1			D-R-A-F-T
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3 ⊿			DURHAM TOWN COUNCIL MONDAY, OCTOBER 2, 2023
4 5		סנוס	RHAM TOWN HALL - COUNCIL CHAMBERS
6		DUN	7:00 PM
7			
8	MEN	IBERS PRESENT:	Chair Pro Tem James (Jim) Lawson, Chair Sally Needell, Councilor Eric
9			Lund, Councilor Emily Friedrichs (who uses the pronouns
10			ze/zir/zirs/zirself and the title Mx. Friedrichs, Councilor Welsh,
11			Councilor Charles (Chuck) Hotchkiss, Councilor Joseph (Joe) Friedman,
12			Councilor Wayne Burton (via Zoom)
13 14	MEN	IBERS ABSENT:	Councilor Eleanor (Ellie) Lonske
15 16	оти	EDG DDEGENIT.	Acting Administrator Cail Johlanshi
16 17	UIH	ERS PRESENT:	Acting Administrator Gail Jablonski
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19	I.	Call to Order	
20		~	
21 22		Chair Needell called	the meeting to order at 7:01 PM.
23	II.	Town Council gran	nts permission for fewer than a majority of Councilors to participate
24		remotely	
25 26		Chair Needell noted	that Councilor Lonske would not be attending the meeting and Councilor
20 27		Burton was expected	
28		Durton was enpected	
29		Chair Needell asked	that Councilors, in addition to stating their names, also state if they grant
30		permission for Coun	cilor Burton to participate in the meeting via Zoom.
31 32		Councilor Hotchkis	s—Yes, Councilor Welsh—Yes, Chair Pro Tem Lawson—Yes; Chair Sally
33			ncilor Lund—Yes; Councilor Friedrichs—Yes, Councilor Friedman—Yes
34		,	
35	III.	Roll Call of Membe	ers
36			
37 38			s—Aye, Councilor Welsh—Aye, Chair Pro Tem Lawson—Aye, Chair ncilor Lund—Aye, Councilor Friedrichs—Aye, Councilor FriedmanAye
39		Neeueu—Aye, Cour	icuor Luna—Aye, Counculor Friedrichs—Aye, Counculor Friedman-Aye
40	IV.	Approval of Agend	a
41			
42			ED approval of the October 2, 2023, agenda as presented The motion was
43		e e	uncilor Lund and PASSED unanimously, 7-0, by a show of hands:
44			s, Councilor Welsh, Chair Pro Tem Lawson, Chair Needell, Councilor
45 46		Lund, Councilor Fr	iedrichs, Councilor Friedman.
46 47	V.	Special Announcen	nents
48	* •		
49		Chair Needell read,	as yearly tradition, the Town of Durham's Land, Water, and Life

1		Acknowledgment Statement to honor the Indigenous People of Durham:
2 3 4 5 6 7 8 9		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.
10 11 12	VI.	Public Comments (*) – <u>Please state your name and address before speaking</u>
12 13 14 15		William Hall, Smith Park Lane, spoke about the Town taking water from the Lamprey River and explained the reason why there is not enough water coming from the Lamprey River.
16 17 18 19 20 21		Beth Olshansky, Packers Falls Road , complemented the Town Council saying it was an honor and a pleasure to have Councilors that are working in the best interest of the community. She also informed the Council and public that if anyone is already registered to vote in Durham, they do not need to bring in their passport to change party affiliations for the New Hampshire Presidential Primary. They need only provide a driver's license. She said the deadline to change party affiliation for the New Hampshire Presidential Primary is Friday, October 6, 2023.
22 23	VII.	Report from the UNH Student Senate External Affairs Chair or Designee
24 25 26 27 28		Olvia Welsh, Chair of UNH Student Senate External Affairs, said she met with the Panhellenic Counsel about organizing a street cleanup event on a Saturday in November that had been suggested by Council Chair Needell at the September 11 th Council meeting. She said she would also be speaking with the UNH External Affairs Council regarding the same topic.
29 30 31 32 33		Joseph Skehan introduced himself to the Council. He said he is the UNH Student Body President, is a Junior at UNH, and majors in Analytical Economics and Philosophy. He said the Student Senate goals this year are to increase engagement at UNH and safety overall in Durham.
33 34 35 36 37		Other items being discussed are e-mobility device safety, possibility of raising crosswalks, improved lighting, and installing devices for crosswalks at night that can be pushed and will flash.
38 39	VIII.	Unanimous Consent Agenda (<i>Requires unanimous approval</i> . <i>Individual items may be removed by any councilor for separate discussion and vote</i>)
40 41 42	A.	Shall the Town Council provide its advice and consent to the Administrator for the changing of the Site Plan and Subdivision \$225 fee for the posting of the notice in a newspaper to \$0 for posting on the website and the changing of the \$9.00 certified abutter notice fee to \$5.00 cost for
43 44 45 46 47 48	B.	verified mail, and placement of said fees in the Town-wide Master Fee Schedule? Shall the Town Council schedule a Public Hearing for Monday, October 16, 2023, on Resolution #2023-22 authorizing the issuance of long-term bonds or notes not to exceed one million five hundred and one thousand and eight hundred dollars (\$1,501,800.00) for the purpose of bonding 2019-2023 Capital projects and equipment purchases?

- C. Shall the Town Council Schedule a Public Hearing for Monday, October 16, 2023 on Resolution
 #2023-23 Authorizing the Acceptance and Expenditure of Funding from the National Oceanic
 and Atmospheric Administration (NOAA) Community-Based Restoration Program, for the
 Design of a Fish Passage at the Oyster River Reservoir Dam (located at the UNH/Durham Water
 Treatment Plant), In the Amount of up to \$290,000, and Authorize the Town Administrator to
 Sign and Submit Grant Paperwork on Behalf of the Town of Durham?
- D. Shall the Town Council Schedule a Public Hearing for Monday, October 16, 2023, on Resolution #2023-24 Authorizing the Acceptance and Expenditure of Funding from the US Fish and Wildlife Service National Fish Passage Program, for the Mill Pond Dam Removal Project, in the amount of \$100,000, and Authorize the Town Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham?
 - E. Shall the Town Council, Upon Recommendation of the Administrator, approve a Special Event Permit Application Submitted by Rachel Gasowski, Parks & Rec Director, to close certain sections of Town Roads for the Annual "Frost Fest" to be held on Saturday, December 2, 2023, from 6:00-8:00 p.m. with a rain date of Sunday, December 3, 2023, from 5:00-7:00 p.m.?
- F. Shall the Town Council, Upon Recommendation of the Administrator, Approve a Special Event Permit Application Submitted by Rachel Gasowski, Parks & Rec Director, to Close Certain Sections of Town Roads for the Downtown Trick-or-Treat and Main Street Monster Bash event to be Held on Sunday, October 22, 2023, from 2:00-4:00 p.m. with a rain date of Saturday, October 28, 2023, from 2:00-4:00 p.m.?
 G. Shall the Town Council approve Resolution #2023-25 recognizing October 2–October 8, 2023,
 - G. Shall the Town Council approve Resolution #2023-25 recognizing October 2–October 8, 2023, as NH Week Without Driving and inviting residents and staff to learn about and advocating for accessible and environmentally responsible transportation?

Chair Needell read the above unanimous consent agenda items and MOVED their approval, as presented. The motion was SECONDED by Councilor Welsh and PASSED unanimously, 8-0, by a roll call vote: Councilor Friedman—Aye, Councilor Friedrichs—Aye, Councilor Lund—Aye, Chair Needell—Aye, Chair Pro Tem Lawson—Aye, Councilor Welsh—Aye, Councilor Hotchkiss—Aye, Councilor Burton—Aye.

31 IX. Committee Appointments - None

33 X. Presentation Items 34 A. Receive report on Co

A. Receive report on Conservation Commission activities and projects – Jacob (Jake) Kritzer, Chair

Conservation Commission Chair Jake Kritzer provided a PowerPoint presentation which listed the Commission's accomplishments to date based on the following Town Council goals adopted for 2023-24:

- Pursue long-term environmental sustainability and resiliency
- Pursue long-term environmental sustainability and resiliency
- Leverage town committees and subcommittees to develop tactical plans
- Facilitate continued optimal functioning of Town government
- Continue cooperative and collaborative efforts with UNH
- Protect public health and provide ongoing service continuity
- Pursue long-term economic strength and resiliency
- Pursue long-term social resiliency and quality of life
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1 2 3	The complete presentation, along with comments, discussion, and responses to Council questions, may be viewed on DCAT on Demand at <u>www.ci.durham.nh.us</u> .
4 5 6	B. Presentation on the opening of the Oyster River Cooperative School District 2023/24 school year – Dr. James Morse, Superintendent
7 8 9 10 11	Dr. Morse informed the Council that the Oyster River School Board is actively seeking his replacement. He said he has held a couple of public forums already and will hold more to obtain information from the community has to what it may be looking for in the next Superintendent. The School Board will formally announce his departure at its December 20, 2023, meeting.
12 13 14 15	Regarding open enrollment, Dr. Morse said the District still maintains around 2,100 students. It is expected that over the next five years, enrollment will decline somewhat before cycling back up again.
16 17 18 19 20	He said that last week, the District was "dinged" in the press by <u>Niche.com</u> which is an organization that rates schools based on community feedback. If a school gets a lot of feedback, it gets a high score. Oyster River did not receive a lot of feedback and therefore received a low score.
21 22 23 24 25 26	Dr. Morse shared with the Council an article from Southwest Journal in Minnesota that graded Oyster River as the top school in New Hampshire and rated it as one of the ten top schools in the country. So, when one sees information from printed sources such as the two noted above, Dr. Morse said he doesn't know where they pull their information from because the data for Oyster River has not changed in a year.
27 28	Oyster River:
29 30 31 32 33 34 35 36 37 38 39	 Is still graduating almost 100% of its students. Is graduating 100% of its special needs students. Has approximately a 70% participation rate in its clubs and organizations. Has an outstanding robotics program. Is one of the top performing school districts in the State of New Hampshire. Dr. Morse introduced new ORCSD staff member, Amy Ransom, Business Administrator. He also introduced his new Assistant Superintendent, Suzanne Filippone; a Durham resident, who attended the ORCSD when a young girl, then returned to become the ORHS Principal, and now Assistant Superintendent.
40 41 42	Dr. Morse's complete presentation, along with comments, discussion, and responses to Council questions, may be viewed on DCAT on Demand at <u>www.ci.durham.nh.us</u> .
42 43 44 45 46 47	C. Presentation on current Strafford Regional Planning Commission projects by Executive Director, Jen Czysz. Specific projects include the status of the updated Multi-Hazard Mitigation Plan, the issue of housing within the region and steps SRPC is taking relative to this issue, and the CEDS plan completion.

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1 2 3	Ms. Czysz briefly outlined the responsibilities of the Strafford Regional Planning Commission (SRPC) as follows:
4 5 6	• It is a Planning Commission established under state statutes and provides land use services, technical assistance, and environmental planning services to municipalities in the region.
7 8 9 10 11	• It is a federally designated Metropolitan Planning Organization (MPO) that coordinates its federal transportation planning for the region and acts as a conduit between the municipalities and the State of New Hampshire to ensure that federal resources are allocated in the interest of the municipalities within the region.
12 13 14	• It serves as an economic development district as designated by the Economic Development Administration.
15 16 17 18 19 20	Ms. Czysz provided a highlight of what the SRPC and its Commissioners do under the three programmatic areas noted above. She said for each is a core policy that sets the plan and direction for the planning commission, which includes: Housing needs assessment, Comprehensive regional plan and five-year comprehensive development strategy, and Long-range transportation plan. Ms. Czysz explained how the commission's data services team supports all these programs and some of the work that the data team has performed.
21 22 23 24	Ms. Czysz briefly explained what the SRPC does with the dues money it receives from municipalities.
25 26 27 28	Ms. Czysz provided updates on other topics including an update on the status of Durham's Multi-Hazard Mitigation Plan, as well as housing needs assessment in which an extensive discussion with Councilors occurred.
29 30 31	The complete presentation, along with comments, discussion, and responses to Council questions, may be viewed on DCAT on Demand at <u>www.ci.durham.nh.us</u> .
32 33 34 35 36 37 38 39	Chair Pro Tem Lawson made a MOTION to move agenda item #XIV "New Business", "Request of the Housing Task Force, to extend the Task Force for two years to October 2, 2025, and to modify the Task Force charge" to follow the next presentation item by Paul Rasmussen. The motion was SECONDED by Councilor Welsh and PASSED unanimously, 8- 0, by a roll call vote: Councilor Friedman—Aye, Councilor Friedrichs—Aye, Councilor Lund—Aye, Chair Needell—Aye, Chair Pro Tem Lawson—Aye, Councilor Welsh—Aye, Councilor Hotchkiss—Aye, Councilor Burton—Aye.
40 41	C. Receive report on Housing Task Force activities – Paul Rasmussen
42 43 44	Mr. Rasmussen provided a brief summary of the Housing Task Force activities for the Council as follows:
45 46 47	• Received a grant from the State of New Hampshire to conduct a housing needs assessment survey, which will show what the Town's current position is regarding housing and what types of housing it has.

1 2 3 4 5 6 7 8 9 10		 At its July meeting, the Housing Task Force met with Robin LeBlanc, consultant with RHL Strategies, about ideas for community outreach and laid out a framework of what should be done when conducting the survey and in what order. At its August meeting, the Housing Task Force met with Marty Chapman, Executive Director of The Housing Partnership, a non-profit that focuses on creating workforce housing in the seacoast and other areas in New England. They have done renovations of old properties as well as building new properties and using the grants and funds from various government levels to make that happen. Comments, further discussion, and responses to Council questions, may be viewed on DCAT on
11 12		Demand at <u>www.ci.durham.nh.us</u> .
13	XIV.	New Business
14 15		Request of the Housing Task Force, to extend the Task Force for two years to October 2, 2025, and to modify the Task Force charge
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17		Chair Needell MOVED that the Durham Town Council does hereby extend the duration of
18		the Housing Task Force by two (2) years to October 2, 2025, to provide additional time to
19		complete its work. The motion was SECONDED by Chair Pro Tem Lawson.
20		
21		Councilor Friedrichs said ze noticed that originally members of the task force were supposed to
22		serve continuously for up to three years. Ze asked if, as an administrative matter, the Council
23		should make reappointments since this will surpass three years, which Council members agreed
24		with.
25		
26		The motion PASSED unanimously, 8-0 by a roll call vote: Councilor Friedman—Aye,
27		Councilor Friedrichs—Aye, Councilor Lund—Aye, Chair Needell—Aye, Chair Pro Tem
28		Lawson—Aye, Councilor Welsh—Aye, Councilor Hotchkiss—Aye, Councilor Burton—Aye.
29		
30		Chair Needell MOVED that the Durham Town Council does hereby adopt the charge for the
31 32		Housing Task Force as presented and amended until October 2, 2025, or the Town Council abagage to option of the option was
32 33		chooses to extend the existing charge unchanged to October 2, 2025. The motion was
33 34		SECONDED by Councilor Hotchkiss.
34 35		Chair Pro Tem Lawson said he would have preferred that the mission statement the task force
36		submitted reflected the regional nature of housing needs and workforce housing. He felt the
30 37		statement was too focused on Durham.
38		statement was too rocused on Daman.
39		The updated Mission Statement proposed by the Housing Task Force reads:
40		The updated Mission Statement proposed by the Housing Task Porce reads.
41		"The mission of the Durham Housing Task Force is to identify, analyze, and advocate
42		for a balanced and diverse supply of housing that meets the economic, social, and physical
43		needs of the Durham community and its residents in order to maintain a vibrant community."
44		
45		Chair Pro Tem Lawson offered the following as a suggested update to the mission statement for
46		the Task Force:
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1 2 3 4 5		"The mission of the Durham Housing Task Force is to analyze the regional and local (Durham) housing inventory and future housing needs and to advocate for housing mix in Durham that contributes to the economic, social, and physical needs of seacoast residents with varied financial resources."
6 7 8 9 10 11		Councilor Welsh disagreed with Chair Pro Tem Lawson saying he did not want to assign the Durham Task Force to look at the Seacoast's needs regarding housing. He suggested adding the word "environmental" after the words "meets the economic" because he said lots of times new housing and growth have a cost to the environment and he did not want this to be interpreted as trampling over the safeguards that have been put into place in the Town's zoning due to the desire for new housing.
12 13 14 15 16 17		Extensive discussion occurred around the issue of amending the statement with the suggestion that Councilors Lawson, Welsh, Friedrichs, and Hotchkiss, submit it to the Housing Task Force for consideration, and then return to the Council with a modified statement for consideration and approval.
18 19 20 21		Chair Needell WITHDREW the original MOTION to adopt the charge for the Housing Task Force as presented and amended until October 2, 2025, or the Town Council chooses to extend the existing charge unchanged to October 2, 2025.
22 23		Councilor Hotchkiss WITHDREW his SECOND to Chair Needell's motion.
24 25 26		Councilors agreed that once the Council group drafts its amended wording to the mission statement, it will be submitted to Administrator Selig for his review and comments.
27 28	XI.	Unfinished Business - None
29 30	XII.	Approval of Minutes – September 11, 2023
31 32 33		Minor edits were submitted to Administrative Assistant Karen Edwards for inclusion prior to the meeting.
34 35 36 37 38 39 40		Chair Needell MOVED that the Durham Town Council does hereby APPROVE the September 11, 2023, Town Council minutes, as amended. The motion was SECONDED by Councilor Lund and PASSED unanimously, 8-0 by a roll call vote: Councilor Hotchkiss— Aye, Councilor Welsh—Aye, Chair Pro Tem Lawson—Aye, Chair Needell—Aye, Councilor Lund—Aye, Councilor Friedrichs—Aye, Councilor Friedman—Aye, Councilor Burton— Aye.
41 42	XIII.	Councilor and Town Administrator Roundtable
43 44 45	-	<u>Councilor Friedman – Parks & Recreation Committee</u> The committee has sent out an email called "Rec Connect" which has a list of programs where interested individuals can sign up on the Parks & Recreation website.
46 47		Councilor Friedman - Seacoast Economic Developers Stakeholders

1 2 3	-	The group's money ran out in June 2023 but it has obtained other funding, so meetings have started back up again.
4 5 6 7 8 9		Councilor Friedman said he would like to reach out to the people that were quoted in the recent NH Business Review article about the Abenaki credentials of who advised Durham to adopt the land statement that was read at the beginning of the meeting. He said there seems to be some controversary as to whether what was said in the press by the people acting for the Abenaki nation were actually hurting instead of helping their cause. He would like to reach out to one of the leaders of that nation to confirm whether they would approve of the statement.
10 11 12		It was suggested that Councilor Friedman could do more research on his own relative to this matter.
13		
14		Councilor Friedrichs – Durham Energy Committee
15	-	Will meet tomorrow evening, October 9 th . The meeting will focus on the committee's goals,
16		which will be closely aligned with the goals of the Global Covenant of Mayors to reduce the
17		Town's greenhouse gas emissions, and how to achieve those goals.
18	-	The Town received a grant to electrify its garbage trucks. Councilor Friedrichs worked with the
19		Energy Committee to identify the grant. The application was then brought to the Public Works
20		Director and DPW employee John Baker to be completed and submitted.
21	-	Still waiting to hear results from the "Buildings Up" prize.
22		Councilor Ericdriche Doord
23 24		<u>Councilor Friedrichs – Planning Board</u>
24 25	-	The board got through the alphabet in its first round of review of definitions within the Zoning Board, panding a faw items to be added
25 26		Board, pending a few items to be added. Received its first application for a Wetlands Conservation Overlay District using the new rules
20 27	-	that were just passed that changed the Zoning Ordinance with updated criteria.
28		that were just passed that changed the Zohing Ordinance with updated chieffa.
29		Councilor Hotchkiss added to Councilor Friedrichs' last update item that the application was
30		submitted by Unitil to update a gas line at 121 Technology Drive, which required a Conditional
31		Use Permit.
32		
33		He also said that another item on the agenda was a request from the developers for the Gerrish
34		Drive property proposal to extend the timeline for them to get underway with that project. He
35		said given that this issue is tied up in court, it seemed like a reasonable request.
36		
37		Councilor Lund – Historic District/Heritage Commission
38	-	Met on September 14 th .
39	-	Approved a request to level fund the commission's budget.
40	-	Received a presentation from Joan Osborne on the Commemoration of the 250 th Anniversary of
41		the raid on Fort William and Mary, which will be next year. Ms. Osborne has requested \$2,500
42		from the Town of Durham. In addition, she plans to raise at least \$4,000 from private sources.
43	-	Held discussion about historic markers. The commission recommends hiring a facilitator
44		regarding the Oyster River raid marker language, of which there is an impasse. There was also
45		mention that the recently replaced General Sullivan was missing one sentence that had been
46		present in the previous text.
47	-	Due to lack of business, the commission for October has been cancelled. The next meeting will
48		be held on November 2 nd .

1 2 3 4		<u>Chair Needell</u> said she did not have any updates. However, she did request that if Council members could plan to arrive at Council meetings a little before 7PM so that they are ready to begin promptly at 7PM, that would be very helpful for her.
5 6 7		Chair Pro Tem Lawson noted that the two clocks in the Council are both 2.5 minutes fast, so DCAT should reset them.
8		Chair Pro Tem Lawson- Land Stewardship Subcommittee
9	-	Met on September 13 th
10	-	Subcommittee member Gale Carey provided an update on the surveys taken for Jackson's
11		Landing and Thompson Forest.
12	-	Talked about Durham Land Stewardship Coordinator Sara Callaghan's work coordinating trail
13		stewards.
14		
15		Some of the feedback received from the survey results was that some of the trails were not well
16		marked, particularly at the Oyster River Forest. There is a project this summer to better mark
17		trails with disks that are placed on trees and not with paint. The disks were removed by
18		someone, so Sara and the subcommittee placed an item in the Friday Updates focused on
19		educating people with respect to markers.
20		
21		Councilor Welsh – Integrated Waste Management Advisory Committee
22	-	Met on September 27 th .
23	-	Discussed the new curbside trash program. Trying to make it so it spurs more recycling and
24		improves sustainability in Durham.
25	-	October is sustainability month in Durham. The committee has put up banners and placed
26		information in the Town Hall foyer. Events have been planned to include "Kiss the Ground"
27		movie, Wed., 10-4; Discussion on composting, Wed., 10-25; Discussion on health impacts of
28		climate change, Wed., 11-15, and a movie and discussion on microplastics, Wed., 11-28. All
29 30		events will be held at the Durham Public Library and will begin at 6:30 PM.
30 31		Councilor Hotchkiss – Housing Task Force
32		Councilor Hotchkiss said he had nothing further to report.
33	-	Councilor motenties said he had nothing further to report.
33 34		Councilor Burton – Strafford Regional Planning & MPO Policy Committee
35	_	Councilor Burton said he was a little concerned after attending the Governor's Advisory
36		Commission on Intermodal Transportation (GACIT) meeting because the State of New
37		Hampshire DOT has a 2025-2034 Ten-Year Plan, and he never received a clear answer as to
38		how that coordinates with the Ten-Year Plan being done for the region. He said there are
39		projects being placed in the SRPC Ten-Year Plan, but he was not certain if they are also
40		included in the state's plan.
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42		<u>Gail Jablonski – Acting Town Administrator</u>
43		Ms. Jablonski said she had nothing to report.
44		
45	XV.	Nonpublic Session (if required)
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47	XVI.	Extended Councilor and Town Administrator Roundtable (if required)
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Durham Town Council Meeting Minutes Monday, October 2, 2023 – Page 10

1	XVII.	Adjourn (NLT 10:30 PM)
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3		Councilor Hotchkiss MOVED to adjourn. The motion was SECONDED by Councilor Welsh
4		and PASSED, unanimously, 8-0, by a show of hands: Councilor Hotchkiss, Councilor Welsh,
5		Chair Pro Tem Lawson, Chair Needell, Councilor Lund, Councilor Friedrichs, Councilor
6		Friedman, Councilor Burton.
7		
8		The meeting ADJOURNED at 10:27 PM.
9		
10		Jennie Berry, Minutes Taker