# TOWN OF NEW DURHAM 2022 DELIBERATIVE SESSION



Monday, February 7, 2022



#### **AGENDA**

- Call Meeting to Order
- Pledge of Allegiance
- Introductions
  - Town Moderator: Linda Callaway
  - Select Board: David Swenson, Chair; Dorothy Veisel, Vice Chair (Unable to Attend – Prior Notice Provided); Ron Uyeno Selectman; Pro Tem Selectman Cecile Chase
    - Town Administrator: Nicole Zoltko
    - Town Clerk: Alicia Housel
    - Town Counsel: Walter Mitchel Esq.



#### AGENDA (CONT'D)

- Introductions (Cont'd)
  - Budget Committee: Terry Jarvis, Chair; Mark Sullivan, Vice Chair: David Swenson, BoS Rep.; Marc DeCoff, Member; Joan Swenson, Member; Ken Fanjoy, Member; Rudy Rosiello, Member
  - Planning Board: Jeff Allard, Chair
- Community Recognitions & 2021 Milestones (D. Swenson)
- Opening Remarks Moderator's Rules & Procedures (L. Callaway)
- Warrant Articles (L. Callaway With Select Board Presenters)
- Close of Deliberative Session



# New Durham Select Board Overview of Selected 2021 Actions





# New Durham Board of Selectmen – Overview of Selected 2021 Actions

#### **Tax Payer Impact and Fiscal Responsibility**

Managed tax rate – providing sustainable lowest possible tax rate; Tax rate remains equal or lower than that of 5 – 6 years ago; Applied \$250K of Unassigned Fund Balance to 2021 / 2022 tax rate while preserving Town's guideline fund balance / cash reserves (Reduces tax rate \$0.41 / \$1,000 valuation on Town rate portion); Applied \$70.9+K from Impact Fees to reduce Town's school tax rate portion (equivalent to \$0.12 / \$1,000 valuation on school rate portion of tax bill)

Received American Rescue Plan Act (ARPA) monies (\$141,645) for use in public safety and other funding source constrained uses; Initial purchases in public safety include PD body cameras and new AED's

New agreement for Contracted Assessing Services providing improved accuracies & efficiencies

Expenditures under budget for 2021 while maintaining full Town services in spite of ongoing pandemic constraints



# New Durham Board of Selectmen – Overview of Selected 2021 Actions

#### **Public Safety & Operational Related**

Developed compensation philosophy and operationally implemented market competitive wage ranges for each department; Provided non-first responders recognition payments for excellent service during pandemic induced difficulties; First responders also received recognition payments through CARES Act funding

In light of pandemic induced issues, adopted HB1129 for New Durham allowing for Zoom Deliberative Sessions (2 Sessions held as required 02/01/21 & 02/04/21)

Placed into service new excavator for DPW (\$102K) providing more operationally efficient and cost effective equipment for Public Works activities

Managed salt use and alternative materials for best practices for winter road maintenance

Safety equipment acquired includes: a) Fire Dept. ATV for rescue & other safety related needs in remote locations, i.e. Birch Ridge recreational activities; b) Police Dept. security cameras for building, body cameras for enhanced enforcement records, and new AED equipment; c) Fire Dept. Mutual Aid Agreement with Pease Airport & U.S. Air Force



# New Durham Board of Selectmen – Overview of Selected 2021 Actions

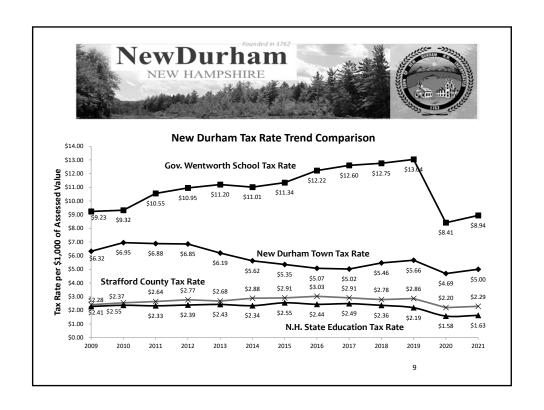
#### Other

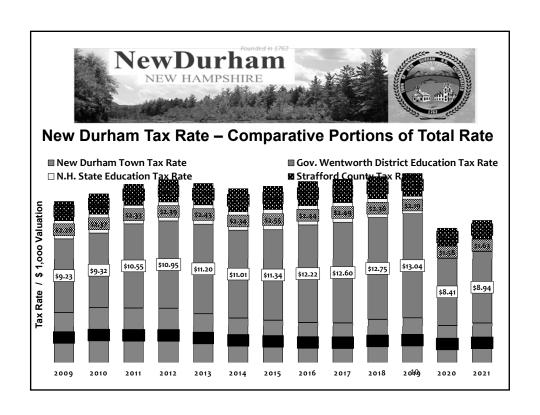
Continued collaborative effort with Alton to address water quality in Merrymeeting River & other public water bodies (Cyanobacteria Mitigation Steering Committee); Submitted application for grant funding to initiate cyanobacteria mitigation strategies in 2020 and awarded grant for 2021 (\$93K)

Select Board vacancy filled; Perambulation completed with Brookfield; Clean audits for Town finance, Tax Collection, & Clerk

Joined regional coalition to advocate for additional state support of local education to reduce local education portion of the Town's tax rate

Change in Employee Health Insurance vendor resulting in cost efficiencies with equal or better coverage for FY22







# 2022 Deliberative Session Moderator: Linda Callaway

11



#### First Session of Annual Meeting - Deliberative

The first session, the Deliberative Session, of the 2022 Town Meeting shall be held on **Monday, February 7, 2022** at **7:00 P.M.** at the New Durham School Gymnasium, located at 7 Old Bay Road in New Durham, NH. Snow date of February 8, 2022 at 7:00 P.M.

#### Second Session of the Annual Meeting - Voting

The second session, the voting on all Warrant Articles, shall be held on **Tuesday, March 08, 2022** from **8:00 A.M. to 7:00 P.M.** in the New Durham School Gymnasium located at 7 Old Bay Road, New Durham, NH. There will be voting by official ballot for the election of Town Officers and all Warrant Articles with any amendments as made at the 2022 Deliberative Session.

# New Durham Deliberative Session Introduction & Moderator's Rules & Procedures New Durham Deliberative Session, February 07, 2022 Linda Callaway, Town Moderator

- New Durham is an SB2 community where Town Meeting business is conducted through two sessions.
- The 1<sup>st</sup> session, tonight, is termed the Deliberative Session; the 2<sup>nd</sup> session is the annual ballot vote occurring on March 08, 2022 (the 2<sup>nd</sup> Tuesday in March) from 8 A.M. to 7 P.M.
- Warrant articles considered tonight will be introduced by the Moderator and the initial speaker recognized will be a member of the Board of Selectmen, the Planning Board, or, if filed by petition, a citizen.
- The voters in attendance will be provided with copies of the Town Warrant for the meeting.
- The Moderator is tasked with conducting the meeting, fielding questions from voters, and facilitating any debate.
- Warrant articles presented by the Planning Board are governed by NH statutes which contain public hearing provisions. Debate on the Planning Board related articles are conducted by the Planning Board during that process. The Planning Board Articles go directly to the ballot and are not able to be amended by the voters at today's Deliberative Session. Discussion is allowed and questions may be answered by Planning Board members.
- All other Warrant Articles are subject to the Deliberative Session procedures.
- For today's Deliberative Session we will not be using Robert's Rules but will be using the Moderator's Rules of Respect, Courtesy, and Common Sense.

#### Moderator's Rules & Procedures (Cont'd)

- Each warrant article when announced will be acted on as follows:
  - The presenter of a Warrant Article is allowed up to 10 minutes to discuss the Article
  - Debate will be encouraged from the voters present.
  - To speak, you must be recognized by the Moderator, go to the microphone, and state your name and address. All speakers will be limited to 3 minutes. Only after all speakers have been heard may a speaker gbe recognized for a second time.
  - Warrant Articles may be amended from the floor, however, any amendment must be in written form and presented to the Moderator.
  - Amendments must be made by motion and require a second to be considered.
  - Amendments, if carried, will be placed on the ballot in lieu of the original Warrant Article;
     If amendment is not carried, the original Warrant Article will be on the ballot.
  - At the conclusion of the above procedures for a given Warrant Article the Moderator will close the debate and the meeting will move to the next Warrant Article.
  - Only one amendment will be allowed at any one time.
  - Amendments to Amendments and Negative Amendments are not allowed.
  - Amendments to financial amounts must be stated in dollar amounts to be accepted.
  - Voter cards will be raised by voters when voting on amendments. Close votes will be counted by assistants to the Moderator.
- Warrant Articles do not require a motion to be passed on to the voters and they are automatically presented as written, or amended by the voters present at today's Deliberative Session, to the March 08, 2022 Ballot Session of the Town Meeting process.



# **2022 Warrant Articles**

15



## **Article 1**

To choose all necessary town officers for the ensuing year: Office Term of

3 Years
1 Year
2 Years
3 Years
6 Years
3 Years
3 Years



7111010 1				
Number of Positions	Office	Term	Candidate(s) Running for Office	
1 051610115				
1	Selectman	3 Years	Ron Uyeno	
-	20.00	7.00.5	Marc DeCoff	
1	Selectman	1 Year	David Swenson	
1	Selectifian	i reai	Rudy Rosiello	
_	Budget Committee	- V	Ellen Phillips	
2	Budget Committee	3 Years	David Bickford	
1	John Shirley Cemetery Trustee	3 Years	TBD	
	Library Trustee	- ٧	Patrice L. Mitchell	
1		3 Years	John Michaud	
1	Town Moderator	2 Years	Linda Callaway	
1	Planning Board	3 Years	TBD	
1	Supervisor of the Checklist	5 Years	Patricia Grant	
1	Trustee of Trust Funds	3 Years	TBD	
2	Zoning Board of Adjustment	3 Years	Linda Callaway	
ĺ				



#### **Article 2**

Article 2: Are you in favor of adoption of Amendment #1 as proposed by the New Durham Planning Board for the New Durham Zoning Ordinance as follows: Amend Article XIV, Shorefront Conservation Overlay District to: add the Merrymeeting and Ela Rivers to the District; establish dimensional requirements for all development within the District, regardless of whether the lot is nonconforming or not; clarify how the maximum building height is measured; require a natural waterfront buffer within 50 feet of the reference line; permit changes to nonconforming structures within the District under certain conditions; require that all new development within the District provide a minimum of four parking spaces; allow duplexes within the District under certain conditions. Section G, establish criteria for and require that applicants obtain a conditional use permit from the Planning Board for all construction within the 75 foot waterfront setback.



# Article 2 (Con't)

Are you in favor of Amendment #2 as proposed by the New Durham Planning Board for the New Durham Zoning Ordinance as follows: Amend Article XIV, Shorefront Conservation Overlay District to: Establish criteria for and require that applicants obtain exception from the Zoning Board of Appeals for all deviations from the Article.

(Majority vote required)				
Yes	No			
The Planning	Board recommends this article by a 5 to <b>0</b> vote.			

19



## **Article 3**

**Article 3:** Are you in favor of Amendment #1 as proposed by the New Durham Panning Board for the New Durham Zoning Ordinance as follows: Amend Article XXI (F) regarding nonconforming decks, stairs, and walkways to prohibit alteration of any building within 75 feet of the reference line in a manner which brings it closer to the reference line, to eliminate the ability to add an open deck an additional 12 feet towards the reference line and to limit the width of stairs and walkways within 75 feet of the reference line to 4 feet width.

And Amend Article XXI (G) setbacks for nonconforming building, land, and uses to remove the lesser setbacks for leach fields on such properties and instead require all lots to comply with the general setbacks of 125 feet from a public water body. 75 feet from a well or dwelling, and 20-40 feet from a property line, depending on the size of lot.

well or dwelling, and 20-40 f	eet from a property line, depending on the s	size of lot.
Majority Vote Required		
Yes	No	
The Planning Board recom	mends this article by a 5 to 0 vote.	20



Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other 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 \$3,352,250. Should this article be defeated, the default budget shall be \$3,435,494, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold a special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.



#### Article 4 (Cont'd)

#### **Majority Vote Required**

[Note: Operating Budget & Default Budget includes the Library Budget.]

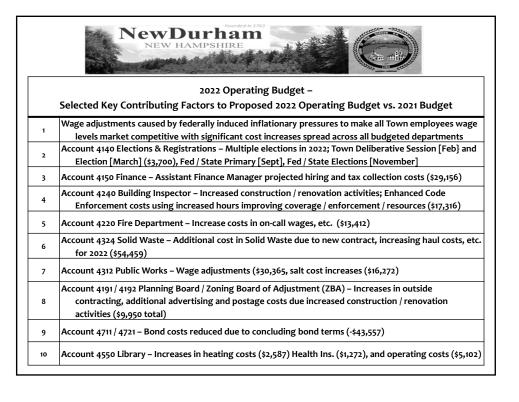
Estimated Tax Rate Impact – 2022 Proposed Budget: \$ 5.905 per \$1,000 assessed valuation.

Estimated Tax Rate Impact – 2022 Default Budget: \$ 5.711 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 6 to 1 vote.

			aagot b	y Acco	unt			
Dept. Account #	Department Account Name	2021 Budg. Com. Approved	2022 Budg Com Approved	FY22- FY21 % Diff	FY22 - FY21 \$ Diff	2022 Default DRA Approved	FY22 - FY22 Default % Diff	FY22 - FY22 Default \$ Diff
4130	Executive Office	\$209,292	\$247,278	18.15%	\$37,986	\$250,079	-1.12%	(\$2,801)
4140	Elections & Registrations	\$153,862	\$154,419	0.36%	\$557	\$150,833	2.38%	\$3,586
4150	Financial Administration	\$138,059	\$186,004	34.73%	\$47,945	\$165,095	12.66%	\$20,909
4152	Assessing	\$77,414	\$73,165	-5.49%	(\$4,249)	\$73,777	-0.83%	(\$612)
4153	Legal	\$20,000	\$25,000	25.00%	\$5,000	\$25,000	0.00%	\$0
4155	Personnel Administration	\$39,282	\$67,632	72.17%	\$28,350	\$45,789	47.70%	\$21,843
4191	Planning Board	\$4,952	\$7,643	54.34%	\$2,691	\$6,620	15.45%	\$1,023
4192	Zoning Board	\$3,681	\$11,086	201.17%	\$7,405	\$9,603	15.45%	\$1,483
4194	General Govt Buildings	\$25,858	\$25,872	0.06%	\$14	\$25,858	0.06%	\$14
4195	Cemetery	\$2,380	\$2,500	5.02%	\$120	\$2,459	1.65%	\$41
4196	In su rance	\$58,277	\$61,000	4.67%	\$2,723	\$61,000	0.00%	\$0
4199	Other General Govt	\$9,529	\$11,074	16.21%	\$1,545	\$9,529	16.21%	\$1,545
4210	Police Dept.	\$622,171	\$687,072	10.43%	\$64,901	\$683,747	0.49%	\$3,325
4220	Fire Dept.	\$245,982	\$259,394	5.45%	\$13,412	\$259,919	-0.20%	(\$525)
4240	Building Inspector	\$46,522	\$63,838	37.22%	\$17,316	\$62,498	2.14%	\$1,340
4290	Emergency Management	\$552	\$8,699	1475.87%	\$8,147	\$8,699	0.00%	(\$0)
4291	Forestry	\$12,295	\$12,832	4.36%	\$537	\$12,832	0.00%	(\$0)
4312	Highway Dept.	\$899,550	\$959,041	6.61%	\$59,491	\$923,435	3.86%	\$35,606
4324	Solid Waste	\$325,739	\$380,198	16.72%	\$54,459	\$356,474	6.66%	\$23,724
4411	Health Officer	\$2,391	\$2,391	0.00%	\$0	\$2,391	0.00%	\$0
4415	Other Agencies	\$7,000	\$7,500	7.14%	\$500	\$7,000	7.14%	\$500
4441	Welfare	\$16,756	\$16,772	0.10%	\$16	\$16,772	0.00%	\$0
4520	Recreation	\$63,696	\$69,377	8.92%	\$5,681	\$69,282	0.14%	\$95
4583	Town Historian	\$488	\$351	-28.07%	(\$137)	\$488	-28.07%	(\$137)
4589	Culture and Recreation	\$6,665	\$7,165	7.50%	\$500	\$6,665	7.50%	\$500
4612	Conservation	\$1,477	\$1,477	0.00%	\$0	\$1,477	0.00%	\$0
4711-4721-4723	Bonds / Interest / TAN	\$105,645	\$66,827	-36.74%	(\$38,818)	\$71,574	-6.63%	(\$4,747)
	OPERATING BUDGET	\$3,099,515	\$3,415,608	10.20%	\$316,093	\$3,308,895	3.23%	\$106,713
Library Trustees		0405.040	6400 540	0.500/	640 700	6400 500	7.050/	60.040
	Library Down ding Costs	\$125,819	\$136,542	8.52%	\$10,723	\$126,599	7.85%	\$9,943
	Rounding Factor ITING BUDGET + LIBRARY	40.005.004	\$2	40.400	#000 040	40 405 404	0.40%	#440.0F0
TOTAL - TOWN OPERA	TING BUDGET + LIBRART	\$3,225,334	\$3,552,150	10.13%	\$326,816	\$3,435,494	3.40%	\$116,656
Tax Rate - Operating	Operating Only Tax Rate		\$5,905			\$5.711		
Revenue	Revenue	\$993,632	\$1,161,055	16.85%	\$167,423	\$1,161,055	0.00%	\$0
Tax Credits	War Service Cred. & Overlay	\$109,700	\$110,000	0.27%	\$300	\$110,000	0.00%	\$0
Taxation		\$2,231,702	\$2,391,096	7.14%	\$159,394	\$2,274,439	5.13%	\$116,656
Tax Rate - Net Operating	Tax Rate - Net Operating Budget	\$3.710	\$3.975	7.14%		\$3.781	23	







# Warrant Articles Related To Public Safety, Roads, Etc.







## **Article 5**

To see if the Town will vote to raise and appropriate the sum of \$400,000 for the purposes of a Road Program with \$111,095 to come from the Highway Block Grant Aid and \$288,905 to come from general taxation.

**Majority Vote Required** 

Estimated 2022 Tax Rate Impact: \$ 0.480 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.



To see if the Town will vote to raise and appropriate the sum of \$210,000 to be placed in previously established Public Works related Capital Reserve Funds as follows with said funds to come from taxation:

Account	Established	2022
Highway Equipment	March 15, 2006, Article #12	\$60,000
Highway Trucks	March 4, 1988, Article #9	\$75,000
Vehicle & Equipment Maintenance	March 10, 2010, Article #15	\$10,000
Solid Waste Equipment	March 10, 2010, Article #14	\$25,000
Road Reconstruction	March 10, 2010, Article #5	\$40,000
Total		<b>\$210,000</b>



# Article 6 (Cont'd)

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.349 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.



To see if the Town will vote to raise and appropriate the sum of \$65,000 to be placed in previously established Public Safety related Capital Reserve Funds as follows with said funds to come from taxation:

Account	Established	2022
Police Cruisers	March 15, 2000, Article # 7	\$30,000
FD Ancillary Equipment	March 10, 2015, Article # 15	\$5,000
Fire Vehicles	March 12, 2013 Article # 11 Amended March 12, 2017 Article # 7	\$30,000
Total		\$65,000

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.108 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote. 29



## **Article 8**

To o see if the Town will vote to raise and appropriate the sum of \$15,000 to be placed in previously established Water Quality & Milfoil related Capital Reserve Funds as follows with said funds to come from taxation:

Account	Established	2022
New Durham Water Quality & Milfoil Treatment	March 9, 2009, Article #7 Amended March 12, 2019, Article #11	\$15,000
Total		\$15,000

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.025 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.



To see if the Town will vote to raise and appropriate the sum of \$40,000 to be placed in previously established Facilities related Capital Reserve Funds as follows with said funds to come from taxation:

Account	Established	2022
Smith Ballfield & Equipment	March 13, 2000, Article #9	\$5,000
Public Safety Facility	March 10, 2010, Article #17	\$35,000
Total		\$40,000

31



# Article 9 (Cont'd)

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.066 per \$1,000 assessed valuation.

The Board of Selectmen does not recommend this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.



To see if the Town will vote to raise and appropriate the sum of \$5,000 to be placed in previously established 1772 Meetinghouse Restoration related Capital Reserve Funds as follows with said funds to come from taxation:

Account	Established	2022
1772 Meetinghouse Restoration	March 15, 2000, Article #14	\$5,000
Total		\$5,000

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.008 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.



## **Article 11**

To see if the Town will vote to raise and appropriate the sum of \$20,000 to be placed in previously established Expendable Trust Funds as follows with said funds to come from taxation:

Account	Established	2022
Town Buildings & Improvements	March 15, 2000, Article #15	\$20,000
Total		\$20,000

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.033 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.



To see if the Town will vote to raise and appropriate the sum of \$40,000 to be placed in previously established Expendable Trust Funds as follows with said funds to come from taxation:

Account	Established	2022
Computer Systems & Office Equipment	March 13, 1996, Article #11 Revised March 9, 2011, Article #26	\$20,000
Records Management	March 23, 1999, Article #23	\$5,000
Accrued Benefits Liability	March 13, 1996, Article #16	\$15,000
Total		\$40,000

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.066 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.

35



#### **Article 13**

To see if the Town will vote to raise and appropriate the sum of \$7,500 for the purposes of funding contributions to Health & Other Agencies i.e. Cornerstone VNA, CAPSC, Kingswood Youth Center, Haven, and Strafford Nutrition – Meals on Wheels, with this sum to come from authorizing the withdrawal of \$7,500 from the JC Shirley Timber Trust (Trust Fund #28). Said trust established for the purpose to "benefit of the Town of New Durham for such lawful purposes as the Town may direct at its annual meeting."

#### **Majority Vote Required**

Estimated 2022 Tax Rate Impact: \$ 0.00 per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.

#### **Petition Warrant Articles**

37



# **Article 14**

By petition of 25 or more eligible voters of the town of New Durham, NH to see if the town will increase the Veterans Tax Credit from \$500 to \$750 to include future amendments to the RSA 72:28. The Optional all veterans' tax credit, upon adoption by city or town pursuant to RSA 72:27-a shall be an amount for \$500 up to \$750. The optional tax credit for all veterans shall replace the standard tax credit in its entirety and shall not be in addition thereto.

**Submitted by Petition** 

**Majority Vote Required** 

Estimated 2022 Tax Rate Impact: \$ 0.071 per \$1,000 assessed valuation.



By petition of 25 or more eligible voters of the town of New Durham, NH to see if the town will increase the Veterans Service-Connected Totally Disability Tax Credit from \$1,400 to \$4,000 to include future amendments to the RSA 72:35. The optional tax credit for service-connected total disability, upon adoption by a city or town pursuant to RSA 72:27-a shall be an amount from \$701 up to \$4,000. The optional tax credit for service-connected total disability shall replace the standard tax credit in its entirety and shall not be in addition thereto.

**Submitted by Petition** 

**Majority Vote Required** 

Total Estimated 2022 Tax Rate Impact: \$ 0.212 per \$1,000 assessed valuation.



## **Article 16**

To retain tax deeded property Map 209 Lot 046 off Kings Highway on Shaw's Pond to become town owned real estate requiring the Town voters to determine its sale rather than Selectmen as is presently allowed for tax deeded properties. The purpose is to protect Shaw's Pond water quality.

**Submitted by Petition** 

**Majority Vote Required** 



To retain tax deeded property Map 243 Lot 009 and Map 243 Lot 009-019, for the purpose of future Jones Pond Boat Access, to become town owned real estate requiring the town voters to determine its sale rather than selectmen as is presently allowed for tax deeded properties.

**Submitted by Petition** 

**Majority Vote Required** 

41



# **Article 18**

To retain tax deeded property Map 250 Lot 016 at 50 Main Street, also known as Downing Pond Boat Access, to become town owned real estate requiring the town voters to determine its sale rather than selectman as is presently allowed for tax deeded properties.

**Submitted by Petition** 

**Majority Vote Required** 



To conduct any other business which may legally come before the Town.

43





THANK YOU FOR YOUR ATTENDANCE AT THIS DELIBERATIVE SESSION



Voting Day
Tuesday, March 08, 2022
8 a.m. – 7 p.m.
New Durham School