

*New Durham Board of Selectmen Meeting
June 20, 2016*

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
June 20, 2016, 7:00p.m.**

Present

Chair David Bickford
Selectman David Swenson
Selectman Gregory Anthes

Also Present:

Scott Kinmond, Town Administrator
Dot Veisel, resident
Catherine Orlowicz, resident
Ellen Phillips, resident
Joan Swenson, resident
Clayton Randall, resident
Mark Sullivan, resident
Carolyn Sullivan, resident
Cathy Allyn, resident
Heather Freeman, resident

Call to Order

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

Appointments/Announcements

Dot Veisel, Ethics Committee, asked about the review by the Board of Selectmen of the Ethics Committee request to add timeframes to the policy. Selectman Anthes replied he had reviewed the memo from the Ethics Committee dated September 9, 2015 regarding the “Timely Fashion” guideline of fifteen (15) days for the Board to respond to a complaint and noted that it was confusing. He stated that in Chapter 11 of the Personnel Manual, Complaint Procedure, there are four (4) steps outlined to address an employee complaint and that the entire process can take up to forty-five (45) days. He then spoke about another procedure for resident complaints using the “Complaint Form”, that when the resident completes it, the Town Administrator signs and dates it as having been received by him. There is no timeframe outlined because each complaint may take different timeframes to fully investigate. Selectman Anthes noted it has taken a few days, a few weeks or even a few months to complete. Selectman Anthes read the purpose of the Ethics Policy “is to establish guidelines for the ethical behavior of the conduct for public servants”. Whereas the Town has two (2) procedures for handling all complaints – one for employees and one for residents. Therefore, the request of the Ethics Committee to insert timeframes into the Ethics Policy does not align with the purpose of the Ethics Policy. Selectman Swenson stated there are reasons why the complaint process for employees versus the public is different, as it should be. Town Administrator Kinmond explained the processes he is familiar with in other communities, noting a time frame for notifying the resident of receipt of the complaint is certainly appropriate. However, he

*New Durham Board of Selectmen Meeting
June 20, 2016*

noted that there were no timeframes in their Ethics Policy. There was further discussion of the complaint policies. Ms. Veisel asked if she could work with Town Administrator Kinmond on the language of the Ethics Committee policy regarding timeframes. Selectman Anthes stated, "No". Joan Swenson, Ethics Committee, clarified that tonight they were only asking for a response on the record by the Board of Selectmen to the Committee's request to change language in the ethics policy. Ms. Veisel stated they are looking to set a timeframe in responding to complaints. Chair Bickford stated there are a number of policies the Board of Selectmen will be looking at soon.

Public Input

Dot Veisel, resident, complimented Town Administrator Kinmond and Town Departments who have been helpful and cooperative with the Planning Board in hosting the upcoming Transportation Forum for Master Plan development.

Clayton Randall, resident, asked for an update on the 1772 Meetinghouse Committee which was discussed at the last Board of Selectmen meeting. Selectman Swenson summarized there was an extensive discussion and there was consensus to ask Steve Bedard to develop a preservation plan in conjunction with a Meetinghouse representative and the Public Works Director. Town Administrator Kinmond stated he contacted Mr. Bedard and a meeting is set for June 28, 2016 at 1:00p.m. Mr. Randall clarified the LCHIP will want detailed plans for grant applications. Town Administrator Kinmond explained they would be working to get detailed information for costs and to help develop an RFP. Mr. Randall stated he is having a hard time seeing the online video recording. Town Administrator Kinmond stated they are working out some bugs but the videos are available and explained where to find the links. Cathy Orlowicz, Town Historian asked to be present at the meeting with Mr. Bedard.

Cathy Orlowicz, Town Historian, stated the Town Historical Society has developed a website and asked to have it linked to the Town website. Selectman Swenson asked who chartered the Society. It was explained the society was started 25 years ago by the then Town Historian Eloise Bickford, they are registered with the State of NH and are a registered 501(c)(3) entity.

Selectman Swenson made a motion to allow the Town website to have a link to the Town Historical Society website. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Agenda Review

Chair Bickford moved the Appointment/Nomination earlier in the agenda and prior to Old Business.

Old Business

Appointments/Nominations

Selectman Swenson made a motion to appoint Francis (Fran) Frye to the Boodey House Committee. Chair Bickford seconded the motion. Motion passed, 3-0-0.

Chair Bickford made a motion to nominate Heather Freeman as a regular member of the Conservation Commission. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Department Reports/Issues

Chair Bickford noted it was a good idea to put in a shower while the bathroom work is being done as the location is designated as an emergency location. Town Administrator Kinmond stated Emergency Management Director and Public Works Director presented the idea that shower facilities would be beneficial to have installed.

Chair Bickford made a motion to authorize the Public Works Director and the Town Administrator to issue purchase orders to contractors Rines Electric at \$1,475, Rich Grondin Carpentry at \$2,100, Sebastian Chemical Toilet, \$80, and building materials vendor to be determined, \$1,600 and for the Board of Selectmen to issue purchase order #0526 to Santoro Plumbing and Heating, LLC in the amount \$8,123. Total project amount not to exceed \$ 13,500. The Highway Department garage improvements to be from the Town Building Improvement Expendable Trust Fund account 01-0496-01-0016. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Calcium Chloride Purchase Order

Town Administrator Kinmond explained this is used for dust control on dirt roads and is a purchase through the State of NH DOT bidders list.

Chair Bickford made a motion to waive the Purchasing Policy and utilize the State of NH DOT contract bid #8001606 and to approve Purchase Order #2290 to Allstate Asphalt for the sum not to exceed \$18,700 for the purchase of calcium chloride for dust control and gravel road maintenance. This expense to come from the Highway Operating budget. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Police Department IMC Equipment

Town Administrator Kinmond provided an updated staff report as requested by the Board of Selectmen in regards to Police Department mobile technology specifications. Documentation from the budget discussions were also presented. He noted the units are interchangeable and clarified a regular tablet would not be ruggedized for taking in/out of vehicles and shock/vibration being used in a vehicle. The units being proposed will have all the necessary software to operate optimally. Town Administrator Kinmond confirmed the funds are available in the Expendable Trust Fund. There was further discussion of standard tablets versus the specialized units. Selectman Swenson stated he is concerned about service coverage in the area. Selectman Swenson also noted that when this topic was discussed during the budgeting process in 2015 the funds were put into the operating budget although he proposed at that time to have it come from the ETF.

Selectman Anthes made a motion to approve Purchase Order #0363 to Two-Way Communications of Newington, NH in the amount \$4,207 for the purchase and installation of a 1-GETAC mobile data terminal in accordance with proposal quote

*New Durham Board of Selectmen Meeting
June 20, 2016*

#24810 dated 4/25/16 and for the Board of Selectmen Chair to sign the necessary contract and documents associated with said Purchase Order, with the money coming from the ETF Account – Computer and Office Equipment and Expenses. Selectman Swenson seconded the motion. Motion passed, 2-1-0. Chair Bickford opposed as he felt the funds were budgeted through the operating budget and is where the payment should come from.

Grant Application - OHRV

Chair Bickford stated the grant from NH Fish and Game is due for the 7/1/16 to 6/30/17 season. He stated he doesn't want to add too many hours to the Police Department when there's so much overtime for the officers already. Town Administrator Kinmond explained the 24 hours are for the entire year; it's a reimbursable grant so if staff isn't able to cover the hours then they don't get the grant money.

Selectman Swenson made a motion to allow the Town to accept the grant from the NH Fish and Game Department in the amount of \$1,080 to be used for OHRV wheeled vehicle enforcement. Motion failed for lack of second.

Selectman Anthes stated he is concerned that they don't have many officers even for just extra 24 hours. Chair Bickford stated he thinks they should just pass over it. Town Administrator Kinmond suggested they are not obligated to use the money so if they don't have the staff then they don't do it but he also doesn't want to micromanage the Police Department.

Selectman Anthes made a motion to accept 2016-2017 the OHRV grant from the NH Fish and Game Department in the amount of \$1,080 to authorize the Police Chief Bernier to sign the contract and related documents. Selectman Swenson seconded the motion. Motion passed 2-1-0. Chair Bickford opposed.

Chair Bickford is opposed and stated he does not want to add unnecessary burden to the Police Department.

Town Administrator's Report

Town Administrator Kinmond asked the Board of Selectmen permission to setup the Joint Loss Management Committee spring safety meeting for June 29, 2016 from 1 – 4 pm. It is for certification and recertification of CPR, ADD, First Aid, etc. It is required by the State of NH Department of Labor to provide annual safety training.

Selectman Swenson indicated he is not opposed to closing Town offices for the required period for training but since it would also involve Town Clerk and Tax Collector that the date chosen is not ideal as the final day for property tax payments is that week. He suggested sometime the week of July 11, 2016.

Chair Bickford made a motion to close all non-essential Town offices from 12:00p.m. to 4:00p.m. for purposes of employee safety training, date to be determined. Selectman Swenson seconded the motion. Motion passed, 3-0-0.

*New Durham Board of Selectmen Meeting
June 20, 2016*

Town Administrator Kinmond stated the New Durham Transportation Forum on Wednesday, June 22, 2016 at 7:00p.m. at the New Durham Fire Department Community Room. Town Administrator Kinmond asked if the Board of Selectmen were to be in attendance that this may make it an official Board of Selectmen meeting. He explained the parameters outlined by Town Counsel.

Recommittal Warrant

Updated documents were reviewed and discussed.

Chair Bickford made a motion to issue the Recommittal Warrant for property taxes to Tax Collector Donna Young from Deputy Tax Collector Stephanie McKenzie and to collect unpaid taxes for 2012 through 2015 in the amount of \$144,703.82, unpaid excavation tax in the amount of \$52.70, and unpaid yield tax in the amount of \$2,697.85. Selectman Swenson seconded the motion. Motion passed, 3-0-0.

Tax Map Agreement

Chair Bickford stated this is for the GIS tax map support services. Selectman Swenson noted this is more for the use of the Planning Board and Zoning Board. Town Administrator Kinmond replied it is also for the general public and verification of the tax map data.

Selectman Swenson made a motion to accept the 2017 Tax Map Proposal from Cartographic Associates, Inc., in the amount of \$1,950.00. Chair Bickford seconded the motion. Motion passed, 3-0-0.

Ms. Swenson asked if this will replace the older maps located in Town Hall. It was explained these are the large map books available for review at the Town Hall.

Strafford County Regional Planning Commission Letter

Town Administrator Kinmond stated this letter is to confirm the Board of Selectmen voted to refrain from making payment to the Strafford County Regional Planning Commission for 2017 membership. He explained there may still be billing for some services and the Town would pay ala carte for those. Town Administrator Kinmond suggested some of the services would be helpful in the future particularly for the RSMS. There was consensus to have Town Administrator Kinmond sign off on this as declining payment for membership letter as the expense was not budgeted for 2016. Chairman Bickford stated that they did not fund due to the department heads feeling the services were not used.

Metrocast Cablevision Agreement

Town Administrator Kinmond presented a comparison between the TDS and Metrocast Cablevision agreements as requested by the Board of Selectmen.

Chair Bickford made a motion to approve the amended Metrocast Cablevision LLC agreement which is in accordance with NH RSA 53-C:3-a. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Public Participation Policy

Edits were reviewed and discussed.

Approval of Minutes

Meeting of May 6, 2016 – Public Meeting: Edits were made. **Chair Bickford made a motion to approve the minutes as amended. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

Meeting of May 16, 2016 – Public Meeting: Edits were made. **Chair Bickford made a motion to approve the minutes as amended. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

Chair Bickford made a motion to enter into non-public session pursuant to RSA 91-A: 3 II (a) – the dismissal, promotion or compensation of any public employee or the disciplining of such employee; (c)- matter which, if discussed in public would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant & (e)- Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Roll Call: Selectman Swenson – Aye; Selectman Anthes – Aye; Chair Bickford – Aye.

The Board entered non-public session at 10:41p.m.

The Board returned to public session at the 12:02 a.m. (June 21, 2016)

Chairman Bickford made a motion to seal the non-public minutes due to adversely affecting the person's reputation. Selectman Anthes seconded the motion.

Roll Call vote:

Chairman Bickford Aye
Selectman Anthes Aye
Selectman Swenson Aye

*New Durham Board of Selectmen Meeting
June 20, 2016*

Motion passed 3-0.

Selectman Swenson stated that from the nonpublic session the Board discussed a litigation claim matter, personnel, and compensation issues.

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

The meeting was adjourned at 12:03 a.m. (June 21, 2016)

Respectfully Submitted,

Jennifer Riel, Recording Secretary

And

Scott D. Kinmond

Town Administrator

Final Approved 06-27-16