

This set of minutes was approved at the Town Council meeting on April 7, 2008

**DURHAM TOWN COUNCIL
MONDAY, FEBRUARY 18, 2008
DURHAM TOWN HALL – COUNCIL CHAMBERS
7:00 PM**

MEMBERS PRESENT: Chair Neil Niman; Councilor Mark Morong; Councilor Karl Van Asselt; Councilor Jerry Needell; Councilor Diana Carroll; Councilor Julian Smith; Councilor Peter Stanhope; Councilor Cathy Leach

MEMBERS ABSENT: Councilor Henry Smith

OTHERS PRESENT: Town Administrator Todd Selig; Town Planner Jim Campbell; Town Engineer David Cedarholm; Director of Public Works Mike Lynch; Town Clerk-Tax Collector Lorrie Pitt

I. Call to Order

Chairman Niman called the meeting to order at 7:00 PM.

II. Approval of Agenda

Councilor Van Asselt MOVED to approve the Agenda as submitted. Councilor Leach SECONDED the motion, and it PASSED unanimously 8-0.

III. Special Announcements

There were no special announcements.

IV. Approval of Minutes

January 14, 2008

Page 8, motion in the middle of the page should read “..it PASSED 8-1, with ...

Page 12, 7th paragraph should read “Chair Niman said he wasn’t sure that the Council...”

Councilor Van Asselt MOVED to adopt the January 14, 2008 Minutes as amended. Councilor Carroll SECONDED the motion, and it PASSED unanimously 8-0.

September 4, 2007

Councilor Van Asselt MOVED to adopt the September 4, 2007 Minutes. Councilor Carroll SECONDED the motion, and it PASSED 7-0-1, with Councilor Morong abstaining because of his absence from that meeting.

January 14, 2008 (Nonpublic Session)

Councilor Van Asselt MOVED to adopt the January 14, 2007 Nonpublic Session Minutes. Councilor Stanhope SECONDED the motion, and it PASSED unanimously 8-0.

V. Councilor and Town Administrator Roundtable

Councilor Carroll read a letter into the record from Durham resident Ted McNitt. In his letter, Mr. McNitt said he was writing to express his concern about the plan to create a park on the property known as Jackson's Landing. He said that while he supported making the landing more attractive, and the construction of the walking trail, he knew that encroachment of existing parking and trailer-maneuvering areas would impair Herb Jackson's stated purpose in giving the land to the Town.

He said Herb Jackson had been a good friend, and was one of a group of boys who grew up on the Oyster River during the 1920's. He said he loved the River and in his retirement could be seen sailing his 22 ft Catboat *Wahoo* down to Little Bay. Mr. McNitt said his other main interest was protection of the bay and the river shoreland.

He provided details on this, and said that in the early 1970's, Herb Jackson gave the Town 100 plus acres of waterfront land. Mr. McNitt said the primary intention of doing this was to encourage people to find the same enjoyment of the river that he had. He said that in order to do this, Herb wanted to establish a permanent boat launching and landing facility for the citizens of the Town.

Mr. McNitt said that in general, the citizen users and crews had been willing to make compromises over the use of a single paved ramp with level graded gravel parking and trailer handling shore areas would be much better for the river ecology than the alternative of many small ramps cut into the riverbank by individual property owners. He said Herb supported the accommodation of the UNH rowing shells and the Durham Rowing Club even though it caused some crowding.

compromises over the use of the relatively restricted area between the main boathouse and the dock and ramp. He said at the time of crew races or rowing alumni weekends, everyone faced a shortage at the ramp and close-in trailer handling and parking space.

He said the reductions of parking and maneuvering spaces in the proposed park would clearly make the use of Jackson's Landing much more difficult for all the river users, with little compensating benefit for the Town as a whole. He said he recommended that the Town Council instruct that the plans for the proposed park should be modified to protect, or, if possible, enhance the existing boat trailer and shell maneuvering and parking areas.

Councilor Julian Smith said there was an upcoming Mill Plaza Committee meeting on Wednesday from 6:30-9:00 pm at the Oyster River Middle School. He said the purpose

of the meeting was to look at the hybrid design concept brought forward by the three architectural firms. He said it might perhaps be the last major meeting of the Committee, and said this would be a good time for people to weigh in with their reactions to what was being proposed for the Mill Plaza redevelopment. He said he hoped there would be a good turnout for the meeting.

Councilor Needell said the Planning Board's quarterly planning meeting would take place on February 28th. He said the Board would hear from Town Engineer Dave Cedarholm concerning his draft of the proposed Stormwater Ordinance, and also said there would be discussion with the Energy Commission, among other things on possible regulatory changes.

Councilor Van Asselt noted Agenda Item VII C regarding authorizing the Town Administrator to complete the paperwork for a possible grant for the construction of a fish ladder at the Wiswall Dam. He asked whether, if the Council approved this and the grant was approved, they were obligated to take the funds. Administrator Selig said no. Administrator Selig noted that the annual Town report was in the mail. He said he would be bringing forward for next year the idea of no longer mailing the report, in order to save money. He said the program instead would be to provide the report at the Town Hall for people to pick up if they were interested.

Councilor Julian Smith suggested that it should also be available at the Transfer station, and Administrator Selig said it would also be available at the Library.

Administrator Selig asked residents to provide photos of Durham that could be used as the header of his Friday Updates.

He pointed out a correction in his communication to the Council on the Lee Five Corners issue, stating that there was gravel pack well involved, not a bedrock well.

He said he anticipated that a resolution would be coming forward to the Council to accept a bequest from Margery Milne concerning some land on Mill Pond, whereby the property would be transferred to the Town. He said the Council would also have to act on a bequest from her to care for this property in perpetuity.

Administrator Selig said John Pinto, the owner of Mill Plaza, would be visiting Durham on Friday. He said that among other things, there would be discussion with him on the idea of the Town constructing a roadway on the Mill Plaza property, and in exchange having Mr. Pinto give the Town $\frac{3}{4}$ of an acre of land near Chesley Drive, for the siting of a future Town library. He said if Mr. Pinto was interested in doing this, there would be a follow-up analysis on this idea.

He said there had recently been over 40 burglaries in Durham, of cars that were unlocked. He said it was believed that the perpetrator had been apprehended.

Administrator Selig said it had been determined that the Town had over-expended the

2007 Budget by \$46,206 due in large part to the flooding in May of 2007, and also due to the policing costs involved with policing the aftermath of the Red Sox World Series. He also said there were extra costs to the Town because there had been a difficult winter, which had started early. But he said the Town had also received \$58,000 in unanticipated grants, so had finished 2007 in the black.

Administrator Selig noted two upcoming candidate forums sponsored by the Durham Taxpayers Association, and said one was on February 20th to be held in the Council Chambers for School Board candidates. He said a second forum would be held on March 4th, for Town Council and Library Board of Trustee candidates.

He also said the Durham Business Association would be holding a debate at the Chambers on Feb 26th at 7 pm, for Councilor and Library Board of Trustee candidates.

Councilor Needell noted that there would be a debate on February 19th that was sponsored by the School District.

Concerning an item on the Unanimous Consent Agenda, there was discussion between Councilor Van Asselt and Administrator Selig regarding the fact that \$320,000 of the Road Resurfacing Program would be paid for out of the General Fund, and \$30,000 would be paid for from a reserve account.

Administrator Selig said this was structured so that the reserve funds would reimburse the General Fund expenditure, and he provided details on this.

Councilor Julian Smith noted that there were only two people running for the two vacancies on the Library Board of Trustees, and asked if these people should therefore be asked to debate.

Administrator Selig said this would simply be an opportunity for them to make some statements and answer questions.

Councilor Leach these were intended to be forums rather than debates.

VI. Public Comments (NLT 7:30 PM)

Jennifer Rief, 25 Winecellar Road, said she was a candidate for the Oyster River School Board. She said she had lived in Durham for nine years, and had two children attending Moharimet Elementary School, where she was an active volunteer. She said she was a former classroom teacher, and was deeply committed to providing quality education for Durham students.

Ms. Rief said she had begun attending Town and School Board meetings a few years ago, to try to understand the high taxes they paid in the School District. She said that as a homeowner, she was concerned about the affordability of living in Durham, noting that almost 70% of peoples' property taxes went toward education, and that the School

Budget was increasing an average of 8% per year.

She said she planned to promote fiscal responsibility, and among other things, said the district's spending should match the decreasing enrollment trends. She said residents could learn more about her candidacy at jenniferrief.blogspot.com.

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

Councilor Morong asked that Items VII D and F be removed from the Unanimous Consent Agenda.

A. RESOLUTION #2008-03 requesting the Trustees of the Trust Funds transfer \$23,883.41 to Capital Fund account number 07-0723-701-00-000 and \$24,210.43 to Capital Fund account number 07-0724-701-00-000 from the Fire Equipment & Service Capital Fund account for the 2007 purchase of two replacement fire vehicles

B. RESOLUTION #2008-04 authorizing the acceptance of private donations and unanticipated revenues totaling \$9,035.99 and authorizing the acceptance and expenditure of grant funds totaling \$2,888.99 received by the Town of Durham between January 1 and December 31, 2007

C. RESOLUTION #2008-05 authorizing the Town Administrator to sign the application and contract documents for a Natural Resources Conservation Services grant for the purpose of funding the construction of a fish passage facility at the Wiswall dam and associated renovations to the Wiswall Historic Mill Park on behalf of the Town of Durham

E. Shall the Town Council authorize award of the 2008 Road Resurfacing Program bid to Pike Industries of Portsmouth, NH in the amount of \$349,018.00 as recommended by the Town Administrator?

Councilor Van Asselt MOVED to approve Unanimous Consent Agenda Items A, B, C, and E. Councilor Leach SECONDED the motion, and it PASSED unanimously 8-0.

D. Shall the Town Council approve the Special Event Permit application submitted by the Oyster River High School Friends of Oyster River Track to close certain sections of Town roads for its annual "Todd's Trot" 5K road race on Saturday, April 12, 2008?

Councilor Morong noted that a few years ago, there had been a problem when the road was painted for the race, and the marks were there for a long time. He said it was important to remind the people organizing this event that if they painted the road, they would also be responsible for cleaning it up afterward.

Administrator Selig said Public Works Director Mike Lynch had in fact reminded them about this.

John Parsons of Friends of Oyster River Track said after the event when the road had

been painted, 3 years ago, they had been told by the Town not to do this again, and had abided by that since that time.

Councilor Morong MOVED to approve the Special Event Permit application submitted by the Oyster River High School Friends of Oyster River Track to close certain sections of Town roads for its annual “Administrator Selig’s Trot” 5K road race on Saturday, April 12, 2008. Councilor Van Asselt SECONDED the motion, and it PASSED unanimously 8-0.

- F.** Shall the Town Council authorize award of engineering consulting services to Underwood Engineers, Inc. of Portsmouth, NH in the amount of \$68,500 for the Stone Quarry Drive TIF water and wastewater improvements project as recommended by the Town Administrator?

Councilor Morong asked whether, if the Council appropriated this money, any of it had to be spent before the development agreement draft was agreed upon.

Administrator Selig provided details on how a goal was to streamline this process, but he stated that as the Council Communication had indicated, the contract with Underwood would only go forward if the development agreement was approved by the Council.

Councilor Carroll said she had seen from reading the Council packet that Town staff was really on top of things, including thinking ahead as to how things could be done, and how money could be saved. She said this was what the Council had asked them to do.

Councilor Needell MOVED to award the design phase contract for Water and Wastewater Extensions for the Stone Quarry Drive TIF District Project to Underwood Engineers Inc., of Portsmouth, NH for the sum of \$68,500 to be paid from Capitol Fund account #06-4000-891-36-000, upon the recommendation of the Town Administrator. Councilor Stanhope SECONDED the motion, and it PASSED unanimously 8-0.

VIII. Committee Appointment

Shall the Town Council appoint Eric Fisher to the Churchill Rink at Jackson’s Landing Advisory Committee?

Eric Fisher, 3 Gerrish Drive, said he had been involved with various activities involving the rink for about 10 years, and provided details on this. He said he had come to enjoy the rink and appreciate its charm to the region. And said he felt this was an opportunity to contribute to the Town.

Councilor Leach said Mr. Fisher had been on the ad hoc committee for the rink, and among other things was involved with the transition of the rink from ORYA to the Town. She said the existing members of the Advisory Committee were excited that he was now stepping forward to offer his services to the Committee, and said she thought he would be a great addition to it.

Councilor Carroll said Mr. Fisher and his wife Beth were her neighbors, and said he had contributed a lot to the neighborhood. She said she appreciated the fact that he was offering his services as well to the Advisory Committee.

Councilor Stanhope MOVED to appoint Eric Fisher, 3 Gerrish Drive, to fill the unexpired term on the Churchill Rink at Jackson's Landing Advisory Committee, said term to expire on April 30, 2009. Councilor Leach SECONDED the motion, and it PASSED unanimously 8-0.

IX. Presentation Item

Wiswall Bridge Replacement Project– David Cedarholm, Town Engineer and CLD Engineering

John Byatt of CLD Engineers provided a slide presentation on the project: “Wiswall Road over the Lamprey River”. He said based on the design process so far, the project goals were the following: to provide a competent structure; to increase the hydraulic capacity of the bridge; to keep the bridge design fairly simple, at a reasonable cost; and to limit impacts in a variety of ways.

He said an hydraulic analysis was performed for a 100 year storm, and it was determined that the bottom of the structure had to be 1 foot above the 100 year storm, which would mean the bridge would need to be raised approximately 5.5 ft from the original grade of the bridge.

He noted that based on the hydraulic analysis, the island should be removed, and he provided details on this. He also said it was determined that the existing abutments couldn't be used, because in raising the bridge 5.5 ft., there needed to be wider abutments in order to support that load. He said the plan was to build new concrete abutments in the same location, only raised.

He provided details on design considerations, and concepts that were considered, and said what was recommended in October and now as well was a single 180 ft span, with new concrete abutments going down to ledge. He said it was also recommend that the bridge should remain a one lane bridge, and that there should be a sidewalk.

Mr. Byatt said a design exception would need to be obtained from NHDOT, but said that since it was a one lane bridge before, and based on traffic volumes, the design should be approved. He said considered ways to reduce impacts further were being considered, in part based on NHDES comments concerning wetland impacts, and concerns about impacts on historic resources in the area.

He said they therefore had dropped the design speed to 20 mph, which reduced the project footprint and impacts, and lowered the cost. He demonstrated this on the designs themselves, and provided additional details on design issues involved with this.

Mr. Byatt next discussed the flared wingwall design approach, said this was the most cost

effective approach but resulted in the most wetland and river impacts. He said to reduce wetland impacts, they had then looked at the idea of using U-back wingwalls, an approach that was less cost effective but resulted in fewer impacts. He said 1800 sf of area would be impacted as compared to 4000 sf that would be impacted with the flared wingwall approach. He said DES liked this second option better.

He then went through the cost difference between the design option with the flared wingwalls and the option with U-back wing walls, each of them with and without sidewalks and stone facades. He said they were recommending keeping the sidewalk, and using the stone façade, and said they were also recommending the black anodized rail used on the Packers Falls Bridge. He said if they wanted to go with W-beam approach painted black, this could save \$50,000, and if W-beam, unpainted rail was used, this would save about \$70,000.

Mr. Byatt next spoke about the historical review that was done, and said it was expected that the State Division of Historic Resources would say this was an historic area, and that a public hearing would be required. He said input would be received from the State on this, and it would be determined if mitigation of some kind would be required. He provided some details on this, and said this was why the engineering firm had been looking at the stone façade options.

Chair Niman asked if numbers on the mitigation costs would be available before the project came to the Council for final approval, and the engineer said yes, and provided details on this.

Councilor Leach asked what the purpose of the public hearing would be, while Chair Niman said leaving the abutments in place would mean there would not be a new bridge. There was discussion on these things with the engineer. He also clarified for Councilor Needell that it was the Town that held the public hearing on this.

Councilor Needell asked if the Council would be asked to approve the expenditure for the bridge prior to knowing the results of this process with the Division of Historic Resources.

Mr. Byatt said no, stating that the agency would be meeting on this issue the following week, and the public hearing could be after that, so there should be a decision fairly soon. He said if the Council was opposed to using the historic stones, he could certainly tell the State that.

Chair Niman asked if there were funds in the State budget to compensate the Town for whatever mitigation it would impose on it.

Mr. Byatt noted that the State would pay 80% of the cost for the bridge, but said he didn't think there would be any specific, additional funds available for historical mitigation.

Administrator Selig noted that earlier on there had been concern from conservation

groups that owned land abutting the project regarding access to the site for construction. He asked how this had been resolved.

Mr. Byatt provided details on this, and explained that access for construction would occur on the other side of the road from the conservation land. He said this wouldn't add to the cost, and also said this would be discussed with the abutters on the other side before bringing the project back to the Council. He said the easements would be in place by that time as well. He provided details on what was involved with this process.

Councilor Stanhope asked whether, if cooperation wasn't obtained from a particular landowner, that would necessitate the eminent domain process.

There was discussion about this with Mr. Byatt, who said that could happen, but said it was a process the Town would certainly want to avoid, and the goal would be to try to find other solutions.

Councilor Needell noted that concerning the flared wingwall vs. u-back wingwall, the engineer had indicated that NHDES strongly preferred the u-back wingwall. He asked if there were grants that would be available to pay for the more expensive option. He also asked if the Town would have other options if DES refused to approve the flared wingwall .

The engineer said perhaps there could be further negotiations on this, and he provided details on this. He said he didn't think DES would provide any money for this. He also noted that DOT would be reviewing everything, including the historic study, the wetlands permitting, etc.

Councilor Leach received confirmation that according to DES, the flared wingwall option should be taken out as an option. She asked who had the final authority on this, and if the Town wanted this option, if DES could refuse to grant a permit.

The engineer said yes, it could refuse to issue the wetland permit. He said perhaps there would be way to find a compromise design.

Chair Niman asked if it would be up to the Council that evening to say that given the difference in the two designs, and that the Town's share of the cost for this difference would be \$50,000, it didn't want to spend that money, and wanted the engineering firm to negotiate some kind of compromise with the State.

Mr. Byatt said the Council could in fact tell him that, that evening. He provided details on a possible compromise approach, which would save the Town about \$100,000.

Chair Niman said the Council would discuss that evening if they wanted him to do that.

Town Engineer Dave Cedarholm summarized how the Public Works Department had come up with its recommendations. He said going from 25 to 20 mph saved a fair amount of money, because less footprint was needed, and said this had eliminated the need to do

an archeological investigation.

He said he had met with the DES Wetland Bureau, and was told that putting fill in the river was only to be considered as a last resort. He said that was why DES had a problem with the angled and U-back wing walls. He said the Lamprey River Advisory Committee had similar concerns regarding these wing walls, and also liked the aesthetics, historic character of using the stone façade.

Mr. Cedarholm said the public comments had directed them to a single lane bridge, with sidewalks and railings. He said the hydraulic study had directed them to raise the bridge deck to 5 ft, and to remove the center pier. He said the DOT and FEMA requirements also had a lot to say about the process and how the bridge could be built.

He also said the historic resources study had been done, a process and was a process that had to be followed because DOT and FEMA were involved. He said the State Division of Historic Resources said the bridge was right next to an historic park that was on the National Historic Register, and said it was possible that the bridge was a part of an historic district. He said the report had concluded this, and they would see if the Division of Historic Resources agreed with this.

He said this project had gone from a simple, inexpensive bridge, to the most expensive option on the table. He said Public Works had tried to come up with some other cost saving options, regarding railings and incorporation of stone façade. He said it was anticipated that the Division of Historic Resources would direct them to do something with the stones from the abutments, although not necessarily as a structural component. He said it would be simple to do something like this.

Councilor Needell asked whether the proposed height of the bridge assumed getting rid of the center pier, and was told yes. He then noted that the neighborhood had pushed for a sidewalk, and said he understood the desire for this. He noted there had not been a sidewalk there before, and he asked whether, since the proposed speed limit had been reduced, this mitigated feelings about whether the sidewalk was considered necessary. He asked whether it would be a safe situation if the speed limit could perhaps be lowered to 15 mph, and the sidewalk was eliminated.

Mr. Cedarholm said people would probably still argue in favor of the sidewalk. He said it added a degree of safety, and he provided details on this.

There was detailed discussion on the sidewalk issue, and the purpose of a sidewalk on this bridge. Councilor Needell noted the issue concerning the use of the bridge in the summer by swimmers who jumped off of it.

Mr. Cedarholm said it was pretty scary walking on the bridge at any time of year.

Chair Niman asked who was walking across the bridge, and where they were coming from and going to.

Councilor Leach noted that the sidewalk would exist on its own, and would not connect to other sidewalk areas along the road.

Mr. Cedarholm said fishermen walked across the bridge from the parking area. He said it had been unanimous that there should be a sidewalk on the upstream side, and he noted that a lot of people living on Wiswall Road strolled on that road.

Councilor Julian Smith said there was a lot of pedestrian use of the bridge, noting that he was one of the people who walked over it. He said in the summer, people who parked in the Town parking lot walked across the bridge to get to the far side, where it was easier to climb down into the water.

He provided details on how a sidewalk might actually make the bridge less safe. He also said the lack of a sidewalk, and the fact that people tended to congregate on the bridge in the summer, tended to have a traffic calming effect. He said that someone would be unhappy, whichever decision was made concerning a sidewalk.

Councilor Leach received clarification that the railing would have to be higher if there was a sidewalk on the bridge.

Chair Niman asked if any engineering analysis had been done to evaluate the possible safety issues involved with a higher railing.

Mr. Cedarholm said the purpose of a railing would be to keep someone on the bridge. He said if someone chose to climb up on the railing to jump off the bridge, this was not an analysis the Public Works Department was prepared to do, or should be speaking about.

Councilor Needell agreed that talking about this area as an approved swimming hole was problematic for the Town. He said he was concerned that a sidewalk with a railing would raise the drop from the bridge to the water, if someone was jumping off the railing. He said the main reason for the sidewalk was the swimming that occurred there in the summer. He asked if widening the width of the road on the bridge, without including a sidewalk, would solve anything.

Mr. Cedarholm said it would make the road wide enough for two cars to pass each other, but not safely. He also said he didn't feel a sidewalk would be there to provide a nicer place to swim off of, and said he felt it would provide a refuge to persons walking on the bridge. He said it could be a terrifying experience, crossing that bridge without a sidewalk, with cars going by.

Councilor Carroll said a basic rule of planning was keeping pedestrians away from moving vehicles. She said she felt they should start with the idea of a sidewalk so pedestrians would be safer.

Councilor Stanhope said the risk to pedestrians would be reduced by decreasing the speed limit to 20 mph. He also noted that pedestrians currently walked along the roadway in

that area.

Mr. Cedarholm said just because the speed limit was posted as 20 mph, that didn't necessarily mean that people drove that speed.

There was discussion about the sidewalk railing height and design, as compared to the roadway railing height and design. There was also discussion on which allowed the better view of the surrounding area, for cars and people going over the bridge.

Councilor Van Asselt said he understood that FEMA and DOT had certain requirements, but said he didn't understand the other design ideas that had been included because a few people liked them. He said he didn't understand how, after a year of talking about this bridge, the Public Works Department had come up with the most expensive option. He said this wasn't giving the Council many options.

Mr. Cedarholm said the Town hadn't been given a lot of options between the various agency requirements, and said the Town had essentially been backed into a corner. He said the Lamprey River was a very large river, with a large watershed, and said the river's flow was ten times the flow of the Oyster River. He said the river had a tendency to flood, and said replacing the Wiswall Bridge was therefore no small matter.

He said they couldn't build the cheapest bridge they would like because of the structural and historical requirements. He said the Public Works Department had tried to deal with the historical aspect, but in the end, had to spend \$8,000 to do an historic investigation. He said this report had given him a greater appreciation of the site, but he said it had also resulted in the need to spend more money to mitigate the historic aspect of the bridge.

Councilor Van Asselt asked if there was anything in the design that was not required by the different agencies, and was simply desired by a group of people in Town.

There was discussion that the things that were not required by the various agencies were the sidewalk, the stone façade, and the anodized black railing.

Councilor Julian Smith noted that if the bridge was re-built, the Town would pay only 20% of the full cost for this. He also said regarding the sidewalk issue that Wiswall Road was a two lane road, and said people walking along that road could walk along the shoulder. But he said walking on the bridge, they wouldn't have that option. He also said that regarding the stone façade aspect of the project, he would prefer to see straightforward concrete abutments.

He noted that he had attended a meeting with the Division of Historic Resources along with Mr. Cedarholm. He also spoke about the situation with the Oyster River bridge some years back, where DOT had done nothing to save the existing stones that were part of that bridge. But he said there were more and more requirements now. He said he wished that the Wiswall Bridge had been repaired adequately some years ago so the Town wouldn't be going thorough this now. He said things in Town were only going to get more expensive, and he suggested that people pay attention to the warrant article from the Fair

Tax Coalition.

Administrator Selig said one of the goals that evening was to get some direction from the Council on how it wanted to proceed concerning the bridge. He said the Town had learned a lot from the Packers Falls Bridge process, and had structured this present process around that to try not to make the same kinds of mistakes. He said the Cadillac bridge option included all the preferences of the those residents who had attended the public hearings.

Councilor Morong said that several months ago, he had said he wanted to see the least expensive bridge possible, because the Town didn't have the money to spend for a Cadillac bridge. He said he didn't need money to be spent to determine how much a sidewalk would cost, because he couldn't support a sidewalk or anything that added additional cost to the bridge.

Councilor Leach asked if there were any cost savings from using 50 year flood guidelines instead of 100 year flood guidelines.

Mr. Byatt said this would drop the bridge height 6-8 inches, and said he didn't think the cost savings would be significant.

Mr. Cedarholm said considering the fact that there had been three 100 year storms in the last 11 years, it would be a good idea to stay with the 100 year elevation.

Councilor Needell said the \$700,000 difference between the two options reflected \$140,000 of Town tax money that would have to be spent. He noted it had been asked if there could be any grant money available for this, and asked whether in general there was any hope of reducing that cost.

Mr. Cedarholm said he would hold out very little hope for this. He said it wasn't yet known what the cost of historical mitigation work would be. He also noted that the rental cost for the Bailey bridge had not been included in the cost figures. He said if the Town could return that bridge to DOT in 2009, the total cost for it would be about \$100,000..

Mr. Lynch said the installation of the Bailey bridge had cost \$70,000, and said the Town had to pay \$3,000/year for rental of the bridge, for 3 years. He said removal of the bridge would cost another \$30,000. He said all of this was eligible for a State Aid bridge grant.

He said the \$70,000 had been paid, and also said 2 years of the rental fee had been paid, but said there had not been any reimbursement yet from DOT. He said when the Town went into the construction phase, 50% of the bridge aid money would be awarded, and said the remaining 50% would be awarded when construction ended.

Councilor Leach asked for further details about DES's concerns about impacts to the river.

Mr. Cedarholm said Dori Wiggin of DES's Wetlands Bureau was concerned about the

idea of having filled in the river, and said this could only be considered as a last resort. He also spoke about the Lamprey River Advisory Committee's concerns about this. He said impacts on wetland soils near the bridge was a little more palatable, but said there were difficulties involved with using fill, and putting in rip rap in wetlands.

Chair Niman said what they were all talking about was protecting 2200 sf of wetland for \$250,000 and Mr. Byatt said that was correct.

Councilor Carroll asked what the lifespan of the new bridge was expected to be, assuming there wasn't a 1000 year flood, and Mr. Byatt said the lifespan was about 50-75 years. Councilor Carroll said she thought the Council needed to think long term, and said there would be a lot of people going over this bridge during that time period. She said health and safety was the number one thing that needed to be addressed, along with aesthetics and other things the Town valued, such as the history of the area surrounding the bridge.

Chair Niman summarized the options. He said the Council could adopt the recommendations of CDL Engineering; it could adopt Councilor Morong's recommendation, to go with the cheapest bridge possible; or it could say no to the bridge, as recommended by Councilor Van Asselt. He asked if there were other points of view that needed to be included with these other three.

Administrator Selig noted a previous question from Councilor Needell, and said that for the cheapest bridge, with flared wingwall abutments, no sidewalk and no stone facades the Town's contribution would be \$134,000 less than for the more expensive option that had been recommended.

Councilor Stanhope said perhaps another \$70,000 less could be spent regarding the railing, \$14,000 of which would be money the Town would save with this approach.

Councilor Leach said she would like to see the cheapest bridge possible, such as what Administrator Selig had just described.

Administrator Selig said the cheapest bridge would have no sidewalk, no stone façade other than the minimal amount that the Division of Historic Resource might require, and scaled back railings (basic silver W rails). He said the Town could also try to get a compromise with DES concerning the flared wingwall abutments.

Chair Niman said if someone wanted to make a contribution to the Town to pay for stone facades or some other things, he assumed this offer would not be rejected.

Councilor Carroll said that was a great addition to the conversation, because there were other people out there with opinions on this, and perhaps some money they would like to contribute for the bridge.

Councilor Julian Smith said he preferred that there be no sidewalk in the option the

Council chose, with the hope that someone would contribute a memorial sidewalk before the project went much further. He said he would also prefer flared wingwalls and no stone façade. He said he wanted a Model T bridge, and said he would leave it to others to decide on the railing.

Councilor Carroll said the W-rails were ugly and were what one would expect to see along Route 1, heading into Boston. She said this didn't fit into a lovely rural setting.

It was noted that this kind of railing had been on the bridge before, only it was lower. Councilor Van Asselt said if he couldn't have the "no bridge" option, he wanted the cheapest bridge.

Councilor Carroll said she was not for the cheapest bridge, but was looking for some kind of compromise, stating that she felt sidewalks were important for safety reasons. She said she would also like to hear more from the people in this area, noting that the Council had always listened to the residents of neighborhoods concerning projects.

Councilor Morong said he was not that concerned about safety issues with the bridge and said they had to expect drivers to be responsible. He said a one land bridge would allow enough room for pedestrians walking single file, and said a responsible driver would slow down in a situation like this.

Councilor Morong said that concerning the Packers Falls Bridge, he had voted for changes on that because the Town had promised something that it didn't deliver. He said he would have been happy to stay with the W-rails, but had felt it was the Council's responsibility to deliver on its promise. He said this time, he was making sure the Council didn't make the promises.

Councilor Needell said if the Town was building a new bridge, it made sense to make improvements if it could. He said there was no question that a sidewalk would be a significant safety improvement, and said he didn't have a problem with adding it. But he said he did have a serious concern about creating an attractive nuisance. He provided details on this, and said he was looking for guidance as to how deal with this.

He said it was important to think about the long term impact of the bridge. He said the added expense would not be insignificant, but said this was a long term project. He said there could be debate about the stone façade, but he said it was the impact on the river and wetlands that he was more troubled about. He said he was not necessarily willing to ignore this, and said the work that had been done to preserve the river should be taken into account.

He said the Town was going to have to spend \$400,000, and said the question was whether it would spend \$500,000. He said the Town should do the best job it could on the bridge.

Councilor Stanhope said he would prefer no bridge, but said he assumed that idea

wouldn't gain any further support. He said he didn't want to see the Town incur costs above anything that was not essential to provide a safe passageway over the water.

Councilor Julian Smith said the cost of the sidewalk would be \$235,000, which would mean the Town would have to pay \$47,000 for it. He said a stop sign at either end of the bridge would be a lot cheaper, although noting that the Police Department would probably say no to this. He said he walked on that road more than anyone else at the table, and was willing to walk in the roadway.

Chair Niman said that he had said from the beginning that the Town should spend as little as possible on the bridge. He said he wanted to reiterate that point that evening for the benefit of the engineering firm.

Administrator Selig said a longtime problem along that corridor, on either side, had been people parking illegally for swimming and fishing. He asked how that issue was being treated with the design that was proposed.

Mr. Byatt provided details on the guard rail that was proposed, and said it was put in for safety reasons.

Chair Niman MOVED that the Town Council would like to advise Town staff that it would like to see the lowest cost option possible for the Wiswall Bridge.

Administrator Selig noted the goal now was to move on to a final design, and said there wasn't the funding available to flesh out a variety of other options.

Mr. Byatt said they could go on to finalize the design based on the Council's input, and using the flared wing walls, but he said his concern was that they wouldn't get the permit. He said that was the reason he hadn't gone to the final design yet. He asked how the Town wanted to proceed if it didn't get the permit for the flared wing walls.

Chair Niman noted that his motion hadn't included specifics on wingwall abutments, etc, but he said the Council did want the lowest cost bridge that was possible. He said he wanted Mr. Byatt to negotiate with DES to get this, and said if as part of this, there could be a modification in the design to save the Town \$100,000, Mr. Byatt could come back and tell the Council this.

Chair Niman said he would like Mr. Byatt to forcefully present the position of the Town Council, that it wanted to spend as little as possible on the bridge.

Councilor Needell noted that the Council had not voted on this motion yet.

Councilor Morong SECONDED the motion.

Councilor Needell said he assumed that this motion explicitly removed the sidewalk from the plan.

Chair Niman said the intent of the motion was to say that if the Town couldn't get the permit for the bridge unless various things were done, these things should be done as inexpensively as possible. He also noted that there might be someone who wanted to pay the cost for the sidewalk.

Councilor Needell asked if there was an argument from DOT in regard to the sidewalk, and Mr. Byatt said he would find that out.

Councilor Leach said she was frustrated that the Council was talking about this now. She said the majority of Councilors had said what they wanted 4 months ago, and said the Minutes were pretty clear on this. She asked how the situation would be different this time.

Administrator Selig said there had still be many outstanding issues in October, including the Division of Historic Resources issues and the wingwall issue. He said he placed a great deal of credence on the Packers Falls bridge process, because of the outcry from the neighborhood, so had fleshed out all the information he could for the Wiswall Bridge process. He said the Council could now choose the parts of the plan it wanted, in an informed way.

Councilor Leach said two public hearings had already occurred as of the October 1st Council meeting. She noted that she had expressed her concerns to Administrator Selig after the September 18th public hearing that the neighbors wanted the high price items for the bridge, which was not what the Council wanted. She said she had asked Mr. Cedarholm at the time to tell the neighbors they probably wouldn't get what they wanted, and said this was clear in the Minutes.

She said what had now been proposed was the highest cost bridge, including what the neighbors wanted, and said she therefore had no faith that what would come back to the Council would be any different.

Administrator Selig said he had tried to bring the Council informed options, with costs that were real, and said the purpose of the discussion that evening was to get direction. He said the Council wanted the least expensive option, and he said that was how they would therefore proceed. He said it was important for the neighbors to understand the balance the Council was trying to achieve.

Councilor Needell said in the wording of the motion, there were no limits on what could be done. He said the reason he couldn't support this motion was not because he wanted to spend the most money possible on the bridge, but he said implicit in the motion was a desire to get away with as much as possible, with the cheapest solution, and to reject any concerns raised by others about potential impacts.

Councilor Stanhope said he would support the motion. He said as he understood the motion, the Council was asking for what was the least costly bridge that was permitted.

He said DES wouldn't let the Town damage wetlands or the river, but he said if the frills weren't necessary and the regulatory authorities didn't feel they were essential, why should the Town buy them.

Councilor Morong said the Town could go back to DES to see if there could be a compromise. He also said that with the Packers Falls Bridge experience, there had been a justified outcry because the Town had promised one thing and delivered another. He said in the present situation, the Council was taking responsibility upfront, and was saying that the Town simply could not afford the fancy rails and the sidewalk.

Administrator Selig disagreed, and said the most integral shortcoming with that process was inconsistency in the feedback from the hearings. He also said the goals of the project had shifted over time, with the result that there had been a lot of misconceptions about the process. He said the Wiswall Bridge process had been compressed, and said great care had been taken to track with consistency the public comments that were received, and to bring them to the Council, to ensure that there weren't missteps.

The motion PASSED 6-2 with Councilor Carroll and Councilor Needell voting against it.

Administrator Selig summarized that the following items concerning the design for the bridge, going forward.

- Black anodized railing was taken out; it will be silver W-rail unless a group steps up to pay for something else
- The sidewalk was taken out
- The stone façade will be taken out to the extent that this allowed by the State
- Everything else that is possible will be done to get the cost down

The Council stood in recess from 9:08-9:17 PM.

X. Unfinished Business

- A. Shall the Town Council authorize the sale of the Lee Five Corners property (the former Mick Gravel Pit) and the Durham-owned gravel pit in Lee to the Town of Lee, NH, and accept an executory interest in a conservation easement for the Lee Five Corners property from the Town of Lee, and authorize the Administrator to execute said documents on the Town's behalf?

Administrator Selig noted that his Friday Update had outlined the history of this project, and also said the Council Communication covered it in great detail. He said what was proposed was a win-win scenario, and said he highly recommend going forward with it.

Chair Niman received clarification that all the motions could be done at the same time.

Councilor Van Asselt MOVED:

MOTION 1:

The Town Council hereby authorizes for consideration paid the transfer of a certain tract or parcel of land with any buildings thereon containing 20.72 acres, formerly owned by Samuel O. Mick, located on the westerly side of Snell Road, so-called, in Lee, Strafford County, New Hampshire, being shown on Plan captioned "Conservation Easement Plan prepared for Lee Five Corners Reserve, located at Lee, N.H." prepared by Atlantic Survey Co., Inc. recorded in the Strafford County Registry of Deeds as Plan 85-28, to the Town of Lee, New Hampshire and authorizes the Town Administrator to sign a Warranty Deed implementing this transfer on the Town's behalf.

MOTION 2:

The Town Council authorizes for consideration paid the transfer of a certain tract or parcel of land with any buildings thereon containing 16.02 acres situated on the westerly side of Garrity Road, so-called, in Lee, Strafford County, New Hampshire, and shown on a plan entitled "Plan of Land prepared for Town of Durham, NH located at Garrity Road, Lee, New Hampshire" dated July 30, 1998, prepared by Atlantic Survey Company and recorded in the Strafford County Registry of Deeds as Plan 85-26, to the Town of Lee, New Hampshire and authorizes the Town Administrator to sign a Warranty Deed implementing this transfer on the Town's behalf.

MOTION 3:

The Town Council further authorizes the acceptance of an Executory Interest in a certain parcel of land being 20.72 acres, more or less, shown as Tax Map 5, Lot 6-4 on the tax maps of the Town of Lee, and being further described on a plan entitled "Conservation Easement Plan prepared for Lee Five Corners Reserve located at Lee, NH" prepared by Atlantic Survey Co., Inc. and recorded in the Strafford County Registry of Deeds as Plan #85-28, and authorizes the Town Administrator to sign a Conservation Easement Deed between the Town of Durham, the Town of Lee, and the Strafford Rivers Conservancy on the Town's behalf.

Councilor Julian Smith SECONDED the motion.

Councilor Needell asked what happened to the source water protection grant money. Administrator Selig said Lee was the primary applicant for this grant, and said the funds from this would comprise part of the \$290,000 that Lee would pay back to Durham.

Councilor Needell asked if the Garrity Road pit was part of the matching for the grant, and Administrator Selig said this was put together as a whole plan, where Lee raised money on its own, and Durham pledge the pit rather than raising cash.

The motion PASSED unanimously 8-0.

Councilor Carroll thanked Administrator Selig, noting that this transaction was a long time in coming. She said it was good for the environment, and it was good that it was now completed.

- B. Review and discuss a draft resolution relative to the Administrator's annual performance

evaluation and compensation

Chair Niman said he was looking for a sense of whether the Council was comfortable with the proposed resolution, as the formal document for the evaluation documentation associated with it. He said the Council would also need to discuss the cost of living increase and vacation days.

Councilor Leach said she didn't understand why this was in the form of a resolution.

Administrator Selig said he thought a resolution was a succinct way to bring resolution to the process without a lot of further discussion. He said he tried to summarize the main point of the discussion in this document, which he thought could memorialize the results of the evaluation, and also address the compensation issues. But he said it didn't have to be done this way.

Councilor Needell said Administrator Selig had done an excellent job of summarizing the evaluation. But he said he took exception to the sentiment expressed that the evaluation process didn't need to continue. He said making a decision on this should be done in a public meeting, and said he thought the Council should be very careful about using email to reach a seeming consensus.

Councilor Leach noted that she had simply sent an email stating that she wanted this issue to be discussed at the agenda setting meeting.

There was further detailed discussion about the fact that the document was in the form of a resolution. Councilor Leach said perhaps she was uncomfortable with it was because Administrator Selig had written it, and said she would prefer that Chair Niman sit down and discuss the key items with Administrator Selig, and then come up with the written part of the evaluation.

Councilor Stanhope said he agreed with Councilor Leach, and also said he wasn't sure the discussion in nonpublic session had been productive. He said he thought it would have been better to have Chair Niman act as the Chairman of the board, and sit down with Administrator Selig and then make recommendations concerning compensation. He said for the Council to sit around and debate whose comments were more relevant didn't necessarily help the running of the Town.

Councilor Needell said he took very strong exception to both of the previous comments. He said the Chair was not the CEO of the town, he was the chair of the meeting. He said this was essentially an administrative role, and said it was not his role to give direction. He said he had no more authority than other Councilors.

He said he thought it was entirely appropriate for the resolution to come forward as it did, and said it was incumbent for Councilors to have the discussion with the Town Administrator if they wanted there to be a discussion, and not to delegate this to the Chair.

Councilor Van Asselt noted that Malcolm Sandberg, as Chair of the Council, had drafted the resolution for the first two years he (Councilor Van Asselt) and Councilor Needell were on the Council.

Councilor Needell said he wouldn't object to Chair Niman drafting the resolution, but said he would be uncomfortable with him working out the details with the Town Administrator.

Councilor Julian Smith recommended that they address the resolution. There was further discussion on how to proceed with it.

Councilor Needell said he didn't feel enough time had been spent on the evaluation process, and also said when the Council gave direction, it was important that this direction be clear. He said the Resolution was an appropriate response to the process. He said it was hard, without more discussion, for the evaluation comments to be useful to Administrator Selig.

Administrator Selig summarized in detail what had caused him to create the resolution. He said his thought was that it would force the Council to focus attention as a group on those issues that as a group it felt were most important, and wanted to create some consensus on.

Councilor Leach said she was fine with this, and said she would like to move ahead with talking about compensation and vacation days.

The Council then discussed the pay increase and additional vacation days Administrator Selig had requested.

Councilor Stanhope asked if the two issues could be looked at and voted on separately. He said he thought there might be more discussion on the vacation days provision.

Councilor Needell said the two issues were not independent, noting that if the Council decided not to grant the additional vacation days, he would propose revisiting the compensation issue.

Chair Niman said they would first talk about the vacation days.

Councilor Van Asselt said he thought 5 weeks is a lot, stating that he didn't know many people with that much vacation time. He said he thought it would set a bad precedent.

Councilor Stanhope said he hadn't seen any backup information provided on what other towns did concerning vacation time. He also said he agreed with Councilor Van Asselt that very few people working in the private sector got that amount of vacation time. He noted that this was why he thought the salary issue and the vacation issue should be looked at separately.

Administrator Selig said vacations ranged from 2 weeks to 6 weeks, and said it was more normal to see 3-4 week vacations.

Councilor Leach provided details that she said made the vacation days approach a roundabout way to grant a 4% increase. She said she thought they should be more upfront about this, and also said 5 weeks was a little overgenerous at this point.

Chair Niman noted that Councilor Henry Smith was in favor of both items that Administrator Selig had requested.

Councilor Needell noted that UNH employees received 24 days of vacation, so didn't think what was being requested was out of line. He agreed that this was equivalent to a 2% salary increase. But he said the contract allowed the Council to grant the bonus if it chose. He said without reservation, Administrator Selig deserved more than a cost of living increase for his efforts last year, and said he would have been more than glad to do this. He also said he had no problem with deciding not to change the vacation aspect of the contract, if they were willing to then offer him some other equivalent compensation.

Councilor Van Asselt MOVED to use this resolution; to delete the wording on increasing the number of vacation days; and to increase the base annual salary by 3%. Councilor Morong SECONDED the motion.

Councilor Morong said his sense had been that Durham was a very difficult town in which to be a Town Administrator. He suggested that instead of what Councilor Van Asselt had proposed, a compromise would be to provide Administration Selig with 2 additional vacation days, and keep the salary increase at 2%. He said this would give him some more time to be with his family, and would mean he wouldn't have to pay taxes on the additional 1% of salary increase. He also said that if there were a new Town Administrator, that person could certainly start with less than 4-5 weeks of vacation.

Chair Niman said Councilor Van Asselt had raised the same concerns that he had. He said Councilor Morong's idea didn't alleviate a broader policy issue that the Council needed to be concerned about, that with the vacation increase, other department heads would want the same thing, and the personnel manual would have to be changed.

Administrator Selig explained that this was not the case because his contract was different, and he provided details on this. He also said he would prefer the solution that Councilor Van Asselt had proposed, which focused on a salary increase, not an increase in vacation days.

There was further discussion on this, with Councilor Carroll noting that having more vacation days would allow Administrator Selig to have more time with his family.

Councilor Van Asselt MOVED to extend the meeting to 10:30 pm. Councilor Needell SECONDED the motion, and it PASSED 7-1, with Councilor Stanhope voting against it.

There was further discussion on the approach as reflected in the motion. Councilor Needell said he wanted to make sure that it was clear that approving this would mean that this increase was going beyond a cost of living increase.

Chair Niman said if the motion was approved, the Resolution would be redrafted to make sure Councilors all knew what the wording would be, and would then be put on the Unanimous Consent Agenda.

Councilor Morong received clarification that the salary would go up 3%, and that the wording in the Resolution would say there was a 2% cost of living increase, and an additional 1% increase reflective of Administrator Selig's exceptional performance.

Councilor Julian Smith said he would vote against this, stating that he would prefer to go with the original resolution and the arrangement suggested in it.

Councilor Carroll said she felt empathy for Administrator Selig regarding the idea of having additional vacation days, but reaffirmed with Administrator Selig that he would prefer the additional 1% salary increase.

Administrator Selig said that based on the Council's discussion, he felt that would be the better solution.

Councilor Carroll noted that her family had lived on a 10 month salary for several years, and she spoke about the benefits of having this amount of vacation time.

Councilor Carroll said she would vote in favor of this, based on Administrator Selig's decision on this at the meeting.

The motion PASSED 7-1, with Councilor Julian Smith voting against it.

XI. New Business

A. FIRST READING ON ORDINANCE #2008-03 amending Section 132-5 "Veterans' Tax Credit", Chapter 132 "Tax Exemptions and Credits", Sections 132-4 Service-Connected Total Disability, 132-5 Veterans' Tax Credit, and 132-6 Surviving Spouse of the Durham Town Code by increasing the tax credit amounts

Administrator Selig said this proposed Ordinance was a follow-up to one of the Council's 2007 goal statements. He provided details on the fiscal impact that would result from making this change.

There was detailed discussion on the fiscal impacts of the proposed Ordinance.

Councilor Needell suggested that the total disability should be raised in one step, from \$1400 to 2000 in 2008. He also said he suspected that as the veterans benefit increased, that more veterans would take advantage of it.

Councilor Carroll said what Councilor Needell had said had been verified by Town Assessor Rob Dix. She provided details on this.

Council members agreed with Councilor Needell's suggestion, and also agreed the same thing should be done for surviving spouses.

In answer to a question from Councilor Leach regarding the elderly tax exemption, Councilor Carroll noted that she and Councilor Van Asselt had put forth a three year program, but had said they would do it for the first year, and then revisit it.

Councilor Leach asked if it would be appropriate to take that approach for the veterans tax credits as well.

Administrator Selig said he didn't think so, stating that he didn't expect to pick up a large number of people applying for the veterans' tax credit.

Councilor Van Asselt MOVED on First Reading Ordinance #2008-03 amending Section 132-5 "Veterans' Tax Credit", Chapter 132 "Tax Exemptions and Credits", Connected Total Disability, 132-5 Veterans' Tax Credit, and 132-6 Surviving Spouse of the Durham Town Code by increasing the tax credit amounts as follows:

| | April 1, 2008 | April 1, 2009 | April 1, 2010 | April 1, 2011 |
|------------------------------------|---------------|---------------|---------------|---------------|
| Service-Connected Total Disability | \$1,700 | \$1,800 | \$1,900 | \$2,000 |
| Veterans' Tax Credit | \$200 | \$300 | \$400 | \$500 |
| Surviving Spouse | \$1,700 | \$1,800 | \$1,900 | \$2,000 |

He also MOVED to schedule a public hearing for Monday, March 3, 2008. Councilor Stanhope SECONDED the motion.

Councilor Needell asked if veterans of the current Iraq war were eligible for the tax credit. Administrator Selig said yes, and Councilor Needell said that wasn't clear from reading the document.

Councilor Needell proposed and Council Van Asselt accepted a friendly amendment to increase the Service-Connected Total Disability tax credit and the Surviving Spouse tax credit to \$2,000 effective April 2008.

The motion as amended should read:

Councilor Van Asselt MOVED on First Reading Ordinance #2008-03 amending Section 132-5 "Veterans' Tax Credit", Chapter 132 "Tax Exemptions and Credits", Service-Connected Total Disability, 132-5 Veterans' Tax Credit, and 132-6 Surviving Spouse of the Durham Town Code by increasing the tax credit amounts as follows: the Service-Connected Total Disability tax credit and the Surviving Spouse tax credit will

go up to \$2,000 on April 1, 2008, and the Veterans' Tax Credit will go up to \$100 per year over the next four years. Councilor Stanhope SECONDED the motion.

The motion as amended PASSED 8-0.

- C. Discuss possible ideas for simplifying and streamlining the Town's current regulatory process (this item was taken out of order)

Councilor Van Asselt asked Administrator Selig why he wanted the Council to be involved in this.

Administrator Selig provided clarification that this Item referred to simplifying and streamlining the regulatory process currently outlined in the Town's regulations, and that doing so would represent a substantial change in philosophy.

Chair Niman said this Item would be kept on the Agenda, and said the Council would eventually get to it.

- B. Discuss 2008/09 Town Council goal setting process

Councilor Leach spoke about the process the Council and had followed in 2007 regarding developing goals, and said she thought this process had worked well, and that a collaborative document had been developed.

Other Councilors agreed that this process had worked well. Chair Niman said the same process would be used for 2008 unless the new Town Council in March said it wanted to do things differently.

- C. Other business

There was no other business.

XII. Nonpublic Session (if required)

XIII. Extended Councilor and Town Administrator Roundtable (if required)

XIV. Adjourn

Councilor Morong MOVED to adjourn the meeting. Councilor Stanhope SECONDED the motion, and it PASSED unanimously 8-0.

Adjournment at 10: 26 pm.

Victoria Parmele, Minutes taker