

TOWN OF NEW DURHAM
Board of Selectmen Meeting
December 26, 2023, 8:30 A.M.
New Durham Town Hall, New Durham, NH 03855

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.

PRESENT

David Swenson, Select Board Chair
Dorothy Veisel, Vice Chair Select Board Member - Via Zoom
Marc DeCoff, Select Board Member

ALSO PRESENT

Vickie Blackden, Finance Manager
Rudy Rosiello, Resident

CALL TO ORDER

Chair Swenson called the meeting to order at 8:33 a.m. He stated this meeting meets the requirements for an emergency meeting in order to set the tax rate but one member of the Board are unable to be physically present. He noted that since one member is attending via Zoom all formal actions will be voted by roll call vote.

Chair Swenson stated the budget meeting for the Copple Crown Village District did occur on December 21, 2023 and information was received in a very timely fashion following that meeting. New Durham has received from the New Hampshire Department of Revenue Administration the preliminary tax rate.

Public Input

No public present.

Tax Rate Setting – Part 1

Chair Swenson reviewed the 2022 and 2023 preliminary tax rates as follows:

Description	2022 Tax Rate	2023 Tax Rate (Preliminary)
Municipal (New Durham)	\$ 5.22	\$ 6.03
Local Education (Gov. Wentworth School District)	\$ 9.08	\$ 10.20
County (Stratham)	\$ 2.39	\$ 2.44
State Education	\$ 1.23	\$ 1.73
Total Tax Rate	\$ 17.92	\$ 20.40

The Board reviewed current Unassigned Fund Balance (UFB) levels projected for end of year provided by Finance Manager Blackden. Additionally, Chair Swenson noted the UFB

Guidelines developed several years ago. Given current operational expenses projected the Guideline amount would be around \$1.03 M to \$1.1 M. The current UFB is projected to be around \$2.4 M.

Board discussion was initiated noting the fund usage needed for repair of Middleton Road culvert. This discussion will be completed prior to the Board's determination of UFB usage for tax rate reduction as the UFB would likely be needed for a source of funds to this emergency culvert / road repair.

Emergency Road Repair Issues – Middleton Road & Birch Hill Road

At a specially called Select Board meeting on 12/21/2023 following the storm event of December 16, 17, 18, and 19, 2023 the Board moved to have M.A. Bean initiate repairs to the Middleton Road culvert damage caused by that storm event. The damage was so severe Middleton Road had to be closed to through traffic as it posed a significant public safety hazard. This closed condition will remain in effect until the damage is repaired.

The motion to fix the Middleton Road culvert was based on a design by Bean in which a bridge / culvert repair would be completed sometime by end March 2024. This repair is based on the Bean quote of repairs not to exceed \$325,000 with sources of funds to be determined by Select Board. It was this source of funds discussion and action that occurred at this Select Board meeting of 12/26/2023.

Following discussion of various options the Select Board took the following actions in the following chronological sequence:

MOTION: To declare the Middleton Road and Birch Hill culvert / road damage a state of emergency resulting from the storm of December 16, 17, 18, and 19, 2023. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

Following the official action declaring an emergency public safety issue on Middleton Road and Birch Hill Road the Board then addressed the source of funds for the previously approved repair work voted on 12/21/2023. Finance Manager Blackden provided an update on available and as yet unused grants from the state for both road repair and bridge repair. Because the Middleton Road repair is a bridge related design repair the Board determined these grants would be applicable to this emergency situation.

Motion: To have as the sources of funding for the emergency repair requirements per previously declared emergency damage due to the storm of December 16, 17, 18, 19, 2023 to Middleton Road culvert and Birch Hill Road culvert with repair in the amount of \$325,000 with the source of funds as follows:

\$41,069.75 from revenue received 12/01/2022 SB401 One Time Bridge Payment
\$32,261.52 Revenue received 11/06/2023 FY24 Special Block Grant A
\$11,584.74 Revenue Received 11/08/2023 Muni Bridge Payment
\$75,000 ARPA funds
\$165,083.99 from the Unassigned Fund Balance

For a total of \$325,000. This usage of funds is applicable as the Middleton Road culvert design is for a bridge / culvert repair and the Birch Hill Road culvert is road repair.

Chair Swenson made the motion. Second by Vice Chair Veisel. Roll call vote: Vice Chair Veisel – aye; Selectman DeCoff – aye; Chair Swenson – ayes. Motion passed 3-0-0.

Following this action the Board briefly discussed the potential the FEMA (Federal Emergency Management) funds might be forthcoming sometime in 2024. With this potential the Board took the following action:

MOTION: To apply any FEMA or other Federal / State funds received for the declared emergency of the storms of December 16, 17, 18, 19, 2023 will be used to be received to the UFB to account for the UFBS funds used for this emergency. Motion by Chair Swenson. Second by Selectman DeCoff. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

Tax Rate Setting – Part 2

Chair Swenson again reviewed the 2022 and 2023 preliminary tax rates described earlier in these minutes. Additionally, the Board reviewed update UFB information as provided by Finance Manager Blackden and impacted by the above usage of the funds for the emergency road repair. Keeping in mind the UFB Guideline amount and following review of various options the Board determined applying \$250,000 from the UFB to the tax rate would be advisable which still leaves the UFB above the Guideline amount.

MOTION: To apply \$250,000 from the Unassigned Fund Balance (UFB) to the 2023 tax rate. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

The following table summarizes the tax rate finalization to be sent to DRA.

Description	2022 Tax Rate	2023 Tax Rate (Preliminary)	2023 Tax Rate (Final for DRA Approval)
Municipal (New Durham)	\$ 5.22	\$ 6.03	\$ 5.63
Local Education (Gov. Wentworth School District)	\$ 9.08	\$ 10.20	\$ 10.20
County (Stratham)	\$ 2.39	\$ 2.44	\$ 2.44
State Education	\$ 1.23	\$ 1.73	\$ 1.73
Total Tax Rate	\$ 17.92	\$ 20.40	\$ 20.00

With this action the tax rate for the current tax billing is estimated and will be submitted to DRA for their final approval. Following DRA confirmation of the tax rates the tax bills will be printed and mailed. It is anticipated this will occur prior to 12/29/2023.

OTHER

The Board addressed several other New Business items as follows:

- a) Ceiling issues at the Solid Waste Facility necessitate installation of insulation.
MOTION: To install insulation at the Solid Waste Facility per quote from Superior Insulation, LLC of Tamworth, NH Job # 6613971 in the amount not to exceed \$2,225 with funds to come from the Public Works Facilities and Capital Reserve Fund and to request the transfer of such funds from the Trustees for the Trust Funds to the General Fund. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.
- b) From the storms of December 16, 17, 18, and 19, 2023 there has been rain damage to the Town Hall roof along with leaking from that damage of rain water into Town Hall.
MOTION: To repair / replace the Town Hall rear side entire hip cap and general maintenance and prevention of local area in the amount not to exceed \$3,900 per quote from Jalbert Contracting, Alton, NH with funds to come from the Town Building Improvement ETF and to request the transfer of such funds from the Trustees for the Trust Funds to the General Fund. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.
- c) The Board has received and noted verification by our contract assessor the request for a Veteran Tax Credit.
MOTION: To approve the Veterans Tax Credit per RSA 72:28-b in the amount of \$750 for Map 102 Lot 016. Motion by Selectman DeCoff. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.
- d) Formal letter request to the Trustees of the Trust Funds for the Birch Hill purchase order to Ironwill Construction was approved:
- e) **MOTION: To request the transfer of funds from the Road Reconstruction CRF FL account number 01-4915-10-083 in the amount of \$2,500 from the Trustees for the Trust Funds to the General Fund for Ironwill Construction work done on Birch Hill Road culvert. Motion by Chair Swenson. Second by Selectman DeCoff. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.**
- f) Delegating requirement for NH primary election of January 23, 2024:
MOTION: To appoint Tom Baker as Selectman Pro Tem covering for Vice Chair Veisel for the solo purpose of Selectman coverage at the NH Primary Election of January 23, 2024. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

MOTION: To appoint Celeste Chasse as Selectman Pro Tem covering for Chair Swenson for the solo purpose of Selectman coverage at the NH Primary Election of January 23, 2024. Motion by Chair Swenson. Second by Selectman DeCoff. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

- g) Chair Swenson noted he and Trustee of the Trust Fund (TOTF) Chair David Allyn have collaborated / communicated multiple times in working through updating proper nomenclature for CRF, ETF, Charitable, Donation, etc. funds on record with the Town. He provided the current version and left a copy in TA Chase's office.

Warrant Article Update / Revision– March 2024

Chair Swenson noted that: a) with the emergency declaration and approach to Middleton Road and Birch Hill Road repairs, b) aligning proper nomenclature with the various CRF / ETF names, and c) noting a missing item from a long established CRF the previously reviewed and recommended 2024 Warrant Articles need revision and further action.

MOTION: To delete former recommended 2024 Warrant Article regarding \$325,000 for purpose of replacing / repairing the large culvert on Middleton Rad in New Durham with \$325,000 to come from taxation. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

During the CRF / ETF nomenclature review TOTF Chair Allyn noted that at the time the Municipal Facility Land Acquisition CRF was enacted there was no agent to expend defined. By default the current agent to expend is the TOTF members. To algin with other CRF / ETF it is proposed for the agents to expend this specific CRF be defined as the Board of Selectman.

MOTION: To add to the 2024 Warrant Article as follows: To see if the Town will vote to align the Municipal Facilities and Land Acquisition CRF established on March 13, 2007 with other Capital Reserve Funds in the Town and to change the default agents to expend being the Trustees of the Trust Funds to identify the agents to expend the Municipal Facility Land Acquisition as the Board of Selectmen. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

Chair Swenson then indicated the Board now needs to determine whether they recommend this Warrant Article.

MOTION: To add to recommend the 2024 Warrant Article To see if the Town will vote to align the Municipal Facilities and Land Acquisition CRF established on March 13, 2007 with other Capital Reserve Funds in the Town and to change the default agents to expend being the Trustees of the Trust Funds to identify the agents to expend the Municipal Facility Land Acquisition as the Board of Selectmen. Motion by Chair Swenson. Second by Vice Chair Veisel. Roll Call Vote: Selectman Veisel – aye; Selectman DeCoff – aye; Chair Swenson – aye. Motion passed 3-0-0.

209

210 **APPROVAL OF MINUTES**

211 Not on agenda and no minutes currently available for review / approval.

212

213 **Next Meeting**

214 January 09, 2024, 6 p.m. New Durham Community Room

215

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

219

220 The meeting was adjourned at 10:18 a.m.

221

222 Respectfully Submitted,

223

224 David W. Swenson
225 Chair, New Durham Select Board