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

**DURHAM TOWN COUNCIL  
MONDAY, JUNE 5, 2023  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
7:00 PM**

**MEMBERS PRESENT:** Councilor Charles (Chuck Hotchkiss), Councilor Carden Welsh, Councilor Eleanor (Ellie) Lonske, Councilor Wayne Burton, Chair Pro Tem James (Jim) Lawson, Chair Sally Needell, Councilor Eric Lund, Councilor Emily Friedrichs (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs), Councilor Joe Friedman

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Administrator Todd Selig, DPW Director Rich Reine, Town Planner Michael Behrendt

**I. Call to Order**

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

**II. Town Council grants permission for fewer than a majority of Councilors to participate remotely - Not applicable**

**III. Roll Call of Members**

*Councilor Hotchkiss, Councilor Welsh, Councilor Lonske, Councilor Burton, Chair Pro Tem Lawson, Chair Needell, Councilor Eric Lund, Councilor Friedrichs, Councilor Friedman.*

**IV. Approval of Agenda**

*Chair Pro Tem Lawson MOVED approval of the June 5, 2023, agenda as presented The motion was SECONDED by Councilor Hotchkiss and PASSED, unanimously, 9-0, by a show of hands: Councilor Friedman, Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem Lawson, Councilor Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.*

**V. Special Announcements - None**

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

**William Hall, Smith Park Lane**, spoke about the issue of taking water from the Lamprey River and the Oyster River.

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

Olivia Welsh, UNH Student Senate External Affairs Chair, provided information on when upcoming meetings of the Student Senate are scheduled for in the summer, as well as beginning

1 to set up goals for the upcoming year. The Student Senate is working on a couple of activities  
2 for the fall, including the “Cat Crawl” with downtown businesses.  
3

4 **VIII. Unanimous Consent Agenda** (*Requires unanimous approval. Individual items may be*  
5 *removed by any councilor for separate discussion and vote*)  
6

7 Councilor Friedman asked about clarification of dates noted in the Council communication for  
8 item #VIII C below. Administrator Selig said he would follow up with the Public Works  
9 Department, and then correct the dates at the next Council meeting so that it will have been  
10 sorted out before the Public Hearing.  
11

- 12 A. Shall the Town Council, upon recommendation of the Administrator, Ratify the Collective  
13 Bargaining Agreement Between the Town of Durham and the Durham Professional Municipal  
14 Managers Association for the period January 1, 2023, through December 31, 2025?  
15 B. Shall the Town Council, upon recommendation of the Administrator, Adopt Resolution #2023-  
16 14 Authorizing the Acceptance and Expenditure of various Private Donations, Grant Funds, and  
17 Unanticipated Revenues Totaling, in aggregate, \$44,672.35 received by the Town of Durham  
18 Between January 1 and December 31, 2022?  
19 C. Shall the Town Council, upon recommendation of the Administrator, Schedule a Public Hearing  
20 for Monday, June 26<sup>th</sup>, 2023, on Resolution #2023-15 Authorizing the Acceptance and  
21 Expenditure of a 2023 Watershed Assistance Grant In the Amount of \$150,000 From the  
22 New Hampshire Department of Environmental Services for the Mill pond Dam Removal  
23 Project and Authorizes the Administrator to Sign and Submit Grant Paperwork on Behalf of the  
24 Town of Durham?  
25 D. Shall the Town Council **endorse the Town’s application to** apply for a 2023 Land and  
26 Community Heritage Investment Program (LCHIP) Historic Resource grant in an estimated  
27 amount not to exceed \$400,000 for rehabilitation of the Bickford-Chesley House at Wagon Hill  
28 Farm?  
29 E. Shall the Town Council approve on **First Reading Ordinance #2023-05** Amending Chapter  
30 153 “Vehicles and Traffic,” Section 153-38 of the Durham Town Code prohibiting turns at the  
31 intersections of Bagdad Road at Dennison Road and Dennison Road at Garrison Ave Extension,  
32 and schedule a Public Hearing for Monday, June 26, 2023?  
33 F. Shall the Town Council approve on **First Reading Ordinance #2023-06** Amending Chapter  
34 153 “Vehicles and Traffic,” Section 153-43 of the Durham Town Code creating a stop  
35 intersection at Dennison Road/Bagdad Road and Garrison Ave. Extension/Dennison Road, and  
36 schedule a Public Hearing for Monday June 26, 2023?  
37

38 *Chair Needell read the above six items and MOVED their approval, as presented. The motion*  
39 *was SECONDED by Councilor Lund and PASSED unanimously, 9-0, by a roll call vote:*  
40 *Councilor Hotchkiss—Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor*  
41 *Burton—Aye, Chair Pro Tem Lawson—Aye, Chair Needell—Aye, Councilor Lund—Aye,*  
42 *Councilor Friedrichs—Aye, Councilor Friedman—Aye.*  
43

44 **IX. Committee Appointments**

45 Shall the Town Council, Upon Recommendation of the Energy Committee Chair, Appoint Matthias  
46 Dean-Carpentier, 265 Packers Falls Road, to fill a Regular Member vacancy on the Energy  
47 Committee with no term expiration?  
48

1 Councilor Burton said it was his pleasure to recommend Mr. Dean-Carpentier’s appointment to  
2 the Durham Energy Committee. He said that Mr. Dean-Carpentier has an extraordinary record  
3 and holds a master’s degree in renewable energy engineering.  
4

5 ***Councilor Burton MOVED that the Durham Town Council, upon recommendation of the***  
6 ***Energy Committee Chair, does hereby appoint Mathias Dean-Carpentier, 265 Packers Falls***  
7 ***Road, to fill a regular member vacancy on the Energy Committee with no term expiration.***  
8 ***Councilor Lonske SECONDED the motion and it PASSED unanimously, 9-0, by a roll call***  
9 ***vote: Councilor Hotchkiss—Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor***  
10 ***Burton—Aye, Chair Pro Tem Lawson—Aye, Chair Needell—Aye, Councilor Lund—Aye,***  
11 ***Councilor Friedrichs—Aye, Councilor Friedman—Aye.***  
12

13 **X. Presentation Items**

14 Presentation by the Durham Fire Department on possible re-organization of Administrative  
15 Positions within the Fire Department.  
16

17 Fire Chief David Emanuel said the department is thinking of changing the direction slightly for  
18 what it had been approved for in its budget funding and personnel staff over the past year. He  
19 said that for 2023, the department was approved to hire a new Deputy Chief of Risk  
20 Management and Training and was ready to begin advertising for the position in January, when  
21 it decided to do some real sole searching within the organization.  
22

23 Chief Emanuel said staff looked at the department’s resource allocation, staffing, and interests,  
24 and asked challenging questions about who wanted to do what within the organization, as well  
25 as what type of talent should it be seeking to come to Durham to fill its top leadership positions.  
26 This led to the two position descriptions that were submitted to the Council. The proposal is to  
27 divide one position (currently the Deputy Chief, Randall Trull), into two positions: Assistant  
28 Chief of Risk Reduction and Deputy Chief of Operations and Training. He noted there have not  
29 been changes to salaries for these positions. Chief Emanuel briefly provided the duties for these  
30 two positions. Chief Emanuel also provided an Organizational Chart for the department, which  
31 included the two new positions.  
32

33 Chief Emanuel outlined the benefits of the proposed changes and said it would increase  
34 resilience, as well as help the department to provide the best data information possible to the  
35 Council. He also outlined some of the major projects the department has undertaken over the  
36 past two years, which involve staff resources.  
37

38 Chief Emanuel said because the department is changing the names of positions and what their  
39 responsibilities will be. He wanted to be clear and transparent with the Council about what the  
40 department is doing and why.  
41

42 Councilor Welsh said he hoped the reorganization is not being done just to provide the Council  
43 with better information because he felt the information currently provided to the Council is fine.  
44 He said he would like a better understanding of how the Organizational Chart helps the Council  
45 and felt the chart as presented is confusing and doesn’t understand how it is set up.  
46

47 Chair Pro Tem Lawson said when the Fire Department responds to significant events, a  
48 command structure is needed. In this case, the command structure is reliant upon the Fire Chief

1 and Deputy Fire Chief, which doesn't scale well because they need to be available 365 days a  
2 year, 24 hours a day.  
3

4 Chair Pro Tem Lawson said that in his opinion, what Chief Emanuel is proposing is not to take  
5 Deputy Chief Trull's position and divide it into two but taking what the Council had seen as a  
6 deficiency during its budget discussions in November and December 2022 and the functions of  
7 Deputy Chief Trull's position, then just rearranging where those functions reside, and possibly  
8 providing opportunities for some advancement within the Fire Department. He said that the  
9 Assistant Chief position has unique functions, whereas Captains for example are more capable  
10 of filling the Deputy Chief position.  
11

12 Additional discussion continued around the updated Organizational Chart with Chief Emanuel  
13 providing clarification and responding to questions raised by Council members. The complete  
14 presentation, along with discussion and responses to Council questions, may be viewed on  
15 DCAT on Demand at [www.ci.durham.nh.us](http://www.ci.durham.nh.us).  
16  
17 -----  
18

19 Chair Needell recognized newly appointed Energy Committee member Matthias Dean-Carpentier  
20 who arrived at the meeting at this time.  
21

22 Mr. Dean-Carpentier said he was glad to be of service. He said from the Energy Committee he  
23 attended, it seemed like all members were very intent on findings ways to get to a lower carbon  
24 standard for the Town and he was happy to be able to contribute to that effort on a local level.  
25

26 **XI. Unfinished Business**

- 27 A. **Public Hearing and Action on Resolution #2023-16** Authorizing the Acceptance and  
28 Expenditure of an American Rescue Plan Act (ARPA) Grant In the Amount of up to \$30,000  
29 From the New Hampshire Department of Environmental Services for the Stormwater Asset  
30 Management Project and Authorizes the Administrator to Sign and Submit Grant Paperwork on  
31 Behalf of the Town of Durham.  
32

33 *Chair Pro Tem Lawson MOVED to OPEN the Public Hearing on Resolution #2023-16*  
34 *Authorizing the Acceptance and Expenditure of an American Rescue Plan Act (ARPA) Grant*  
35 *In the Amount of up to \$30,000 From the New Hampshire Department of Environmental*  
36 *Services for the Stormwater Asset Management Project and Authorizes the Administrator to*  
37 *Sign and Submit Grant Paperwork on Behalf of the Town of Durham. The motion was*  
38 *SECONDED by Councilor Hotchkiss and PASSED, unanimously, 9-0, by a show of hands:*  
39 *Councilor Friedman, Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem*  
40 *Lawson, Councilor Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.*  
41

42 No members of the public came forward to speak on this item.  
43

44 *Councilor Welsh MOVED to CLOSE the Public Hearing on Resolution #2023-16 Authorizing*  
45 *the Acceptance and Expenditure of an American Rescue Plan Act (ARPA) Grant In the*  
46 *Amount of up to \$30,000 From the New Hampshire Department of Environmental Services*  
47 *for the Stormwater Asset Management Project and Authorizes the Administrator to Sign and*  
48 *Submit Grant Paperwork on Behalf of the Town of Durham. The motion was SECONDED by*  
49 *Councilor Lund and PASSED, unanimously, 9-0, by a show of hands: Councilor Friedman,*

1            ***Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem Lawson, Councilor***  
2            ***Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.***

3  
4            ***Chair Needell MOVED that the Durham Town Council does hereby ADOPT, as presented,***  
5            ***Resolution #2023-16 Authorizing the Acceptance and Expenditure of an American Rescue***  
6            ***Plan Act (ARPA) Grant In the Amount of up to \$30,000 From the New Hampshire***  
7            ***Department of Environmental Services for the Stormwater Asset Management Project and***  
8            ***Authorizes the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of***  
9            ***Durham. The motion was SECONDED by Councilor Lund.***

10  
11           **Councilor Friedman** said this was critically important work to do for the Town of Durham;  
12           getting a handle on its stormwater management, and felt it was very fortunate that Durham has  
13           this grant, and that he looked forward to seeing the results.

14  
15           **Joining via Zoom, Department of Public Works Director Rich Reine** agreed with Councilor  
16           **Friedman** saying the grant will allow the Town to do a lot with its stormwater management  
17           relative to condition, location, and development of the Town’s Master Plan.

18  
19           **Chair Needell** called for a vote which ***PASSED unanimously, 9-0, by a roll call vote:***  
20           ***Councilor Hotchkiss—Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor***  
21           ***Burton—Aye, Chair Pro Tem Lawson—Aye, Chair Needell—Aye, Councilor Lund—Aye,***  
22           ***Councilor Friedrichs—Aye, Councilor Friedman—Aye.***

23  
24           **B. Public Hearing and Action on Ordinance #2023-03** to amend Chapter 175 “Zoning”, Article  
25           XIII, “Wetland Conservation Overlay District” and Article XIV, “Shoreland Conservation  
26           Overlay District” of the Durham Town Code.

27  
28           **Planner Michael Behrendt** provided a brief background on the reason and purpose for the  
29           introduction of this ordinance.

30  
31           ***Councilor Lund MOVED to OPEN the Public Hearing on Ordinance #2023-03 to amend***  
32           ***Chapter 175 “Zoning”, Article XIII, “Wetland Conservation Overlay District” and Article***  
33           ***XIV, “Shoreland Conservation Overlay District” of the Durham Town Code. The motion was***  
34           ***SECONDED by Councilor Friedrichs and PASSED, unanimously, 9-0, by a show of hands:***  
35           ***Councilor Friedman, Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem***  
36           ***Lawson, Councilor Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.***

37  
38           **Robin Mower, 6 Britton Lane,** said she appreciated the work of volunteers and Planner Michael  
39           **Behrendt** who spent a lot of care drafting the ordinance, and for their thoughtful discussions. She  
40           said she would like to see the suggestions crafted by Mr. Behrendt in response to the most recent  
41           discussion at the Conservation Commission and the related email from the Commission Chair,  
42           **Jake Kritzer.** She said the draft retains at this point a certain vagueness on timing as to when the  
43           Conservation Commission would be consulted and said it was important to provide guardrails  
44           for that vagueness. If the Council believed those suggestions represented substantive changes  
45           that requires returning the draft to the Planning Board, perhaps the Council could approve the  
46           draft as presented this evening but consider how to ensure that the suggestions reflected by **Jake**  
47           **Kritzer** are brought to the Planning Board in a timely manner.

1 Beth Olshansky, Packers Falls Road, said she applauded this effort all around and appreciated  
2 the efforts by both the Conservation Commission and Planning Board that have gone into the  
3 drafting the ordinance. She also agreed with Ms. Mower that the suggestion provided by Mr.  
4 Behrendt that homes in on the timing of when the Conservation Commission receives various  
5 proposals to review is important to include. She also agreed with Ms. Mower’s suggestion of the  
6 Council approving the draft as presented and then fast tracking the amendments that have  
7 already been included. She said it really is up to the Council whether it deems the suggested  
8 changes from Mr. Behrendt as clarification or whether it is a change in the actual content of the  
9 ordinance.

10  
11 ***Chair Pro Tem Lawson MOVED to CLOSE the Public Hearing on Ordinance #2023-03 to***  
12 ***amend Chapter 175 “Zoning”, Article XIII, “Wetland Conservation Overlay District” and***  
13 ***Article XIV, “Shoreland Conservation Overlay District” of the Durham Town Code. The***  
14 ***motion was SECONDED by Councilor Lund and PASSED, unanimously, 9-0, by a show of***  
15 ***hands: Councilor Friedman, Councilor Friedrichs, Councilor Lund, Chair Needell, Chair***  
16 ***Pro Tem Lawson, Councilor Burton, Councilor Lonske, Councilor Welsh, Councilor***  
17 ***Hotchkiss.***

18  
19 ***Chair Pro Tem Lawson MOVED that the Durham Town Council does hereby ADOPT***  
20 ***Ordinance #2023-03 to amend Chapter 175 “Zoning”, Article XIII, “Wetland Conservation***  
21 ***Overlay District” and Article XIV, “Shoreland Conservation Overlay District” of the Durham***  
22 ***Town Code. The motion was SECONDED by Councilor Friedrichs.***

23  
24 Councilor Friedrichs said if there was a question as to whether the Council would be sending the  
25 ordinance back for a Public Hearing, ze felt it would be more efficient and useful at this time to  
26 consider approving a version of the ordinance now and if the Council wants to consider more  
27 changes, to know that this ordinance is currently with a subcommittee and within the next two  
28 months or so there should be a larger package of recommendations, including suggested changes  
29 to the Wetlands Overlay District ordinance, coming to the Planning Board and Town Council.

30  
31 Councilor Friedman said he would like to see some type of time limit (i.e., 30 days, 60 days)  
32 given to the Conservation Commission for when it needs to respond to the Planning Board. He  
33 thought 60 days would be reasonable, given that the Commission meets only once a month.

34  
35 Councilor Lonske said while serving on the Planning Board, she has never seen this as a  
36 problem. She said these type of applications that require input from the Conservation  
37 Commission can sometimes go on for a long time. She felt that what the Conservation  
38 Commission is looking for is to be involved early in the process. She asked Mr. Behrendt if the  
39 Planning Board had ever encountered any problem with receiving responses from the  
40 Conservation Commission in a timely manner.

41  
42 Mr. Behrendt replied that there have been many applications received over the years and  
43 fortunately there have never been any issues between the Conservation Commission and  
44 Planning Board. He said for the vast majority of the time the Conservation Commission makes  
45 its recommendation in one meeting.

46  
47 Some further discussion was held concerning the inclusion of a time limit when the  
48 Conservation Commission is to respond to the Planning Board on an application. Sixty days  
49 seemed reasonable to most Councilors.

1 Chair Needell called for a vote which *PASSED, 8-1, by a roll call vote: Councilor Friedman—*  
2 *Nay; Councilor Friedrichs—Aye; Councilor Lund—Aye; Chair Needell—Aye; Chair Pro tem*  
3 *Lawson—Aye; Councilor Burton—Aye; Councilor Lonske—Aye; Councilor Welsh—Aye;*  
4 *Councilor Hotchkiss—Aye.*

5  
6 C. **Public Hearing and Action on Ordinance #2023-04** to amend Chapter 102, “Scenic Roads,”  
7 Section 102.1, “Scenic Roads Established,” of the Durham Town Code to designate Dame Road  
8 as a Scenic Road.

9  
10 *Councilor Lund MOVED to OPEN the Public Hearing on Ordinance #2023-04 to amend*  
11 *Chapter 102, “Scenic Roads,” Section 102.1, “Scenic Roads Established,” of the Durham*  
12 *Town Code to designate Dame Road as a Scenic Road. The motion was SECONDED by*  
13 *Councilor Welsh and PASSED, unanimously, 9-0, by a show of hands: Councilor Friedman,*  
14 *Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem Lawson, Councilor*  
15 *Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.*

16  
17 Mike Hoffman, 300 Durham Point Road, thanked Chair Pro Tem Lawson for the well thought-  
18 out and complete Council communication he crafted for this item, and he hoped the Council  
19 would vote in favor of the ordinance’s passage.

20  
21 Administrator Selig read the names of residents who submitted correspondence expressing their  
22 views, concerns, and suggestions relating to the draft ordinance. A representative from  
23 Eversource also submitted a letter requesting that the Council not act on the ordinance until it  
24 has had an opportunity to provide its perspective for what the designation of Dame Road might  
25 be.

26  
27 Chair Pro Tem Lawson said one of the suggestions received was to have a study done by  
28 Eversource. He called the Council’s attention to the Eversource Seacoast Reliability Project,  
29 which ended up serving Durham Point Road with different distribution facilities for electricity.  
30 He noted that areas such as UNH’s Jackson Lab, the Browne Center, and residential areas going  
31 up to 345 Dame Road come off of that feed on Durham Point Road. That feed was upgraded to a  
32 new Eversource three-phase redundant spacer cable system. When Eversource completed that  
33 upgrade, it brought that system down Durham Point Road and a system down the Seacoast  
34 Reliability right-of-way. Eversource would have to complete a load study for the three-phase  
35 system because it would have needed to verify that at least one of the systems could support that  
36 new load before the line came down the Seacoast Reliability right-of-way. He said that Durham  
37 Point Road, which was previously served up until about Mr. Hoffman’s house by a single-phase  
38 system, is now serviced by a redundant three-phase system. Therefore, he did not see the need to  
39 receive input from Eversource.

40  
41 Chair Pro Tem Lawson said the power components of Winecellar Road clearly come down from  
42 the service line on Longmarsh Road and is not impacted by the service on Dame Road. He  
43 noted that the scenic road designation does not provide the Department of Public Works with  
44 additional authority to cut trees. It does, however, impose on the DPW the need to go to the  
45 Planning Board to review any tree cutting the department wants to do on Dame Road, unless the  
46 tree is associated with an immediate hazard. Chair Pro Tem Lawson said he saw no need to  
47 delay approval of the ordinance as it is no more complicated than any of the other scenic roads  
48 in Durham.

49

1 **Councilor Welsh MOVED to CLOSE the Public Hearing on Ordinance #2023-04 to amend**  
2 **Chapter 102, “Scenic Roads,” Section 102.1, “Scenic Roads Established,” of the Durham**  
3 **Town Code to designate Dame Road as a Scenic Road. The motion was SECONDED by**  
4 **Councilor Welsh and PASSED, unanimously, 9-0, by a show of hands: Councilor Friedman,**  
5 **Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem Lawson, Councilor**  
6 **Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.**

7  
8 **Councilor Lund MOVED ADOPT, as presented, Ordinance #2023-04 to amend Chapter 102,**  
9 **“Scenic Roads,” Section 102.1, “Scenic Roads Established,” of the Durham Town Code to**  
10 **designate Dame Road as a Scenic Road. The motion was SECONDED by Councilor Welsh**  
11 **and PASSED, unanimously, 9-0, by a roll call vote: Councilor Hotchkiss—Aye, Councilor**  
12 **Welsh—Aye, Councilor Lonske—Aye, Councilor Burton—Aye, Chair Pro Tem Lawson—**  
13 **Aye, Chair Needell—Aye, Councilor Lund—Aye, Councilor Friedrichs—Aye, Councilor**  
14 **Friedman—Aye.**

15  
16 D. Discussion and possible adoption of Resolution #2023-17 regarding Juneteenth Independence  
17 Day.

18  
19 Chair Needell read Resolution #2023-17 for the benefit of the public and viewing audience.

20  
21 **Councilor Burton made a MOTION that the Durham Town Council does hereby ADOPT**  
22 **Resolution #2023-17, as presented, recognizing June 19th as Juneteenth Independence Day**  
23 **and Reaffirming Durham’s Opposition to any form of oppression. The motion was**  
24 **SECONDED by Councilor Lonske.**

25  
26 Councilor Burton provided a brief explanation of why he felt it was important to bring this  
27 resolution forward. He said he hoped that in the future, Durham resident and Durham Historic  
28 District Association President Janet Mackie can add this information into the context of  
29 Durham’s history, but not necessarily to override the national holiday of Juneteenth that is  
30 approaching.

31  
32 Councilor Friedrichs said ze would like to see language included in the resolution that Durham  
33 did have a history of condoning slavery as that should also be part of the record and that slaves  
34 were owned by prominent citizens in Durham. Ze said ze felt uncomfortable celebrating a long  
35 history of supporting emancipation without acknowledging that before that there was also a  
36 considerable history of condoning slavery.

37  
38 Discussion occurred around Councilor Friedrichs’ recommendation with Administrator Selig  
39 suggesting that the following language be added as the third WHEREAS clause on the 2<sup>nd</sup> page  
40 of the resolution:

41  
42 *“WHEREAS, slavery was legal, condoned, and existed in Durham for many years; and”*

43  
44 **Councilor Lund introduced a new motion that the Durham Town Council does hereby**  
45 **ADOPT Resolution #2023-17, as amended to add the above language, recognizing June 19th**  
46 **as Juneteenth Independence Day and Reaffirming Durham’s Opposition to any form of**  
47 **oppression. The motion was SECONDED by Councilor Hotchkiss and PASSED,**  
48 **unanimously, 9-0, by a roll call vote: Councilor Hotchkiss—Aye, Councilor Welsh—Aye,**  
49 **Councilor Lonske—Aye, Councilor Burton—Aye, Chair Pro Tem Lawson—Aye, Chair**



1           *Needell— Aye, Councilor Lund—Aye, Councilor Friedrichs—Aye, Councilor Friedman—*  
2           *Aye.*

3  
4           Chair Pro Tem Lawson noted that he did not craft the resolution on his own. Most of the  
5           WHEREAS clauses in the resolution came from the Senate resolution and much of the  
6           remainder came from the Presidential Proclamation.

7  
8           **XII. Approval of Minutes – May 15, 2023**

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

12  
13          *Chair Needell MOVED that the Durham Town Council does hereby APPROVE the May*  
14          *15, 2023, Town Council minutes as amended. The motion was SECONDED by Councilor*  
15          *Lund and PASSED unanimously, 9-0, by a show of hands: Councilor Friedman,*  
16          *Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem Lawson, Councilor*  
17          *Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.*

18  
19          **XIII. Councilor and Administrator Roundtable**

20  
21          Councilor Friedman – Parks & Recreation Committee

- 22          - Held an excellent Memorial Day ceremony on May 29<sup>th</sup> downtown at the Memorial Park, which  
23          was well attended. This was followed a few days later by Durham Day. The Parks & Recreation  
24          worked with all of the downtown businesses to ensure a successful event. He thanked all those  
25          involved for their work on these two events.  
26          - A Family Camping Day is scheduled for June 24<sup>th</sup> & 25<sup>th</sup> at Wagon Hill Farm.  
27          - Spring programs will be wrapping up on Friday, June 9<sup>th</sup> and staff have been hired for camps  
28          that will be held this summer.  
29          - Parks & Recreation was approached by Growing Places about taking over its after school  
30          programs. Not much enthusiasm was expressed by committee members in doing so.  
31          - Worked on ensuring that the Parks & Recreation goals align with the Town Council goals.

32  
33          Councilor Friedman – Seacoast Economic Development Stakeholders

- 34          - On May 16<sup>th</sup>, a presentation was made by the Coast transportation system and what it is doing in  
35          the region.  
36          - On May 30<sup>th</sup>, a presentation was made by the Business and Child Care Partnership regarding  
37          what the state and other groups are attempting to do to solve the childcare problem and keep  
38          employees at work while still trying to take care of their families.  
39          - A draft of the Strafford County Comprehensive Economic Development Strategy is available on  
40          the SRPC website and open for public comments through Monday, June 12, 2023.  
41          - Next meeting of the SEDS is scheduled for June 13<sup>th</sup>.

42  
43          Councilor Friedrichs – Planning Board

- 44          - Held a Workshop session and looked at the ATO Fraternity; one of the sites mentioned in the  
45          UNH light safety walk on Garrison Avenue. The Fraternity is asking for an extension of a  
46          construction project at that location. The Planning Board asked them to remove the fabric in the  
47          fencing to improve visibility to address the concerns that arose during the safety walk.  
48          - Discussion was held with the Town of Newmarket Planner and Conservation Commission Chair  
49          to share what that community has been doing. They have been: 1) working on commuter trails

1 between Newmarket and Durham; 2) conducting an extensive inventory of Town-owned lands  
2 and trails, and 3) changing some zoning on Route 108 close to the downtown area of Newmarket  
3 to incorporate more multi-family housing, which has water and sewer to support this effort.

- 4 - Continued the Public Hearing on the Climate Action Master Plan, which has been continued  
5 again to the next Planning Board meeting.
- 6 - Discussed the Town Council goals.

7  
8 Councilor Friedrichs noted that an Expo is scheduled for Friday, June 9<sup>th</sup> on Commercial Electric  
9 Vehicles that specifically targets NH municipalities, and although no one from the Durham DPW  
10 will be attending, DPW staff did attend a recent Zoom workshop on electrification of municipal fleet  
11 and are looking at that option when reviewing RFPs for replacing new vehicles.

12  
13 Councilor Lund – Historic District/Heritage Commission

- 14 - Councilor Lund had nothing to report as the HDC meeting for June 1<sup>st</sup> has been rescheduled to  
15 June 8<sup>th</sup>.

16  
17 Chair Needell – Durham Human Rights Commission

- 18 - The next meeting of the Durham Human Rights Commission will be held on Tuesday, June 13<sup>th</sup>.

19  
20 Chair Pro Tem Lawson – Land Stewardship Subcommittee

- 21 - Moving its meetings to the 2<sup>nd</sup> Wednesday of the month, so it will be held this month on June  
22 14<sup>th</sup>.
- 23 - At its last meeting, Alexandria Contosta from UNH Earth Systems Research Center talked about  
24 how the Oyster River Forest and Spruce Hole Bog are being used for arctic climate research. He  
25 noted the information, which is all non-invasive, that is being collected for the research.
- 26 - Received updates from Land Stewardship Coordinator Sara Callahan.
- 27 - Discussed poison ivy control.
- 28 - Discussed information that resulted from the survey at Jackson’s Landing.
- 29 - The committee will be focusing on its goals for this coming year at its next meeting.

30  
31 Councilor Burton – Durham Energy Committee

- 32 - A meeting will be held tomorrow evening, June 6<sup>th</sup>. The committee will have the new UNH  
33 Sustainability Fellow present and will be talking about aligning the Energy Committee’s goals  
34 with those of the Town Council.

35  
36 Councilor Burton noted he had testified before the NH Department of Environmental Services  
37 regarding the Portsmouth waterline project across Little Bay.

38  
39 Councilor Lonske – Agricultural Commission & Cemetery Committee

- 40 - Councilor Lonske had nothing to report as both the Ag Commission and Cemetery Committee  
41 have not met since the last Town Council meeting.

42  
43 Councilor Welsh – Conservation Committee

- 44 - Met on May 22<sup>nd</sup> and reviewed the changes that were proposed for the Zoning Ordinance  
45 changes relative to the WCOD and SPOD districts.
- 46 - Reviewed and endorsed the Climate Action Master Plan with further suggested amendments.
- 47 - Welcomed Richard Kelley as the new Planning Board representative, replacing James Bubar.
- 48 - Reappointed Jake Kritzer as Chair and John Nachilly as the Vice Chair.

1            Councilor Welsh – Integrated Waste Management Advisory Committee

- 2        - Most of the meeting was spent preparing for Durham Day.

3  
4            Councilor Hotchkiss – Housing Task Force

- 5        - Councilor Hotchkiss had nothing to report since the Task Force has not met since the last Town  
6        Council meeting.

7  
8            Administrator Selig

- 9        - Met today with the new UNH Sustainability Fellow.  
10       - DCAT Coordinator Craig Stevens is looking at a way to move the two large floor screens in the  
11       Council chambers and mount them on the ceiling.  
12       - On Friday, June 2<sup>nd</sup>, PREP held its State of the Estuaries Conference.  
13       - There was a sewer line break in Newmarket downstream from the Durham dam. Newmarket is  
14       working with the NH Department of Environmental Services to address the issue.  
15       - Received a draft of the Durham Police Department Community Survey. Once finalized, Andy  
16       Smith from the UNH Survey Center will be invited to attend a Council meeting and provide a  
17       presentation regarding the results.  
18       - One-third of the aging parking kiosks downtown were budgeted for replacement this year. The  
19       Police are looking at possibly changing those kiosks from the current pay and display method to  
20       a pay by plate method. They are also evaluating making the signage clearer for the spaces on  
21       Main Street and the Store 24 / Sammy’s Lot relative to 1 and 2-hour free parking for residents  
22       with resident parking stickers.  
23       - Noted that with almost every item Mr. Hall raises at each meeting, these are issues that have  
24       been evaluated and addressed many times in the past and that Mr. Hall simply will not accept  
25       the results, so he continues to bring them up.

26  
27       **XIV. New Business**

28       Discussion on the make-up of membership on the Planning Board

29  
30       Councilor Welsh said he did some research and that the American Planning Association  
31       conducted a survey in 1965 of planning commissions as viewed by planning directors and what  
32       the directors said made an effective Planning Board. He read a list of the most important  
33       criterion indicated by planning directors: Personal characteristics was viewed as most important;  
34       civic mindedness and interest in planning; occupational as opposed to ethnic, civic, or  
35       geographic balance is the most frequently sought balance. They believed that occupational  
36       balance produces great objectivity and decision-making on the part of a planning commission.

37  
38       Councilor Welsh said based on the survey information he thought the Town Council could ask  
39       the Planning Board to ensure a balanced representation on the board when making  
40       recommendations for appointments to the Town Council. He said that he personally would not  
41       like to see any more than two realtors on the Planning Board as there is a certain financial aspect  
42       associated with that profession.

43  
44       Councilor Friedrichs thought it would be appropriate to elaborate more on what is meant by  
45       “balance” and say that it is recommended that the Planning Board not have more than two  
46       people who share very similar backgrounds and to seek diversity of representation in its voting  
47       membership.  
48

1 Councilor Lonske said she did not object to any of the suggestions raised, except to say the  
2 reality is that it is difficult to find people to volunteer for the Planning Board and other Town  
3 boards as it requires a lot of time, and what is found on the membership of many Town boards  
4 and committees are a lot of retirees.

5  
6 Councilor Lund said the phrase about the Planning Board being balanced should be encouraged,  
7 but he did not believe the Council could be any more specific than that because of the  
8 constraints that the Town operates under as a small Town.

9  
10 Chair Lawson also added that the current Town Council cannot dictate how future Town  
11 Council members should vote.

12  
13 Councilor Hotchkiss felt the phrase “balance” was too vague to be of much use. He said what  
14 concerned him is that there seems to be a presumption that the Planning Board, on its own, will  
15 not be able to address the issue of balance as it considers potential new members and/or that the  
16 future Town Council will not consider balance, and so needs the current Town Council’s  
17 instruction to address this in the future.

18  
19 Councilor Friedrichs noted that this is a topic that has been talked about a lot in the planning  
20 community and suggested asking Town Planner Michael Behrendt to weigh-in and provide more  
21 direction as the American Planning Association does have resources concerning this topic. Ze  
22 said the APA is trying to get more specific as to how elected officials, in particular, can have  
23 more direct control over structural changes and creating a more representative board.

24  
25 **XV. Nonpublic Session (if required)**

26  
27 **XVI. Extended Councilor and Town Administrator Roundtable (if required)**

28  
29 **XVII. Adjourn (NLT 10:30 PM)**

30  
31 *Councilor Lonske MOVED to adjourn. The motion was SECONDED by Councilor*  
32 *Friedrichs and PASSED, unanimously, 9-0, by a show of hands: Councilor Friedman,*  
33 *Councilor Friedrichs, Councilor Lund, Chair Needell, Chair Pro Tem Lawson, Councilor*  
34 *Burton, Councilor Lonske, Councilor Welsh, Councilor Hotchkiss.*

35  
36 The meeting ADJOURNED at 9:52 PM.

37  
38 Jennie Berry, Minutes Taker