

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

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

8 **MEMBERS PRESENT:** Chair Sally Needell, Councilor Eric Lund, Councilor Emily Friedrichs  
9 (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs)  
10 (arrived at 7:07 PM), Councilor Carden Welsh, Councilor Charles  
11 (Chuck) Hotchkiss, Councilor Joseph (Joe) Friedman, Councilor Wayne  
12 Burton, Councilor Eleanor (Ellie) Lonske, Chair Pro Tem James (Jim)  
13 Lawson (via Zoom at 7:07 PM)  
14

15 **MEMBERS ABSENT:** None  
16

17 **OTHERS PRESENT:** Acting Administrator Gail Jablonski, Administrator Todd Selig (arrived  
18 at approximately 9:00 PM)  
19  
20

21 **I. Call to Order**  
22

23 Chair Needell called the meeting to order at 7:01 PM.  
24

25 **II. Town Council grants permission for fewer than a majority of Councilors to participate**  
26 **remotely**  
27

28 Chair Needell noted that Chair Pro Tem Lawson was expected to join the meeting via Zoom.  
29 Chair Needell asked that Councilors, in addition to stating their names, also state if they grant  
30 permission for Chair Pro Tem Lawson to participate in the meeting via Zoom.  
31

32 *Councilor Hotchkiss—Yes, Councilor Welsh—Yes, Councilor Lonske—Yes, Councilor*  
33 *Burton—Yes, Chair Needell—Yes, Councilor Lund—Yes, Councilor Friedman--Yes*  
34

35 **III. Roll Call of Members**  
36

37 *Councilor Hotchkiss—Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor*  
38 *Burton—Aye, Chair Needell—Aye, Councilor Lund—Aye, Councilor Friedman—Aye*  
39

40 **IV. Approval of Agenda**  
41

42 *Councilor Lund MOVED approval of the November 6, 2023, agenda as presented The*  
43 *motion was SECONDED by Councilor Hotchkiss and PASSED unanimously, 7-0, by a show*  
44 *of hands.*  
45

1 **V. Special Announcements**

2  
3 Chair Needell said that since Veterans Day is next week, she would like to take a moment to  
4 thank veterans who have served and are currently serving the country for their service, their  
5 achievements, and the sacrifices they have made to protect our freedom.  
6

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

8  
9 **William (Bill) Hall, Smith Park Lane**, spoke about the Northern Connector, the fire lane signs  
10 at Wagon Hill Farm, the recent death of a person struck by an Amtrak Downeaster train in the  
11 area of Bennett Road, and the \$200,000 bridge at Wagon Hill Farm.  
12

13 **Councilor Friedrichs joined the meeting at this time (7:07 PM) and stated ze was fine with**  
14 **Chair Pro Tem Lawson participating via Zoom.**

15  
16 **Councilor Lawson joined the meeting via Zoom at this time (7:07 PM).**  
17

18 **Janet Perkins Howland, 32 Frost Drive**, spoke about the changes to the Housing Task Force  
19 mission statement and duties. She said she was disappointed that the word “equity” was  
20 removed, which in terms of housing would be opportunity and access and adjustment to  
21 imbalances, which are not covered by just using the word “diversity”. She requested that the  
22 word “equity” be reinserted.  
23

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

25  
26 Joseph Skehan, UNH Student Body President, provided updates on behalf of UNH Student  
27 Senate External Affairs Chair Olivia Welsh.  
28

- 29 - Organization for a street cleanup event is making good progress.  
30 - An on-campus street lighting review is being organized.  
31 - On Sunday, October 21<sup>st</sup>, the UNH Student Senate will be attending the downtown trick-or-  
32 treat event.  
33 - Student Senate passed two resolutions: One regarding the update of the Registrar’s class  
34 withdrawal policy and one regarding the Honor’s College Vision Statement.  
35

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

38 Council Chair Needell asked that **Item #8B be removed** from the Unanimous Consent Agenda.  
39 She noted that no action will take place this evening to allow additional changes to be made to  
40 the ordinance.  
41

- 42 A. Shall the Town Council approve the 4<sup>th</sup> 2023 Warrant for Water and Sewer Totaling  
43 \$697,423.78, commit the bills for charges to the Tax Collector for collection and authorize the  
44 Administrator to sign said Warrant?  
45 C. Shall the Town Council authorize the Administrator to sign the Town of Durham’s second half  
46 2023 Property Tax Warrant and direct the Tax Collector to collect payment of property taxes  
47 assessed on April 1, 2023, in the amount of \$19,802,864?  
48 D. Receive Eleanor Lonske’s resignation from the Town Council effective March 12, 2024.

- 1 E. Shall the Town Council, Upon Recommendation of the Administrator, Award a Contract for the  
2 Design of Fish Passage at the Oyster River Reservoir Dam (located at the UNH/Durham Water  
3 Treatment Plant), to Vanasse Hangen Brustlin, Inc. of Bedford, NH In the Amount of \$290,000,  
4 and Authorize the Administrator to Sign Associated Documents?  
5 F. Shall the Town Council approve Resolution #2023-26 Requesting Administrator Selig Submit a  
6 Letter in Support of Net Metering and Proposed 2024-2026 NHSaves Program to the Public  
7 Utilities Commission?  
8

9 *Chair Needell read and MOVED approval for each of the remaining Unanimous Consent*  
10 *Agenda items listed above, as presented. The motion was SECONDED by Councilor*  
11 *Friedrichs and PASSED unanimously, 9-0 by a roll call vote: Councilor Hotchkiss—Yes,*  
12 *Councilor Welsh—Yes, Councilor Lonske—Yes, Councilor Burton—Yes, Chair Needell—*  
13 *Yes, Councilor Lund—Aye, Councilor Friedrichs—Yes, Councilor Friedman—Yes, Chair*  
14 *Pro Tem Lawson—Yes*  
15

16 **IX. Committee Appointments**  
17

18 Shall the Town Council, upon recommendation of the Planning Board Chair, appoint Erika  
19 Naumann Gaillat, 14 Schoolhouse Lane, to fill an Alternate Member vacancy on the Planning  
20 Board with a term expiration of April 2025?  
21

22 Ms. Gaillat introduced herself and provided background information on herself.  
23

24 Councilor Lonske said she thought Ms. Gaillat would be a wonderful addition to the Planning  
25 Board and was grateful that she was willing to serve.  
26

27 Councilor Welsh asked Ms. Gaillat how many Planning Board meetings she has attended. Ms.  
28 Gaillat replied at least ten.  
29

30 Councilor Welsh said he was a little concerned because Ms. Gaillat has only lived in Durham for  
31 a year, and he would caution the Planning Board to not recommend appointment of many  
32 members that have only lived in the community a short time in order to maintain balance.  
33

34 Councilor Lonske said she had served as an alternate on the Planning Board and felt that doing  
35 so gives someone a relaxed way to become familiar with and understand the issues in Town.  
36

37 Councilor Friedrichs said ze appreciated the balance perspective expressed by Councilor Welsh  
38 but that on the volunteer committees there is not enough representation from individuals who are  
39 working that are in their 20s-40s and felt it was great to have some of those residents be able to  
40 volunteer and have more of a voice.  
41

42 *Chair Needell MOVED that the Durham Town Council, upon recommendation of the Planning*  
43 *Board Chair, appoint Erika Naumann Gaillat, 14 Schoolhouse Lane, to fill an Alternate*  
44 *Member vacancy on the Planning Board with a term expiration of April 2025. The motion*  
45 *was SECONDED by Councilor Lonske and PASSED unanimously, 9-0 by a roll call vote:*  
46 *Councilor Hotchkiss—Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor*  
47 *Burton—Aye, Chair Needell—Aye, Councilor Lund—Aye, Councilor Friedrichs—Aye,*  
48 *Councilor Friedman—Aye, Chair Pro Tem Lawson—Aye*  
49

1 **X. Presentation Items**

2  
3 Report from the Trustees of the Trust Funds & Cemetery Committee – Michael Everngam,  
4 Trustees Chair; Tom Bebbington, Cemetery Chair

5  
6 Mr. Everngam provided the Trustees’ report which included 2023 accomplishments and goals  
7 for 2024. He briefly highlighted the Operation of Investment Account, which included portfolio  
8 income and market value of securities. Mr. Everngam said a more detailed report on the Town’s  
9 Reserves and Trusts is provided in the financial section of the Town’s Annual Report. Other  
10 2023 accomplishments noted were:

- 11
- |                            |                        |
|----------------------------|------------------------|
| --Improvements at Doe Farm | --Transparence Efforts |
| --Improved Record Keeping  | --Investment Policy    |
| --Internal Controls Policy | --Investment Holdings  |
- Alternate Trustee Appointment: Mr. Alfredo Manalo was appointed as an Alternate Trustee. There is one vacant Alternate Trustee position vacant as of year-end.

12  
13 Trustees’ goals for 2024 include:

- 14 1. Seek to continue efforts to be prudent custodians of the funds entrusted to us, while seeking  
15 the best possible returns on the investment of these funds.  
16 2. Seek ways to maintain and improve our inter-relationships with Town departments and  
17 related Committees, Commissions, and Boards.  
18 3. Continue to work on those projects/issues which are marked “continuing” within the report.  
19 4. Seek potential future alternate Trustees to assure continuity in Trustee membership. As the  
20 year begins, one alternate position is vacant. Ensuring succession is critical to the future  
21 administration of the Town’s Reserves and Trusts.  
22 5. Continue to work to create a trust fund to help finance the Town’s celebration of its 300th  
23 Anniversary.  
24 6. Review the existing trust funds to determine if some funds can be consolidated to simplify  
25 management  
26 7. Continue to participate in the management of Doe Farm as a member of the Land  
27 Stewardship Subcommittee.

28  
29 Tom Bebbington provided a brief report as Chair of the Cemetery Committee. He said he has  
30 been the Chair since late April 2023, and noted what has occurred since that time:

- 31  
32
- There have been 15 burials.
  - Nine sales over the course of the summer representing 15 plots.
  - Efforts were made over the summer to restore 7 downed/tipped monuments. Six of those were modern monuments and one was an historic 19<sup>th</sup>-century monument.
  - Updated the Cemetery Regulations and revised the price structure for burial plots.
- 37

38 Mr. Bebbington recognized the Oyster River Middle School, noting that there were 80 students  
39 that helped with cleanup of the Town Cemetery this past fall. He also noted that the Department  
40 of Public Works staff has done a great job of maintaining the Town Cemetery.

41  
42 The complete presentation, along with additional comments, concerns, discussion, and responses  
43 to Council questions, may be viewed on DCAT on Demand at [www.ci.durham.nh.us](http://www.ci.durham.nh.us).

1 **XI. Unfinished Business**

- 2 A. Public Hearing and Action to accept a State of New Hampshire Dept. of Natural and Cultural  
3 Resources grant (Moose-Plate grant) in an amount of \$20,000 for rehabilitation of the Bickford-  
4 Chesley House at Wagon Hill Farm.

5  
6 *Chair Needell MOVED that the Durham Town Council does hereby OPEN the Public*  
7 *Hearing to accept a State of New Hampshire Dept. of Natural and Cultural Resources grant*  
8 *(Moose-Plate grant) in an amount of \$20,000 for rehabilitation of the Bickford-Chesley*  
9 *House at Wagon Hill Farm. Councilor Hotchkiss SECONDED the motion and it PASSED*  
10 *unanimously, 9-0 by a roll call vote: Councilor Hotchkiss—Aye, Councilor Welsh—Aye,*  
11 *Councilor Lonske—Aye, Councilor Burton—Aye, Chair Needell—Aye, Councilor Lund—*  
12 *Aye, Councilor Friedrichs—Aye, Councilor Friedman—Aye, Chair Pro Tem Lawson—Aye*

13  
14 No members of the public came forward to speak about this item.

15  
16 *Councilor Lund MOVED that the Durham Town Council does hereby CLOSE the Public*  
17 *Hearing to accept a State of New Hampshire Dept. of Natural and Cultural Resources grant*  
18 *(Moose-Plate grant) in an amount of \$20,000 for rehabilitation of the Bickford-Chesley*  
19 *House at Wagon Hill Farm. Councilor Welsh SECONDED the motion and it PASSED*  
20 *unanimously, 9-0 by a roll call vote: Chair Pro Tem Lawson—Aye, Councilor Hotchkiss—*  
21 *Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor Burton—Aye, Chair*  
22 *Needell—Aye, Councilor Lund—Aye, Councilor Friedrichs—Aye, Councilor Friedman—Aye*

23  
24 *Chair Needell MOVED that the Durham Town Council does hereby ACCEPT a State of New*  
25 *Hampshire Dept. of Natural and Cultural Resources grant (Moose-Plate grant) in the amount*  
26 *of \$20,000 for rehabilitation of the Bickford-Chesley House at Wagon Hill Farm. Councilor*  
27 *Hotchkiss SECONDED the motion and it PASSED unanimously, 9-0 by a roll call vote:*  
28 *Councilor Friedman—Aye, Councilor Friedrichs—Aye, Councilor Lund—Aye, Chair*  
29 *Needell—Aye, Councilor Burton—Aye, Councilor Lonske—Aye, Councilor Welsh—Aye,*  
30 *Councilor Hotchkiss—Aye, Chair Pro Tem Lawson--Aye*

- 31  
32 B. Review and possible Action regarding Council changes to the Housing Task Force Charge

33  
34 Councilor Friedrichs said ze would be fine with reinserting the word “equity” in the charge as  
35 requested earlier by resident Janet Perkins-Howland. Councilors Lonske and Lund agreed.

36  
37 Chair Pro Tem Lawson said the four Councilors that worked on this item at a meeting in  
38 September tried to take the input discussed and reflect it in the document rather than trying to  
39 wordsmith the document that evening. He also noted that in the document where it is in red text  
40 and stricken out is a situation where the Council did not accept what the Housing Task Force  
41 had proposed.

42  
43 Councilor Hotchkiss said he had raised a point at the previous Council meeting concerning the  
44 language at the beginning of the mission statement where it asks the Housing Task Force to  
45 analyze the Seacoast Housing Inventory. He said the intent was to put the work of the Housing  
46 Task Force in a regional context, and there was no debate about that from the Task Force.  
47 However, saying it was the Seacoast Housing Inventory left it vague in terms of geographically  
48 what region the Task Force should be considering, and therefore what data the Task Force  
49 should be looking at. He said the Council may want to clarify that informally and leave

1 “Seacoast” in the document. He felt that left to its own devices, the Task Force would look at the  
2 data for Strafford County.

3 Chair Pro Tem Lawson said he felt it could be clarified by saying, “The New Hampshire  
4 Seacoast Housing Inventory”, but he liked having it broad with no specificity because the  
5 Housing Task Force can decide what is the most appropriate region to look at, then come back  
6 to the Council with its recommendations.

7  
8 ***Chair Needell MOVED that the Durham Town Council hereby adopts the charge for the***  
9 ***Housing Task Force as further amended until October 2, 2025. Additional amendments***  
10 ***include reinserting the word “equity” back into the duties section of the document and adding***  
11 ***the words New Hampshire before the words “Seacoast housing inventory” in the revised***  
12 ***mission statement. The motion was SECONDED by Councilor Welsh.***

13  
14 After further discussion on the amendment wording regarding the Seacoast housing inventory in  
15 the mission statement, Chair Needell withdrew the above motion and Councilor Welsh withdrew  
16 his second.

17  
18 ***Chair Needell MOVED that the Durham Town Council hereby adopts the charge for the***  
19 ***Housing Task Force as further amended until October 2, 2025. Additional amendments***  
20 ***include adding the word “equity” back into the duties section of the document and changing***  
21 ***“Seacoast housing inventory” to read “New Hampshire Seacoast region inventory” in the***  
22 ***revised mission statement. The motion was SECONDED by Councilor Welsh and PASSED***  
23 ***unanimously, 9-0 by a roll call vote: Councilor Hotchkiss—Aye, Councilor Welsh—Aye,***  
24 ***Councilor Lonske—Aye, Councilor Burton—Aye, Chair Needell—Aye, Councilor Lund—***  
25 ***Aye, Councilor Friedrichs—Aye, Councilor Friedman—Aye, Chair Pro Tem Lawson—Aye***  
26

- 27 C. Update and consideration of action authorizing the Administrator to enter into the Cost Sharing  
28 Agreement and Member Services Contract for the Complete Service Bundle with the  
29 Community Power Coalition of New Hampshire (CPCNH) and designation of Administrator  
30 Selig as the Authorized Officer.

31  
32 Steve Holgren, Durham Energy Committee member, said Durham has taken the first two steps  
33 toward joining the Community Power Coalition of New Hampshire in September 2021 by  
34 authorizing the Joint Powers Agreement and in December 2022 by authorizing the Community  
35 Power Plan. He said they are preparing to take the next step with the Council’s approval for the  
36 Town to move forward and engage in purchasing power through the CPCNH, which is done by  
37 approving a Cost Sharing Agreement, the Member Services Contract, and the Risk, Rates, and  
38 Reserve policies.

39  
40 Chair Pro Tem Lawson listed his reasons for being comfortable moving forward with approval  
41 of this project, which included:

- 42
- 43 • The rollout of the project for those first wave of communities joining the CPCNH has gone  
44 smoothly.
  - 45 • Having the cities of Nashua and Portsmouth coming onboard with CPCNH adds significant  
46 scale to the organization.
  - 47 • The CEO for CPCNH, Brian Callnan, has excellent experience with the New Hampshire  
48 Cooperative.
  - 49 • The due diligence that the Town’s attorneys have done makes him comfortable that the  
agreement does not expose the Town to financial risks.

- Communities can opt out of the program at any time; it only requires one billing cycle.

Councilor Friedrichs said ze was aware that CPCNH has been working to resolve the net metering issue and asked if it was making any progress, and whether customers taking advantage of net metering are being able to benefit from CPCNH.

Henry Herndon with Community Power Coalition of NH replied that currently, net metering customers would not be automatically enrolled and would remain on their utility supply service until the regulatory challenge in obtaining the necessary data from the utilities is resolved. He said net metering customers could, on an individual basis, opt in if they chose to and the CPCNH’s Customer Service Center will discuss their options with them.

Councilor Friedrichs said that if there are solar panels on a person’s home, business, municipal building, etc. those persons are receiving a benefit for the energy their panels produce, which is the net metering. Because there are some billing issues with Eversource that it has not lived up to, concerning what it was supposed to submit in terms of data, one cannot currently participate in CPCNH and receive credit for the energy they are producing. Hopefully, they will be able to participate in the net metering in the future as that data becomes available.

Referring to Page 6 of the Energy Portfolio Risk Management Policy, Councilor Burton noted there is a brief paragraph on regulatory and legislative risk. He said the more communities that join CPCNH the better political clout they have and the ability to prevent adverse policies made in Concord. He asked if CPCNH is getting political support and if it was concerned about any possible changes that may come from the regulatory system in New Hampshire, and if there was anything in the management policy that might help prevent interference from the state legislature.

Chair Pro Tem Lawson agreed that the greatest risks are political. However, he said that CPCNH has gone from concept to now having some political wherewithal by the cities of Nashua and Portsmouth joining the program. He said if there is an issue politically with CPCNH then politically there is an issue with the concept of competitive electric suppliers in general, which he felt has been well established for several years. Lastly, he said the energy is a passthrough for Eversource so he was uncertain how much political payback there would be for a company like Eversource to politically challenge the idea of competitive energy suppliers.

Mr. Herndon said that to date, CPCNH has received support from both the NH House, Senate, and Governor Sununu. However, regulatory risks are very real. He said there is the current status quo, which is adequate to deliver a certain amount of customer benefits and savings, and there is the potential for a more competitive and innovative market with fewer regulatory barriers to some of the innovations that could realize benefits and savings to customers. Obviously, major state regulated investor utilities are a significant political force in legislative and regulatory arenas, and he felt that the growing number of state municipalities coming together to speak with one voice at the state house and Public Utilities Commission will be a counterweight in some ways to that investor utility voice.

***Councilor Friedrichs MOVED that the Durham Town Council hereby authorizes the Administrator to enter into the Cost Sharing Agreement and Member Services Contract for the Complete Service Bundle with the Community Power Coalition of New Hampshire***

1            *(CPCNH) with Administrator Selig as the Authorized Officer and with elections in Exhibit C*  
2            *Article VIII Section 2 of the Agreement being a) “YES”, b) “YES”, and c) “NO”; and*

3  
4            *The Durham Town Council hereby approves CPCNH’s Data Security and Privacy, Energy*  
5            *Portfolio Risk Management, Rates, and Financial Reserves Policies. The motions were*  
6            *SECONDED by Councilor Lund and PASSED unanimously 9-0 on a roll call vote: Chair*  
7            *Pro Tem Lawson—Aye, Councilor Friedman—Aye, Councilor Friedrichs—Aye, Councilor*  
8            *Lund—Aye, Chair Needell—Aye, Councilor Burton—Aye, Councilor Lonske—Aye,*  
9            *Councilor Welsh—Aye, Councilor Hotchkiss—Aye*

10  
11 **XII. Approval of Minutes – October 16, 2023**

12  
13            Minor edits were submitted to Administrative Assistant Karen Edwards for inclusion prior to the  
14            meeting.

15  
16            Councilor Friedrichs noted that ze had submitted clarification language to Administrative  
17            Assistant Karen Edwards regarding her comment on Page 13, line 6 of the October 16<sup>th</sup> minutes.

18  
19            *Councilor Hotchkiss MOVED that the Durham Town Council does hereby APPROVE the*  
20            *October 16, 2023, Town Council minutes, as amended. The motion was SECONDED by*  
21            *Councilor Welsh and PASSED unanimously, 9-0 by a roll call vote: Councilor Hotchkiss—*  
22            *Aye, Councilor Welsh—Aye, Councilor Lonske—Aye, Councilor Burton—Aye, Chair*  
23            *Needell—Aye, Councilor Lund—Aye, Councilor Friedrichs—Aye, Councilor Friedman—*  
24            *Aye, Chair Pro Tem Lawson—Aye*

25  
26 **XIII. Councilor and Town Administrator Roundtable**

27  
28            Councilor Hotchkiss

- 29            - Councilor Hotchkiss had nothing to report.

30  
31            Councilor Welsh – Conservation Commission

- 32            - Met on October 23, 2023.  
33            - Discussed and voted to not spend the leftover \$16,000 from the Pike property purchase for the  
34            purchase of other properties at this time.

35  
36            Councilor Welsh – Integrated Waste Management Advisory Committee

- 37            - Met on October 18 and November 1, 2023.  
38            - Discussed change in curbside collection, which will be presented to the Council soon by  
39            Department of Public Works staff. The committee decided to endorse the plan.  
40            - Discussed ways in which to have more public attendance at the “Sustainable Durham” events on  
41            Wednesday evenings that have been held at the Durham Public Library. The next session at the  
42            library will be held on November 15<sup>th</sup> on the health aspects of climate change.

43  
44            Councilor Lonske – Agricultural Commission

- 45            - Asked the Council to consider a way to resolve the problem of the Town Council meetings and  
46            Agricultural Commission meetings held on the same evening at times throughout the year as she  
47            was unable to attend the last meeting, as well as past meetings because of schedule conflicts.

- 1            Councilor Burton  
2            -    Attended an excellent session on stewardship with Chair Needell. He said it was very well done.  
3

4            Chair Needell – Human Rights Commission

- 5            -    Met on October 17, 2023.  
6            -    Received presentation by Anne Weidman, CPSM, of Access Navigators on Disability and  
7            Accessibility Concerns.  
8            -    Received presentation by Planner, Michael Behrendt, on the efforts of the Historic District  
9            Commission in pulling together a forum to discuss the Oyster River “Massacre” state historic  
10           marker. The Commission chose members to be a part of that discussion.  
11           -    Discussed rewording the Commission’s bylaws to look at the purpose and mission statement for  
12           the Commission.  
13

14           Councilor Lund – Historic District/Heritage Commission

- 15           -    Met on November 2, 2023.  
16           -    Reviewed Tideline Public House application for signs directing their customers to not park in  
17           the Town Hall parking lot on weeknights. The Commission approved the two signs directed at  
18           the Town Hall parking lot.  
19           -    Held a preliminary discussion regarding Tideline Public House proposed signs to go in front of  
20           the building That application is the subject of a Zoning Board of Adjustment Public Hearing on  
21           November 14, 2023. The Commission suggested that they use granite posts for the signs,  
22           assuming the ZBA approves the request. If approved by ZBA, the applicant would then return to  
23           the HDC/HC for its approval.  
24           -    Regarding the Oyster River Raid plaque. There will be three meetings held between January-  
25           March 2024 timeframe. Two members from the Durham Heritage Commission have been  
26           appointed to be a part of those meetings.  
27

28           Councilor Friedrichs – Planning Board

- 29           Upcoming Planning Board agenda items include:  
30           -    Fitts Farm – Shed Addition. Request for waiver from site plan review for 24 square foot (4 feet  
31           x 6 feet) addition to existing mail kiosk for storage of materials. Marden Way just off Emerson  
32           Road.  
33           -    Public Hearing - 81 Dover Road – Community Center. Conditional use application from Arts in  
34           Reach to establish a community center for arts programming. The nonresidential program  
35           serves youth 11 to 18 in school, after school, during school vacations, on weekends, and during  
36           the summer. The existing single-family house and barn will be converted for this purpose.  
37           -    Public Hearing – Proposed amendments for deadlines. Proposed amendments to the Site Plan  
38           and Subdivision Regulations to provide that when a Planning Board approval is appealed to  
39           court, the timeframe to meet precedent conditions automatically extends to one year after final  
40           court disposition.  
41

42           Councilor Friedrichs – Durham Energy Committee

- 43           -    Will meet tomorrow evening, November 7<sup>th</sup>, to finalize the Committee’s 2024 goals before  
44           coming to the Council.  
45           -    Will discuss letter in support of net metering & NHSaves (which was passed this evening), as  
46           well as some other efforts around increasing the number of electric vehicle chargers, given there  
47           has been a 300% increase in their use over the past year.  
48           -    Will receive a Clean Capital presentation for the Energy Committee held on December 5th via  
49           Zoom which is around the Lee Gravel Pit solar array buyout.

1 Councilor Friedrichs said ze attended the local Energy Solutions Conference organized by Clean  
2 Energy New Hampshire, along with Matthias Dean-Carpentier who is the Chair, Administrator  
3 Selig, and Rich Reine, Durham DPW Director. Councilor Friedrichs explained in more detail  
4 what the conference focused on.

5  
6 Councilor Welsh said he had been reading about net metering that there is a potential problem  
7 that net metering leaves the overhead and other costs with the regular customers and unfairly  
8 gives none of that cost to people who are generating the electricity locally. He asked if that  
9 could be managed by having net metering net of some sort of fixed overhead charge so that  
10 everyone is treated fairly and asked if that would be part of Administrator Selig’s letter saying  
11 the Town wants net metering, but it should include some sort of overhead charge.

12  
13 Councilor Friedrichs replied and provided an explanation with respect to how electric bills are  
14 broken down in terms of fees and fixed costs and the feelings expressed at the conference about  
15 the lack of incentives for solar energy and net metering in New Hampshire.

16  
17 Some additional comments, opinions, and questions occurred on this topic from members of the  
18 Council.

19  
20 Councilor Friedman – Parks & Recreation Committee

- 21 - Met on October 24, 2023, at the Churchill Rink to see what challenges the rink presents and  
22 some of the improvements that have been made there.  
23 - Next meeting will be held on November 28, 2023.

24  
25 Councilor Friedman - Seacoast Economic Developers Stakeholders

- 26 - Met online October 24, 2023.  
27 - Discussed Housing Task Force and what each community should be doing in terms of who is  
28 responsible for supplying affordable workforce housing.  
29 - Next meeting will be held in person on November 28, 2023.

30  
31 **Administrator Selig arrived at the Council meeting at this time (approximately 9:00 PM) .**

32  
33 Councilor Burton

- 34 - Raised the issue regarding lack of parking and its enforcement at peak times at Wagon Hill  
35 Farm. Discussion occurred around these concerns.

36  
37 Chair Pro Tem Lawson

38 Chair Pro Tem Lawson said he had no reports but had a couple of comments regarding the  
39 NHSaves Program. He said that the Council Communication and Resolution the Council passed  
40 this evening did not have enough information for him to pull out of that document to really  
41 understand what is proposed for NHSaves, what are the issues with the NH Public Utilities  
42 Commission (PUC), and what are the expectations that NHSaves can be over the next three  
43 years.

44  
45 Chair Pro Tem Lawson said one thing that became clear was that the PUC would be aggressive  
46 in how it looks at NHSaves and that there are many people that justifiably that the intent of the  
47 PUC is to kill NHSaves. Since this was not addressed in the resolution, Chair Pro Tem provided  
48 an explanation of how the PUC planned to achieve that. However, he said the NH Department of

1 Consumer Advocacy has made it clear that it sees value in the NHSaves program, and that the  
2 PUC is overstepping its authority and the state RSAs.

3  
4 Chair Pro Tem Lawson noted that the numbers in the Council Communication lacked context  
5 and were a little confusing, which could lead a resident to believe that the savings from  
6 NHSaves are greater than they are. He said the document does not provide any detailed  
7 calculations or provide specifics regarding lifetime. He provided more information for Council  
8 members.

9  
10 Chair Pro Tem said that he did not recommend any changes to the resolution passed earlier this  
11 evening but felt that the Council should receive Council Communications that really educate the  
12 Council and the community and look at issues in detail rather than taking snippets from a 90-  
13 page report. He felt that unless the Town does resolutions that have insight and greater  
14 information than the requested talking points, then the Town will not have much impact with its  
15 resolutions, and he was afraid that the resolution passed this evening was going to fall into that  
16 category.

17  
18 Chair Pro Tem concluded by saying the message is NHSaves is good, the PUC is political and is  
19 trying to kill NHSaves with discount rebate (except it has caused a political storm), and for  
20 Durham and other communities, NHSaves does not move the greenhouse needle much at all.

21  
22 Todd Selig –Town Administrator

23 Administrator Selig said he did not have anything to report. He mentioned that he is  
24 participating as part of the Oyster River Cooperative School District Superintendent’s Screening  
25 Committee of which there was a meeting this evening that he attended.

26  
27 **XIV. New Business**

28 Initial presentation of the Administrator’s proposed FY 2024 Operating, Capital, and Special  
29 Fund Budgets and the 2024-2033 Capital Improvement Plan.

30  
31 Administrator Selig provided an overview for Councilors on how to use the proposed FY 2024  
32 Operating Budget document, the proposed Capital Improvement Program document, and the  
33 proposed FY 2024 Budget Information document; all of which are available online at the  
34 Town’s website: [www.ci.durham.nh.us](http://www.ci.durham.nh.us). Then go to the Business Department section of the site.  
35 In addition, hard copies are available in the Town Hall foyer and at the Durham Public Library.

36  
37 Highlights:

- 38
- 39 • The projected growth of the tax base for the Town looking out to the next year is  
40 approximately a 1% increase.
  - 41 • Personnel-related costs, which represent approximately 62% of the entire budget. When the  
42 additional fixed costs are added, those are approximately 74% of the full budget.
  - 43 • The increase in spending for the coming year is approximately \$1,000,000 or 5.8%  
44 compared to last year.
  - 45 • The proposed budget is expected to hold people’s municipal portion of the tax rate constant.
  - 46 • Water fund – 1.9% increase in user fees; Sewer Fund – 7.69% increase in user fees

47 Other Items:

- 48
- 49 • Moving to a volume-based collection system for solid waste.
  - \$350,000 - Improvements to the Transfer Station and Recycling Center.

- 1 • Recommendation to permanently discontinue the annual bulky waste collection cleanup.
- 2 • Information Technology Department - \$57,000 increase.
- 3 • Durham Cable Access Channel - \$42,350 increase.
- 4 • Durham Public Library – staffing reorganization and efficiencies.
- 5 • Parks and Recreation Department – Increase from 2022 due to increasing part-time wages
- 6 for staff involved with summer camp programs necessary to stay competitive with other area
- 7 recreation agencies.
- 8 • Business Department – Proposing addition of one full-time position.
- 9 • Continue to fund the Land Stewardship Coordinator position.
- 10 • McGregor EMS has requested an increase of more than \$100,000.
- 11 • Police Department – addition of one vehicle.
- 12 • Phase I of the Madbury Road Complete Streets project (Main Street to Garrison) for
- 13 roadway work and further for water line replacement.
- 14 • Continue to move the Department of Public Works toward cost efficiency and sustainable
- 15 practices in the Town’s snow fighting program.
- 16 • Fire Department – \$150,000 for replacement of apparatus bay overhead doors.
- 17 • \$72,000 - install Rectangular Rapid Flashing Beacons (RRFB) devices at four Durham
- 18 crosswalk locations (Newmarket Road in front of the Town Hall, Church Hill by the
- 19 Community Church of Durham, Dover Road at Young Drive, and Mill Road by Hetzel Hall.
- 20 • \$564,300 requested for 2024 Road Program.
- 21 • Supervisors of the Checklist - \$14,000 increase in anticipation of four elections in 2024.
- 22

23 Administrator Selig responded to several questions raised and comments made by Council  
24 members, the details of which can be viewed on DCAT on Demand at [www.ci.durham.nh.us](http://www.ci.durham.nh.us).

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

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

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

31  
32 *Councilor Welsh MOVED to adjourn. The motion was SECONDED by Councilor Lonske*  
33 *and PASSED, unanimously, 9-0, by a roll call vote: Councilor Hotchkiss—Aye, Councilor*  
34 *Welsh—Aye, Councilor Lonske—Aye, Councilor Burton—Aye, Chair Needell—Aye,*  
35 *Councilor Lund—Aye, Councilor Friedman—Aye, Councilor Friedrichs—Aye, Chair Pro*  
36 *Tem Lawson—Aye*

37  
38 The meeting ADJOURNED at 10:11 PM.

39  
40 Jennie Berry, Minutes Taker