

1 **D-R-A-F-T**

2
3 **DURHAM TOWN COUNCIL**
4 **MONDAY, APRIL 3, 2023**
5 **DURHAM TOWN HALL - COUNCIL CHAMBERS**
6 **7:00 PM**
7

8 **MEMBERS PRESENT:** Councilor Joe Friedman, Councilor Emily Friedrichs, Councilor
9 Eric Lund, Chair Pro tem Sally Needell, Councilor James (Jim)
10 Lawson, Councilor Wayne Burton, Councilor Eleanor (Ellie)
11 Lonske, Councilor Carden Welsh, Councilor Charles (Chuck)
12 Hotchkiss
13

14 **MEMBERS ABSENT:** None
15

16 **OTHERS PRESENT:** Administrator Todd Selig
17
18

19 **I. Call to Order**
20

21 Chair Pro Tem Needell called the meeting to order at 7:00 PM.
22

23 **II. Town Council grants permission for fewer than a majority of Councilors to**
24 **participate remotely – Not applicable**
25

26 **III. Roll Call of Members.** Councilor Friedman—Aye, Councilor Friedrichs—Aye (refers
27 to herself as Ze/Zir or Mx. Friedrichs), Councilor Lund—Aye, Councilor Pro Tem
28 Needell—Aye, Councilor Lawson—Aye, Councilor Burton—Aye, Councilor Lonske—
29 Aye, Councilor Welsh—Aye, Councilor Hotchkiss—Aye
30

31 **IV. Approval of Agenda**
32

33 Councilor Friedrichs asked that Item A. under the “Unanimous Consent Agenda” be
34 removed to consider not meeting on Monday, June 19, 2023, which is a federal holiday
35 (Juneteenth).
36

37 Councilor Friedrichs also asked that the Council consider moving Item XIII under
38 “Committee Appointments” relative to the appointments and re-appointments of citizens
39 to various town boards, commissions, and committees until after the Council has talked
40 about the internal representation to the different committees and has had some sort of
41 discussion around its goals.
42

43 Councilor Lawson said that typically at the Council’s first meeting after the elections,
44 Administrator Selig provides an update of the Council’s goals and that a robust
45 discussion does not occur until future meetings.
46

1 Councilor Welsh asked Councilor Friedrichs what ze was proposing.

2
3 Councilor Friedrichs explained that in the past, the Town election would have occurred
4 earlier, and the Council would have met already so there would have been a sense of
5 Council representation and there would have been a preliminary discussion around Town
6 goals perhaps. Then, before the end of April, the Council would have looked at the
7 appointments of citizen members to the various committees. Therefore, because of the
8 unusual circumstance where the Town elections were delayed due to inclement weather
9 and the Council is a meeting behind, ze wondered if there was any value to having that
10 conversation first about what the Town Council may be working on and who may be
11 working whereas that may affect whether citizens may be more excited about the
12 Council's goals and be more interested in volunteering for a committee.

13
14 Chair Needell said her experience has been that appointments of citizens to various
15 boards and committees occurs at the first meeting of the Council in April each year.

16
17 Councilor Welsh said that these committees have been going on for generations, and
18 people know what they want to do and the Council does not have much of an impact at
19 all. He felt the Council should proceed with the citizen appointments to the various
20 boards and committees this evening.

21
22 Administrator Selig said he thought that what Councilor Friedrichs was suggesting is that
23 Item XIII relative to the appointments and re-appointments of citizens to various town
24 boards, commissions, and committees be moved under XVI.C on the agenda so it would
25 follow both the Council appointments to various Town boards and commissions and the
26 initial Council goals conversation.

27
28 Councilor Friedrichs said that Administrator Selig's suggestion could make sense, but ze
29 would also suggest moving the citizen appointments to the next Council meeting as a way
30 of honoring the tradition of discussing things within the Council first. Ze noted that
31 citizens' terms do not end until April 30th of each year, so the Council would still have
32 time to confirm those appointments at its next meeting.

33
34 Councilor Lawson said there has been no history of people dropping off a committee
35 because of who was appointed by the Council. He said even if the Council made its
36 appointments this evening, individuals could resign their position if they desire and new
37 individuals can come forward.

38
39 Administrative Selig noted that typically citizen appointments are scheduled early on the
40 agenda so if there are individuals who come to introduce themselves to the Council they
41 do not have to wait until the end of the meeting.

42
43 Administrator Selig suggested that before voting on the agenda, that the Council move on
44 to Item #V "Swearing in of Council members", before continuing.

45
46

V. Swearing in of Council Members – Rachel Deane, Town Clerk-Tax Collector

Rachel Deane asked each Councilor to state their name before proceeding with reading the Oath. She then read the Oath of Office and swore in the two new Councilors, Wayne Burton and Emily Friedrichs, as well as the existing Council members Charles Hotchkiss, Carden Welsh, Eleanor Lonske, James Lawson, Sally Needell, Eric Lund, and Joe Friedman.

Councilor Welsh asked why “so help me God” was in the Oath and did it definitely have to be included.

Administrator Selig said it doesn’t have to be included, but it was traditionally how the Oath was written. He said the important aspect is that Councilors are officially affirming that they will faithfully execute their duties as described in the Town Charter and in state law.

Councilor Welsh asked if other Councilors were bothered by the inclusion of that language in the Oath. Councilor Lonske said she also did not like having the language included.

Administrator Selig said he and staff would revisit the language within the Oath of Office to have it be more secular.

Councilor Lawson MOVED to APPROVE the agenda as presented, which was SECONDED by Councilor Friedman.

Councilor Friedman said he saw no reason why the Council should delay the appointment of committee members.

Chair Pro Tem Needell called for the vote, which PASSED 8-1 by a show of hands.

Voting in favor: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell, Councilor Lund, and Councilor Friedman.

Voting against: Councilor Friedrichs.

VI. Selection of Council Chair and Chair Pro Tem

Councilor Welsh NOMINATED Councilor Needell as Council Chair and Councilor Lawson as Council Chair Pro Tem. The nomination was SECONDED by Councilor Lund.

Councilor Lawson said he wanted to set some expectations and set people’s minds at ease. He said years ago, before he had a stroke, he had been Council Chair Pro Tem and had really enjoyed it. He said the position focuses on the agenda, making sure the agenda is inclusive, and working with the Administrator. He said if his appointment is approved, he plans to step back at times and not always be making a point on all issues. He thanked

the Council for the opportunity to be Chair Pro Tem during the last year of his term and believed he would do a good job.

Chair Pro Tem Needell called for the vote, which PASSED unanimously 9-0 by a show of hands: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell, Councilor Lund, Councilor Friedrichs, Councilor Friedman.

VII. Special Announcements

A. Chair reads Land Acknowledgement Statement

Chair Needell read the Land Acknowledgement Statement as follows:

The town of Durham, New Hampshire wishes to acknowledge the spiritual and physical connection maintained by the Pennacook, Abenaki and Wabanaki peoples to N'dakinna (homeland), aki (land), nibi (water), lolakwikak (flora) and awaasak (fauna). New Hampshire has been home to these Indigenous people for thousands of years. The residents of Durham acknowledge the ongoing hardships endured by our Indigenous neighbors after the loss of their unceded homelands which we now steward, and we will work to foster relationships to support the well-being of Indigenous people who carry forward the traditions of their ancestors.

Chair Needell wished everyone a Happy Passover and Easter, which is coming up soon. She also thanked everyone who came out to vote at the Town Election last week, as well as those citizens and Town staff that worked at the polls.

B. Resolution #2023-05 Recognizing Durham Citizen Craig Seymour for his Many Years of Dedicated Community Service to the Town of Durham

Councilor Lund MOVED that the Durham Town Council does hereby adopt Resolution #2023-05 Recognizing Durham Citizen Craig Seymour for his Many Years of Dedicated Community Service to the Town of Durham. The motion was SECONDED by Councilor Welsh and PASSED unanimously 9-0 by a show of hands: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell, Councilor Lund, Councilor Friedrichs, Councilor Friedman

Chair Needell invited Craig Seymour to the podium to be presented with the resolution, which she read for Mr. Seymour and for members of the public and viewing audience.

Mr. Seymour thanked all of those who volunteer their time to serve the Town. He said he has worked with many dedicated and hard-working volunteers over the many years he has been involved in Town activities, as well as the professional Town staff. He said it has been a pleasure and an honor to have served.

VIII. Public Comments (*) – Please state your name and address before speaking

Deborah Hirsh-Mayer, 19 Garden Lane, introduced herself to the Council and said she had applied to be appointed to the Town's Human Rights Commission.

Councilors thanked Ms. Hirsh-Mayer for her application and interest in serving the Town.

William Hall, Smith Park Lane, said he had spoken before about letting water down from Pawtuckaway Lake to keep the flow down to reasonable limits, so Durham could take water from it if needed. He said Councilor Lawson had brought up the question about 1964, which was a particularly dry year. He said he was disappointed that Town staff has not supplied the Council with the critical information to evaluate this problem. He said that during the summer management of the Pawtuckaway Lake, most years management would be less than 1.7 inches with many of those years requiring no management. During the 1964 drought year required less than 6 inches of management. He said a serious condition currently exists whereby Robert Scott, NH Department of Environmental Services, is not enforcing the 401 Water Quality Certificate in Epping so the Town's effluent is going into the river pretty much untreated, particularly in the winter. In the summer there isn't enough flow to dilute the affluent. He said this was due to bad management.

Mr. Hall began to speak about the northern connector, but because his 5 minutes were up, did not continue on this topic. He distributed information to Councilors from the Town Master Plan regarding the matter.

Councilor Friedrichs asked Mr. Hall if the information was from the 1989 Town Master Plan, and ze added that ze appreciated the wealth of institutional knowledge that he brings to the Council as ze has seen him speak a few times during Public Comments. Ze wondered why the northern connector was left by the wayside since 1989 and why it is not in the Town's current Master Plan.

Mr. Hall replied that in the 1990s, the Town had a Traffic Plan prepared which it paid for, and the University was part of that process and came up with the idea of the northern connector. He said the number one consideration was that the northern connector would be put in, allowing a connection from the circle at the University out to Madbury Road on the other side of the railroad tracks with a grade level separation on Route 4. He said the Town went to the County and said it would like to have the connector done. The County put it in the ten-year traffic plan. He said everything was on track in the budget to start the project until it came time to pay the money. He said UNH didn't want it and said they were going to build parking lots and have buses on Route 108. He said when NHDOT was about to start the northern connector, Steve Pesci, who was head of the Strafford Regional Planning Commission at the time, administratively deleted all voted for, acknowledged, and funded northern connector. It was suggested that the Town should take UNH to court, but Administrative Selig said the University didn't want the northern connector and it was on UNH land. Mr. Hall said he wanted to know when the decision

1 was made to remove the northern connector from the Master Plan and who made the
2 decision because issues concerning water and traffic are for the benefit of the residents
3 and not for the convenience of Town staff and UNH. He said he hoped something could
4 be done to get responsible action regarding Town staff.

5
6 **IX. Approval of Minutes – March 20, 2023**

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8 Minor edits were submitted to Administrative Assistant Karen Edwards for inclusion
9 prior to the meeting.

10
11 *Councilor Lund MOVED to APPROVE the March 20, 2023, Town Council minutes as*
12 *amended, which was SECONDED by Councilor Lonske and PASSED unanimously, 6-*
13 *0-3 by a show of hands.*

14 *Voting in favor: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske,*
15 *Councilor Burton, Chair Pro Tem Needell, Councilor Friedman.*

16 *Voting Against: None*

17 *Abstaining: Councilor Lawson, Councilor Burton, Councilor Friedrichs*
18

19 **X. Councilor and Administrator Roundtable**

20
21 Councilor Hotchkiss – Planning Board

22 The Planning Board met on March 22, 2023, and:

- 23 - unanimously approved a stairway to a dock at 14 Riverview Road. Approval was
24 required for a Conditional Use Permit due to the site's location within the Shoreland
25 Protection Overlay District.
26 - Heard a presentation on the draft Climate Action Master Plan made by Autumn Scott of
27 Strafford Regional Planning Commission and Amanda Stone from the UNH Extension.
28 The Planning Board will hold a public hearing on the draft plan at its next meeting on
29 April 12, 2023.
30 - Continued review and discussion of the “definitions” within the Zoning Ordinance.
31 - The April 12th meeting will include the aforementioned public hearing, along with
32 consideration of a proposed project at 74 Main Street.
33

34 Carden Welsh – Integrated Waste Management Advisory Committee

- 35 - IWMAC met on March 22, 2023. The discussion centered around preparation for Earth
36 Day.
37 - The committee is about to launch its “Sustainable Durham Campaign”.
38

39 Carden Welsh – Conservation Committee (DCC)

- 40 - The Conservation Commission met on March 27, 2023.
41 - The Commission now reads the Land Acknowledgment Statement before each of its
42 meetings. The Commission discussed other ways in which it could acknowledge
43 Indigenous People besides just reading the statement. DCC members spoke to Indigenous
44 representatives who suggested if their people had foraging rights on Town land and the
45 Town recognized that, it would be something they would appreciate. However, the

- 1 Commission does not know what it can do and has turned it over to Administrator Selig
2 to investigate further. The Commission will hold further discussion at its next meeting.
3 - Finalized wording for the WCOD and SPOD within the Zoning Ordinance, which will go
4 before the Planning Board before coming to the Town Council.
5 - Researched a potential grant with the Piscataqua Region Environmental Program
6 Assessment, but the Commission does not have a specific project that meets the needs for
7 the grant, so had to pass on the grant.
8 - Discussed an education program that the Commission is setting up to focus on what
9 aspect of conservation and sustainability the Commission should focus on.

10
11 Councilor Lonske – Ag Commission and Cemetery Committee

- 12 - Councilor Lonske had nothing to report on either of these commission/committees,
13 however, she said she wanted to mention that she would be auditing a course at UNH this
14 coming fall taught by an archeologist at Strawberry Banke, “Native Americans and
15 Indigenous People”. She said she is auditing the course because this is one of the issues
16 that comes before the various Town boards, and she would be interested in learning more.
17 She also felt the instructor could be a good resource for the Town on this subject.

18
19 Councilor Burton – Strafford Regional Planning Commission (SRPC)

- 20 - Councilor Burton said he is concerned about priorities of transportation as that is the
21 focus of the SRPC. SRPC recently had the opportunity to review Durham’s proposal
22 about Durham Point Road to straighten it out and make it safer, which was removed from
23 the list. The proposal by UNH regarding the rotary and Mast Road is on the list. He said
24 the Town needs to keep an eye on that project as it is a huge change for the Town of
25 Durham. He said Madbury Road was never meant to be a main road into Durham. It was
26 not built for it, it is not wide enough, and it is unsafe now.

27
28 Administrator Selig said that the Town originally thought that Durham Point Road would
29 be eligible for the program and submitted information for its inclusion in the ten-year
30 plan. Administrative Selig read a letter from Colin Lentz, Senior Transportation Planner
31 from SRPC dated November 17, 2022, addressed to DPW Director Richard Reine and
32 Town Engineer April Talon, which states in part: *“Sorry it has taken awhile for me to get
33 back to you about Durham Point Road. We are in full rat race mode. Unfortunately, I can
34 confirm that Durham Point Road is not federal-aide eligible, which omits it from the ten-
35 year plan.”* Mr. Selig said that for whatever reason it was deemed ineligible and that is
36 why it was not included.

37
38 Chair Pro Tem Lawson – Durham Energy Committee

- 39 - Earth Day will occur on April 22, 2023 between 10AM and 2PM at the 66 Main Street
40 lot. He said this would be an informational event to try and motivate change. He was
41 delighted with all of the groups collaborating on this event, especially the Integrated
42 Waste Management Advisory Committee. The Ag Commission, Conservation
43 Commission, and Parks & Recreation Committee will be involved, as well as some
44 Durham businesses that are involved with sustainability and sustainability practices. He
45 said the message is that this is Durham’s second Earth Day event and will focus on good
46 information. The Durham Energy Committee will have information awareness on the

1 types of programs available for doing things like weatherization and electrification of
2 their homes; many of which are available through the Inflation Reduction Act. He also
3 mentioned other information that would be available at the event.

- 4 - Chair Pro Tem Lawson said he has been collecting traffic data on Coe Drive with a radar
5 unit since there has been some concern expressed by residents about the speed on that
6 road.
- 7 - Chair Pro Tem Lawson said that in late April he will be working with parking and will be
8 seeking volunteers to help with the collection of parking data and parking use in the
9 Town.
- 10 - Chair Pro Tem Lawson has been working on an Electric Vehicle article with the UNH
11 Sustainability Fellow. He said what he has found is that in order for EVs to provide the
12 environmental and economic benefits that people expect and get almost everywhere in
13 the country, consumers in New Hampshire happen to be very careful, and if they are
14 careful, will get those benefits. However, if one has an EV or plug in and assumes they
15 will receive the benefits, there is a good chance that their EV is actually dirtier than the
16 one they previously owned and there is a good chance it will be more expensive to run.

17
18 Chair Sally Needell – Land Stewardship Subcommittee

19 The Subcommittee met on March 28, 2023. Highlights included:

- 20 - BeeCity, USA/No Mow May.
- 21 - Presentation on Wagon Hill Farm Stakeholder Analysis by three UNH students.
- 22 - Gale Carey reported on the summary of the results of the Longmarsh preserve
23 questionnaire.
- 24 - Sara Callaghan, Land Stewardship Coordinator, gave an update on what she has been
25 doing with Town properties and her recent work with volunteers.
- 26 - Ann Welsh said she hoped that the Land Stewardship Subcommittee could be part of
27 Earth Day.
- 28 - The Swap Shop opened this past Saturday, a cold and rainy day. It will be open tomorrow
29 (Tuesday) and on Saturdays and Tuesdays for the season.

30
31 Councilor Lund – Historic District/Heritage Commission

- 32 - Next regular meeting of the HDC/Heritage Commission will be on April 13th instead of
33 April 6th because of the Passover holiday. However, because of a miscommunication with
34 Scott Letourneau, who had scheduled to have his gas meter connected at The Tide Line
35 House on April 10th, a special HDC meeting was scheduled for April 6th to approve Mr.
36 Letourneau's application for a gas meter.

37
38 Councilor Friedrichs

- 39 - Councilor Friedrichs had nothing to report.

40
41 Councilor Friedman

- 42 - The Parks & Recreation Committee met on March 27th and highly recommended that
43 citizens subscribe to their Rec Connect newsletter as it offers detailed information about
44 all of the events offered to both young and old members of the community. Those include
45 the upcoming Easter Egg Hunt, April after school activities, summer camp for youths,

Memorial Day event on May 29th at 10AM downtown, and Durham Day on June 12th at 12:30 PM downtown.

- Received a presentation from the IWMAC regarding sustainable Durham.
- Seacoast Economic Stakeholders had a presentation on apprentice New Hampshire on March 21st, a great program for both students and employers to get training in current trades. Scholarships are available for students between \$500 and \$2,000 and employer incentives up to 4 years at \$70,000 per year for those businesses proving apprenticeships. They also provided a link to the Strafford Regional Housing Needs Assessment.
- A Small Business Day was held in Concord on Friday, March 24th. Resources for small businesses were highlighted at the regional, state, and federal levels. The US Small Business Association was in attendance talking about their loan programs (504 and 7A programs).
- Councilor Friedman thanked Senator Jeanne Shaheen for her support of the Durham Fire Department in their application for respiratory equipment.

Councilor Friedman said he would like to change the charge currently in the Housing Task Force from “discouraging” student housing in Durham to “Encourage student housing on the University campus”

Administrator Selig suggested that Councilor Friedman’s request be placed on the next Council agenda as an item so that Councilors have an opportunity to review the statement as a whole and then be ready to discuss possible changes.

Councilor Friedrichs asked Councilor Friedman if the NH apprenticeship made mention of the Inflation Reduction Act funds which put an emphasis on apprenticeships in order to train electricians and HVAC individuals.

Councilor Friedman replied that could be where some of the funds are focused on as it is very much in support of training electricians and other tradespeople as many have left the state.

Administrator Todd Selig

- A Right-to-Know workshop has been scheduled for 7PM on May 25, 2023, in Council chambers with Town Attorney Laura Spector-Morgan.
- In June, there will be a new boards, commissions, and committees Chair workshop to discuss best practices for conducting meetings.
- Received feedback from Town citizens for the upcoming renewal of the Comcast/Xfinity renewal, which will be taken into consideration during negotiations.
- The revaluation of properties in Town is going smoothly.
- Representatives from NHDOT will attend the April 17th Town Council meeting to discuss several concepts for redoing the Route 4/Madbury Road intersection.
- The residential bulky waste program begins on May 1st. In lieu of mailing the Department of Public Works spring newsletter as in the past, it will be available on the DPW’s website and available at the DPW office if anyone wants to pick up a hard copy.
- The Town’s sidewalk replacement program will occur this spring on Main Street and Newmarket Roads from Smith Park Lane to Mill Pond Road.

- The Town received a call from Senator Maggie Hassan’s Office. She is interested in visiting Wagon Hill Farm to highlight the coastal resilience efforts Durham has made on the Wagon Hill Farm shoreline. Senator Hassan has learned that Durham is once again applying for an additional phase of funds through the National Coastal Resilience Fund for 2023.
- The Durham Human Rights Commission will be meeting on April 5th at 10:30 AM. The Commission will hear from the Durham Police regarding protocol for handling mental health issues and bias complaints. Also scheduled is development of program ideas for Juneteenth for Town Council and/or the community and follow-up to the anti-bias training that was held for Town employees and Town boards, commissions, and committees.
- The Town has hired a new Assistant IT employee, Michael Rhor.
- The Durham/UNH water system is drafting a formal letter to the Environmental Protection Agency, the NH Department of Environmental Services, and the Town of Epping regarding Epping’s wastewater surcharge issue that Mr. Hall referred to earlier.
- The Durham Public Library has received a \$2,000 “Charlie Bucket Fund” from the NH Charitable Foundation to support efforts in the children’s area of the library.

Administrator Selig noted that the Council hears from William Hall often at Council meetings and that he is very certain about his perspectives and brings those issues up year after year after year, even though the staff addresses them and addresses them at the time. Administrator Selig said he would note that Mr. Hall’s comments can be out of context and out of time, and somewhat based upon what Mr. Hall believes should be the case, and not what others determined was the right direction, or what others have determined what the facts said upon detailed review and consultation from legal counsel. He said from his perspective, the issues Mr. Hall raises time and again are from the past and that he (Mr. Selig) is moving forward.

XI. Report from the UNH Student Senate External Affairs Chair or Designee

Olivia Welsh introduced herself to the Council. She is the UNH Fraternity and Sorority Life Chair on the Student Senate. She is currently working on disparities between fraternities and sororities at UNH and trying to improve efforts on campus.

Rachel Rolle introduced herself to the Council. She is a Freshman at UNH and a graduate of Oyster River High School. She is on the Judicial Council, DEI Council, and works with both Adam Kania and Olivia Welsh.

Adam Kania, UNH Student Senate External Affairs Chair, said the Student Senate is working on an event called “Cat Crawl” to promote Durham’s businesses. The event will occur in late April and more information will be forthcoming. Mr. Kania reported on ___ resolutions passed by the Student Senate: 1) Behind the “Bee” Campus to work with the Durham Agricultural Commission to see how UNH could help with the Town’s Bee City efforts. 2) A resolution to update Active Shooter policies on campus. 3) A resolution on pedestrian safety, primarily regarding street lighting and sidewalks.

Mr. Kania noted that the new Student Body President is Joseph Skeian and Vice President is M.J. Congdon

Councilor Friedman asked Mr. Kania if it was the UNH Police or Town Police that the Student Senate was looking toward for the Active Shooter training.

Mr. Kania replied that he hoped it could be a joint effort of both UNH and Town police departments.

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

Councilor Friedrichs had asked earlier in the meeting that Item A. under the “Unanimous Consent Agenda” be removed to consider not meeting on Monday, June 19, 2023, which is a federal holiday (Juneteenth).

- B. Shall the Town Council Authorize the Town Administrator to Sign the Re-committal Warrant to the Newly Elected Town Clerk/Tax Collector, Rachel Deane for Uncollected Outstanding Balances on Warrants Previously Committed to Lorrie Pitt?
- C. Shall the Town Council Schedule a Public Hearing for Monday, April 17th, 2023 on Resolution #2023-07 Authorizing the Acceptance and Expenditure of a FY22 Legislative Pre-Disaster Mitigation (LPDM) grant from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management, for the Durham Emergency Generator Project, in the amount of \$427,612.49 with a required 25% Match of \$142,537.51 – for a total project cost of \$570,150.00 - and authorize the Administrator to sign and submit grant paperwork and all Documents related to the Grant on Behalf of the Town of Durham?

Chair Needell MOVED the approval of Items B. and C. above. Chair Pro Tem Lawson SECONDED the motion, and it PASSED 9-0 by a show of hands: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell, Councilor Lund, Councilor Friedrichs, Councilor Friedman

- A. Shall the Town Council approve Resolution #2023-06 establishing regular Town Council meeting dates from April 2023 through March 2024?

Councilor Friedrichs made a MOTION to reschedule the June 19, 2023, meeting to June 26, 2023 as June 19 is a federal holiday (Juneteenth).

Councilor Welsh noted that Martin Luther King, Jr. Day is January 15, 2024, and Presidents Day is February 19, 2024, and asked if the Council meetings around those holidays should also be addressed.

Administrator Selig said that the yearly Council meeting schedule is based around those holidays that the Town of Durham has adopted as its holidays and official days off and does not always follow the same dates as the federal holidays. He said when Juneteenth

became a federal holiday, there was no interest in adopting that holiday as an additional holiday for the Town's schedule for staff.

Chair Pro Tem Lawson said he was not interested in adopting Juneteenth as a holiday. However, for him, Juneteenth, like Martin Luther King, Jr./Civil Rights Day, is not a "business as usual" day. For him, these two days are days of remembrance.

Councilor Lonske noted that one of the problems is that so many holidays fall on Mondays, which are when Council meetings are held.

Councilor Lund said he shared Chair Pro Tem Lawson's concern with meeting on the Martin Luther King, Jr./Civil Rights Day holiday. He was less concerned about the Presidents Day holiday.

Councilor Friedman said if the June 19th meeting was moved to June 26th, that would be good spacing between Council meetings. The same with Martin Luther King, Jr. Day. Move the meeting to either the Monday before or after that holiday.

Councilor Hotchkiss noted that the Ag Commission meets on the second Monday of the month and the Conservation Commission meets on the fourth Monday of each month. So anytime the Council moves its meetings, it could potentially displace other regularly scheduled Town board or committee meetings.

After some additional discussion, ***Councilor Lund MOVED that the Durham Town Council does hereby adopt Resolution #2023-06 establishing regular Town Council meeting dates from April 2023 through March 2024, as amended to move the June 19, 2023 meeting date to June 26, 2023, and to move the January 15, 2024, meeting date to January 8, 2024. The motion was SECONDED by Councilor Friedrichs and PASSED 9-0 by a show of hands: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell, Councilor Lund, Councilor Friedrichs, Councilor Friedman.***

XIII. Committee Appointments

Annual appointments and re-appointments of citizens to various town boards, commissions, and committees.

Councilor Hotchkiss MOVED that the Durham Town Council does hereby ADOPT, as presented, the roster below of citizen members to the various Town boards, commissions, and committee vacancies. The motion was SECONDED by Chair Pro Tem Lawson.

Board/Committee	# Vacancies	Term Expires	Applicant	Reappt./ New
Ag Commission	2 Regular	4/26	Ray LaRoche, Jr.	Reappt
		4/26	Alberto Manalo	Reappt
	2 Alternate	4/26	Bryan Cassidy	Reappt
		4/26	Ellen Karelitz	Reappt

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Term					Reappt./
Board/Committee	# Vacancies	Expires	Applicant		New
Conservation Commission	1 Regular	4/26	Neil Slepian		Reappt.
	1 Alternate	4/26	NO APPLICANTS		
Energy Committee	1 Regular	No Terms	NO APPLICANTS		
Historic District/Heritage Comm	2 Regular	4/26	Charlotte Hitchcock		Reappt.
	2 Alternate	4/26	Michael Hoffman		
		4/24	NO APPLICANTS		
Human Rights Commission	2 Regular	4/25	Deborah Hirsch Mayer		New
		4/24	NO APPLICANTS		
Lamprey River Advisory Comm.	1 Durham Rep.	Expired	NO APPLICANTS		
Library Board of Trustees	3 Alternate	4/24	Martie Gooze		Reappt.
			(previously held reg. membership)		
		4/24	NO APPLICANTS		
		4/24	NO APPLICANTS		
Parks & Recreation Committee	2 Regular	4/26	Cathy Leach		Reappt.
		4/26	Genevieve Brown		Reappt.
	1 Alternate	4/26	Myrta Janosz		New
Planning Board	3 Regular	4/26	Paul Rasmussen		Reappt.
		4/26	Sally Tobias		New
		4/25	Peyton McManus		Appt
			(From Alt. filling the		
			Unexpired term of Emily		
			Friedrichs)		
	5 Alternate	4/26	NO APPLICANTS		
		4/26	NO APPLICANTS		
		4/26	NO APPLICANTS		
		4/26	NO APPLICANTS		
		4/26	NO APPLICANTS		
Trustees of the Trust Funds	1 Regular	3/12/2024	Thomas Bebbington	(Filling the	
				Unexpired term of Craig	
				Seymour)	
	2 Alternate	4/24	NO APPLICANTS		
		4/24	NO APPLICANTS		
Zoning Board of Adjustment	1 Regular	4/26	NO APPLICANTS		
	2 Alternate	4/26	NO APPLICANTS		
		4/24	NO APPLICANTS		

Councilor Friedman noted there was a vacancy on the Lamprey River Advisory Committee. He encouraged someone from the public to apply for this vacancy. He also said the Zoning Board Chair asked him to mention that the Zoning Board is also looking for as many as three more members.

Councilor Lund likewise encouraged citizens to apply for one of the five alternate member Planning Board vacancies.

Administrator Selig noted that the roster of appointments can be found on the Town's website within the April 3rd Council packet, Item #13. He also noted after this evening's appointments, the Town will readvertise the remaining vacancies on Town boards for the public's information.

Chair Needell called for a vote. The motion PASSED unanimously 9-0 by a show of hands: Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell, Councilor Lund, Councilor Friedrichs, Councilor Friedman.

XIV. Presentation Items

Presentation from Brian F. Goetz, Water Resources Director/Deputy Director of Public Works, City of Portsmouth on a Revised Construction Access Drive at Wagon Hill Farm.

Brian F. Goetz, Water Resources Director/Deputy Director of Public Works, City of Portsmouth, briefly explained that the City of Portsmouth has been working on an agreement with Durham to obtain alternate temporary access at Wagon Hill Farm to replace a water line that runs under the Great Bay.

Mr. Goetz introduced Portsmouth's Water Resources Manager, Al Pratt, who provided a detailed PowerPoint presentation on the waterline and the importance of the project for the entire region which included:

The Little Bay Water Transmission Main History.

A map of the project location.

Existing Conditions: Inspection identified considerable pitting; valves in deep vaults inoperable; no leaks observed in July 2016.

Waterline Replacement Timeline.

Project Scope

Construction Examples (pictures)

Wagon Hill Temporary Access Drive

Wagon Hill Staging and Turnaround Areas

Wagon Hill Restoration

In addition, Wright Pierce Project Managers Darrin Lary and Britt Eckstrom answered numerous questions raised by Councilors throughout the presentation.

The PowerPoint document is on file with this set of minutes and the entire presentation, along with discussion and responses to Council questions, may be viewed on DCAT on Demand at www.ci.durham.nh.us.

Administrator Selig said that unless there were further questions or concerns from members of the Council, he and the Department of Public Works will work with

1 Portsmouth to finalize the easement plan. Once that is finalized to everyone's
2 satisfaction, the Temporary Access Easement Agreement will be executed, and
3 Portsmouth will then be able to move forward.
4

5 **XV. Unfinished Business - None**
6

7 **XVI. New Business**

- 8 A. Annual appointments of Council representatives to the various town boards,
9 commissions, and committees
10

11 *Chair Needell MOVED the appointment of Council representatives to the various*
12 *Town boards, commissions, and committees listed below. The motion PASSED*
13 *unanimously 9-0 by a show of hands: Councilor Hotchkiss, Councilor Welsh,*
14 *Councilor Lonske, Councilor Burton, Councilor Lawson, Chair Pro Tem Needell,*
15 *Councilor Lund, Councilor Friedrichs, Councilor Friedman.*
16

17 *Agricultural Commission – Councilor Lonske*

18 *Cemetery Committee – Councilors Lawson, Lonske, and Councilor Lund*

19 *Conservation Commission -- Councilor Welsh*

20 *Durham Energy Committee – Councilor Burton*

21 *Historic District/Heritage Commission – Councilor Lund*

22 *Housing Task Force – Councilor Hotchkiss*

23 *Human Rights Commission – Chair Needell*

24 *Integrated Waste Management Advisory Committee – Councilor Welsh*

25 *Land Stewardship Subcommittee – Councilor Lawson*

26 *Parks & Recreation Committee – Councilor Friedman*

27 *Planning Board (regular) – Councilor Friedrichs*

28 *Planning Board (alternate) – Councilor Hotchkiss*

29 *Councilor Burton will continue to work with the Strafford Regional Planning*
30 *Commission*
31

32 Councilor Burton mentioned that he has spoken to other residents in Durham around his
33 age and the topic of having a Senior Center in Durham has come up.
34

35 Councilor Lonske agreed. She also asked if the Council could consider starting Council
36 meetings at 6:30PM instead of 7PM as by 9:30 or 10PM she finds it harder to
37 concentrate.
38

39 Councilor Friedrichs suggested that the Council continue its discussion of this topic to a
40 future meeting.
41

- 42 B. Initial discussion regarding development of the 2023/24 Town Council goals
43

44 Administrator Selig explained that the Council has historically adopted goals each year.
45 Some years the goals have been very detailed and other years they were condensed into

1 one page. In more recent years, a more “middle of the road” approach has been adopted
2 whereby a mission, core values, action goals, and tactical goals are included.

3
4 Administrator Selig suggested continuing with the current goals development practice,
5 which includes Councilors reviewing the current goals, think about them, and then email
6 over their respective suggestions to Administrative Assistant Karen Edwards before the
7 next meeting. Ms. Edwards will compile all the Councilors’ ideas, along with his items,
8 into one document. That document will be placed on the next Council agenda for
9 Councilors to begin discussion and the formation of the 2023/24 Council goals.

10
11 Councilor Burton said he helped design the evaluation process for the Administrator
12 when serving on the Council before. He said it was important that the Council goals be
13 stated in such a way that the goals the Council sets for the Administrator flow down in
14 order to have a rational way in which to evaluate the Administrator’s performance.

15
16 Councilor Friedrichs said ze liked the idea of “smart” goals introducing measurable and
17 some sensitive kind of parameters around the goals as this can help one to understand
18 whether the goal action was met or not. Ze said it has been zir experience that using these
19 types of measures is productive to the sense of purpose around what the Council is
20 working toward.

21
22 Councilor Lawson said that one of the things he has become sensitive to in Durham is
23 how dynamic the Town is. He said it seems that every year something happens that can
24 never be predicted (i.e., the UNH pool, COVID-19, the Spruce Hole Aquifer, etc.) that
25 can use a lot of staff time. He just wants to ensure that there is some type of “release
26 valve” on those expectations concerning those matters the Council could predict or arises
27 as a priority.

28
29 Administrator Selig noted that often, the deliverable is not under the auspices of just one
30 person, but can be a board, commission, committee requiring public hearings that cause
31 opposition from the community and discussion generating more focus that takes away
32 from other priorities.

33
34 Councilor Friedrichs agreed that it all has to be balanced but felt that the measurable and
35 time sensitive aspect can help toward the usefulness of the goal setting exercise.

36
37 Councilor Burton said that in a profit area, one is trying to maximize profit. In a non-
38 profit area, such as a Town, one is trying to maximize the quality of life, which cannot be
39 measured. That is why the metric measurement system does not work when getting into a
40 non-profit area.

41
42 Councilor Friedman said he noticed that that there is a timeline of 1-3 years for
43 accomplishment of goals and asked Administrator Selig if they could consider a longer
44 timeline, referencing Councilor Burton’s earlier comment about a Senior Center. He said
45 if that is something the Council felt considering, it would more than likely not occur in 1-
46 3 years.

1 Administrator Selig said that is something the Council could discuss during its goal
2 setting process.

3
4 Councilor Lund agreed with most of the comments made. He agreed that the Council
5 needs to set specific goals and accommodate different timelines. He felt most of the goals
6 should be within the 3-year timeline because that is the term of a Town Councilor, but
7 also the Council does have longer-range visions such as a Senior Center will take a
8 number of years to implement. He quoted Yogi Bera: “You’ve got to be very careful if
9 you don’t know where you are going, because you might not get there.”

10
11 Councilor Welsh noted that the Council does have strict goals, such as the budget and
12 holding the municipal tax rate at the prior year’s level because it helps the Administrator
13 when preparing the annual budget. He liked putting in quantitative goals when possible.

14
15 Chair Needell said she liked that Administrative Selig provided the Council with a
16 quarterly update on the status of the Council goals.

17
18 Councilor Lund asked for a stripped version of the Council goals, absent all the updates,
19 for the Council to review.

20
21 Chair Pro Tem Lawson pointed out that it is probably unrealistic to expect that the goal
22 process will be completed at the next meeting and will not occur until May.

23
24 Councilor Friedrichs said ze would also provide an example of a “smart” goals outline so
25 Councilors can review and keep in mind as well.

26
27 **XVII. Nonpublic Session (if required)**

28
29 **XVIII. Extended Councilor and Administrator Roundtable (if required)**

30
31 **XIX. Adjourn (NLT 10:30 PM)**

32
33 *Councilor Lonske MOVED to adjourn the meeting, The motion was SECONDED by*
34 *Councilor Lund and PASSED unanimously 9-0 by a show of hands: Councilor*
35 *Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Councilor Lawson,*
36 *Chair Pro Tem Needell, Councilor Lund, Councilor Friedrichs, Councilor Friedman.*

37
38 The meeting ADJOURNED at 10:02 PM.

39
40
41 Jennie Berry, Minutes Taker