

**New Durham Board of Selectmen
Minutes of Meeting ~ November 1, 2010
Town Hall**

Members Present: Theresa Jarvis, David Bickford, Frederic March

Others Present: Administrative Consultant Alison Rendinaro, Police Chief Shawn Bernier, Building Inspector/Code Enforcement Officer Arthur Capello, Fire Chief Peter Varney (at close of meeting), Stephanie McKenzie, Dianne Smith, Cathy Orlowicz, Mary McHale, Stuart Rinschler

1. Call to Order – Chair Terry Jarvis called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

2. Agenda Review – There were no changes or additions.

3. Citizens' Forum – Cathy Allyn said several people in town have indicated it would be more convenient if Town Meeting were held on a Saturday during the day, rather than on Wednesday evening. She said many groups are disenfranchised because they have to go to bed early, or have worked late and are too tired to attend, or have small children. She asked that the Board consider a change for 2012, and that the suggestion be brought to Town Moderator Cecile Chase.

4. Appointments – The Board met with Dianne Smith, Manager of Coordination, Planning, and Operations at the Cooperative Alliance for Seacoast Transportation (COAST), regarding a volunteer program to provide transportation services to communities not now covered by COAST routes. Ms. Smith said, with federal grant and private monies, a program could be available to Milton, Middleton, Brookfield, Wakefield, and New Durham to transport the elderly and disabled to the Rochester area for shopping by the end of March or early April. She stressed the need for volunteer minibus drivers, who would be trained by COAST for 12-20 hours and operate under COAST's insurance umbrella with no need of a commercial driver's license. The plan is for curb-to-curb service one day a week, with the elderly receiving priority, but open to other residents if room is available.

Ms. Smith said the program, The Community Rides, is fully funded for one year, perhaps two. She foresaw federal money continuing, but not private funds, telling the Board that communities may need to cover 50 per cent of the cost that is now covered by private funds. She said volunteer time may be used toward matching the 50 per cent, but there are operating costs. She said three to five volunteers from each community would be best. The Board said information would be posted.

5. Department Reports – Chair Jarvis said the Equipment Mechanic had a family emergency and would not be present.

Police – Police Chief Shawn Bernier provided the Board per its request with a breakdown of number of New Durham juveniles who have gone through the CHANCES court

diversion program. The figures are: 46 in 2008, 51 in 2009, and 53 up to November 1, 2010. He said he believed the Town's annual contribution to the program is \$1,800.

He reported that he expected the \$1,350 from the OHRV grant to be in by next week.

Chief Bernier said that his department received a highway safety grant that paid 50 per cent toward a laptop in a cruiser. He said they were not locked into the grant.

He said he and Mike Clarke completed emergency management training on handling disasters.

In response to Chair Jarvis' question, he said the burglary of Town property is still under investigation.

Land Use – Land Use Administrator David Allen reported that the Conservation Commission and Planning Board have received a grant to conduct a Natural Resources Inventory for the Town. He said most of the work will involve collecting existing information and putting it into a more usable form. The NRI will identify a whole range of natural resources, from water to steep slopes to animal habitats to aquifers. He credited Bob Craycraft with doing the groundwork for the grant.

Regarding Planning Board activities, he said that body is still figuring out how to manage the six applications under the Stormwater Management Ordinance, passed two years ago. He said the Planning Board is writing regulations, and responsibility will be divided between the Code Enforcement Officer and the Planning Board. Chair Jarvis asked if additional time for the CEO had been budgeted in the Planning Board's budget. Mr. Allen said it had not, as there was an associated fee with an application that should cover most of the cost.

He summarized the Red Oak subdivision situation by saying the negotiation period to come up with a conservation solution is over. He said grants the Town received to help purchase the property are allowed to pay only the assessed value of the land in question, and the value has decreased since the time the proposal was first brought forward. The applicants have indicated they will hold out for a sale price of \$4 million, so the Town has withdrawn from the agreement. The design review period is now at an end and the applicants have 12 months to submit a completed application. Mr. Allen said engineering costs could run into several hundred thousand dollars to qualify as a complete application.

He said the Planning Board gave conditional approval to the Kodiak Woods subdivision on Birch Hill Road in 2008, but many of those conditions have yet to be met. He said the Planning Board has learned to indicate a time period in which any conditions are to be met. He said the Town would give Kodiak Woods another 12 months to meet the conditions.

Mr. Allen asked the Board for suggestions of people who might serve on the Zoning Board of Adjustment, as it has five members, two of whom depart in the winter, and no alternates. As every applicant has the right to receive three votes, additional people are needed on the board. He said he would ask ZBA members to contact some potential members.

Regarding a question raised to Selectman David Bickford concerning the transaction between Mr. Eldridge and the Town for the land abutting the 1772 Meetinghouse, Mr. Allen said he checked the records. He said the land was held in a

trust and when the process started, one brother was the trustee, but before the process finished, the other brother became the trustee. The second name was not registered on the plat, although the land was properly transferred. He said the previous owner drafted a deed and asked the Board if Town Counsel review of it was required. The Board at that time did not feel a review was necessary. The surveyor said to get a finalized copy. The deed needed the signature of the applicant, which then needed to come before the Board. Mr. Allen said he would write up the information and email it to Selectman Bickford, who could pass it on to the individual who had the question.

Building - Building Inspector/Code Enforcement Officer Arthur Capello provided the Board with an updated copy of permits and fees through November 1, 2010. He said so far this year there has been an estimated building cost of \$3,000,000, with collection of \$20,000 in fees and \$29,000 in impact fees. Up to this same point in 2008, building costs were \$1,941,146, with \$11,237 in fees, and in 2009, \$2,042,500 and \$13,662. He said there are 10 houses going up now, eight of them brand new.

6. New Business

Town Hall Maintenance Committee – Stephanie McKenzie requested permission to form a new committee that would effect small repairs to Town Hall, such as tiles in the bathroom. She said there are five volunteers interested in helping - a plumber, contractor, painter, and two people who are handy. She said the committee would repair only those things that could be handled by petty cash, or for free. She said her husband often has materials left over from contracting jobs that could be used. She mentioned installing a sink in the janitor's closet and suggested alerting the community on-line when help or items were needed. She said she was willing to coordinate it until someone else wanted to do so. Selectman Bickford pointed out that a simpler route would be to appoint her to coordinate, then a committee with meetings would not be necessary.

Motion by Selectman Bickford that Stephanie McKenzie take responsibility of overseeing minor repairs at Town Hall, using petty cash; second by Chair Jarvis. 3-0.

Ms. McKenzie said the plumber is licensed and indicated she was aware that original material needed to be preserved in an historic building.

7. Status Reports

Administrative Consultant (AC) Alison Rendinaro reported that Don Jutton of MRI has been meeting with employees and will have recommendations.

8. Old Business

Fire Department Rules and Regulations – The Board decided to revisit the issue of Junior/Explorer members under the Rules and Regulations at a later date, when more information was available. Selectman Fred March asked why Chair Jarvis was suggesting limiting pump operators and drivers to only five. She said there has always been a maximum number of those without medical ratings, who only drive or operate pumps. She said any certified firefighter can also run pumps. The Board made a few more minor changes.

Motion by Selectman Bickford to adopt the revised Fire Department Rules and Regulations, effective November 1, 2010; second by Selectman March. 3-0.

Solid Waste Facility's Attendant Job Description – Chair Jarvis said she had some suggested edits. The Board agreed on a physical exam for the part-time position and to keep the salary at its present rate, not to exceed \$10.11. Selectman March said the Board could always change it when revisiting salaries.

Motion by Chair Jarvis to authorize Administrative Consultant Alison Rendinero to advertise the solid waste facility's seasonal part-time attendant position and to collect applications; second by Selectman March. 3-0.

Correspondence to LCHIP – Chair Jarvis said, since Red Oak has informed the Planning Board that it is no longer pursuing a conservation outcome, the Town needs to submit a letter to LCHIP saying it will not be utilizing the \$200,000 grant money it was awarded. AC Rendinero will provide the letter for the Board to sign.

9. Return to New Business

Alliance for Community Transportation (ACT) – From Ms. Smith's presentation and the brochure she provided, Chair Jarvis indicated ACT is an advisory group committed to improving community transportation. She said it was asking New Durham to become a member and nominate representatives and alternates to attend its meetings.

Motion by Selectman March to join ACT and sign the provided memorandum of understanding; second by Chair Jarvis. 3-0.

Motion by Selectman Bickford to authorize the chairperson to sign the memorandum of understanding; second by Selectman March. 3-0.

Chair Jarvis signed the memo. She said she could serve as the representative until a community member came forward. She asked that the information be posted on the Town website.

Motion by Selectman Bickford to designate chairperson Terry Jarvis as New Durham's interim representative to the Alliance for Community Transportation; second by Selectman March. 3-0.

Transient Sales Ordinance – The Board reviewed the revised document AC Rendinero put together. Chair Jarvis noted it would now cost a salesperson less to get a license than it did to pay the fine. She said background checks would be done at the salesperson's expense. The Board made minor changes and noted that RSA 320:3 deals with the exemption of non-profit group. Chair Jarvis said the ordinance would be heard on November 15, 2010 with the other public hearings, which are: application for building on a Class VI Road and unanticipated funds from court ordered payments.

Health Trust – AC Rendinero asked if the Board wanted to contract with Health Trust. The prices for health insurance for next year for one person, two people, and family are all reduced by 3.9 per cent, with one-person coverage ringing in at \$639.26. Selectman Bickford requested a quote from Primex.

Postage Machine – AC Rendinaro said the five-year contract with Pitney-Bowes is over and the new quote for a five-year contract, one year commitment, is a total of \$7,483, paid quarterly. She said the Town is now paying \$406 quarterly and that payment would be \$374.19. The contract provides for a new machine that performs a variety of tasks. She said Town Hall employees are happy with the arrangement and she recommended going with the contract.

Motion by Chair Jarvis to approve the Pitney-Bowes postage machine proposal, at \$1,496.76 per year for a total of \$7,483.80 over five years; second by Selectman March. 3-0.

Motion by Selectman Bickford to authorize Chairperson Terry Jarvis to sign the Pitney-Bowes contract; second by Selectman March. 3-0.

Purchase Order to Preservation Timber Framing - AC Rendinaro brought up action needed on the purchase order to Preservation Timber Framing for the balance of the Boodey House Fund account. Chair Jarvis said the account held \$467.90, plus accumulated interest, and the balance due is \$10,000.

Motion by Selectman Bickford to authorize expenditure of the balance of the Boodey House Fund account; second by Selectman March. 3-0.

10. Schedule Next Meetings

The Board scheduled the following meetings to begin at 7:00 p.m. at Town Hall: a non-public meeting on November 3, 2010 to interview applicants for the Road Agent's position; a budget review on November 9, 2010; the next business meeting on November 15, 2010; public hearings to be held during the November 15, 2010 meeting; and a budget work session on November 29, 2010. The Board agreed a site walk on Chesley Road was unnecessary.

11. Approval of Minutes

The following amendments were made to the minutes of October 18, 2010: page one, under Citizens' Forum, last sentence, add Mr. Behr after AC Alison Rendinaro; under Fire, add "Chief Varney will look into associated costs." To serve as the last sentence; under Old Business, delete "respectively" and put the two companies' bids next to their names. Page 2: third full paragraph, second sentence, add "at the request of Selectman March." Page 4: under New Business, first paragraph, delete "come off the deed, so that Robert Booth owned the property" and replace with "transfer his interest to Robert Booth." Page 6: under 1772 Meetinghouse Restoration Committee Vacancy, second paragraph, third sentence, add "sub" in front of "division."; under Voucher Requests, second paragraph, last sentence, delete "and".

Motion by Chair Jarvis to approve the minutes of October 18, 2010, as amended; second by Selectman March. 3-0.

Motion by Chair Jarvis to approve the minutes of the October 20, 2010 work session, as written; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis to approve the minutes of the October 21 budget meeting, as amended; second by Selectman March. Jarvis – aye, March – aye, Bickford – abstain.

The Board agreed to vote on the minutes of the October 25 work session during a public session of the November 3, 2010 meeting.

Motion by Chair Jarvis to approve the minutes of the non-public session of the October 25 work session, as amended; second by Selectman March. 3-0.

12. Any Other Business

Motion by Chair Jarvis to appoint Diane Booth as alternate inspector of election; second by Selectman Bickford. 3-0.

13. Non-public Session

Motion by Chair Jarvis at 9:25 p.m. to enter into non-public session under RSA 91-A: 3 II (c); second by Selectman Bickford. A roll call was taken. Jarvis – aye, Bickford – aye, March – aye.

The Board came out of non-public session at 9:50 p.m. The Board made two motions while in non-public session:

Motion by Chair Jarvis to accept the proposed payment plan for back taxes for the property known as tax map 250, lot 104; second by Selectman March. 3-0.

Motion by Chair Jarvis that the Town pay for the automobile part; second by Selectman March. 3-0.

14. Adjournment

Motion by Chair Jarvis to adjourn at 9:55 p.m.; second by Selectman March. 3-0.

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.