

Approved at the January 20, 2003 meeting

DURHAM TOWN COUNCIL MONDAY, DECEMBER 16, 2002 – 7:00 P.M. TOWN COUNCIL CHAMBERS – DURHAM TOWN HALL

MEMBERS PRESENT:

Malcolm Sandberg, Chair; Arthur Grant; Katie Paine; Mark Morong; Annmarie Harris; John Kraus; Pete Chinburg (left the meeting at 7:20 P.M.; Returned at 8:40 P.M.) Peter Smith; Mike Pazdon

OTHERS PRESENT:

Todd Selig, Town Administrator; Mike Lynch, Director of Public Works; Ron O’Keefe, Fire Chief; David Kurz, Police Chief; Interested members of the public

I. Call to Order

Chair Sandberg called the meeting to order at 7:12 P.M.

II. Approval of the Agenda

Councilor Chinburg MOVED to approve the agenda. The motion was SECONDED by Councilor Paine.

Councilor Smith MOVED to postpone item IV. on the agenda until the next meeting. The motion was SECONDED by Councilor Pazdon and was unanimously APPROVED.

Councilor Smith MOVED to strike the words “not later than 10:00 P.M.” from item XII. on the agenda. The motion was SECONDED by Councilor Kraus and was unanimously APPROVED.

The amended agenda was unanimously APPROVED.

III. Special Announcements

Councilor Chinburg left the meeting at 7:20 P.M.

V. Report of the Administrator

There was no report made.

VI. Reports and Comments of Councilors

There were no Councilor comments

VII. Public Comments

Robbi Woodburn, 6 Cormarant Circle, spoke in favor of funding the MainStreet organization.

VIII. Unanimous Consent Agenda

- A. Shall the Council accept the proposed 2003 Holiday Schedule in accordance with the Town Personnel Policy?
- B. Shall the Council approve omitted Veteran's credits and blind exemption abatements as recommended by the Town Assessor?

Councilor Paine MOVED to approve the unanimous consent items. The motion was SECONDED by Councilor Kraus and was unanimously APPROVED.

IX. Unfinished Business

- A. Action on Ordinance #2002-11: Amending certain portions of Chapter 153 "Vehicles and Traffic" Section 153-29 "Metered Parking Areas" of the Durham Town Code by increasing the current parking meter fees from \$1.00 per hour to \$1.50 per hour and addresses the two hour time limit in the Pettee Brook Lane parking lot

After some discussion, Councilor Kraus MOVED to approve the ordinance. The motion was SECONDED by Councilor Grant and unanimously FAILED.

- B. Discussion on the proposed 2003 Operating Budget and the 2003-2012 Capital Improvement Program

After some discussion, Councilor Grant MOVED to defer the three items in the Capital Improvement Plan regarding sidewalk reconstruction for the years 2003, 2004 and 2005 to years 2004, 2005 and 2006. The motion was SECONDED by Councilor Paine and was APPROVED on a vote of 5-3 as follows: Councilor Grant, Aye; Councilor Paine, Aye; Councilor Morong, Aye; Councilor Harris, Aye; Councilor Kraus, Aye; Chair Sandberg, Nay; Councilor Pazdon, Nay; Councilor Smith, Nay.

At the December 2, 2002 meeting, Councilor Morong had MOVED that \$10,000 be placed in the budget for the MainStreet Program if the program provided a Town newsletter. That motion had been SECONDED by Councilor Paine.

After some discussion, the December 2 motion unanimously FAILED.

After some discussion, Councilor Smith MOVED to strike \$24,796 in the budget for the Oyster River Youth Association. The motion was SECONDED by Councilor Kraus and FAILED on a vote of 4-4 as follows: Chair Sandberg, Aye; Councilor Harris, Aye; Councilor Kraus, Aye; Councilor Smith, Aye; Councilor Pazdon, Nay; Councilor Morong, Nay; Councilor Grant, Nay; Councilor Paine, Nay.

Councilor Chinburg arrived at the meeting at 8:40 P.M.

After some discussion, Councilor Grant MOVED to strike \$8,000 from the budget for the July 4 celebration. The motion was SECONDED by Councilor Harris and was APPROVED on a vote of 5-4 as follows: Chair Sandberg, Aye; Councilor Grant, Aye; Councilor Paine, Aye; Councilor Harris, Aye; Councilor Smith, Aye; Councilor Pazdon, Nay; Councilor Chinburg, Nay; Councilor Kraus, Nay; Councilor Morong, Nay.

After some discussion, Councilor Morong MOVED to fund the MainStreet Program in the amount of \$10,000. The motion was SECONDED by Councilor Chinburg.

Chair Sandberg called for a 7 minute recess at 8:54 P.M.

Chair Sandberg reconvened the meeting at 9:00 P.M.

After further discussion, the motion was APPROVED on a 5-4 vote as follows: Councilor Grant, Aye; Councilor Paine, Aye; Councilor Morong, Aye; Councilor Chinburg, Aye; Councilor Pazdon, Aye; Chair Sandberg, Nay; Councilor Harris, Nay; Councilor Kraus, Nay; Councilor Smith, Nay.

Councilor Pazdon MOVED to table the motion to approve the general fund budget. The motion was SECONDED by Councilor Smith and was unanimously APPROVED.

After some discussion, Councilor Pazdon MOVED to approve the \$504,790 water fund budget. The motion was SECONDED by Councilor Kraus.

After further discussion, Councilor Pazdon MOVED to amend his motion to remove \$35,000 from the Capital Improvement Plan to fund the Lee radon well study. The amendment was SECONDED by Councilor Kraus and was APPROVED on a vote of 8-1 as follows: Chair Sandberg, Aye; Councilor Grant, Aye; Councilor Paine, Aye; Councilor Morong, Aye; Councilor Harris, Aye; Councilor Kraus, Aye; Councilor Smith, Aye; Councilor Pazdon, Aye; Councilor Chinburg, Nay.

Councilor Grant MOVED to table the motion to approve the water fund budget. The motion was SECONDED by Councilor Pazdon and was unanimously APPROVED.

After some discussion, Councilor Grant MOVED to approve the \$1,338,923 wastewater fund budget. The motion was SECONDED by Councilor Pazdon.

After further discussion, Councilor Harris MOVED to amend Councilor Grant's motion to remove \$12,000 from the wastewater fund budget for odor reduction at the Dover Road Pump Station. The motion was SECONDED by Councilor Paine and FAILED on a vote of 4-5 as follows: Councilor Grant, Aye; Councilor Paine, Aye; Councilor Harris, Aye; Councilor Kraus, Aye; Councilor Chinburg, Nay; Councilor Pazdon, Nay; Chair Sandberg, Nay; Councilor Morong, Nay; Councilor Smith, Nay.

Councilor Morong MOVED to table the motion to approve the wastewater fund budget. The motion was SECONDED by Councilor Kraus and was unanimously APPROVED.

After some discussion, Councilor Pazdon MOVED to approve the Capital Improvement Plan which incorporated the capital fund budget. The motion was SECONDED by Councilor Paine.

After further discussion, Councilor Kraus MOVED to amend Councilor Pazdon's motion by removing the \$2,500,000 bond for land purchase for 2004 in the Capital Improvement Plan. The motion was SECONDED by Councilor Pazdon and FAILED on a vote of 3-6 as follows: Councilor Kraus, Aye; Councilor Chinburg, Aye; Councilor Pazdon, Aye; Chair Sandberg, Nay; Councilor Harris, Nay; Councilor Paine, Nay; Councilor Grant, Nay; Councilor Morong, Nay; Councilor Smith, Nay.

After some discussion, Councilor Chinburg MOVED to remove \$3,168,310 from the Capital Improvement Plan for library reconstruction. The motion was SECONDED by Councilor Pazdon.

After further discussion, Councilor Kraus MOVED the previous question That motion FAILED on a vote of 4-5 as follows: Chair Sandberg, Aye; Councilor Chinburg, Aye; Councilor Pazdon, Aye; Councilor Kraus, Aye; Councilor Grant, Nay; Councilor Paine, Nay; Councilor Morong, Nay; Councilor Harris, Nay; Councilor Smith, Nay.

After further discussion, Councilor Chinburg's motion was APPROVED on a vote of 8-1 as follows: Chair Sandberg, Aye; Councilor Grant, Aye; Councilor Morong, Aye; Councilor Harris, Aye; Councilor Kraus, Aye;

Councilor Chinburg, Aye; Councilor Smith, Aye; Councilor Pazdon, Aye; Councilor Paine, Nay.

After some discussion, Councilor Paine MOVED to remove \$9 million for a swimming pool in the Capital Improvement Plan under 2007. The motion was SECONDED by Councilor Morong and was unanimously APPROVED.

After some discussion, Councilor Smith MOVED to remove from the Capital Improvement Plan \$50,000 that would be used to reimburse the sewer fund during a 10 year period. The motion was SECONDED by Councilor Kraus and was unanimously APPROVED.

After some discussion, Councilor Grant MOVED to defer \$55,000 from 2003 to 2004, \$70,000 from 2004 to 2005 and \$60,000 from 2005 to 2006 in the Capital Improvement Plan for sidewalk reconstruction. The motion was SECONDED by Councilor Pazdon and was unanimously APPROVED.

After some discussion, Councilor Pazdon MOVED to strike \$35,000 from FY 2003 under the water fund in the Capital Improvement Program and to strike \$165,000 from FY 2004, both amounts to fund the Lee radon well study. The motion was SECONDED by Councilor Kraus and was APPROVED on a vote of 8-1 as follows: Chair Sandberg, Aye; Councilor Grant, Aye; Councilor Paine, Aye; Councilor Morong, Aye; Councilor Harris, Aye; Councilor Kraus, Aye; Councilor Smith, Aye; Councilor Pazdon, Aye; Councilor Chinburg, Nay.

Councilor Paine MOVED to table the Capital Improvement Program. The motion was SECONDED by Councilor Kraus.

- C. Resolution #2002-25: Adopting the 2003 Operating Budget, including the General Fund, Capital Fund, Water Fund, Sewer Fund and Parking Fund; and setting the water and sewer rates for 2003

After some discussion, Councilor Paine MOVED to remove the operating budget, water fund budget and the wastewater fund budget from the table. The motion was SECONDED by Councilor Grant and the Council unanimously APPROVED resolution #2002-25.

- D. Resolution #2002-26: Adopting the #2003-2012 Capital Improvement Program

After some discussion, Councilor Paine MOVED to remove the CIP from the table. The motion was SECONDED by Councilor Grant.

Councilor Paine MOVED to approve resolution #2002-26. The motion was SECONDED by Councilor Morong.

After further discussion, Councilor Grant MOVED to amend resolution #2002-26 by inserting the date of the public hearing of the Capital Improvement Program. The motion was SECONDED by Councilor Kraus and was unanimously APPROVED.

Councilor Paine's amended motion was unanimously APPROVED.

X. New Business

- A. Shall the Council schedule a public hearing on the placement of a ballot question on the March 11, 2003 Town election ballot to raise and appropriate the sum of \$2,500,000 for the permanent protection of open space to help stabilize taxes and to protect the character of the Town of Durham?

Councilor Paine MOVED to schedule the public hearing for the next meeting. The motion was SECONDED by Councilor Smith.

After some discussion, Councilor Grant MOVED to insert the words "in 2004" into the petition after the number \$2,500,000. The motion was SECONDED by Councilor Pazdon and FAILED on a vote of 2-7 as follows: Councilor Grant, Aye; Councilor Pazdon, Aye; Chair Sandberg, Nay; Councilor Paine, Nay; Councilor Harris, Nay; Councilor Morong, Nay; Councilor Kraus, Nay; Councilor Chinburg, Nay; Councilor Smith, Nay.

After further discussion, Councilor Paine's motion was unanimously APPROVED.

XI. Adjourn

Councilor Kraus MOVED to adjourn the meeting. The motion was SECONDED by Councilor Paine and was unanimously APPROVED.

The meeting adjourned at 11:14 P.M.

Michael Bornstein, Minute Taker

