

**New Durham Board of Selectmen**  
**Minutes of Meeting ~ September 8, 2008**  
**Town Hall**

**Members present:** Peter Rhoades, Ronald Gehl, David Bickford

**Also present:** Town Administrator April Whittaker, Police Chief Shawn Bernier, Road Agent Mark Fuller, BI/CEO Arthur Capello, Town Historian Cathy Orlowicz, Fire Chief Peter Varney, Emergency Management Director Dwight Jones, James Goodrich, Tom Goss, Anneleen Loughlin, Bernard Loughlin, Ian Mackenzie, Stephanie Mackenzie, other members of the public

**1. Call to Order** – Chairperson Peter Rhoades called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

**2. Public Announcement** – Chair Rhoades relayed the sad news that long-time Building Inspector/Code Enforcement Officer David Lindberg succumbed to cancer in the morning of September 8<sup>th</sup>, 2008. Residents reminisced that he'd lived in town since 1961, served on the Fire Department and became BI/CEO in 1994. Chair Rhoades asked that everyone reflect on what Mr. Lindberg did for the town, and said that he would remember him with a smile. He said that he would be missed, as he had always been around.

**3. Citizens' Forum** – Chair Rhoades ascertained that many present were attending for news of March's Pond Dam. He said the Town had come to what appears to be a dead end with the state, but had been working with the contractor, DBU Construction. DBU apparently has found a way to meet their concerns about acquiring sufficient insurance and there is hope of signing the contract next week. Town Administrator April Whittaker said the state permit would also be available next week per the morning's discussions with CMA engineers. Selectman Ron Gehl said he too, had spoken with engineer Bill Straub and they are eager to move ahead. Chair Rhoades advised that a telephone call from James Gallagher of the Dam Bureau also was taken by the Town Administrator, who advised Mr. Gallagher, of the current status of the project. TA Whittaker said the performance bond hopefully would be obtained 24 hours after the contract is signed, and that would indicate complete commitment.

Tom Goss thanked the Board and TA Whittaker for their hard work regarding the matter. He asked about the permit. Chair Rhoades said the culvert between the two ponds required some change, but the final approval indicates only minor changes. Mr. Goss offered rooms on his property for use by the engineer, to avoid the cost of a trailer. The Board thanked him. Bernard Loughlin asked about the performance bond. TA Whittaker said a bank acts as the back up in the event that the contractor walks away from the project following a signed contract. Chair Rhoades indicated it was what was needed. James Goodrich said he noted no water going through the culvert by the Pond's house. Road

Agent Mark Fuller said it was blocked due to beavers. Other residents thanked the Board and TA Whittaker for help with the dam situation.

Town Historian Cathy Orlowicz said she had three names for a future war memorial committee for the board's consideration :

- ❑ Marcia Clark,
- ❑ Anneleen Loughlin,
- ❑ Tom Goss.

Chair Rhoades said, per policy, their appointments would be brought up at the next meeting. He expressed pleasure at the interest.

Fire Chief Peter Varney advised that the generator had been delivered, but voiced concerns that it was not big enough to run three buildings. He said the load had been calculated from the monthly bill, as opposed to peak times. The generator is 125 amps, and he said the Alton Fire Department has a 208 amp one, and their police, a 63 amp. He said there could be limits to this generator regarding what uses could occur. Selectman Gehl said Town Hall was not necessarily to be run on it. Chief Varney said the fire department could opt not to run certain things, such as compressed air. Chair Rhoades said "Caterpillar" looked at the monthly average, not at the peak load, and that he would like to look at other options. He wanted CAT to be told they had not sized the generator correctly. He stated the whole purpose of buying a generator is to run operations as normal as possible during an emergency. Selectman Gehl said he would like to see a load analysis. RA Fuller clarified that the two transfer switches were for the fire station.

Selectman Gehl said he could not fathom how 45 kilowatts would not be enough, when it was figured that 25 would be sufficient. RA Fuller said the fire department did not have the oxygen capability when the figures were determined back in 2007. Selectman Gehl said unnecessary circuits could be shut down during an emergency. Chair Rhoades suggested not using the generator for two weeks while Chief Varney came up with cost differences and made recommendations. Chief Varney said the Board should decide if Town Hall was to be run on the generator, also. Selectman Gehl said he'd want to focus on emergency services. Chair Rhoades said he did not want limitations during an emergency. Selectman David Bickford asked what the Police Department could cut back on. Police Chief Shawn Bernier said they would need showers, their computers running, and lights.

Chief Varney brought up the fact that FEMA grant funds for the addition as an Emergency Operations Center may be obtainable but, only when the building was completed. Emergency Management Director Dwight Jones reiterated the addition would be eligible as it was set up for EOC support. Chief Varney said light fixtures, the heating system, bathroom fixtures, and floor covering are needed to complete the project.

Chief Varney briefly discussed fire safety in the March's Pond Dam area during the extended draw down.

#### **4. Department Reports**

*Police* – Chief Bernier said he would set up an appointment with Chief Varney about touring the E-911 facility. He reported that Officer Jason Durrance is doing well at the Academy, and that Detective Meatty has been promoted to Corporal. He told the Board of mid-day burglaries in the area and asked the public to be aware and to notify police of license plates of suspicious cars.

*Highway* – RA Fuller said Leon Smith graduated Level I at the Public Works Academy. He said the new truck had arrived. He noted that a FEMA representative will be here tomorrow to tour tornado sites and assist the town with its FEMA application process.

*Building* – BI/CEO Arthur Capello reported a “Cease and Desist” order on a junkyard, and another site on Old Bay Road that has come to light has been reported to the Department of Environmental services to assist the owners with tire clean up. Chair Rhoades complimented him on the fact that he treats his second job with the Town of New Durham as his first, and stated that the Town is benefiting from Mr. Capello’s zeal.

*Emergency Management* – Director Jones said a meeting with department heads took place last week. He said he would speak with Chief Bernier about the school plan.

*Fire* – Chief Varney said the EMT class has finished, and it appears that there will be 8 new EMTs in the department. He said the addition has had sheet rock installed.

#### **5. Administrative Review**

**Truck Bid:** RA Fuller commented on the bids received for the old truck, noting that the trade-in would have been \$12,000.

**Motion by Selectman Gehl to accept the bid of Steve McLean, Inc. of \$16,750 for a 1997 International truck; second by Selectman Bickford. The motion carried unanimously.**

#### **Resignations:**

**Motion by Selectman Bickford to accept the resignation of Paula Gehl from the Parks and Recreation Commission with regret; second by Chair Rhoades. A vote was called. Rhoades – aye, Bickford – aye, Gehl – abstained. The motion carried.**

**Motion by Selectman Gehl to accept the resignation of George Gale from the 1773 Meetinghouse Restoration Committee; second by Selectman Bickford. The motion carried unanimously.** Ms. Orlowicz said she would like to put her name in to serve on the committee.

**Building Permit on a Private Road Site Walk:** The Board set a site walk date for Lake Hill Way for September 18, 2008 at 6:00 p.m., in anticipation of a public hearing on a building permit request as submitted by Donald Bansfield, on that private road for September 22, 2008. The Board will try to include

reviewing streetlights and locations for possible streetlights suggested by Chief Bernier that same evening.

TA Whittaker recommended street signage on Class VI roads indicating that they are not Town maintained. RA Fuller said 12 or more 2X3 signs would be needed. TA Whittaker is to get a price, as well as a legal opinion on locked gates. RA Fuller said emergency services had keys to the gates at Devil's Den and abutters were asked to keep out during mud season. Chief Bernier liked the idea of signage, saying the signs would mark boundary lines for his officers. RA Fuller suggested the state might want to preserve the stone bridge located on the Class VI portion beyond Jenkins Road. Selectman Gehl has mentioned this in the past, so the Town could preserve it. Selectman Gehl commented on the bad erosion around the stone bridge and Devil's Den. The Board agreed the signs should read "Town Maintenance Ends."

The Board agreed to hold a budget workshop, the first of the budget review schedule, on **October 27, 2008 at 10:00 a.m.**

TA Whittaker provided a letter from the Local Government Center regarding potential retirement mandate litigation.

She asked the Board to review several lien properties that Tax Collector Carole Ingham compiled during the week.

She announced the Town has collected more taxes in 2008 than in 2007, and that things are holding steady. She said we are doing better than expected with receipt of revenues.

Chair Rhoades brought up that the turnout for the blood drive on September 8, 2008 was so huge, the Red Cross ran out of bags for blood donors. Chief Bernier said 57 bags were donated.

The Board scheduled its next meeting for September 22, 2008 at Town Hall at 7:00 p.m.

Chair Rhoades said the LGC was holding a budget review class on September 23, 2008, and that TA Whittaker and Financial Assistant Vickie Blackden were attending.

## **6. Old Business**

*Class VI Road Draft Policy* – TA Whittaker said she is working on the list of recommendations from the Planning Board. RA Fuller felt that the former one page policy covered the matter well. Chair Rhoades said his concerns were the total length to a person's house, and how many houses were on a road. TA Whittaker is to put a rough draft in the selectmen's boxes.

*Shirley Gravel Pit* – TA Whittaker advised that the Superior Court had approved for the Town an extension until 2014 to extract gravel from the Shirley pit. Chair Rhoades thanked RA Fuller for his persistence in the matter, as it has

saved the Town substantial money. The gravel is used on the 14 miles of gravel road in town, and shoulders.

*WiFi* – TA Whittaker said the staff does not want a wireless computer connection in Town Hall, as there are concerns especially from the Tax Collectors office that the firewall could be breached especially in light of recent fraud cases concerning conductivity via WiFi. There has been no response as of yet by the company to TA Whittaker’s questions.

## **7. New Business**

*Milfoil Committee draw down* – Chair Rhoades read the letter from the Milfoil and Invasive Aquatic Weeds Committee regarding the draw down of Jones Pond and chemical treatment of the Merrymeeting River immediately upstream of the Jones Pond Dam. He said the information was published in last week’s issue of The Baysider. Selectman Bickford said he thought the Committee would be resenting information about the expenditure. TA Whittaker said money was in the 2008 budget.

### **Health Officer Nomination** –

**Motion by Selectman Gehl to appoint Arthur Capello as health officer for the standard term of three years in accordance with RSA 128:4. He amended that wording to change “appoint” to “nominate” as the State of NH was the appointing body; second by Chair Rhoades. The motion carried unanimously.** The Board signed the nomination form.

**Motion by Selectman Gehl to nominate Bill Grigg as deputy health officer for the standard term of three years in accordance with RSA 128; second by Chair Rhoades. The motion carried unanimously.**

*Tax Rate Setting Estimate* – TA Whittaker explained the procedure to set the tax rate estimate using the town’s overall valuation, total funds appropriated, statement of revenues, veterans’ benefits and overlay. She arrived at a figure of \$2,661,953 as the amount of taxes to be raised. That amount divided by the overall valuation yields a tax rate estimate of \$6.12 for the town portion. She said the auditors still have to send on form MS-5 (Financial Statement) to DRA before the Town could receive its tax rate setting date.

*Town Hall Annex Roof Repair* – The Board discussed shingle roof repair to the town hall annex, and installation of a new door at the police station. Chair Rhoades said he began work on the police station by scrubbing areas with bleach, and added he would caulk and paint the new fiberglass door. He asked Doug Pellowe, who is doing the fire station addition, for a quote for the repair work for the annex roof, and it would be approximately \$3,650. He said he thought there were sufficient funds in the capital reserve fund. Selectman Gehl said he saw no immediate risk of leakage, and did not wish to compromise the addition project since there was the possibility of FEMA funds, but only following its completion. He did not want to see that pushed back a year, and felt all monetary effort should be prioritized towards completion of the Firehouse addition. Chair Rhoades reiterated his concern that the shingles are

blowing off and he thought the roof repair should be done this year. Selectman Bickford said both projects should be looked at to determine need. Chair Rhoades said problems should be fixed while still small. Selectman Gehl said the Town risked holding off the addition until next year and thereby losing FEMA grant funds. Chair Rhoades pointed out that the goal of the expendable trust was not to have every cent go toward the addition. Again, Selectman Gehl reiterated grant possibilities, but only upon completion of the firehouse addition. He felt it made monetary sense to focus on one project. Selectman Gehl suggested tabulating the cost to finish the addition, as the Town would not want to push off getting a substantial reimbursement. Selectman Bickford said the police station door could be done now. Ms. Orlowicz said the vault area has a wood roof over a cement roof that was cracking. She said if leaks occur, she should be contacted, as the material could be handled in such a way that papers could be salvaged. Selectman Gehl suggested BI Capello look at the roof, and said he would check with Chief Varney about the costs to finish the addition. RA Fuller said that part of the roof was shingled before the 1980s. The Board agreed to purchase the door for about \$700.

#### **8. Approval of Minutes**

**Motion by Chair Rhoades to approve the minutes of August 18, 2008 as amended; second by Selectman Gehl. The motion carried unanimously.**

#### **9. Any Other Business**

TA Whittaker provided a draft format for the conduct of the road petition layout to assist the board, as she would be on vacation for the next meeting.

Selectman Bickford provided information on styles of bulletin boards for Town Hall. Placement was discussed. He said the board should be twice the size of the one by the police department. Chair Rhoades said he would prefer to see something that fit with the building and was not too commercial. TA Whittaker suggested getting quotes and designs from vendors.

#### **10. Adjournment**

**Motion by Chair Rhoades to adjourn at 9:20 p.m.; second by Selectman Gehl. The motion carried unanimously.**

Respectfully submitted,

*Cathy L. Allyn*

A video recording of this meeting is on file with the Office of Town Clerk, is available for public viewing during normal business hours, and will be retained in accordance with the New Hampshire Municipal Records Board rules established under RSA 33-A: 4, or for a minimum of 24 months.