

1 **TOWN OF NEW DURHAM**
2 ***Board of Selectmen Meeting***
3 **January 31, 2024, 2:00 PM**
4 **New Durham Community Room, New Durham, NH 03855**
5

6 *Disclaimer: If technology fails, the meeting physically occurring will continue at the location above. Town of New Durham offers*
7 *no security assurances to those connecting via PC to a third party software and hardware not configured or controlled by our IT*
8 *Service provider.*

9 *DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public*
10 *meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a*
11 *draft copy for public informational use only.*
12

13 **PRESENT**

14 David Swenson, Select Board Chair – via Zoom
15 Dorothy Veisel, Select Board Member – via Zoom
16 Marc DeCoff, Select Board Member
17

18 **ALSO PRESENT**

19 Cecile Chase, Interim Town Administrator
20 David Bickford, Resident / ZBA Member
21 Terry Jarvis, Resident / Chair Budget Committee / Chair ZBA
22 Rick Therrien, Building Inspector
23 Jeff Allard, Chair of Planning Board – via Zoom
24 Peter Varney, Fire Chief (Arrive 2:24 p.m.)
25 Susan Stillwell, Land Use Administrative Assistant (Arrived 2:26 p.m.)
26

27 **CALL TO ORDER**

28 Chair Swenson called the meeting to order at 2:08 p.m. He stated this is an emergency meeting
29 that was called to address a land use issue. Chair Swenson stated it was designated an
30 emergency meeting as he determined immediate action is needed as delayed action is and a
31 physically present quorum of the Board members is not reasonably practical within the period of
32 time requiring action due to their schedules. Chair Swenson confirmed the public can hear the
33 member(s) participating electronically, those participating electronically can hear everyone at the
34 meeting place. He then had all participants identify themselves and each stated no one else was
35 present at the remote location from which they were participating. He further stated that all
36 votes will be done by roll call vote.
37

38 ***Deliberative Session***

39 Chair Swenson distributed a suggested draft of assignments for presentation of Warrant Articles
40 at the Deliberative Session. This was reviewed and discussed by the board members. A draft of
41 the slide show was also presented for review.
42

43 ***Pro Tem for Deliberative Session***

44 Interim Town Administrator Chase stated Town Counsel has not advised on this item yet.
45 Selectman DeCoff stated there was no pro tem last year and does not see a reason to have one.
46 The Board agreed to wait for advice from Town Counsel before making a decision.
47

48 Ms. Jarvis stated the Budget Committee will have members at the Deliberative Session available
49 to present articles.

50

51 ***Land Use Issue***

52 Interim Town Administrator Chase stated the purpose of this meeting is to be informative for
53 Town Counsel as they have been notified that there may be a lawsuit involved in this situation.
54 She stated as there are many entities involved and thought it would be a good idea to have
55 meeting with those with necessary input in the situation. Ms. Jarvis suggested it might be an
56 issue that should be done in non-public if individuals names are shared. The Board agreed.

57

58 **MOTION: To enter nonpublic session pursuant to RS 91:A-3II, (a) *The dismissal,***
59 ***promotion, or compensation of any public employee or the disciplining of such employee, or***
60 ***the investigation of any charges against him or her, unless the employee affected (1) has a***
61 ***right to a meeting and (2) requests that the meeting be open, in which case the request shall be***
62 ***granted; (c) Matters which, if discussed in public, would likely affect adversely the reputation***
63 ***of any person, other than a member of the public body itself, unless such person requests an***
64 ***open meeting. This exemption shall extend to any application for assistance or tax abatement***
65 ***or waiver of a fee, fine, or other levy, if based on the inability to pay or poverty of the***
66 ***applicant; (l) Consideration of legal advice provided by legal counsel, either in writing or***
67 ***orally, to one or more members of the public body, even where legal counsel is not present.***

68

69 **Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel**
70 **– aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.**

71

72 The Board left public session at 2:30 p.m.

73

74 The Board reentered public session at 3:55 p.m.

75

76 **MOTION: To seal the minutes of the non-public session of the January 31, 2024 meeting**
77 **for reasons it may adversely affect the reputation of one other than the Board. Motion by**
78 **Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – aye;**
79 **Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.**

80

81 **MOTION: To adjourn the meeting. Motion by Chair Swenson. Second by Selectman**
82 **DeCoff. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson –**
83 **aye. Motion passed 3-0-0.**

84

85 The meeting was adjourned at 3:59 p.m.

86

87 Respectfully Submitted,

88 *Jennifer Riel*

89 Jennifer Riel, Recording Secretary