, 2:00p.m. – Health Insurance Workshop, Community Room.

Friday, April 24, 2015, 1:00p.m. – Wage Adjustment Discussion, Town Hall.

Monday, May 4, 2015, 7:00p.m. – Board of Selectmen Meeting, Town Hall.

Adjourn

Selectman Swenson made a motion to adjourn. Selectman Anthes seconded the motion. Motion passed, 3-0.

The meeting was adjourned at 11:07p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary