1 2	TOWN OF NEW DURHAM Board of Selectmen Meeting		
3	January 10, 2024, 9:30 A.M.		
4			
5 6 7 8 9 10 11 12	Disclaimer: If technology fails, the meeting physically occurring will continue at the location above. Town of New Durham offers no security assurances to those connecting via PC to a third party software and hardware not configured or controlled by our IT Service provider. 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.		
12	PRESENT		
14	David Swenson, Select Board Chair – via Zoom		
15	Dorothy Veisel, Select Board Vice Chair – via Zoom		
16	Marc DeCoff, Select Board Member		
17			
18	ALSO PRESENT		
19	Cecile Chase, Interim Town Administrator		
20	Ellen Phillips, 1772 Meetinghouse Committee		
21	Bob Bickford, 1772 Meetinghouse Committee – via Zoom		
22	Judy Purrington, Department of Public Works		
23	Matt Lopiano, Resident		
24 25	Terry Jarvis, Chair, Zoning Board of Adjustment Shawn Bernier, Chief of Police		
25 26	Shawn Denner, enter of Fonce		
27	CALL TO ORDER		
28	Chair Swenson called the meeting to order at 9:30 a.m.		
29			
29	Public Portion Of Meeting		
30 31	<ul> <li>A) Chair Swenson reviewed the conditions per RSA where an Emergency Meeting of the Select Board can be called:</li> </ul>		
32 33 34 35 36 37	<ul> <li>Emergency meeting called for public session dealing with 2024 Town Warrant and Deliberative Session planning; Chair Swenson stated the emergency is determined because the situation has been determined that an immediate and undelayed action is deemed to be imperative. Additionally, Chair Swenson noted that due to the immediate action determined for the Emergency Meeting to be called a physical presence of a quorum at the posted location is not reasonably practical within the period of time requiring the action.</li> </ul>		
38 39	b. Chair Swenson confirmed that the public portion of the meeting is open to the public and is audible or otherwise discernable to the public at the physical location of the meeting.		
40 41 42 43 44	c. Chair Swenson had each Select Board member identify anyone present at any remote location. It was noted that Vice Chair Veisel and Chair Swenson were accessing the meeting from a remote location and that no other person was present with them at their respective remote locations. Selectman DeCoff was physically present at the posted location of the meeting.		

45 46 47	d.	Chair Swenson noted that in-person attendance was not "reasonably practical" for Vice Chair Veisel and Chair Swenson either due to travel out of state and / or scheduling conflict issues.		
48 49	e.	Chair Swenson stated that all votes taken during this Emergency Meeting will be by roll call vote.		
50 51 52 53 54 55 56 57	f.	Chair Swenson indicated that the reason for this emergency meeting was twofold: 1) given the changes needed to the FY24 Warrant and the deadline schedule for posting of the Warrant per State of NH requirements, the Select Board must review and approve the Warrant Articles and finalize for posting, 2) Select Board action is required due to recently acquired information relative to the FY24 Budget in multiple selected accounts, 3) Board action is needed to approve Annual Report information from the Board, and 3) required undelayed action is needed to address resident / taxpayer issues on storm water issues to property related to Town roads / culverts		
58 59 60 61	g.	Chair Swenson stated the emergency is determined because the situation has been determined that an immediate and undelayed action is deemed to be imperative as time is of the essence to meet these deadlines and address these issues. In addition, due to various Selectmen schedules this was the only date and time available for this meeting.		
62 63 64 65 66 67 68 69 70 71 72 73 74 75 76	<ul> <li>Roll Call Roll call was taken for Board members. </li> <li>PUBLIC INPUT Ellen Phillips, 1772 Meetinghouse Committee Chair, presented a request to the Board to accept donations received in December. MOTION: To accept donations from 12/26/2023 in the amount of \$184.18 for the restoration project on behalf of the Committee and the funds to be deposited into the 1772 Meetinghouse Committee Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.</li></ul>			
77 78 79 80		s stated the Committee is planning a Spring Fling for May 18, 2024; if the grant is ey will be asking a property owner across the street to use his field for parking next to ghouse.		
81 82 83 84 85 86 87 88 89 90	charrette th professiona walls with is also a rec in conjunct heating. H array will c Bickford st	ord, 1772 Meetinghouse Committee gave an update to the Board for the energy design at was held recently; he stated input was received from various engineers and energy ils. He stated the recommendation moving forward is to insulate the cavity of the blown-in cellulose and put sheet foam insulation on the exterior of the building. There commendation to put insulation under the floors and in the attic. Mr. Bickford stated ion with using solar array in the field there is a recommendation to use heat pumps for e stated there is the option of using those pumps for air conditioning, noting the solar over about 80% of the energy needed for both heating and air conditioning. Mr. ated they also need to begin drafting Requests for Proposals, noting the grant award at 8 weeks out.		

91	
92	MOTION: To have Bob Bickford work with the Town Administrator on RFPs for the
93	Meetinghouse Restoration project. Motion by Selectman DeCoff. Second by Vice Chair
94	Veisel. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson –

- 95 ave. Motion passed 3-0-0.
- 96

#### 97 **Town Administrator's Report**

98 Ms. Chase stated tax bill production was started after Christmas; she stated the tax setting process was delayed due to problems with Copple Crown Village District. She stated all tax bills 99 went out on 12/27/2023. 100

101

TA Chase stated the Highway Department has been busy with recent storm events; they have 102 contracted with M.A. Bean for putting in a culvert / bridge on Middleton Road where the culvert 103 104 was destroyed. The work should be complete in February / March 2024 and the road will be reopened once work has been completed. 105

106

107 Ms. Chase stated a training session was held with the product vendor last week for the new

- election poll pads. They are preparing for the primary election on January 23, 2024 and in Town 108 election in March. Town Hall reorganization is continuing. 109
- 110

Selectman DeCoff stated he has heard comments about residents not receiving their tax bills yet 111

- 112 and asked if a Baysider letter or article could be done.
- 113

#### 114 **Agenda Review**

Chair Swenson added Oath of Office and Nominations; Cemetery Deed Approval; Transfers 115

- from Trustee of the Trust Funds; License Agreement; follow up on Impact Fees. 116
- 117

#### **NEW BUSINESS** 118

#### **309 South Shore Road** 119

120 Ms. Chase stated Mr. Lopiano has had an ongoing project and has been dealing with the

Planning Board, Zoning Board, and the Department of Public Works to get his project in place; 121

- 122 she stated they are currently dealing with stormwater management issues. Variances have been
- granted and there is a Stormwater Management Plan in place. Ms. Chase stated there are 123
- certainly issues in the area and there have been impactful storms over the last couple years; she 124
- stated many calls have been received from residents in the area of South Shore Road; DPW, 125
- 126 Selectman DeCoff, and representatives from Southeast Land Trust (SELT) met at the site to
- discuss the issue of stormwater runoff in the area. It is felt that a majority of the issue may be 127
- caused by the Birch Ridge tree harvesting in recent years. Ms. Chase stated they will be moving 128
- 129 forward with exploratory initiatives with SELT. She stated the former owner of the 2,000 acres
- of what is currently SELT land clearcut just before the sale and it will take about 10 years for the 130
- forest to regrow enough to handle the stormwater runoff. She stated the Town Engineers have 131
- 132 looked at the issue and various scenarios have been proposed, including the installation of a
- larger culvert and a catch basin on the side of South Shore Road. 133
- 134
- Mr. Lopiano stated the issues have gone on for many years; he signed an easement years ago 135
- with the Town for a two-part catch basin system; he finally got approval from the ZBA and 136

137 Planning Board to put a shed on his property after extensive engineering plans. He stated the

- 138 ZBA was very concerned about the shed roof runoff into the lake. Mr. Lopiano stated he has
- grown up on this property and it has been owned by his family for over 50 years. He explainedthe work done by the Town but it does not handle the stormwater and also causes flooding across
- his driveway; he presented photos of his property including pictures of his shorefront which he
- 142 claims was damaged by runoff from the Town's roadwork. Mr. Lopiano stated he has been told
- 143 for years by various Town employees including the Road Agent and Town Administrators that
- 144 funds had been secured and the problems would be resolved but nothing has been done. Mr.
- 145 Lopiano stated the town needs to get the catch basin system done so he can move forward with
- regrading his driveway and put in a retaining wall which will help control the water. He stated
- 147 he does not believe he has any more options but to come back with an attorney.
- 148
- 149 Selectman DeCoff clarified there were no funds received from the State. Chair Swenson agreed
- 150 that any indications about funds was in error. He stated the Board will work with the appropriate
- 151 departments in the Town to determine the Town's responsibility. Mr. Lopiano stated he is even
- 152 willing to do the work needed but he needs the support from the Town. Selectman DeCoff
- 153 clarified the water that is going on to Mr. Lopiano's property is coming from Birch Hill property
- and it is not just water coming from the road.
- 155
- 156 Terry Jarvis, Chair of the Zoning Board of Adjustment, stated whatever decisions are made
- 157 between the Town and Mr. Lopiano, the ZBA granted a variance based on plans presented to the
- Board dated May 15, 2023 and any deviation from those plans results in the variance being
- 159 invalid; she stated she does not want Mr. Lopiano to have to come before the ZBA for a fifth
- time. Ms. Chase stated she reviewed the plans with the Department of Public Works Director
- and she does not foresee there being any deviation. Mr. Lopiano stated once the manhole is
- 162 enlarged and the catch basins are put in, the water will be able to flow where it needs to go and
- the problems will be solved. He stated he just wants to protect his property and the lake. Ms.
- 164 Chase stated she will work on setting up a meeting with Mr. Lopiano and the DPW Director.
- 165
- 166 Selectman DeCoff stated he would like to see a line in the budget for cleaning and maintaining
- 167 the catch basins, noting it is a requirement as part of the 319 Project; he stated Best Management
- 168 Practices are being enforced around the lake but the Town apparently is not doing their part.
- 169
- Ms. Jarvis noted that this issue was brought up at the 2023 budget hearing and the Budget
- 171 Committee added a specific line to assist with cleaning out culverts. At the time, the Committee
- determined there was an insufficient amount of money in the fund based on the culverts not
- 173 being done for quite some time.
- 174

# 175 Marsh Hill Road

- 176 Ms. Chase stated the owners of 6 Marsh Hill Road have plans to knock down the old cottage and
- rebuild on the property; during the planning process it came to light that the current well
- encroaches on the Town's right of way on Marsh Hill Road. She stated the Town was
- approached to see if the owners could continue to use the current well even though there is
- 180 encroachment, instead of putting in a new well. Ms. Chase stated maps were reviewed and it
- 181 was determined the existing house and well are not far off the road; a new well would be about
- 182 20 feet off the road. She stated Town Counsel suggested that if the Highway Department agree

- 183 1) there have been no issues with the well since it was installed in the early 1990s, and 2) no
- 184 planned widening of the road, or road runoff issues, then the Board of Selectmen could issue a
- 185 license and have a formal agreement in place to allow the property owners to continue to use the 186 well within the right-of-way.
- 187

Tim Roukey, resident at 6 Marsh Hill Road, stated in 2022 approval was obtained from the Planning Board to move forward with the demolition project; he stated it is a challenging lot with steep slopes and is small; he explained a Conditional Use Permit was issued but he has to either drill a new well or get approval from the Town to keep the current well. Mr. Roukey stated the current well is artesian and about 11 feet from the road; it has functioned well since 1993; he explained that because of the size of the lot there is not a lot of room to place another well and would prefer to continue using the existing one.

195

196 Selectmen Veisel asked if the well water is tested and is concerned about the quality due to the

- 197 runoff from the road. Mr. Roukey stated he has tested and there have been no problems over the
- 198 years; he stated he is willing to sign an agreement to hold the Town harmless with regards to the
- 199 condition of the well. Chair Swenson stated he is concerned with the wording of the license as it
- 200 is worded specifically for the current owner. The Board discussed edits to the agreement.
- 201

MOTION: To approve the license agreement for 6 Marsh Hill Road as presented at the
January 10, 2024 Board of Selectmen meeting with the condition that Town Counsel
assures future owners are considered in the action. Motion by Chair Swenson. Second by
Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair
Swenson – aye. Motion passed 3-0-0.

207

### 208 **Plow Truck Quotes**

209 The Board reviewed and discussed the quotes presented. Selectman DeCoff stated he is

210 concerned about having sufficient personnel to operate the vehicles. Ms. Purrington presented

- the maintenance costs for the problem trucks in 2023; she stated \$29,660 has been spent on truck
- #6 (International 6-wheeler) alone and they won't put any more into that at this time. She stated
- it is the opinion of the Department of Public Works Director that it would not be a wise decision
- to put more money into the truck for electrical issues. Selectman DeCoff asked to look at the
- costs for a new motor and whole new electrical system. Ms. Purrington presented quotes for the
- 216 purchase of a 6-wheeler. Selectman DeCoff suggested looking into the costs of leasing. Ms.
- 217 Chase noted there are currently four individuals on the Highway crew. They will also be looking
- 218 into the State bid for purchase.
- 219

## 220 **Town Hall Repairs**

Chair Swenson noted multiple bids will be needed for the work. Ms. Purrington stated a bid was
received for roof repairs to a leak into the records storage area. She presented an exterior
restoration proposal for review by the Board. Ms. Purrington stated she plans to get more bids

- for the exterior renovations. The Board confirmed the roof repair has been approved.
- 225

### 226 Police Department Vehicle Repurpose

- 227 Chair Swenson stated a proposal has been presented to use the old police cruiser for Parks and
- 228 Recreation needs. Ms. Chase explained the proposal has been revised and the use of the vehicle

- 229 would be shared between Parks and Recreation and Code Enforcement, as needed. She stated it
- 230 makes sense as the times each department needs the vehicle would not conflict. She also
- explained the need for a vehicle for both departments so the individuals are not using their
- personal vehicles. Chief Bernier stated the vehicle is nine years old with 144,000 miles; it does
- have a lot of rust underneath and he opted against putting more money in to it as this would be
- required to pass inspection which is due in March. Ms. Chase will work on getting quotes for the
- work to do the mechanical and body repairs. Chief Bernier noted the department decals will also
- aneed to be removed.
- 237

### 238 Transfer of Trust Funds

- 239 The Board reviewed the transfer presented.
- 240

241 MOTION: To approve the transfer of \$7,500 from the Public Works Facilities and

- 242 Improvements CRF and to request transfer from the Trustee of the Trust Funds to the
- 243 New Durham General Fund. Motion by Selectman DeCoff. Second by Vice Chair
- 244 Veisel. Roll Call Vote: Vice Chair Veisel aye; Selectman DeCoff aye; Chair Swenson –
- 245 aye. Motion passed 3-0-0.
- 246

MOTION: To approve expenditure of the funds from the Dam Maintenance ETF in the
amount of \$228.66 and request transfer from the Trustee of the Trust Funds and deposit to
the New Durham General Fund. Motion by Selectman DeCoff. Second by Vice Chair
Veisel. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson –

- 251 aye. Motion passed 3-0-0.
- 252

MOTION: To approve the request from the Trustees of the Trust Fund for transfer of
funds from the Road Reconstruction CRF to the General Fund for the culvert and road
repair on Birch Hill Road, paid to Iron Will Construction, in the amount of \$2,500. Motion
by Selectman DeCoff. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – aye;
Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

258

## 259 FY 2024 Budget Review

Chair Swenson stated since prior budget review and discussions, additional information as
 received from the Finance Manager and other sources, including the Department of Revenue
 Administration The Department of the Department of the Department

- Administration. The Board reviewed the recommendations. Chair Swenson stated the Board approved revenues of \$1,216,055 on October 17, 2023; the Budget Committee recommended the same amount on December 6, 2023. Chair Swenson explained the number needs to be adjusted as the funds for "Other Agencies" should not be included nor the CRF and ETFs; Highway Block
- 266 grant also needs to be removed. The revised FY24 Revenue figure is \$1,095,055.
- 267

### MOTION: To approve the revised Revenue number for FY 2024 Budget in the amount of \$1,095,055. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

- 271
- 272 Chair Swenson stated at the time the budget was being reviewed, it was unclear if a Tax
- 273 Anticipation Note would be needed in December; \$1 was used as a place holder but now \$2,000
- will be needed in the budget.

275 276 MOTION: To approve Account 4723, Interest on TAN, for FY 2024 budget in the amount of \$2,000. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice 277 Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0. 278 279 Ms. Jarvis outlined adjustments which were made by the Budget Committee and these were 280 281 reviewed by the Board. 282 MOTION: To approve the revised number for Account 4140 to a total of \$149,574 for the 283 FY 2024 budget. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: 284 Vice Chair Veisel – ave; Selectman DeCoff – ave; Chair Swenson – ave. Motion passed 3-0-285 286 0. 287 288 MOTION: To approve the revised number for Account 4150 to a total of \$188,535 for the FY 2024 budget. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: 289 Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-290 291 0. 292 293 MOTION: To approve the revised number for Account 4415, Other Agencies, to a total of 294 \$7,000 the FY 2024 budget. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion 295 296 passed 3-0-0. 297 MOTION: To approve the revised number for Account 4150 to a total of \$188,535 for the 298 FY 2024 budget. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: 299 300 Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-301 0. 302 MOTION: To approve the revised number for Account 4520 to a total of \$90,724 for the 303 304 FY 2024 budget. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-305 306 0. 307 308 Chair Swenson stated he has reviewed the Default Budget with the Finance Officer, accounts and 309 details were confirmed. He stated the Default Budget is \$4,033,440. 310 311 MOTION: To approve the Default Budget for FY 2024 in the amount of \$4,033,440. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel 312 313 - aye; Selectman DeCoff - aye; Chair Swenson - aye. Motion passed 3-0-0. 314 Selectman DeCoff read into the record a letter from David Bickford regarding separating CRFs 315 316 and ETFs on the Town Warrant, and referenced a warrant article which the legislative body voted to keep these items separate on the warrant. Chair Swenson stated the Board of Selectmen 317 318 have discussed this in 2019, 2020 and 2021 and legal advice noted the referenced article which 319 was by petition, was an advisory action and not a legal action. Chair Swenson read a response to the letter into the record. This response indicated that following the extremely confusing 320

- multiple 2023 Warrant Articles that a plethors of voters indicated their displeasure of all of the 321
- sepearted Warrant Articles. Selectman DeCoff confirmed the petition Warrant Article is not 322
- legally binding. Selectman Viesel stated the feedback she received last year was that the ballot 323
- was very long and an intensive process; she stated she is in favor of grouping articles but would 324
- be open to doing a survey to determine the general consensus of voters. TA Chase stated she 325
- agrees with grouping and the Board has discussed balancing the wishes of people as well as the 326
- preference of voters to not have multiple page ballots that are time consuming and much more 327
- 328 costly to the Town.

### 329 **Town Warrant 2024** 330

- 331 The Board reviewed and discussed the FY 2024 Town Warrant articles. Selectman DeCoff stated the Planning Board articles have not been finalized yet as another public hearing needs to 332 be held. 333
- 334
- The Board then addressed only those Warrant Articles that were impacted by the most recent 335 changes voted by Budget Committee and Select Board. 336
- 337
- 338 **MOTION:** To recommend current Article 4: Shall the Town raise and appropriate as an
- operating budget, not including appropriations by special warrant articles and other 339
- 340 appropriations voted separately, the amounts set forth on the budget posted with the warrant or
- as amended by the vote of the first session, for the purposes set forth therein, totaling 341
- 342 \$4,047,921. Should this article be defeated, the default budget shall be \$4,033,440, which is the
- same as last year, with certain adjustments required by previous action of the Town or by law; 343
- or the governing body may hold a special meeting, in accordance with RSA 40:13, X and XVI, to 344
- take up the issue of a revised operating budget only. Majority Vote Required. 345
- 346 Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel - ave; Selectman DeCoff - ave; Chair Swenson - ave. Motion passed 3-0-0. 347
- 348
- **MOTION: To recommend current Article 5:** To see if the Town will vote to raise and 349
- 350 appropriate the sum of \$400,000 for the purposes of a Road Program with \$98,000 to come from
- Highway Block Grant Aid and the remaining \$302,000 to come from general taxation. Majority 351
- Vote Required. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: 352
- 353 Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-354 0.
- 355

### 356 Other

- Chair Swenson stated the Budget Committee met on January 2, 2024 and based on actions of 357
- Select Board December 26, 2023 the Budget Committee considered the emergency fund usage 358
- 359 for the Middleton Road issue and approved the Select Board's recommendations on sources of funds.
- 360
- 361
- 362 The Board reviewed and discussed a draft of the Board of Selectmen report for the Annual Report.
- 363
- 364

**MOTION:** To approve the Board of Selectmen Annual Report for the Town Annual 365 Report. Motion by Selectman DeCoff. Second by Vice Chair Veisel. Roll Call Vote: Vice 366 Chair Veisel – ave; Selectman DeCoff – ave; Chair Swenson – ave. Motion passed 3-0-0. 367 368 369 The Board reviewed a memorandum from the Cemetery Committee. 370 MOTION: To approve the purchase of a cemetery lot, Section C, Lot 24 in the amount of 371 372 \$600. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – ave; Selectman DeCoff – ave; Chair Swenson – ave. Motion passed 3-0-0. 373 374 375 The Board reviewed a resignation letter from Sue Randall from the 1772 Meetinghouse Restoration Committee. 376 377 378 **MOTION:** To regretfully accept the letter of resignation from Sue Randall from the 1772 Meetinghouse Restoration Committee with a sincere expression of appreciation for the 379 work she has done for the group. Motion by Chair Swenson. Second by Vice Chair 380 381 Veisel. Roll Call Vote: Vice Chair Veisel – ave; Selectman DeCoff – ave; Chair Swenson – aye. Motion passed 3-0-0. 382 383 384 **APPROVAL OF MINUTES** Meeting of December 7, 2023 – Edits were made. MOTION: To approve the minutes as 385 386 amended. Motion by Selectman DeCoff. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel – ave; Selectman DeCoff – ave; Chair Swenson – ave. Motion passed 3-0-387 388 0. 389 Meeting of December 21, 2023 – Edits were made. MOTION: To approve the minutes as 390 amended. Motion by Selectman DeCoff. Second by Vice Chair Veisel. Roll Call Vote: 391 Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-392 0. 393 394 Meeting of December 26, 2023 – Edits were made. MOTION: To approve the minutes as 395 amended. Motion by Selectman DeCoff. Second by Vice Chair Veisel. Roll Call Vote: 396 397 Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-398 0. 399 400 **Impact Fee Discussion** The Board reviewed and discussed Impact Fees. Chair Swenson stated in 2023 the Board voted 401 to use approximately \$98,000 of Impact Fees toward the Governor Wentworth school tax rate; he 402 403 explained after research it was determined this was not done with the most recent tax bill. Chair Swenson stated the action by the Board needs to be applied at the next tax bill and rate setting. 404 Selectman DeCoff asked what the initial vote on the Impact Fee was for, whether it was for 405 406 paying the bond or reducing the tax rate. This will need to be answered by the School Board. 407 The Board discussed whether to have a meeting of the Board after the Deliberative Session. 408 409 Chair Swenson stated depending on the results of the Budget Committee public hearing, a

- 410 meeting may be needed to make any recommended changes on the warrant articles. The Board
  411 agreed to schedule a meeting after the Deliberative Session for February 7, 2024 at 10 a.m.
- 412
- 413 MOTION: To enter nonpublic session pursuant to RS 91:A-3II, (a) The dismissal,
- 414 promotion, or compensation of any public employee or the disciplining of such employee, or
- 415 the investigation of any charges against him or her, unless the employee affected (1) has a
- 416 right to a meeting and (2) requests that the meeting be open, in which case the request shall be 417 granted; (b) The hiring of any person as a public employee; (c) Matters which, if discussed in
- 417 granten, (b) The hiring of any person as a public employee, (c) Matters which, if discussed in 418 public, would likely affect adversely the reputation of any person, other than a member of the
- 419 *public body itself, unless such person requests an open meeting. This exemption shall extend*
- 420 to any application for assistance or tax abatement or waiver of a fee, fine, or other levv, if
- 421 based on the inability to pay or poverty of the applicant.; (1) Consideration of legal advice
- 422 provided by legal counsel, either in writing or orally, to one or more members of the public
- 423 body, even where legal counsel is not present.424
- 425 Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel –
  426 aye; Selectman DeCoff aye; Chair Swenson aye. Motion passed 3-0-0.
- 427
- 428 The Board left public session at 12:26 p.m.
- 429
- 430 The Board reentered public session at 1:06 p.m.
- 431

432 MOTION: To seal the minutes of the non-public session of the January 10, 2024 meeting

- for reasons it may adversely affect the reputation of one other than the Board. Motion by
- 434 Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Vice Chair Veisel aye;
- 435 Selectman DeCoff aye; Chair Swenson aye. Motion passed 3-0-0.
- 436
- MOTION: To adjourn the meeting. Motion by Chair Swenson. Second by Vice Chair
  Veisel. Roll Call Vote: Vice Chair Veisel ave; Selectman DeCoff ave; Chair Swenson –
- 439 aye. Motion passed 3-0-0.
- 440
- 441 The meeting was adjourned at 1:07 p.m.
- 442
- 443 Respectfully Submitted,

Jennifer Riel 444

445 Jennifer Riel, Recording Secretary