

**NEW DURHAM BOARD OF SELECTMEN**  
**New Durham Town Hall**  
**May 18, 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  
Robert Chase, Resident  
Cecile Chase, Moderator  
Joan Swenson, Ethics Committee/ZBA  
David Shagory, Budget Committee/ZBA  
Robert Craycroft, Resident  
Katie Woods, Resident  
Richard Leonard, Resident  
Marisa Rosiello, Resident  
Grace Gelinis, Resident  
Rudy Rosiello, Resident  
Ellen Phillips, Ethics Committee  
Jennifer Nyman, Parks and Recreation Commission  
Brett Tiede, Resident  
Aime Tiede, Resident  
John Michaud, Library Trustee  
Bill Meyer, Library Trustee  
Linda Troy, Resident  
Wilfred Troy, Resident  
Eileen Berry, Resident  
Don Vachon, Highway Supervisor  
Lauryl Vachon, Resident  
Tony Bonanno, Budget Committee  
Dave Curry, Budget Committee  
Carol Allen, Ethics Committee  
Dot Veisel, Ethics Committee/Parks and Recreation Commission

Cathy Allyn, 1772 Meetinghouse Committee  
Patty Tollner, 1772 Meetinghouse Committee  
Matt Libby, Fire Department  
David Valladeres, Equipment Mechanic  
Reginald Meattey, Police Sergeant  
Shawn Bernier, Police Chief  
Terry Jarvis, Resident  
Wayne Garland, Resident  
Valeri Behr, Fire Department  
Marc Behr, Fire Department  
Corey Waldron, Resident  
Lura Meattey, Resident  
Richard McCormack, Library Trustee  
Debra Tremblay, Resident  
Mark Foynes, *The Baysider* Reporter  
Joan Martin, Library Trustee  
Denis Martin, Resident  
Janis Anthes, Resident  
Monica Haley, Ethics Committee  
Jennifer Correria, Finance Officer  
Peter Varney, Fire Chief  
Jennifer Nadeau, Office Manager  
Sherri Joy, Resident  
Jim Tollner, Resident  
Scott Drummey, Planning Board  
Terrie Nickerson, Resident

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**Call to Order**

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

**Public Input**

Cecile Chase, resident, stated there has been talk over the last couple months, including at Board of Selectmen meetings and the most recent Budget Committee meeting, about plans to re-organize the Police Department to go in a different direction. Ms. Chase stated Townspeople need to know what is the civilian administrator, are there other towns with that, the legality of it, qualifications, etc. She stated she would like to know the plan going forward as well as the timeframe.

Dave Curry, resident, stated he would be in favor of discussion within the Town of reorganizing departments but he would want to know laws and legality of reorganization. He stated there should be a Town meeting if they are going to be reorganizing the Police Department. Mr. Curry stated he appreciates that the Board of Selectmen want to look at different ways to save costs but would be concerned about a reorganization being done without Townspeople's consent.

Rudy Rosiello, resident, stated they need complete transparency as to what is going on in Town departments along with input from residents.

Debra Tremblay, resident, stated she would like to know if they are taking into consideration how reorganization is handled in other towns. She stated she works with a local police department and without administrative staff it has been extremely difficult. They have to call dispatch for general questions who are trained for handling emergencies. Ms. Tremblay stated it takes officers three to four hours every day to handle the general office paperwork. She wants to be sure the Board of Selectmen takes that into consideration.

Chair Bickford stated in regards to the term "civilian administrator", that is not necessarily what they are planning on doing but it is an option being discussed. He explained it could be a retired officer who is certified, because all certification does is allows them to arrest. Police Chief Bernier stated that is not true.

Chair Bickford stated the position would be in lieu of a chief.

Ms. Chase stated she would like to know the reasoning for going in this direction. She stated the Police Chief has been with the department for over 20 years. There great rapport between the Department and the community. Ms. Chase stated the Police Department plays an integral role with communications with school children and she has benefited numerous times with protection by the Police Department. She asked why they are looking to go in a different direction when they have a dedicated Police Chief, who is also a resident, and who goes above and beyond the forty-hour a week job.

Selectman Swenson stated comments were made in non-public but he wants it to be clear that the change in direction for the Police Department comes from Selectman Anthes.

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Selectman Swenson stated Selectman Anthes had this goal prior to election but it was not made known. Selectman Swenson stated there are two parts to it: including a discussion with the Police Chief and the other is in regards to reorganization of the department. Selectman Swenson stated he has not had a chance to discuss this further with Police Chief Bernier since their first non-public meeting. Selectman Swenson stated he just wants to give the public information relative to this situation. He stated that he has contacted other towns relative to questions regarding changing the organization, both with and without the support of the current chief.

Selectman Swenson read a response from the New Hampshire Municipal Association legal counsel regarding reorganization and copies were distributed for review. In summary, elimination of a police chief position can have numerous legal ramifications. It is not an option that is advised by NHMA legal counsel. Selectman Swenson stated he is in agreement with the advice. (See attached.)

Katie Woods, resident, asked if a civilian administrator is not an option, why hasn't the Board of Selectmen helped the officers by hiring someone.

Selectman Anthes stated that when he made the statement that he wants to look at each department, that didn't mean there would be major changes. He stated a lot of this started when Ms. Woods' reduced her hours and then left as of May 1.

Selectman Anthes read a statement of an incident that occurred at the General Store about a month ago when he was approached by Police Chief Bernier. He indicated at that time Police Chief Bernier told Selectman Anthes he wanted to retire effective July 1. Selectman Anthes stated he presented this to the Board of Selectmen and it was discussed but he has been careful how he phrased stuff to the public.

Selectman Anthes stated he has never heard of a "civilian" position and stated there are several ways they could do it. Selectman Anthes stated the Board of Selectmen wants to look at all the options. He stated the idea they are trying to do something "in the backroom" is wrong although they do discuss things in non-public.

Police Chief Bernier stated he wants to clarify some things he told Selectman Anthes at the General Store. Police Chief Bernier stated he was considering getting his retirement from NHMA so he could go to part time (32 hours) within the New Durham Police Department. Police Chief Bernier stated that would save the Town from paying benefits for him. Police Chief Bernier stated he never said he would be leaving the Town but would "retire" so they could have funds to fill other officer positions to adequately cover the Town.

Selectman Anthes stated that is "double dipping" and he is not comfortable with it. There were also other things discussed including Katie's position and Police Chief Bernier picking up hours with the Sheriffs Department. Police Chief Bernier stated he was looking at it as a way to save the Town money on benefits.

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Ellen Phillips, resident, asked Selectman Anthes if that is what he recalls Police Chief Bernier telling him. Selectman Anthes replied yes, Police Chief Bernier mentioned going part time. Ms. Phillips clarified what Selectman Anthes said earlier was Police Chief Bernier wanted to retire July 1. Chair Bickford stated there has also been more discussion since then.

Monica Haley, Ethics Committee, clarified that Police Chief Bernier has not given anything in writing so this is just a lot of “he said, she said” so they have nothing to go forward with. Selectman Anthes replied more has been said since then and while he can’t go into what was said in non-public, after this is settled, the discussions can be opened up for review. He stated people are “ahead of the cart” and they are still working out this issue.

Selectman Swenson reiterated there are two parts here including the status of the current police chief as well as reorganization of the Police Department.

Chair Bickford stated in regard to Mr. Curry’s comments, a Town meeting does not determine staff sizes and it is a purview of the Board of Selectmen to determine staff. He stated the legislative body does not have that power and there is no statute that allows for that. Mr. Curry stated he disagrees and the State does give legislative power to the Town. Mr. Curry stated he would continue to do research on this. He stated that over the last ten years or so, it has been the voters who have reduced or expanded staff size.

Robert Craycroft, resident, asked if there is a civilian administrator, to whom would this position answer. It was clarified it would be the Board of Selectmen. Mr. Craycroft stated Police Chief Bernier has been in the department for twenty years and this just doesn’t seem right. He asked if any of the members of the Board of Selectmen have personal issues with him.

Selectman Swenson replied he does not.

Chair Bickford replied he does, he has put in the newspaper and been transparent about it.

Selectman Anthes replied they get along well and he wants to figure out what they are doing when someone tells him they want to retire. He stated there are different scenarios and alternatives that need to be discussed. Selectman Swenson stated it came about when the Board of Selectmen goals were discussed at the April 16, 2015 meeting and was presented by Selectman Anthes. Ms. Chase clarified there are two very different conversations here.

There was further discussion about the scenarios to save the Town money with Police Chief Bernier.

Ms. Chase stated that while Selectman Anthes may be new, whether he is talking to a resident or employee, he should not discuss personnel issues. It does not go over well.

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Selectman Anthes stated first they are going to completely get rid of everyone in the Highway Department but he will not terminate anyone in the Highway Department. The reduction will be through attrition. He stated he has never talked about cuts in any other department except with reducing the amount of money spent on the departments.

Chair Bickford called the Public Input to end.

**Appointments/ Announcements**

**1772 Meetinghouse**

Chair Bickford asked how many members there are on the 1772 Meetinghouse Committee. Cathy Allyn, 1772 Meetinghouse Committee, replied there are four.

Ms. Allyn stated an RFP has been sent out to eight contractors. A response was received from Steve Bedard and he is not able to fulfill the criteria; another contractor, a member of the Timber Framers Guild from Canterbury conducted a site-visit but did not submit a bid. Ms. Allyn stated no other bids were received except the one from Arron Sturgis. She stated Mr. Sturgis is ready to come for a site-visit and has assured them he will finish the work by the end of the year. Ms. Allyn stated as Mr. Sturgis is the only bidder, they have the funds, they need to get the work done so they can get the grant funds, asked the Board of Selectmen to release the funds to get started.

Selectman Swenson stated the competitive bid was the key piece needed, that has been done, and now he is ready to take action on this.

Selectman Anthes asked if there was a breakdown of the costs for the first phase of the project. Ms. Allyn stated that was previously submitted.

The details of the scope of work were briefly discussed and Ms. Allyn suggested the Board of Selectmen come to the site visit with Mr. Sturgis. She stated that if they don't move forward tonight, the project is not going to happen. Each year that goes by, there is more damage to the building.

Chair Bickford stated he doesn't understand why they need to go through the Timber Framers Guild. Ms. Allyn clarified that by doing this project through the Timber Framers Guild it becomes an educational project which gives more opportunity for grants. She further explained why they need to work this project through the Timber Framers Guild and stated Mr. Sturgis will be working as an "instructor" for the Timber Framers Guild project. She stated timbers framers from all over the country would be involved in the learning and training. This phase will include putting back the original stone, leveling and stabilizing the building, and finishing the foundation work.

Ms. Allyn stated there has been years of work in securing funding, applying for grants and work to get this project done to preserve the meetinghouse. Ms. Allyn stated this is an exciting opportunity for members of the Guild and they can't wait for it to happen.

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Selectman Swenson asked if there is tracking of the Guild trainees' labor. Ms. Allyn explained it would become "in kind service."

Chair Bickford stated his concern is that all the references connected to the Guild could have been a limiting factor. He asked if the RFP limited them and asked how many people had a real opportunity to bid on the project. Ms. Allyn replied yes, they were limited by being part of the Guild because they need someone who is a member of the Timber Framers Guild. Chair Bickford asked who says they need to use the Timbers Framers Guild. Ms. Allyn replied they were told to come up with criteria and asked what sense it would make to hire contractors to do separate parts who wouldn't have a vested interest in the second part.

Rudy Rosiello, resident, stated the Timber Framers Guild is a national organization of professional individuals who have experience in building timber frames. It qualifies people with the appropriate experience.

Ms. Allyn stated the committee was charged with developing an RFP, they did that in good faith and if this is not settled by tonight, the project won't go forward. Chair Bickford asked again why they have to go through the Timber Framers Guild. Ms. Allyn replied they have to have a Guild member who is willing to act as the instructor for the educational piece of the project. It was clarified this is not a requirement for the LCHIP grant but was made by the Committee because of phase two. Ms. Allyn stated the second phase will be a Timber Framers Guild project so the first phase should be as well to maintain continuity.

Terry Jarvis, resident, stated her understanding is the Timber Framers Guild is going to bring a substantial savings to the project for the Town. The "students" are coming as part of the educational program and they will not have to pay \$50 or more per hour to have the work done by a contractor because it is a Guild project.

Chair Bickford stated if they put out the bid to individuals who are not part of the Guild, then they would know if they have a savings or not.

Scott Drummey, resident, stated being a member of the Timber Framers Guild is not a "closed" group. There are no qualifications, testing, etc. He stated there are members who are active professional timber framers but that does not apply to all members. Ms. Allyn reiterated they have approached other timber framers but they need a member who is willing to act as an instructor. Mr. Drummey proposed that the Committee submit an RFP that is "clean" for phase one and phase two with whether one contractor can do the whole job. He stated there are multiple contractors who are capable of doing the foundation work. Ms. Allyn reiterated no other contractors submitted bids.

Selectman Swenson stated he has experience with building plants with unique criteria. He explained instances where he could have hired a variety of people to do the jobs. However on specific projects, he made the criteria such that he would get people who have the proper capabilities. Selectman Swenson stated he thinks New Durham has a

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great opportunity to gain notoriety for its rural character and its historical structures. It would put New Durham in the forefront of a more positive situation as opposed to the negative personal stuff that has been going on in the last few years.

Selectman Anthes stated he has purchased a historic building, disassembled and reconstructed it himself. He stated he had this building moved to a museum and you can't tell the difference from when it was built originally to where it is now. Selectman Anthes stated the idea that they need someone from a Guild to do the project, is not something he agrees with. Selectman Anthes stated he wants to take another look from a different angle and get more bids.

Selectman Anthes stated if you want to raise money for a historic building, there needs to be proof that none of it was wasted otherwise you won't get donations. He stated there needs to be written documentation of this when going back to taxpayers and asking for more money. Selectman Anthes stated he has heard taxpayers don't want to be paying for this project but they could privately raise money.

Jim Tollner, resident, stated the Committee has done everything that has been asked of them by the Board of Selectmen. There was a process and it was followed. A bid was received that met the specifications and if the Board of Selectmen doesn't go forward now the funding will be lost. Mr. Tollner stated the Board of Selectmen need to leave the work to the experts who have been working on this project for the last five years. Mr. Tollner asked where everyone was when the bid was put out if there were other people interested in doing it.

Mr. Tollner stated he served on a city council for fourteen years and suggested the Board of Selectmen have more respect for each other.

Mr. Tollner stated the bid was done the way the Board of Selectmen asked and now all the Committee is asking is for the Board of Selectmen to release the funds.

Bill Meyer, resident, stated they are dealing with a building on the National Registry of Historic Properties and it has to be put back the way it was originally built.

David Curry, resident, stated the reason Selectman Anthes' building was fine moving between states was because one person was in charge. That is what the Committee is trying to do and contract with a person who has the skill set to complete phase two but who can also competently supervise and act as a trainer for phase one. Mr. Curry stated Mr. Sturgis is the only one who came back willing to be in charge of all phases.

**Selectman Swenson made a motion to release the funds for the 1772 Meetinghouse Restoration to meet the LCHIP grant and to award the contract for the work that has been described to Arron Sturgis. Motion died for lack of second.**

Chair Bickford stated he wants to go forward with Mr. Drummey's idea. The RFP needs to be "clean" and not have caveats. Mr. Drummey stated the RFP had only allowed

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someone who was a member of the Timber Framers Guild and no other bidder was allowed to bid on it.

Ms. Allyn stated she doesn't know why Mr. Drummey is so adamant against Mr. Sturgis and noted there were three possible vendors: Steve Bedard, Steve Fifield and Arron Sturgis. Only one bid was received. Chair Bickford stated that was because of the way the RFP was written.

Chair Bickford asked Town Administrator Bourgeois to "clean up" the RFP and repost it. Ms. Allyn stated the Board of Selectmen is going to lose the LCHIP grant along with the Committee. She stated the Board of Selectmen reviewed the RFP and never said anything. Ms. Allyn asked the Board of Selectmen to vote again and release the funds. She stated all the people here want them to do that except Mr. Drummey.

Chair Bickford noted the last meeting of the Committee only had two members. Ms. Allyn replied one was present by telephone. Chair Bickford stated they need a quorum unless the Committee is only three members. It was clarified the Committee had a quorum with two present and one by phone. Chair Bickford stated that by phone doesn't count.

Ms. Jarvis stated many times people have called into meetings in Town since the legislature passed the law that says a quorum is needed for a meeting with at least two present and one by phone. She stated this has been done numerous times by the Board of Selectmen.

It was noted the Board of Selectmen approved the RFP before it went out.

Ms. Allyn stated if they don't do something now the building will deteriorate even more. She stated an important thing about history is this project is tangible and it can have a great educational opportunity.

Mr. Meyer stated this is valuable heritage of the Town.

Chair Bickford stated they need to be careful with the money and he doesn't feel it is being done proper. He stated the bid needs to go through the Board of Selectmen again and be re-sent.

Janis Anthes, resident, stated it sounds like the RFP was written to exclude everyone except Mr. Sturgis.

Mr. Rosiello stated this issue came up when he was a member of the Board of Selectmen and foundation work was done. The situation at that time was the bid amount came up short and additional funds were needed.

Chair Bickford stated they would "clean up" and post a new RFP.



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Ms. Allyn asked why they are quibbling about a tiny amount of money and asked where this is really coming from. Ms. Allyn asked if they really think they are going to get someone to bid lower than Mr. Sturgis did in 2012.

Selectman Anthes stated there are several phases here and he wants to be sure to look at all the upcoming phases carefully as well as a source of raising money.

**Library Trustees**

Chair Bickford addressed the Library Trustees present and stated he heard they don't want library trustee meetings videotaped by Wolfeboro Community TV.

Richard McCormack, Library Trustees, replied that is correct. The trustees voted 4 to 1 on three separate occasions, against videotaping the meetings for several reasons. He stated they voted to table it until they could hear from the Board of Selectmen what the Board really wants.

Mr. McCormack stated the first reason they are opposed is for privacy reasons, particularly for members of the public coming into the library for books while the meeting is occurring.

Mr. McCormack stated he has been on the board for nine years and the only time anyone has come to a meeting was if they were invited by the trustees or a special point was made to be put on the agenda. Mr. McCormack stated the meetings have a lot of discussion and they have fun. He wants it to stay that way.

Selectman Swenson stated as a public meeting, anyone can videotape it. He stated when the Board of Selectmen went over the budget last fall, it was increased to provide coverage for videotaping other committee meetings. Those costs were approved by voters at Town Meeting. Selectman Swenson stated the Board of Selectmen does recognize the Library Trustees are not under the jurisdiction of the Board of Selectmen.

Selectman Anthes explained the benefit of allowing all residents to be able to see meetings this way and stated this issue was presented to legal counsel. Legal counsel advised that the Library is subject to the Right-to-Know law and the Board of Selectmen have the right to record the meetings. Selectman Anthes stated he thinks it would be a good idea and the money has been set-aside for it. He stated he thinks people would like to have the ability to see how money is being spent in their Town.

Mr. McCormack stated the next meeting is two weeks away and he would like five of the concerned people contact a member of the Library Trustees and make their concerns known. He stated the Library Trustees have no way of knowing if people don't contact them.

Chair Bickford stated you can't hide and the meetings need to be in a public place. They also have to be willing to be taped. Mr. McCormack stated that at the same time, the

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board has voted three times to not have it done. He stated if there are people who want to know, have them call him and he will address their concerns.

Chair Bickford stated they have a statement dated May 7 from the Town Attorney.

**Chair Bickford made a motion to release information regarding the New Durham Video Policy from Michael P. Courtney. Selectman Anthes seconded the motion.**

Selectman Swenson stated he doesn't believe a motion is needed. **Motion passed, 3-0.**

Selectman Swenson read the statement from Town Counsel. In summary, according to NH State statute, the Board of Selectmen have the right to videotape meetings just as any other member of the public under the Right-to-Know Law.

Bill Meyer, Library Trustee, stated what people do in the library is private and while the Town has the money for it, that doesn't mean they need to spend it. He stated they have a problem getting volunteers in Town and putting them on television is not going to help.

Denis Martin, resident, stated these are public meetings and it sends a bad image when the Library Trustees don't want the meetings recorded. He stated money is being spent and thinks it is paramount that the meetings be broadcast.

Mr. Drummey asked Corky Mork, Wolfeboro Community TV videographer, and asked if it is possible to set up the video camera where the public won't be videotaped or if he could post a notice it is being done. Mr. Mork replied both of those options are possible.

**Nomination**

**Chair Bickford made a nomination to have William Meyer as Inspector of Elections. Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Finance Officer**

Jennifer Correria was introduced as the new Finance Officer. Ms. Correria stated she started last Monday and while there are some challenges, she doesn't see anything that can't be overcome. She stated from her perspective as an auditor, everything has to be audited. Ms. Correria stated they are currently working through a NH Retirement System audit. She noted the Balance Sheet looks good right now.

It was noted Ms. Correria is available Monday and Wednesday.

Chair Bickford stated they are considering having payroll handled by an outside contractor. Ms. Correria stated she has reviewed the vendors. She stated after she has done the next cycle of payroll she would be able to give them a better idea of how long it takes and give a recommendation on the vendors. Ms. Correria stated the only one she has worked with is CheckMate.

Selectman Swenson confirmed Ms. Correria's recommendation is to hold off until she has had a chance to further review the options.

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Mr. Rosiello stated if payroll is outsourced, are there computer systems that will no longer need to be supported. Ms. Correria stated the company would take care of quarterly filings and the annual license for BMI may not be needed.

Dot Veisel, resident, asked if Ms. Correria is a permanent employee. Ms. Correria replied she is a contract employee with sufficient experience in payroll and as an auditor. She stated she has worked in different towns and it is hard to find a good bookkeeper.

Jennifer Nadeau, Office Manager, stated her concern is if the prior Finance Officer was not able to accomplish the tasks in sixty hours a week, how is Ms. Correria going to do it in two days a week.

**Agenda Review**

No changes were made.

**Department Reports/Issues**

**Fire Department**

Fire Chief Varney stated he completed a Memorandum of Understanding for Ready Strafford County for the Fire Department. He explained it assists towns with resources for their public health programs.

Fire Chief Varney gave an overview of the renovation project.

Selectman Anthes stated this project was started prior to Fire Chief Varney returning and noted the bid was only given to one contractor. There has since been questionable work completed. Fire Chief Varney noted when the RFP went out, there were certain criteria to be met and there have been things that haven't been done. Selectman Anthes stated the poor workmanship up to this point hasn't met safety standards. Fire Chief Varney stated he is sure the contractor will be back to fix things. Some repairs have already been corrected. Pictures of violations were reviewed and discussed.

Ms. Anthes stated she has experience with rehabilitation and been involved in renovations in terms of the American Disabilities Act. She stated the proposal stated the contractor would comply with all codes but he has not done so. Ms. Anthes outlined the violations. Fire Chief Varney explained the corrections that are planned to address these. Fire Chief Varney stated he isn't sure if the contractor was initially aware of the ADA requirements. Selectman Anthes stated it was in the proposal and something of which the contractor should have been aware.

Joan Swenson, resident, stated at the last meeting Fire Chief Varney distributed a roster. She stated there was another name of "Varney" and asked if it is a relation to Fire Chief Varney. Fire Chief Varney replied yes; one is his brother and the other is his son. Ms. Swenson asked if they went through the regular hiring process. Fire Chief Varney replied no because under RSA a fire chief can appoint his officers. Ms. Swenson stated there is a policy that if a relative is going to be hired they have to come before the Board of Selectmen for approval. She stated from a human resources standpoint, having family

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members working in the same department can get messy. Fire Chief Varney replied the Fire Department historically has family members within the department. Ms. Swenson stated even if he doesn't directly supervise his son, it puts the supervisor in a difficult position with him as fire chief.

Chair Bickford stated there is a workshop scheduled with Fire Chief Varney for hiring and to go over policies.

Mr. Drummey asked if the RSA Fire Chief Varney referenced, supersedes the Board of Selectmen's hiring policy. Chair Bickford replied he does not know but it does say the Fire Chief can hire who he wants.

Ms. Swenson stated the policy needs to be inline with RSA.

**Fire Command Vehicle Update**

Chair Bickford confirmed with David Valladeres, Equipment Mechanic, that the quote Mr. Valladares presented for replacement of the Command Vehicle is for a 2016 model.

Mr. Valladares gave an overview of the proposed vehicle and explained it is a similar model to the police Interceptor. Chair Bickford asked the costs for outfitting a new vehicle. Mr. Valladares replied it depends on the equipment that can be used from the old one.

Eileen Berry, resident, asked if the roster that was distributed a few weeks ago included qualifications. She stated she is asking is because last week there was a major forest fire in Ossipee and to her knowledge, New Durham was the only one that did not respond to the call. Fire Chief Varney replied that call would have gone to Dave Stuart with the Forestry Department and the decision to respond would have gone through him.

Mr. Rosiello stated in regards to the department roster, he has questions he wants answered by Fire Chief Varney to ensure transparency. Chair Bickford replied they are working on that. Fire Chief Varney replied under RSA he has the right to hire and is also given that authority by the Board of Selectmen. He explained the process of ensuring personnel coverage in a transition.

Mr. Rosiello stated he wants to understand how they got from list A to list B. Selectman Swenson stated going through the detail is going to take more time and needs to wait for the workshop. Fire Chief Varney stated he did not post the positions nor does he need to.

There was further discussion of the potential costs of repairing the Command Vehicle. Selectman Swenson stated he wants a cost for repairing the body to compare with the costs of purchasing a new vehicle.

Mr. Rosiello suggested developing a RFP with what they need in a Command Vehicle.

**Cost Report for F550**

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Mr. Valladares presented his report on the costs for repair. Ms. Nadeau stated she was told by an independent parts distributor that the rust on the dump body is not worth the repair because the engine has constant problems.

Don Vachon, Highway Supervisor, stated he and Road Agent Clarke had an independent mechanic take a look and they also said it is not worth repairing.

Ms. Nadeau asked what the Board of Selectmen is going to do and stated it is a vehicle that is used everyday.

The cost estimates were reviewed and discussed by the Board of Selectmen. Chair Bickford stated he came up with a price of about \$3,000 for repairing the engine and replacing the dump.

Mr. Valladares stated it is his opinion that the engine repair should be covered under warranty but it is going to be a fight with the company to get it covered. It was noted the estimate is \$9,500 if the warranty does not cover the repair.

?????, resident, stated it was voted through SB2 to fund replacement of this vehicle which has a lot of problems and stated Mr. Valladares asked two meetings ago to send it to Maine for diagnosis. He stated the Board of Selectmen voted not to do that and now they still haven't done anything. Chair Bickford replied spending money in the capital reserve funds is at the discretion of the Board of Selectmen.

Selectman Swenson replied the Board of Selectmen did not initially feel it was worth sending the truck out but does understand the voters approved purchase of a new one. He stated that by his calculations, it could be up to \$35,000 to get the truck repaired and asked Mr. Valladares how much longer it would last. Mr. Valladares replied they can keep something going a long time but it comes down to whether costs are worth it. Selectman Swenson stated it is unfair to the taxpayers and the Highway Department to not come forward with a more long-term plan for the Department. However, a decision still needs to be made on this. Selectman Swenson suggested moving ahead with the new vehicle. Chair Bickford asked what they would do with the old one. Selectman Swenson stated he doesn't see any need to spend upwards of \$20,000 on a vehicle with an unknown lifetime and undetermined usefulness.

Chair Bickford stated they still need to consider whether they will be doing contract work. He stated he wants to send it up to Maine to see if the warranty will cover it.

Mr. Drummey stated he is confused about the purpose of this truck. He stated Chair Bickford seems to be leaning towards the direction of contracting out the work for this truck.

Mr. Vachon explained the extensive uses this trucks has and stated it is used constantly, year-round. He stated it is used for more than just plowing. Mr. Vachon stated another truck has been modified to do some of the jobs of the F550.

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Mr. Valladares stated whether they are going to contract out the use of the truck would determine whether it is replaced.

Selectman Swenson stated he is ready to make a motion on this. Selectman Anthes stated he is not.

Mr. Valladares stated he had authorization from a couple meetings ago to move forward with getting rid of the truck. Chair Bickford replied he needs to hold off on selling it and asked Mr. Valladares to get an estimate of its value. Selectman Swenson stated it was an action on the table and he should move ahead with it.

**Old Business**

**Delegation of Deposit/Transfer Authority**

Edits due to change of Finance Officers were reviewed and signed by the Board of Selectmen.

**Selectman Swenson made a motion to amend the Delegation of Deposit/Transfer Authority according to the handout under 2 and 3 where it describes the position title as opposed to an individual's name. Chair Bickford seconded the motion. Motion passed, 3-0.**

**Ethics Committee Policy**

**Chair Bickford made a motion to share information provided by legal counsel Michael Courtney dated May 7 and New Hampshire Municipal Association dated May 8. Selectman Swenson seconded the motion. Motion passed, 3-0.**

Copies of the letters were distributed for review. Chair Bickford summarized that the Ethics Policy requires only one person be a public servant.

**Committee Appointments – Applications**

**Chair Bickford nominated Roland M. Douglas for the Parks and Recreation Commission. Selectman Anthes seconded the motion.** Discussion: Selectman Swenson stated he does not know Mr. Douglas. Ms. Phillips noted Mr. Douglas is not present now and asked if the Board of Selectmen is going to question him. Selectman Swenson asked if Selectman Anthes knows him. Selectman Anthes replied he does not but has talked to others about him. Jennifer Nyman, Parks and Recreation Commission, stated she does not know the last time Mr. Douglas actually coached a team and it has been a while. **Motion passed, 3-0.** Selectman Swenson stated he would like Mr. Douglas to come to the next meeting.

Mr. Rosiello asked if they have any information on Mr. Douglas or know his experience or credentials for this nomination. Chair Bickford stated the public is now free to get that information. Ms. Nyman stated when she was nominated for the Commission she sat before the Board of Selectmen and was “grilled” for 25 minutes over her qualifications and stated Chair Bickford was on that Board. Ms. Nyman stated Chair Bickford needs to

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take responsibility for vetting individuals in an open, public meeting. Selectman Swenson stated that is why he asked for Mr. Douglas to be present for the next meeting. Mr. Rosiello suggested information and qualifications needs to be submitted prior to nomination to a board. He stated this is not proper.

**Selectman Anthes nominated Valeri Behr for Parks and Recreation Commission. Chair Bickford seconded the motion.** Discussion: It was pointed out Ms. Behr is not present for the nomination either. Selectman Swenson stated he has major concern on this nomination for a variety of reasons. He stated this individual has fifteen to twenty public complaints over the last six to nine months about New Durham without attempting to be a participant in the solution with the Fire Department. All the complaints were investigated and none were found to be factual. Selectman Swenson stated having that kind of history is not appropriate for Parks and Recreations as they are dealing with various activities with adults and children.

Corey Waldron, resident, stated this is the first Board of Selectmen meeting she has attended. She stated she is very disappointed with how it is run and how the members of the Board of Selectmen act. Ms. Waldron stated that she does not know anyone with the Commission but all this is ridiculous. She stated the Board of Selectmen need to change their attitudes with how they handle Town things. They are ruining the programs and departments in Town.

Selectman Swenson stated relative to the nomination, none of the information provided was accurate. He stated she was on administrative leave for multiple months without attempting to resolve the issue with her supervisor. Selectman Swenson stated he sees no benefit in proceeding with this nomination.

Dot Veisel, resident, stated she isn't going to challenge the Board of Selectmen's nominations but she is concerned that two of the three people have never attended a Parks and Recreation Commission meeting. She stated she would like them to do so and see it is more than just a meeting every week. Ms. Veisel stated she welcomes anyone that wants to come help out but cautioned the Board of Selectmen in nominating people who haven't even been to a meeting. Chair Bickford replied these people volunteered and there has been a seat open for a long time. Ms. Veisel stated before someone volunteers they should know the level of investment required.

**Motion passed, 2-1.** Selectman Swenson opposed. Selectman Swenson referenced the Appointment Policy and reiterated the two-week vetting policy.

Ms. Jarvis asked how long ago the applications were submitted for the Parks and Recreation Commission. Selectman Swenson replied Ms. Behr's was in the last 7-10 days and Mr. Douglas was about the same. He stated there were several others and he is disappointed those aren't be given consideration. Ms. Jarvis stated she is concerned that people who recently submitted applications are given consideration over those who submitted applications over a month ago. She asked when the Board of Selectmen is going to discuss the other applications. Chair Bickford stated they already have an

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alternate for the ZBA and they are waiting to see if she is interested in the regular position. Ms. Jarvis stated according to the website there are two alternates. It was clarified they have a right to be offered the position.

Ms. Swenson noted this has already been addressed by legal counsel and the ZBA has the option to decide if they will sit with four or five members.

Chair Bickford stated there was a bill presented in the legislature to reduce the number to two votes to be a majority but it was voted down.

Selectman Swenson stated there are five applicants for the Parks and Recreation Commission and four for the CIP.

There was further discussion of how nominations and applications could be handled for the ZBA.

Town Administrator Bourgeois confirmed there are two full vacancies and three alternate vacancies on the ZBA.

**New Business**

**Wage Adjustment Finalization**

**Chair Bickford made a motion to approve the wage adjustment retroactive to April 1, 2015. Selectman Anthes seconded the motion.** Discussion: Selectman Swenson stated this is generated from discussions that were mostly in non-public relative to wage adjustments based on performance evaluations. He stated the rates are public information. The majority of the Board of Selectmen made choices on the individual lines. Selectman Swenson stated he has disagrees with there being there no adjustments in the Library but the majority of the Board of Selectmen rules. **Motion passed, 3-0.**

Selectman Swenson clarified he is in favor of the raises given but opposed to the ones not given. He doesn't think they have done the right thing in the case of certain individuals.

**Purchase Order 0361 – Police Cruiser Equipment/CRF Police Cruisers**

Two bids were reviewed and discussed. It was clarified there will be no spare radios.

Chair Bickford stated he wants justification for the \$3,000 laptop. There was discussion regarding the specific computers needed for police departments. Selectman Swenson stated these ones are “ruggedized” to endure extreme conditions in the cruisers. Police Chief Bernier stated they have gone the route of a regular laptop and it only lasted nine months.

**Selectman Anthes made a motion to approve Purchase Order 0361 for the Police Cruiser Equipment/CRF Police Cruisers in the amount of \$11,879.41. Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Purchase Order 1901 – Electrical Work/ETF Town Building Fund**



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Town Administrator Bourgeois stated the Town was cited by the New Hampshire Department of Labor inspector for not having adequate lighting next to a building near the gas pumps. He stated Rhines Electric replaced the lights with LEDs and those are much brighter. Town Administrator Bourgeois stated the lighting in the basement of the Town Hall was also fixed.

**Selectman Anthes made a motion to approve Purchase Order #1901 for electric work to come from EFT Town Building Improvement and the lighting at the gas pumps in a total of \$1,814.48. Chair Bickford seconded the motion. Motion passed, 3-0.**

Town Administrator Bourgeois stated he has an upcoming meeting with Eversource to see what packages they offer for municipalities and funding LED lighting. Eversource offers financing programs so they don't have to pay up front and they will conduct usage analyses.

**Personnel Action Form**

Town Administrator Bourgeois stated the Personnel Action Form is usually used for a new hire, merit increase, retirement, resignation, etc., and is an internal document. He explained action by the Board of Selectmen is taken prior to the form being used. Town Administrator Bourgeois stated wants to add a second Board of Selectmen member signature along with instructions at the top of the form. After discussion, these changes were agreed on.

**Selectman Swenson made a motion to implement the Personnel Action Form with the amended wording as noted with the additional lines for all selectmen to sign. Chair Bickford seconded the motion. Motion passed, 3-0.**

**Highway Department Purchase Order**

A purchase order from the Highway Department for crack sealing was reviewed and discussed. Town Administrator Bourgeois stated this was a contract they went in on with the town of Alton.

Chair Bickford stated he wants these things to come before the Board of Selectmen before the work is started. It was confirmed the purchase order is less than the amount budgeted.

**Chair Bickford made a motion to approve payment to Connecticut Sealcoating, Purchase Order #2314 in the amount of \$13,000. Selectman Swenson seconded the motion.** Discussion: Selectman Anthes stated he agrees that he wants to see the purchase orders before they vote on them. **Motion passed, 3-0.**

**Milfoil Agreement**

Selectman Swenson noted Chair Bickford would recuse himself from this discussion because he owns property that abuts the treatment area.

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Selectman Swenson stated this is in connection with the previously approved budget item for milfoil treatment along the Merrymeeting River. He explained it went out to bid and requires signing of the contract. There is state matching of funds.

The contract was reviewed and briefly discussed. It is available for public review.

**Selectman Swenson made a motion to approve the contract for DASH Services for collection of milfoil in the two areas of Merrymeeting River as described. Selectman Anthes seconded the motion. Motion passed, 2-0. Chair Bickford recused.**

**Public Input**

Jennifer Nyman, resident, gave a statement directed to Selectman Anthes regarding his failure to second a nomination for her to the Parks and Recreation Commission. Ms. Nyman stated he also refused to setup a meeting to discuss with her his reasons. Ms. Nyman asked Selectman Anthes for an answer with full transparency as to why he did not second her nomination. She stated that by Selectman Anthes refusing to do so, he is damaging her reputation.

Selectman Anthes replied he has repeatedly stated he will accept a phone call to explain why he doesn't vote on a nomination to explain his position. Ms. Nyman stated she wants to meet face-to-face. Selectman Anthes stated a phone call is his policy. He stated he was advised by his wife to not meet privately in person with these women. Ms. Nyman replied that she will be at every Board of Selectmen meeting and ask Selectman Anthes this question until he takes responsibility for his decisions and answers her.

Ms. Jarvis stated she is concerned about what she just heard. She stated that as a municipality, how they handle issues with employees versus volunteers greatly differs. Ms. Jarvis stated there are different statutes and standards. She stated if employees want public explanations, they must be given it. However, with regards to volunteers she would urge the Town Administrator to contract Town Counsel or the New Hampshire Municipal Association to find out exactly what the legal ruling is if a volunteer asks for a public hearing.

Ms. Veisel stated she is not asking for a public meeting at this point, however, she did ask for a private meeting at the Town Hall with Selectman Anthes and that was not given to her. She stated she feels like she is being bullied by the way he worded his response to a request for a private meeting. Selectman Anthes replied it has become an issue because she doesn't like the way he has decided to handle this.

Selectman Swenson stated that as a public servant, Selectman Anthes may want to rethink his decision as he does have an obligation to meet with voters and taxpayers.

Ms. Anthes stated she takes offense to Ms. Veisel's implication that she was somehow jealous if her husband met with Ms. Veisel in private. She stated that is not why she advised him to not meet in private with any of the women. Ms. Anthes stated she was afraid they were going to set him up and it was a trap.

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Selectman Swenson stated he provided Selectman Anthes an opportunity to avoid what she thought might be a trap and have someone there as a witness. He suggested Town Administrator Bourgeois be present for that. Selectman Swenson stated Selectman Anthes chose not to do it when he offered the suggestion a couple weeks ago.

Mr. Rosiello stated he sees the Board of Selectmen as the “C” class, above everyone, he expects them to “walk the walk” and he is not seeing that now. He stated there are constantly misguided directions for RFPs and constant inconsistencies. Mr. Rosiello stated the Board of Selectmen set the tone for the departments and the system. He stated he has been on a “C” class executive team and when there was an issue with an employee or fellow director, an attorney and HR were present.

Mr. Rosiello stated the Fire Department receives a lot of money from the Town and while the Fire Chief has the right to hire and fire, he expects any department head to deliver answers.

Ms. Veisel stated if Selectman Anthes would be more comfortable, she won’t even respond to anything Selectman Anthes says if he will meet with her. Ms. Nyman stated she would agree to the same.

Selectman Swenson asked that people take each selectman individually and not apply a general comment to all.

Ms. Swenson stated the problem is expectations were said and then were changed. She stated at the last meeting, Selectman Anthes invited the individuals involved to call him and he would meet with them so that was their expectations.

Ms. Nadeau asked the definition of a “volunteer”. She stated to critique them for all they do, they need to remember they are “volunteers”. Ms. Nadeau stated if people have to spend so much time before the Board of Selectmen being critiqued, they aren’t going to volunteer. Chair Bickford replied not everyone has spent a lot of time before the Board of Selectmen but it is up to the Board of Selectmen if they want to discuss individuals.

Selectman Anthes stated he has run three non-profit organizations which involved many volunteers. He stated he never had a problem like this. Selectman Anthes stated if there was a decision made that a volunteer would not continue, they met with them privately and a letter was sent. He stated he has adopted the policy that he won’t criticize anyone in public. Selectman Anthes stated he would be happy to tell them if they call him. Ms. Nyman stated she will call him but wants his permission to record the call. Selectman Anthes replied he doesn’t let anyone record him. Selectman Swenson noted he is being recorded now. Selectman Anthes stated he has been very honest on his position with this.

Mr. Rosiello stated a file was created for volunteer applications and this list is never looked at. He asked what is in the file that has been there for months and stated the Board of Selectmen is expected to follow the policy. Mr. Rosiello stated there are people who

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have wanted to get on committees for years but the Board of Selectmen takes people who applied in the last seven days.

Selectman Swenson replied when they do talk about a committee, they should talk about all the applicants and determine the best candidate. Mr. Rosiello agreed and stated that is the intent of the volunteer policy.

Ms. Phillips stated there was no sound with the last meeting's video and asked if that is going to be resolved. Selectman Swenson stated they were assured today that it would be fixed.

Selectman Anthes excused himself from the meeting.

Mr. Curry stated the Board of Selectmen don't make decisions and keep putting things off until it is too late. Selectman Swenson stated he agrees. Mr. Curry stated either they are going to buy a truck for the Highway Department or they need to contract someone to do the work; they can't have it both ways. Mr. Curry asked Chair Bickford what he does if his own truck breaks. Chair Bickford replied he goes any buys one. Mr. Curry stated if a truck has to be ordered, it takes time. He stated they have the money for it. Chair Bickford replied if they take the department in a new direction, he doesn't want a new truck sitting there.

Selectman Anthes rejoined the meeting.

**Approval of Minutes**

Meeting of March 9, 2015 – Draft #2 – Postponed for review of the videotape.

Meeting of April 6, 2015 – Postponed for additional information.

Meeting of April 16, 2015 – Postponed.

Meeting of April 24, 2-15 – Postponed.

Meeting of May 4, 2015 – Postponed.

Meeting of April 22, 2015 – Edits were made. **Selectman Swenson made a motion to approve the minutes as amended. Chair Bickford seconded the motion. Motion passed, 3-0.**

Selectman Swenson asked Town Administrator Bourgeois to separate the public and non-public portions of the meeting minutes.

**Other**

Selectman Anthes stated they need to have better lighting in the Town Hall parking lot. He stated it is dark out there and they need to look after their employees. Chair Bickford suggested waiting to see what happens when they review the street lighting. Selectman Swenson agrees there needs to be a light in the back parking lot.

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**Selectman Anthes made a motion to install an LED light in the Town Hall back parking lot for the safety of employees and people coming in after dusk. Selectman Swenson seconded the motion. Motion passed, 3-0.**

**Future Meetings**

June 15, 2015 – Board of Selectmen Meeting, 7:00p.m., Town Hall.

May 20, 2015 – Non-Public Board of Selectmen Meeting, 7:00p.m., Town Hall.

**Adjourn**

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

The meeting was adjourned at 11:36p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary