

**DURHAM TOWN COUNCIL MINUTES
MONDAY, JULY 08, 2002 – 7:00 P.M.
DURHAM TOWN HALL – COUNCIL CHAMBERS**

MEMBERS PRESENT:

Malcolm Sandberg, Chair; Peter Smith; Scott Hovey;
Mark Morong; Katie Paine; Arthur Grant; Annmarie
Harris; Mike Pazdon

MEMBERS ABSENT:

Pete Chinburg

OTHERS PRESENT:

Todd Selig, Town Administrator; Interested Members of
the Public

I. Call to Order

Chair Sandberg called the meeting to order at 7:00 PM.

II. Approval of Agenda

Katie Paine MOVED to approve the agenda. Annmarie Harris SECONDED the motion and it PASSED unanimously.

III. Special Announcements

Chair Sandberg stated there were no special announcements.

IV. Approval of Minutes

Minutes of June 17, 2002

Annmarie Harris MOVED to approve the minutes of June 17, 2002 as presented. Katie Paine SECONDED the motion.

Amendments to Page 3 were made as follows:

- 5th paragraph, 7th line, change the word retail to “restaurant”.

Amendments to Page 4 were made as follows:

- 2nd paragraph, after the last sentence, insert: “Hovey also asked who was responsible.”
- Roman Numeral VI, 3rd paragraph, 2nd line, after the word Committee, insert: “Committee of the New Hampshire Municipal Association”.
- Roman Numeral VI, 3rd paragraph, 6th line, change the word corps to “core”.

Amendments to Page 8 were made as follows:

- 1st paragraph, 6th line, strike the sentence: “Currently, everything that is done is retained, and done more efficiently”.

- 3rd paragraph, 3rd line, change the sentence to read: “The leaves, twigs, grass clippings, are hauled off site or disposed of depending upon the market and it costs \$11.00 a ton.” strike the words: “sent to market”.
- 4th paragraph, 1st line, change the sentence to read: “Chair Sandberg raised a question about installing the membrane if we are to keep the existing buildings in place.”

Mark Morong MOVED to amend the minutes of June 17, 2002 as proposed. Annmarie Harris SECONDED the motion and it PASSED unanimously.

The motion to approve the minutes of June 24, 2002 PASSED unanimously.

Minutes of June 24, 2002

Amendments to Page 3 were made as follows:

- 3rd paragraph, 1st line, change the sentence to read: “Johanne Jelmburg, 29 Park Court, spoke about the school overcrowding and cost per student issue as well as the number of children per household.”

Amendments to Page 5 were made as follows:

- 1st paragraph, 2nd line, strike the duplicate word “that”.
- In the motion, change the date to read: “July 8, 2002”

Peter Smith MOVED to approve the revised draft minutes, to change the word June 8th to July 8th on page 5, and to add the words “as well as the number of children per household” in the 3rd paragraph on page 5. Scott Hovey SECONDED the motion and it PASSED 6-0-2. (Mark Morong and Katie Paine abstained because they were absent from this meeting).

Annmarie Harris asked if the letters submitted that evening which were attached to the minutes, would be in the approved version of the minutes. Town Administrator Selig indicated those files would be in the Planning Department.

Annmarie Harris MOVED to approve the minutes of June 24, 2002 as amended. Scott Hovey SECONDED the motion and it PASSED 6-0-2. (Mark Morong and Katie Paine abstained because they were absent from this meeting).

Minutes of June 17, 2002, Nonpublic Session

Annmarie Harris MOVED to approve the nonpublic minutes of June 17, 2002, as submitted. Katie Paine SECONDED the motion.

Amendments to Page 2 were made as follows:

- 3rd paragraph, 5th line, change the word later to read: “latter”

The motion passed 6-0-2 (Mark Morong and Katie Paine abstained because they were absent from this meeting).

V. Report of Administrator

- He stated that the July 4th celebration went well and extended thanks to the Public Works Department for organizing the event, the Great Bay Rotary Club in Durham for conducting with the Chicken Barbecue, the volunteers and Councilors that helped collect funds at the gate and the University of New Hampshire for allowing the Town use of the stadium and field.
- Councilors will soon be receiving an analysis report that addresses parking issues, particularly the current configuration of parking as well as the parking fee system, in downtown area.
- Discussion on the Solid Waste Fee Schedule revision is scheduled for July 22, 2002.
- Duane Hyde and Malin Clyde of the Conservation Commission subcommittee be at the July 22 meeting to discuss the large bond issues in order to preserve open space and conservation land by neighboring communities.
- Resurfacing of Mill Road has begun and will continue for a number of weeks.
- Due to the West Nile Virus, residents are being asked to report if they find dead birds (especially Blue Jay & Crow) to the Code Enforcement Officer. He indicated if there were any positive test results, the Town had obtained a permit for the State to spray in culverts and catch basins.
- He spoke about the UNH Master Plan revision process and some of the committees and working groups that the Town would be involved with during that process. He stated that he had an opportunity to speak with some members from the Town Boards and Commissions that had indicated an interest in serving on the UNH Master Plan committees/workgroups. He said that he was forwarding the following slate of representatives from the Town to the UNH, some of which will need to be appointed by their respective Boards: Steering Committee, Malcolm Sandberg and Administrator Selig (alternate); Campus Master Plan Committee, a Planning Board rep and Jim Campbell (alternate); Land Use Working Group, a Planning Board rep and Jim Campbell (alternate); Housing Working Group, Arthur Grant; Landscaping Ecology Working Group, Conservation Commission Chair Lee Alexander and another Conservation Commission rep (alternate); Transportation Working Group, Annmarie Harris.
- Through the State Composter Program, the Town had been marketing composters at \$25.00 apiece and sold all 320. This was more than was sold by any other City or Town in the State of New Hampshire.
- The Packers Falls Bridge replacement project has come in over its budget allotment of \$560,000.00, as the low bid for the project was \$790,000.00, not including engineering and contingency costs. He stated that he has concluded that this project is not accomplishable during this summer because of budget constraints, and the Public Works Department will notify the State that the Town will not be moving forward on the project this summer. He stated that they will be approaching the Council to revisit this issue during the 2003 fiscal year budget process.
- At the next meeting the Library Trustees will speak about the status of the new Library development.

In response to a suggestion from Katie Paine, Administrator Selig stated that it would be an excellent idea to have recycling bins and an extra composter available at future Town events, such as the Fourth of July, and he would look into making that possible.

VI. Reports and Comments of Councilors

Scott Hovey asked about the time frame and cost efficiency of evaluating the installation of scales at the landfill.

Administrator Selig stated that he had yet to receive a design proposal from the Public Works Department and the Engineer, including cost for the design, and cost for the inclusion of scales. In response to a question from Scott Hovey, he replied the proposed design costs would include a quote for the operating cost of the scales. He stated that in the past when addressing the issue of the solid waste ordinance, the possibility of implementing a pay-as-you-throw program was discussed. He stated that the next most effective and equitable way to ensure that everyone pays only for their share of waste contribution would be to install scales at the transfer station. He stated that although the scales would ensure equity, he could not assure that this benefit would outweigh the expense of their installation and maintenance. He stated that he was waiting for more information on the proposal before he determined if he should include it in his recommendations to the Council.

Peter Smith asked, in regard to the Town Administrator's report on the University Master Plan, if Administrator Selig had reviewed the function of each of the committees the University has working on the Master Plan. He asked if there was Town representation on all committees that will evaluate issues that may impact the Town.

Administrator Selig stated that it was only the Space Allocation Committee that had no Town representation, though the Town would have the opportunity to issue feedback to this committee during the process. He stated that the responsibility of this committee was to evaluate options and priorities for allocation of space in existing and new buildings on campus. He stated that all working committees submit their findings to the Campus Plan Master Committee, who subsequently make recommendations to the Steering Committee; both of which have Town representatives.

Peter Smith asked about committees that would focus on issues relating to expansion of the student population. Administrator Selig stated that the Housing Committee and the Land Use Committee would likely address this issue, and any recommendations would be subject to review by the Steering Committees.

Katie Paine asked Administrator Selig if the Town had involvement in the tree removal on Durham Point Road. Administrator Selig replied this road was governed by the scenic road statute, which the Town had adopted, that requires someone wishing to cut trees along the road to first have a public hearing and obtain permission from the Planning Board. It was his understanding that this had been done by the power company wishing to remove the trees. In response to a question from Katie Paine, Administrator Selig stated that the tree removal was not for the purpose of allowing the road to be widened.

Mark Morong commented on the Town fireworks show that he attended. He stated the view of most of the display had been blocked by the trees. He suggested that for next year they either invest in fireworks that will clear the trees or move the launch location of the fireworks so that they will be more visible to the crowd.

Scott Hovey stated that the brush that was down because of storms in March had not yet been removed from the roadside, even though the Town has access to a wood chipper. He also stated there was still debris at the site of a car accident that had occurred on Canney Road. He said he

would like to know what the Public Works Department was doing about this type of roadside maintenance. He also stated that a number of citizens have continued to bring to his attention concerns about the lack of Police presence downtown.

Administrator Selig stated that the Public Works Department will address the issue of brush removal on the roadside on a "time available" basis, as it is not the department's main priority. He said he was not aware that there was debris left on Canney Road, and that he would report it to Public Works. He agreed with Councilor Hovey that the lack of Police presence downtown is an issue, but said it comes as a result of having a lack of additional manpower. He stated that the best solution to the problem would be to add additional staff to have a permanent presence in the downtown area

Scott Hovey said in the past, the Police Chief and other Police management were in uniform in the downtown area, which he felt had been effective for a number of reasons. He also suggested that the Town make an effort to remove brush from the roadside before it makes the effort to plant flowers downtown in the spring.

Peter Smith asked if the Town had received any less complaints about incidents in the downtown area, than in the surrounding parts of the community. Administrator Selig said he had not received any complaints from merchants about the lack of Police presence. He indicated the complaints were received from a few specific citizens.

Mark Morong asked about the status of the new computer systems for the police vehicles that Chief Kurz said were supposed to enable the police to have more presence. Administrator Selig stated that the system was not yet in place because of technical glitches in the process of setting up the system.

Mike Pazdon stated that the Oyster River 9-10 year olds baseball team won the Cal Ripken tournament in Barrington for the second time in a row.

In response to a question from Katie Paine, Scott Hovey stated that the date for the Durham Day Picnic would probably be September 7, 2002.

Arthur Grant asked if the Departments had begun work on the 2003 Budgets and if the Town Administrator required guidance from Council on the parameters of the budget. Administrator Selig responded that the budget process has 2 parts. He stated that the first part was the Capital Improvements Plan (CIP), for which Department Heads have submitted requests to the Business Office, which will be compiled, submitted to him. He stated that the second part, preparation of the Budget, will start in August. He stated that he would appreciate to whatever extent the Council wishes to give input on the Budget. He stated that his objective is to bring before the Council a budget with minimal increase that will meet as many of the needs, priorities, and Council Goals and Objectives as possible.

Katie Paine said she believed the purpose of the Council's Mission and Visioning Statement was to set priorities that would be the principles by which they operated during the budget process. Administrator Selig agreed with Katie Paine's statement.

VII. Public Comments

Philip Ginsburg, 151 Durham Point Road, expressed thanks to the Board for considering him for appointment as an alternate to the Durham Public Library Board of Trustees.

Peter Smith asked Mr. Ginsburg for his opinion about what were the most important priorities of the Public Library Board of Trustees right now and what role he saw himself serving on that Board.

Mr. Ginsburg stated that his familiarity with details of the Library's operation was limited. He stated that he would bring to the Board his enthusiasm for libraries and his concern for the Town. In response to a question from Peter Smith, Mr. Ginsburg stated he had experience with fundraising and had been Executive Director to the New Hampshire Council for the Humanities.

Shirley Thompson, 48 Bagdad Road, referred to the agenda item regarding the appointment of members to the School Funding Commission. She said she was interested in serving on this Commission although she had not submitted an application yet as she was concerned that her commitment to two committees in Concord might compromise her availability. She stated that after speaking with Arthur Grant, who indicated to her that meetings were not held every week, she decided that she would have the time to serve on the Committee and would like to be considered for such a duty.

Jim Hewitt, 4 Fairchild Drive, spoke about the fireworks display issue. He suggested that next year the fireworks be moved for better visibility. He also stated that he was in attendance because of his application for nomination to The Lamprey River Management Advisory Committee (LRMAC) was being considered this evening.

Peter Smith asked Mr. Hewitt to elaborate on his reasons for wanting to serve on the LRMAC.

Mr. Hewitt stated that he has been a Durham resident for nine years; his is a water supply engineer and has interest in water supply issues. He spoke briefly about some of the issues affecting the Lamprey River. He stated that his education and experience would help him help ensure that the river was used in effective ways.

VIII. Unanimous Consent Agenda *(Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote)*

- A. Shall the Town Council approve the permit application submitted by the Red Tower Neighborhood Association to close Burnham Avenue for its annual block party on July 27, 2002?
- B. Shall the Town Council recommend James A. Hewitt for appointment to the Lamprey River Management Advisory Committee?
- C. Shall the Town Council appoint Philip Ginsburg as an Alternate to the Durham Public Library Board of Trustees?
- D. Shall the Town Council appoint Richard Hallett and Bobbie Jean Weiler as regular members to the Conservation Commission as recommended by Lee Alexander, Chair, Conservation Commission?
- E. **Adopt Ordinance #2002-04** rescinding Chapter 96 "Permanently Disabled Exemptions", rescinding Chapter 52 "Elderly Exemptions" of the Durham Town Code and establishing a new Chapter 132 entitled "Tax Exemptions and Credits", codifying all existing adopted property tax exemptions, adopting and codifying the optional standard veteran tax credit and

surviving spouse veteran tax credit and codifying and modifying the income amounts and asset limits for the disabled and elderly exemptions

Peter Smith stated he did not want to request removal of an item, rather he wanted to assert his objection to having Board & Commission nominations on the Unanimous Consent Agenda. He stated the selection of members for Boards and Commissions was an important responsibility. He believed candidates under consideration should be at the meeting to present their interest in whatever Board to which they are applying. He asked if there were applicants under consideration for Board appointments that were not present at the meeting. Chair Sandberg responded that Richard Hallett and Bobbie Jean Weiler were being considered, but were not present. He asked Peter Smith if he wished to remove Item VIII D from the list. Peter Smith stated that he did not wish to remove this Item from the Unanimous Consent Agenda.

Administrator Selig noted that there were a few non-substantive changes that had been made to Item VIII E.

Chair Sandberg indicated that Item VIII E would be removed from Unanimous Consent Agenda for discussion.

Annmarie Harris MOVED to adopt items A,B,C and D on the Unanimous Consent Agenda. Katie Paine SECONDED the motion and it PASSED unanimously.

The Council discussed Item VII E separately.

Administrator Selig spoke about the non-substantive changes made to Ordinance #2002-04, Tax Exemptions and Credits. He stated the “purpose and intent” provision had been eliminated from the ordinance as it was extraneous in lieu of the ‘whereas’ clauses in the lead in. He stated that the numbering for each of the specific exemptions had been changed to be listed subsections of the ordinance (i.e. 132-2.1, 132-2.2 etc.). He stated that the largest modification was under the Veterans Tax Credit, Section 132-5. He stated the Spanish War, the Philippine Insurrection, the Boxer Rebellion and World War I were eliminated from the ordinance with the assurance that no Durham residents who had served in those conflicts and qualified, were still living. He spoke briefly about the last Section, 132-8, and the dates that indicated when each of the sections becomes effective.

Peter Smith MOVED that the Durham Town Council hereby adopt Ordinance #2002-04 as revised on July 8, 2002, rescinding Chapter 96 “Permanently Disabled Exemptions” and rescinding Chapter 52 “Elderly Exemptions”, and creating a new Chapter 132 entitled “Tax Exemptions and Credits”, codifying all existing adopted property tax exemptions, adopting and codifying the optional Standard Veteran Tax Credit and Surviving Spouse Veteran Tax Credit and codifying and modifying the income amounts to asset limits for the Disabled and Elderly Exemptions.. Katie Paine SECONDED the motion.

Peter Smith stated that he believed that the effective dates should not be listed as a code provision section.

Peter Smith MOVED to amend Ordinance #2002-04 by omitting “132-8” before the title “Effective Dates.” Mark Morong SECONDED the motion and it PASSED unanimously.

Annmarie Harris said it would be premature to exclude the qualification for veterans of WWI.

Peter Smith stated that a WWI veteran would be at least 104 years of age, and given the average life span for men, he is quite confident that no one in Durham who served in that conflict is still living.

The motion to adopt Ordinance #2002-04 as amended PASSED on a vote of 7-0-1 (Arthur Grant abstained, due to conflict of interest, for reason that he receives a Veteran's benefit).

IX. Unfinished Business (Beginning NLT 8:00)

Public Hearing (Continued): Planned Unit Development and Conditional Use Permit application submitted by Jones & Beach Engineers, Inc. on behalf of J.R. Collier Corporation for a Planned Unit Development and Conditional Use Permit in the Rural District for property located on Packers Falls Road

Katie Paine and Mark Morong recused themselves from this discussion.

Mike Pazdon requested that the Chair extend congratulations to those who had just been appointed to Board/Commission positions by the Council.

Chair Sandberg expressed thanks to those were appointed and had volunteered to serve the Town, stating that their willingness to do so was appreciated.

Chair Sandberg declared a 5-minute recess at 8:04 PM.

Chair Sandberg reopened the Continued Public Hearing.

Robin Rousseau, 345 Packers Falls Road, gave a brief recap of the information Nancy Smath, 89 Packers Falls Road, had presented at the last meeting that was pertinent to her presentation.

Scott Hovey asked if the reimbursement from the University for the 45-50 students at Forest Park was factored into Ms. Rousseau's equations. Ms. Rousseau stated that her number was based on the amount that was paid from the Town of Durham to the Oyster River School District. Ms. Rousseau spoke about how they had derived the school age children per household number. She spoke about how she consulted with Professor Neil Neiman, UNH economics professor, who suggested supplementing her data with the US Census Numbers. She stated that her calculations were to present the projected revenue/costs to the Town from this Development project. She stated that her calculations included both numbers with and without the State Education Grant. She spoke about the projected tax revenue of the development, and how she had calculated that figure. She spoke about projected costs that would be incurred by the development for usage of Town services. She spoke about her quantification of the amount that of money that would be saved by having some services (trash removal, plowing, etc.) provided by the Neighborhood Association. Ms. Rousseau spoke about her schedule showing calculation of the tax revenue and cost credit generated by private services, deducting the school child costs. She stated that her calculations proved that the proposed Development would be a financial loss to the Town. Ms. Rousseau stated that although she was a strong advocate of property rights,

she believed that nobody had the right to do whatever they want with their land and leave the Town owing money for it.

Daniel Gordon, 175 Packers Falls Road, spoke about positive efforts he felt Eric Chinburg as a Developer has done for the Town and surrounding communities. He also stated that he was opposed to the proposed development, as he felt the housing was unaffordable, would strain the school system, and was an inappropriate use of the land.

Nate Grove, 91 Packers Falls Rd., presented maps of the proposed development and raised questions about the Findings of Fact and the 1988 application. Mr. Grove stated that the original application proposed that Allen Farm Commons would have 55 acres of the 92-acre parcel designated as untouched conservation land, with 12 acres to be developed, and the remaining 25 acres to be common open space. He read from RSA 674-21(A) "Development Restrictions Enforceable." He stated that the 1989 approval of the application, submitted by Farrell, Martin and Pulitzer, promised the conservation restriction on 80 acres of the parcel. He spoke about Sophia Collier's new proposal in 1991, for a 19-unit subdivision approved by the Planning Board, and the 1995 boundary line adjustments that added 56 acres to the property. He urged the Council to investigate and consider the matter thoroughly. He stated that he was opposed to the project because he felt it was not in accordance with the Master Plan and asked the Council to consider dismissing the applications.

Peter Smith asked if he was correct to assume that Mr. Grove was arguing that the interpretation RSA 674.21 mandated if an application was approved by the Planning Board but not developed, that all future owners of that land are bound by that approved plan. Mr. Grove stated that his conclusion drew upon the wording "it shall run with the land" rather than "it may run with the land."

Peter Smith asked Mr. Grove if he knew of any precedent in the Courts that supports his interpretation of RSA 674.21(A). Mr. Grove stated that he did not have an answer to Peter Smith's question.

Malcolm McNeill, representing the developer, stated in response to Mr. Grove's interpretation of RSA 674-21(A) that many developers have approved plans that are never developed. He stated that the original development plan was disregarded by the Town when J.R. Collier came before the town in 1991 and received approval. He spoke about the language and the history of the 1988 statute which sought to give Towns authority to enforce conditions of approval of a plan, but only if the plan was used. He stated that the Town did not impose any prior restrictions when they accepted an application in 1991, and such a position would have no legal support. He referred RSA 676.4A, permitting an applicant to withdraw an approved plan, and stated that if the current proposal were approved, that the previously approved plan would be withdrawn. He responded to some of the non-fiscal issues that had been raised. He spoke about attempts that have been made to revoke the 1991 permit, stating that such action does not impact the current application. He stated that the 1991 approved plan, which included more houses, was found to be fiscally responsible by the Town Council. He stated that this Planned Unit Development, unlike any others reviewed by the Town Council, was not proposing a non-permitted use. He stated that the appropriate way to stop growth in the community was by enacting a moratorium, an idea that was rejected in February. He stated that the parties involved in the Acquirer Protection Zone litigation would drop their lawsuit if the project was approved. He said the applicant was not responsible for or constrained by the problems stemming from the school

capacity crisis, and that problems should be resolved with a moratorium, not on a project-by-project basis. He spoke about concerns raised regarding altering the rural character of Packers Falls Road. He spoke to support the fiscal impact summary's projected incurred school costs. He stated that he had recalculated some of the numbers associated with the schools costs, basing the child per household multiplier on a number of other projects in the community. He said this project would provide a great deal of passive recreation area to people living in the vicinity of that site; which was the best alternative for Durham.

Russell Thibeau, President of Applied Economic Research, an Economic and Real Estate Consulting Firm of Laconia, N.H., spoke about his experience conducting impact fee analysis for municipalities and developers. He spoke about his method of calculating the school age child per household multiplier.

Annmarie Harris asked a question about the numbers of dwelling units presented.

Mr. Thibeau spoke further about the school age child per household multiplier, and the enrollment costs that would be incurred by the development. He concluded that a multiplier from .65 to .85 would be reasonable for new single-family units. In response to a question from Arthur Grant, Mr. Thibeau stated that the number of dwelling units in Durham that were renter occupied was about one-half, and a lot of those were occupied by college age students.

Peter Smith asked Mr. Thibeau if he had conducted this type of school analysis before in a community where the majority of the population in the community was 21-22 year olds. Mr. Thibeau said he understood that Durham is a unique setting, and as such the macro factors routinely used to verify the student per household multiplier are rendered ineffective. He spoke about the fiscal impact analysis he had just completed for Dartmouth College, and stated that he has also conducted analysis for other projects in Durham.

Annmarie Harris stated, responding to the numbers derived from new housing projects to determine the multiplier, that she believed new projects often had young families just starting to have children. She asked if figures might be used that considered these housing projects a few years later. Mr. Thibeau stated that he had heard this argument before, and some have argued the opposite; that new families in new housing projects will have lots of school children, and that would inflate the number. He said he balanced the new projects' numbers by using some older projects as well.

Annmarie Harris spoke about the turnover rate in Durham, where families move to the town with children and move out when the children grow up because the taxes are exceptionally high.

Arthur Grant MOVED to continue the Public Hearing until July 22, 2002. Annmarie Harris SECONDED the motion.

The Council discussed if there would be enough members available for the July 22 meeting to have a quorum present, and it was determined that there would be.

The motion PASSED unanimously.

Katie Paine and Mark Morong returned to the table.

X. New Business (Beginning NLT 9:45)

A. Who shall the Town Council appoint as members to the School Funding Commission?

Arthur Grant stated that the Council voted to create a School Funding Formula Study Commission to study the fairness and equity of the current Oyster River School District Funding arrangement. He spoke briefly about the funding formula for the district towns. He stated that vacancies on the Study Commission were posted and declarations of interest have been received. He stated that he understood there were other residents who have expressed interest in serving on the commission, yet have not returned their application.

Arthur Grant MOVED that the Durham Town Council appoint the following individuals to the School Funding Commission to examine the current school funding formula and provide a recommendation to the Council relating to the fairness and equity of the existing 50/50 formula: John H. Farrell, 8 Little John Road; Robert K. Toutkoushian, 19 Frost Drive; Kathy McWilliams, 72 Bucks Hill Road; David Pease, 11 Willey Creek Road; Shirley Thompson, 48 Bagdad Road, and that Paul Beaudoin, Town Business Manager, be designated as an ex-officio member. Katie Paine SECONDED the motion.

Arthur Grant noted that nominees Shirley Thompson and Kathy McWilliams have been members of the School Board, and all of the nominees have children or grandchildren in the school. He said he was confident that the interest of the school population and the parents of the community would be well served and protected by the nominated individuals.

Peter Smith stated that he was still having an issue with appointing the Commission members without them being present to speak and answer questions from the Council

Peter Smith MOVED to postpone appointment of the new School Funding Commission Members until Council has opportunity to speak with the nominees who are not in attendance. There was no SECOND and the motion FAILED.

Mike Pazdon requested that Paul Beaudoin be asked if he has the time to be an ex-officio member before being nominated. Administrator Selig indicated his agreement with Mike Pazdon's request. Town Administrator Selig stated that he had spoken with Michael Everngam, former Business Manager of the School District, who had verbally indicated that he might be interested in serving on this Commission.

In response to a question from Katie Paine if they could appoint Mr. Everngam at a later date, Chair Sandberg stated that if they appointed the nominated members, that the five-member Commission would be full.

Arthur Grant stated it was his belief that the Council had the power to increase the membership of this Commission to six if it found that an additional person should be added.

The motion PASSED on a vote of 6-2 (Peter Smith and Scott Hovey were opposed)

Administrator Selig said that he has known Russell Thibeau, the expert speaking on behalf of the Allen Farm PUD, since Mr. Selig was a child and that they are in the same boating club. He said this did not create a conflict of interest issue and he just wanted to make the Council aware.

XI. Nonpublic Session (if needed)

There was no nonpublic session required.

XII. Adjourn (NLT 10:00 PM)

Katie Paine MOVED to adjourn. Mike Pazdon SECONDED the motion and it PASSED unanimously.

The meeting was adjourned at 9:55 PM.

Darlene Dumais, Secretary