**NEW DURHAM BOARD OF SELECTMEN**

**New Durham Town Hall**

**October 12, 2016, 7:00p.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:**

Scott Kinmond, Town Administrator

Scott Drummey, resident

Dot Veisel, resident  
Mark Sullivan, resident

Susan Randall, resident

Clayton Randall, resident

Ellen Phillips, resident

Steve Whitman, Moose Mountain Regional Conservation Greenways

Patti Connington-Burns Moose Mountain Regional Conservation Greenways

**Call to Order**

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

Steve Whitman of Moose Mountain Regional Conservation Greenways, gave an overview of a project the organization is working on in the area.

Steve Whitman distributed a map of New Durham along with 7 surrounding towns, showing the land being looked at over the next year for future use planning. He stated the intent is to engage people to develop a conservation plan for the area. Chair Bickford referenced the Master Plan with regards to greenways in the northern portion of New Durham and suggested areas of Copple Crown Village District for conservation. Mr. Whitman asked a series of questions relative to aquifer and surface water preservation areas, trails and farmlands. There was discussion of the areas of Town that have experienced development over the last 10 years.

**Agenda Review**

Selectman Anthes added under New Business: statement

Town Administrator Kinmond added under Review of Minutes: August 29, 2016; document for staff change authorization.

**Department Reports/Issues**

Town Administrator Kinmond stated he has been working with department heads in gathering budget information. He expects to complete the draft materials by the end of week and suggested setting the budget review meeting schedule. The next budget review meeting was scheduled for October 21, 2016.

Town Administrator Kinmond presented information regarding reorganization of staffing and offices within the Town Hall. He suggested hiring an office clerk to support the administrative personnel and stated he has already met with a prior applicant. Town Administrator Kinmond clarified the position is part time, noting the original postings were “until filled” with applications to remain on file so they don’t need to go back out and advertise. Selectman Swenson noted concerns about it really being a new position due to the length of time that has passed. Selectman Anthes stated he is comfortable with moving forward. Chair Bickford stated he wants to follow the hiring policy.

Town Administrator Kinmond confirmed background checks have all cleared for Jameson Young.

**Selectman Anthes made a motion that in accordance with the Town’s hiring policy and with no comments being received during the 2-week vetting period that Jameson Young be hired as a police officer at the hourly rate of $17.46 effective 10/13/16, said appointee requiring graduation from the Police Academy and to enter into a three year employment contract. Chair Bickford seconded the motion.** Discussion: Selectman Swenson and Town Administrator Kinmond have concern over the wording and confusion of motion. Town Administrator Kinmond stated if an individual fails the police academy they are terminated.

**Selectman Swenson made an amendment to the motion to strike the “graduate from police academy” from the motion. Chair Bickford seconded the motion. Amendment passed 3-0-0.**

**Motion passed.**

**Purchase Orders**

**Chair Bickford made a motion to approve Purchase Order #2344 in the amount of $4,351.61 to Northeast Tire of Belmont, New Hampshire for the purposes of purchasing 12 snow tires with dismounting and mounting included. Said expenditure to come from the vehicle maintenance fund of the Department of Public Works, account 4312-10-001-660. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

**Chair Bickford made a motion to approve Purchase Order #2343 in the amount of $3,500 to Thomas Huckins, LLC of Farmington, New Hampshire for the purposes of brush grinding at the Solid Waste Facility with funding to come from the Solid Waste Facility account 001-4324-10-0440. Selectman Anthes seconded the motion.** Discussion: Selectman Anthes noted this was last done in 2014 and for the same price. **Motion passed. 3-0-0.** There was discussion of other ways of disposing the brush. Town Administrator Kinmond stated there is more regulation, testing and costs with burning.

**Expendable Trust Fund Transfer**

The summary of transfers for approval were reviewed.

**Chair Bickford made a motion to send letter of request to for transfer to the Trustees of the Trust funds, these requests being the Public Safety Facilities Capital Reserve Fund, $2,750; Accrued Benefits Liability Expendable Trust Fund, $20,272.97; Town Building Improvements Capital Reserve Fund, $8,868, $3,974; Transfer Station Equipment Capital Reserve Fund, $31,755. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

**Fence on Birch Hill Road**

Town Administrator Kinmond stated the boundary pins have been measured and discussed with the property owners. Selectman Anthes confirmed a letter with the initial findings will be sent to the owners. Selectman Swenson would like the Director of Department of Public Works to provide written documentation for the files. Town Administrator Kinmond will also call the owners and cautioned against being too lenient with something constructed on the Town’s property due to liability concerns.

Town Administrator Kinmond stated he has been working on a couple projects including survey work and a monument at the Shirley Forest. Funding would be from the trust fund. Selectman Swenson confirmed these two purchases align with the guidelines for the Trust Fund.

**Chair Bickford made a motion to authorize Town Administrator to issue a purchase Order #2341 in the amount of $1200 to Prospect Mountain Surveying of Alton, NH for the purposes of survey work at the John C. Shirley Cemetery. Said expenditure to come from the John C. Shirley Cemetery Site Improvements Fund account 001-4915-10-077 and furthermore request the Trustee of the Trust funds to transfer said funds to the General Fund. Selectman Swenson seconded the motion. Motion passed, 3-0-0.**

**Chair Bickford made a motion to authorize Town Administrator to issue a purchase Order #2342 in the amount of $2,100 to Stephen R. Roy Monuments of Rochester, NH for the purposes of a granite monument to be installed at the John C. Shirley Cemetery. Said expenditure to come from the John C. Shirley Cemetery Site Improvements Fund account 001-4915-10-077 and furthermore request the Trustee of the Trust funds to transfer said funds to the General Fund. Selectman Anthes seconded the motion. Motion passed, 3-0-0.**

**NH Department of Transportation Notice**

Town Administrator Kinmond stated a letter of notice was received regarding work to be done on Route 11 including drainage and resurfacing. He stated there was a request for a municipal work zone agreement to ensure qualified individuals are flaggers, including certified police officers.

**Chair Bickford made a motion to enter into a municipal work zone agreement with the New Hampshire Department of Transportation for work project #40870 and federal project #X-A004512 for the purposes of traffic control authorization and participation. Selectman Swenson seconded the motion. Motion passed, 3-0-0.**

**Committee Formation**

The draft and court documents were reviewed and discussed. Selectman Anthes suggested getting having recommendations from Fire Chief Varney and Police Chief Bernier. SelectmanSwenson stated he would also like to see the resources of independent members on the committee. Recommendations were made for possible members of the committee. Town Administrator Kinmond clarified the purposes of developing this committee which is to bring up concerns about policies to himself. He also gave an overview of the guidelines for the committee per the court documents. There was extensive discussion regarding the intention of the committee. Selectman Swenson suggested putting out a press release officially notifying the public that all lawsuits against the Town have been settled.

**911 Notification System**

Town Administrator Kinmond stated each town must have two designated officials; previously it was the Land Use assistant, the Police Department, etc. He stated they need to move it over to Laura Zuzgo and Karen Keo at the Highway Department.

**Chair Bickford made a motion to sign the user authorization for the 911 Notification System. Selectman Swenson seconded the motion. Motion passed, 3-0-0.**

**Old Business**

**New Durham Fire Station Community Room Use Policy**

A draft of a use policy was reviewed and discussed. Selectman Anthes gave a summary of the historical uses of the room. There was discussion of edits to the policy including assurance that the kitchen will be left clean. Further edits will be made by Town Administrator Kinmond.

**Other**

Selectman Anthes gave a personal statement regarding the recent lawsuit with Police Chief Bernier.

**Approval of Minutes**

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

**Selectman Anthes 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;* *(b) – the hiring of any person as a public 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 of 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.* Motion failed for lack of second.**

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

The Board entered non-public session at 10:29p.m.

Business was reconvened in public session at 11:31 p.m., in the Town Hall Meeting Room.

***Selectman Bickford made a motion to seal the non-public because it determined that divulgence of this information would 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.***  Selectmen Swenson stated the nonpublic session was to discuss personnel matters and review & approve non-public minutes.

***Selectman Anthes made a motion to adjourn the meeting, Chairman Bickford seconded the motion, and it was moved 3-0***.

The meeting was adjourned at 11:33 p.m.

Respectfully Submitted,

Jennifer Riel, Recording Secretary &

Scott Kinmond, Town Administrator