

*New Durham Board of Selectmen Meeting
June 27, 2016*

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
June 27, 2016, 7:00p.m.**

Present

Chair David Bickford
Selectman David Swenson
Selectman Gregory Anthes

Also Present:

Scott Kinmond, Town Administrator
Dot Veisel, resident
Terry Jarvis, resident
Joan Swenson, resident
Ellen Phillips, resident
Jim Grey, Rochester resident/candidate for State Senate

Call to Order

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

Public Input

Terry Jarvis, resident, stated she is having problems with logging into view live stream videos

Ellen Phillips, resident, asked if there is any report for fully staffing the Police Department as recommended by the Municipal Resources, Inc. report and voted on at Town Meeting. Chair Bickford replied he is not aware of that in the report.

Ms. Jarvis stated her concern with the speed of vehicles on Main Street.

Ms. Phillips asked how many officer positions are open in the Police Department. Chair Bickford replied they have a full time chief and just hired another officer. It was noted there will be an update in the Town Administrator's report segment of this Selectmen's meeting. Ms. Phillips expressed her concern with the significant increase in the summer traffic.

Jim Grey stated he is a candidate for the N.H. State Senate in the Republican primary and is going around to meet people in the district including New Durham.

Agenda Review

Town Administrator Kinmond added under Old Business: Finalize Police Officer Hire.

Town Administrator's Report

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Town Administrator Kinmond stated that in a discussion with Town Counsel he wished to have the Board correct action that he incorrectly advised on at last week's Board of Selectmen's Nonpublic session. This being that the motion made in nonpublic session regarding the payment of legal fees to Ramsdell Law should have been done in public session.

Chair Bickford made a motion to authorize Purchase Order #0527 for the payment of \$23,000 to Ramsdell Law for negotiated settlement amount for attorneys' fees court ordered in docket 219-2015-CB-00326. Said expense to come from 01-53-10-32-. Motion failed for lack of second.

Selectman Swenson stated this was discussed in non-public and s actions were taken at that point. He asked Town Administrator Kinmond to get legal counsel on whether this action made in public session would negate the non-public action.

Safety Training Sessions

Town Administrator Kinmond stated he discussed scheduling with the Town Clerk and they will not be closing Town Officers for the safety training sessions. He explained there will be two sessions so the offices can remain staffed for collecting taxes and other Town Hall business as needed.

Impact Fees

Town Administrator Kinmond presented information relative to the ordinance for impact fees. Selectman Swenson clarified it was used for offsetting the school portion of the tax rate. There was discussion on past uses of the impact fees collected and time frames for using these collected impact fees. Chair Bickford suggested checking the current balance of impact fees collected and available. It was noted if funds have been held for more than 6 years they must be returned to the taxpayer. Ms. Jarvis noted there is also a difference between the date of fees collected / building permit issued and the date certificate of occupancy is issued. Selectman Swenson concurred indicating that it may be Certificate of Occupancy as the start date for the six year requirement.

Wage Study

Town Administrator Kinmond presented the information requested at the last meeting. Selectman Swenson stated they needed to make decisions on the positions outside the first quartile and determine which positions should move into the next quartile for market reasons, etc. Town Administrator Kinmond explained some examples Gary Thornton worked up. There was discussion of specific positions, wage ranges, and moving positions among the quartiles.

Public Participation Policy

Selectman Anthes distributed copies of a revised version of the policy. He stated it has been reviewed by the staff attorney of the New Hampshire Municipal Association and provided suggestions which gave way to further revisions. The draft policy was reviewed and discussed.

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Other

Chair Bickford distributed information regarding legislative session discussions as developed from the New Hampshire Municipal Association (NHMA) pertaining to municipal government and noted NHMA is looking for representatives from municipalities at the legislative review meeting.

Police Officer Hire Finalization

Chair Bickford made a motion that in accordance with the Town's hiring policy and with no comment received during the two week vetting period that Taylor K. Griffin be appointed to the position of Police Officer effective 7/4/2016. Said appointment is contingent upon final completion and recommendation following the Police Academy medical examination and psychological examination and continued employment with successful completion of the Police Academy. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Approval of Minutes

Meeting of June 20, 2016- Public Session: 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 June 13, 2016 – Public Session: 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 in to 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 at 9:48p.m.

The Board reentered public session at 11:12p.m.

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Chair Bickford made a motion to seal the minutes of the non-public session based on reputation. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Selectman Anthes made a motion to authorize Purchase Order #0527 for payment of \$23,000 to Ramsdell Law Firm of Concord, NH for negotiated settlement amount for attorneys fees, court ordered and docket #219-2015-CV-00326, said expense to come from Account 01-4153-10-320. Chair Bickford seconded the motion. Motion passed, 3-0-0.

Selectman Swenson made a motion to allow the New Durham Police Department to utilize the Strafford County Sherriff's Department to provide coverage as determined to be needed by the New Durham Police Chief. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford opposed because he felt it was not a needed action by the Board of Selectmen, as it was already in place.

Selectman Swenson stated that while in non-public session they discussed personnel, staffing and litigation issues.

Adjourn

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

The meeting was adjourned at 11:23p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary

Final Approved 07-11-16