

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

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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 – via Zoom
Dorothy Veisel, Select Board Member – via Zoom
Marc DeCoff, Select Board Member

ALSO PRESENT

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

CALL TO ORDER

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

Deliberative Session

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

Pro Tem for Deliberative Session

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

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

Land Use Issue

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

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

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.

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

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

MOTION: To seal the minutes of the non-public session of the January 31, 2024 meeting for reasons it may adversely affect the reputation of one other than the Board. 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.

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

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

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary