

*New Durham Board of Selectmen Meeting
April 18, 2016*

**NEW DURHAM BOARD OF SELECTMEN
New Durham Town Hall
April 18, 2016, 7:00p.m.**

Present

Chair David Bickford
Selectman David Swenson
Selectman Gregory Anthes

Also Present:

Scott Kinmond, Town Administrator
Scott Brooks, TDS representative
Joan Swenson
Kristyn Bernier
Mike Gingras
Donna Young
Bob Chase
Mark Sullivan
Clayton Randall
Susan Randall
Joe Bloskey
Don Vachon
Bill Kendrick
Dot Veisel
Jen Nyman
Ellen Phillips
Elizabeth Cantrall
Cathy Allyn
Terry Jarvis
Jim Tollner
Paty Tollner
2- other names not legible

Call to Order

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

Appointments / Announcements

Scott Brooks of TDS gave an introduction to new services being offered to New Durham. He explained fiber optic cable would soon be available. Maps were distributed and reviewed. Mr. Brooks gave an overview of the packages, which will be available to customers. Copies of the cable franchise agreement was presented to the Board of Selectmen for review. Mr. Brooks also explained the areas of New Durham which will be covered and the implications with other provider's territories. Mr. Brooks answered questions from members of the audience regarding the new services being offered.

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Public Input

Terry Jarvis, resident, stated at the last meeting the Board of Selectmen decided the CIP positions would be filled and referred to minutes of December 2014. Ms. Jarvis noted draft minutes are still not being posted on the website.

Kristyn Bernier, Parks and Recreation Commission, asked for the status on reappointments to the Parks and Recreation Commission. She stated many seats are open or on holdover status. Chair Bickford replied his opinion is that there will be no reappointments but they remain on board indefinitely. Ms. Bernier clarified that Selectmen Bickford means no appointments until the Board of Selectmen find new bodies to fill the positions and those in hold over status can be replaced without notice. Chair Bickford confirmed that is correct. Ms. Bernier asked if the Board of Selectmen intends to reappoint or fill the open positions so they have a full board of 7. Chair Bickford stated nothing has changed since the last meeting. Selectman Swenson stated his opinion has not changed and individuals need to be reappointed if they have an interest in serving and noted he did so at several BoS meetings. Ms. Bernier asked when the Parks and Recreation Committee can meet with the Board of Selectmen regarding wage issues for employees. Chair Bickford replied they could try to schedule something with Town Administrator Kinmond.

Joan Swenson, resident, asked if this has always been the process with reappointments that members remain in holdover status. Chair Bickford replied it has been for the last two years. Selectman Swenson replied it has not always been the way of the Board of Selectmen but it is Chair Bickford's interpretation. Ms. Swenson stated they are creating an environment where people don't feel valued and they lose trust in the Board of Selectmen. Susan Randall, resident, stated if someone is on a commission or appointment and there is not a regular appointment or confirmation, but they are still expected to attend training, etc., they do not feel it is fair to possibly be replaced at any moment and spend that time in training and then not be used. Chair Bickford stated a law was passed in 2010, RSA 41:57a, makes it unnecessary to go through the process of reappointment.

Selectman Swenson, in his opinion, adamantly disagreed and stated the referenced RSA was to provide continuity in service until a re-appointment or new appointment is made and the intent and wording of the RSA was certainly not to make all re-appointments or appointments unnecessary.

Agenda Review

None.

Department Reports/Issues

Joe Bloskey, Solid Waste Facility Foreman, gave an update on the fire that occurred at the Solid Waste Facility on Sunday, April 17, 2016. Joe complimented the ND Fire Department's quick response.

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Don Vachon, Highway Department, gave an update on gate repairs at the Town Pound area; he also stated they are in the process of grading roads and will be ditching soon. He also reported preparing for a second bathroom at the Highway Department.

Town Administrator's Report

Town Administrator Kinmond stated Police Chief Bernier was reinstated April 11, 2016 and has completed the work with the Interim Police Chief to facilitate the transition. Joint Loss Committee meeting minutes were distributed to the Board of Selectmen for review. Town Administrator Kinmond stated they are looking for more individuals to join the committee. A training session will be set up for May which will be for CPR & AED recertification training. He noted Department Reports and Parks and Recreation Newsletter were distributed to the Board of Selectmen.

Old Business

Appointments

Town Clerk Appointment

Town Administrator Kinmond presented a letter from the New Hampshire Department of Motor Vehicles regarding the appointment by the New Durham Board of Selectmen of Stephanie MacKenzie as Town Clerk to also be the Motor Vehicle Municipal Agent for New Durham.

Selectman Swenson made a motion to appoint Stephanie MacKenzie pursuant to SAFC 519:02(B) as a New Hampshire Department of Motor Vehicle Municipal Agent. Chair Bickford seconded the motion. Motion passed, 3-0-0.

Tax Collector/Deputy Town Clerk

Town Administrator Kinmond stated that pursuant to the Town's hiring policy, a conditional offer of employment was offered to Donna Young as Tax Collector / Deputy Town Clerk with hire date effective April 19, 2016.

Chair Bickford made a motion that in accordance with the Town's Hiring Policy, Donna Young be appointed as Tax Collector / Deputy Town Clerk effective April 19, 2016. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Department of Public Works Director

Town Administrator Kinmond stated the necessary background checks have been completed and everything is ready for an official appointment as the conditional offer has been made and accepted.

Chair Bickford made a motion that S. Michael Gingras be appointed to the position of the Department of Public Works Director effective April 19, 2016. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

Other Appointments

Selectman Swenson made a motion to appoint Charles Berube to the Conservation Commission with a term of office to expire in 2019. Selectman Anthes seconded the motion. Chair Bickford stated he prefers to go by RSA 41:57-A. **Motion passed, 2-0-1. Chair Bickford abstain.**

Selectman Swenson made a motion to appoint Wendy Anderson to the Zoning Board of Adjustment with a term to expire 2019. Selectman Anthes seconded the motion. Motion passed, 2-0-1. Chair Bickford abstain.

Selectman Swenson made a motion to appoint Clayton Randall to the Meetinghouse Committee. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford opposed. During discussion of this motion, Chair Bickford commented that the charter for the Meetinghouse Committee states that the charter should be reviewed each year and that the BoS were ahead of that with these appointments. Chair Bickford stated they are not following their policy because Mr. Randall has not attended a Meetinghouse Committee meeting. Selectman Swenson stated he considers his attendance at the joint Meetinghouse Committee/Board of Selectmen Site Meeting to meet this requirement and suggested if the committee doesn't have enough members to have a quorum then new members could never be added. Chair Bickford pointed out the Selectmen's site meeting at the Meetinghouse did not include a quorum of the 4 members of the Meetinghouse Committee but rather 2 members and therefore that did not count as a Meetinghouse Committee meeting.

Selectman Swenson made a motion to appoint George Gale to the Meetinghouse Committee. Selectman Anthes seconded the motion. Motion passed, 2-1-0. Chair Bickford opposed.

Selectman Swenson made a motion to appoint Janis Anthes to the Meetinghouse Committee. Selectman Anthes seconded the motion.

There was discussion as to whether the Appointment policy should be waived relative to attendance by an appointee at least one committee meeting prior to action on the appointment.

Selectman Anthes made a motion to waive the Appointment policy's requirement of attendance at a prior meeting for all three (3) Meetinghouse Committee appointees. There was discussion that George Gale had attended the committee meetings in the past.

Selectman Anthes changed his motion to include the other two (2) in the waiver of prior attendance at a committee meeting. Selectman Swenson seconded the motion. Motion passed 3-0-0. Note: The waiver of the other (2) individuals were Clayton Randall and Janis Anthes.

The motion to appoint Janis Anthes to the Meetinghouse Committee passed 3-0-0.

Building Inspector/Code Enforcement

Town Administrator Kinmond stated the term for the position ran out effective March 31, 2016 and Peter Varney is now in holdover status for this position. Town Administrator Kinmond has discussed this with Mr. Varney and he is willing to fill in but would be looking for a deputy inspector to help out.

Chair Bickford made a motion in accordance with the Town's Appointment Policy to nominate Peter Varney to the position of Building Inspector/Code Enforcement Officer at a rate of \$20.00 per hour with appointment to expire March 31, 2017. Selectman Anthes seconded the motion. Motion passed, 3-0-0.

New Business

Abatements

Town Administrator Kinmond presented materials provided by the Assessing Office to the Board of Selectmen for review and action.

Chair Bickford made a motion to accept the recommendation of the contracted assessor to deny the application for abatement for Map 209, Lot 007; Map 267, Lot 25; Map 121, Lot 52 and 51. Selectman Swenson seconded the motion. Motion passed, 3-0-0.

Chair Bickford made a motion to accept the recommendations of the contracted assessor to issue abatements to the following: Map 110, Lot 14 in the amount of \$723.01; Map 201, Lot 22 in the amount of \$1,061.64; Map 121, Lot 59 and 27 in the amount of \$1,093.56; Map 235, Lot 21 in the amount of \$388.62; Map 219, Lot 12 in the amount of \$1,982.88. Selectman Swenson seconded the motion. Motion passed, 3-0-0.

The tax abatement decision for Map 206 Lot 31 was postponed until further information could be obtained.

Board of Selectmen Goals and Objectives for 2016

Town Administrator Kinmond distributed a summary of the suggested goals for review. The list was reviewed and discussed with the TA requesting the BoS prioritize the top three and submit back to the TA for compilation of priorities.

Approval of Minutes

Meeting of March 29, 2016 – Edits were made. **Chair Bickford made a motion to approve the minutes as amended of March 29, 2016. Selectman Swenson seconded the motion. Motion passed, 3-0-0.**

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Meeting of April 4, 2016 – Edits were made. **Chair Bickford made a motion to approve the minutes as amended of April 4, 2016. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

Meeting of March 21, 2016 – Edits were made. **Chair Bickford made a motion to approve the minutes as amended of March 21, 2016. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

Motion by Chair Bickford to enter nonpublic session under RSA 91-A: 3, II (a) (b) and (c) compensation, Hiring and reputation. Seconded by Selectman Anthes. Roll Call vote to enter nonpublic session:

Mr. Bickford Aye
Mr. Anthes Aye
Mr. Swenson Aye

Enter nonpublic session at 8:40 p.m., and moved to the Town Hall Selectmen conference room.

Business was reconvened in public session at 9:39 p.m. in the Town Hall Meeting room.

Selectman Bickford made a motion to seal the non-public minutes because divulgence of this information could affect adversely the reputation of any person other than a member of this Board. The motion was seconded by Selectman Anthes, and passed 3-0-0. Selectmen Swenson stated unsealing in the future is subject to future review.

Roll call to seal the minutes:

Sel. Bickford Aye
Sel. Swenson Aye
Sel. Anthes Aye

Chairman Bickford made a motion to revise the conditional offer of employment for David J. Daniels Jr. as a Police Officer for the Town of New Durham at the rate of \$17.46 per hour, contingent of compliance with the entrance testing for the police academy session in August 2016, and to participate in internal testing by the New Durham Police Department, leading to the ability to pass all entry requirements for the police academy. Seconded by Selectmen Swenson. The motion passed 3-0-0.

Chairman Bickford made a motion that in accordance with the Town's Hiring Policy that David J. Daniels Jr. be appointed to the position of Police Officer per the amended conditional offer of employment of 4-18-16, said hire effective 4-25-16. The motion was seconded by Selectman Anthes and passed 3-0-0.

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Other Business:

The Board by consensus Directed Town Administrator Kinmond to post the Cable Franchise Public Hearing notice for May 2nd, 2016 at 7 p.m.

Chairman Bickford stated that the Board would like to meet with the Parks & Recreations Commission, and he would like to recommend the Commission be reduced from 7 to 5 Commissioners. TA Kinmond to place this on a future agenda.

The Board also wants to be sure we have all the annual reviews from all Town departments so the Board can move forward after receiving and reviewing the current wage and benefit study.

Chairman Bickford asked the Town Administrator to locate the policies for issues that require annual reviews so they can be added to a future agenda; known policies that are in this category include the Town's Investment Policy, Treasurer's Policy, etc. TA Kinmond to research these and report back to the Board.

Selectman Anthes made a motion to adjourn the meeting, Selectmen Swenson seconded the motion, and it was moved 3-0.

The meeting was adjourned at 9:52 p.m.

Respectfully submitted,
Jennifer Riel, Recording Secretary and
Scott D. Kinmond, Town Administrator

Final Approved as amended 8-1-16