

*These minutes were approved at the December 16, 2024 meeting.*

**DURHAM TOWN COUNCIL  
MONDAY, DECEMBER 2, 2024  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
7:00 PM**

**MEMBERS PRESENT:** Chair Sally Needell, Chair Pro Tem Joseph Friedman, Councilor Wayne Burton, Councilor Eric Lund, Councilor Darrell Ford, Councilor Curtis Register and Councilor James Bubar. Councilor Heather Grant and Councilor Emily Friedrichs (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs) attended the meeting on Zoom.

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Administrator Todd Selig, Tax Assessor Darcy Freer, Planning Board Chairman Paul Rasmussen, Business Manager Gail Jablonski, Parks and Recreation Director Rachel Gasowski, Fire Chief Dave Emanuel, Assistant Chief Randall Trull, Deputy Chief Robert Atwater, Fire Marshal Brendan O’Sullivan, Capt. James Brown, Firefighter David Blatchford and Firefighter Ryan McFadden attended in person. Department of Public Works Director Rich Reine. Library Director Sheryl Bass, Library Board of Trustees President Robin Glasser and Fire Department Administrative Assistant Kelley Fowler attended the meeting on Zoom.

**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**

*Councilors AGREED to allow Councilor Grant to participate on Zoom on a unanimous roll call vote of 7-0.*

**III. Roll Call of Members**

Chair Sally Needell, Chair Pro Tem Joseph Friedman, Councilor Wayne Burton, Councilor Eric Lund, Councilor Darrell Ford, Councilor Curtis Register and Councilor James Bubar. Councilor Heather Grant was attending on Zoom. Councilor Emily Friedrichs joined the meeting on Zoom at 7:08 PM, and Councilors voted unanimously to allow zir to participate remotely as they did their roll call introductions.

**IV. Approval of Agenda**

No changes to the agenda were requested. *Chair Needell MOVES to adopt the agenda. Councilor Lund SECONDS the motion. Motion PASSES on a unanimous roll call vote.*

**V. Special Announcements**

Chair Needell reminded everyone that the Town Council will hold a Budget Workshop on Monday, Dec. 9, 2024 at 7 p.m. in Council Chambers unless the Council passes the budget at this meeting.

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

**William Hall, Smith Park Lane**, commented on Councilor Burton's description of the building taken down at Wagon Hill Farm at the last Town Council meeting as the stable, not a barn. He reiterated that it was always called the barn, and his belief that it was demolished without several Town Councilors, town officials and the public knowing about it in advance.

**Joshua Meyerowitz, 7 Chesley Drive**, commented on the cooperation between the town and the University of New Hampshire and thanked the Town Council for its letter to UNH President Elizabeth Chilton, which can be found on Page 6 of the Council packet for this meeting, and President Chilton for her letter in response, which can be found on Page 4 of the packet. He also thanked President Children for taking the time to attend the meeting. He talked about his work keeping President Chilton's Chief of Staff Tom Cronin updated on the aftermath of the May 1 protest at UNH and said one of the students arrested that day was turned down by the Peace Corps because of his taking a plea deal in the case so he wouldn't lose the opportunity to study abroad this semester. He said when he brought this to the administration's attention, the UNH Police Department's prosecutor got in touch with the student overseas and appealed the Peace Corps decision, which is under review. He said the students arrested will continue to suffer long-term damage to their reputations and urged a public exoneration of those arrested.

Councilor Lund points out that Councilor Friedrichs has joined the meeting on Zoom. ***Councilors agreed to allow Councilor Friedrichs to participate in the meeting via Zoom on a unanimous roll call vote of 8-0.***

**Robin Mower, 6 Britton Lane**, participating on Zoom, echoed Meyerowitz's thanks to the Town Council and Administrator for gathering and submitting questions to UNH President Chilton and President Chilton's attending the meeting to address their questions. She commented on the town budget, saying the Town Council's goal of capping an increase to the budget is a valuable goal, but now is a time to invest in the town's future and she urged the Council to support an increase in the budget if needed to support the restoration of the Bickford-Chesley House at Wagon Hill Farm.

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

**Abigail Bagley**, the External Affairs Chair for the student body president at UNH, said the UNH Student Body President's cabinet had toured both the UNH Police and Fire departments to learn about their operations and the visit was helpful and successful. She said the resolution to improve South Drive passed in the Student Senate, and the hope is

it will be added to the budget for the next fiscal year and then put in the UNH Master Plan. She reminded everyone the UNH Master Plan information sessions for the public and for the student body and faculty will take place on Wednesday, Dec. 4 at the MUB.

### **VIII. Discussion with UNH President Chilton**

President Chilton first introduced Aaron Howell, the new Executive Vice President of Finance and Administration. Mr. Howell gave a brief summary of his career. A native of Oregon, he's worked in higher education for more than 30 years, 20 at his alma mater, five at a college in Virginia and the last five at Kennesaw State in Georgia. He said he is glad to get back to his roots at a land grant university.

Mr. Howell said it was his first day on the job, having just driven up from Georgia the day before, and that he's filling a reframed role as the university's CFO with the added responsibility of overseeing Administration, which includes facilities, the Master Plan process, human resources, housing and dining, many of the areas important to the town and to the state. She said she combined the two roles to have a more coherent, efficient and effective approach to managing all these functions.

President Chilton, who was joined by her Chief of Staff Tom Cronin, said the university is embarking on its next strategic plan, which asks the question "Where do we want to be in 2030?" She said the town and UNH's fates are tied together and the success of the strategic plan depends on the success of both. She said the strategic plan has four pillars they'll be working on. The one most important to the town is the one about building community, seeking quality of life and a sense of belonging for students, faculty and staff, which will consider matters important to the town such as affordable housing, solid transportation, and bringing students into the downtown and residents onto campus for activities and events. The Master Plan has a lot to do with this, too, and noted this week's information sessions. She said the Master Plan is written in pencil at this point and they're seeking all feedback on it from the public. She said she and Administrator Selig have a good communicating relationship and she wants to hear everything residents are thinking and hearing from each other. She invited Councilors' questions.

Chair Pro Tem Friedman thanked her for attending the meeting, congratulated Howell on his new job, and thanked Cronin for inviting the Town Council to a football game and the president's inauguration this fall. He complimented Chilton's letter to the Town Council addressing its questions. He said he was glad to hear the university and the town have a joint vision for a dynamic downtown, and that a thriving downtown would be good for both the university's project at West Edge as well as faculty and students on campus. He said there are a lot of opportunities for collaboration, one being parking. He said the town is working on creating more affordable housing. He said together they may want to consider building a garage on one of the parking lots as a catalyst for development. He said he was interested in the Maker's Space where an event will be held for town residents as a facility. He said the focus on space, sea and advanced manufacturing that the university has is very important to economic development in town and applauded the its focus on them.

Councilor Burton thanked and welcomed President Chilton. He said as wonderful as the Seacoast is, it lacks a major fine arts performance center. He said it would be smart to add building a performing arts center on campus to the Master Plan. He emphasized the importance of the Cooperative Extension service and strengthening it because that's how many residents experience the university. He praised her handling of the aftermath of the May 1 student protest.

President Chilton said one of her first acts was to sign a Memorandum of Understanding with the state's 10 county commissioners on the Cooperative Extension service and how it is a key component in the university's mission as a land grant. She said she has created a group to work on integrating the university's research more fully into the Extension's work.

Councilor Register said he likes her focus on leadership, collaboration and community connection in her letter, and praised the opportunities she wants to create for live, person-to-person interaction between students and residents. He is excited about the collaboration on the fire department and MacGregor EMS, and updating their facilities. He said he was interested in the review of the May 1 student protest in the interest of mitigating the chance of anything like that happening again. He said it's important to support the students in the protest process, but it's also important to protect the dignity of those students in the adjudication process if one results. He said he will help nurture the town-gown relationship. He thanked President Chilton for her time and Mr. Howell for attending the meeting in person on his first day of work.

Councilor Lund said he thinks it is important to foster a good town-gown relationship, something he said he believes the town didn't have with the previous president, and praised the initiatives outlined in President Chilton's letter. Speaking as a UNH employee in the Space Science Center as well as a Town Councilor, he said it's important for UNH to focus on its areas of excellence and work with the town to create a vibrant downtown with people living downtown, which go together. He thanked her for what she's done so far and said he hopes things will continue in this same vein.

Councilor Bubar said it's got to be difficult to recruit and retain quality staff if you don't have a quality town. Improving the downtown and the atmosphere of Durham could be critical to the university's ongoing success. He complimented the university's composting program as world-class and he said he's heard the food is good, too. He said he hopes that the leftover food is offered to local food pantries before being sent off to compost and that the town would be interested in talking about ways to partner with the university on composting.

Chair Needell said since President Chilton's arrival she's noticed a lot more student capstone projects taking place in the town and that she's received a lot more communication about alumni events than in the past. She praised the increased outreach.

Councilor Friedrichs said ze is also receiving more emails and outreach than before. Ze said ze appreciates the invitations President Chilton has extended to the Town Council, which sets a tone of willingness to engage. Ze said putting policies in place to avoid repeating how the May 1 student protest was handled is very important and that the students involved are treated justly in the outcome.

President Chilton said the working group on the Freedom of Speech and Expressive Activities is continuing its work. She said she asked for an evaluation of not only May 1 but all free speech events, looking at what went well and what didn't go well with a content-neutral perspective. The group has asked for an extension until January, and she said a report would be issued a little while after that. She directed everyone to the President's home page where information about the working group is located.

Councilor Ford thanked President Chilton for her interactions with the Council and said he hopes it continues. He also said as an alumnus he gets plenty of correspondence.

On the status of the Edge project, President Chilton said UNH has received board approval for the \$20 million NOAA facility and for the \$5 million addition for the John Olson Advanced Manufacturing Center. She said they will discuss with the board soon the expansion of industry partner space planned for the same facility. She said an RFP will soon be issued and a steering committee, which will involve the town, will be created to evaluate what the expanded Edge project will look like. She said the vision for the project is shared, but it's important to be certain, practical and responsible about financing it.

Councilor Bubar said the incoming Trump administration has made comments about privatizing NOAA and he asked how that might affect the planned facility in the Edge project. Cronin replied that the current project is due to the state's federal delegation understanding UNH's potential. He said they will continue to work with the federal delegation to protect the project.

Councilor Burton advised the UNH representatives to become friends with the state legislature as it enters a new era. He urged them to spend as much time out in the field with legislators as possible.

Councilor Friedrichs said ze appreciates the communication about the budget process because there were blips in the past and ze is glad to hear about the president's relationship with the Administrator and openly communicating about budget decisions that affect the community.

Selig said how important the mutual relationship is to the town and that there are wonderful opportunities in the future. He said the town has been integrated into the Master Plan process throughout and it's great to have a separate forum for residents. The Edge project is an opportunity to work together in innovative ways. He praised Ms. Bagley and other students who provide ongoing updates. He mentioned the advertising panels at the UNH train station. UNH did the layout and design of the nine panels, that

the town has four, UNH five, that the cost was split 50/50, and the project is a good example of partnership on the welcoming face of the community.

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

- A. Shall the Town Council, upon recommendation of the Administrator, approve a Supplemental Property Tax Warrant for FY 2024 and authorize the Administrator to sign said Supplemental Property Tax Warrant to commit a supplemental tax bill totaling \$37,724 on properties that were not billed for the State Education portion of the tax rate?
- B. Shall the Town Council Approve and Sign the Warrant for the Town Election to be held on March 11, 2025?

Councilor Lund had a question on item B. He said there was discussion about putting the Bickford-Chesley farmhouse renovation project to a town vote and asked if approving the Warrant for the Town Election now prevents that and would require a Special Election later.

Administrator Selig said putting the farmhouse renovation on the ballot as a referendum was not in the plan so nothing has been done yet. He said approving the Warrant does not prevent the Town Council from amending it at a later date and he recommends that the Town Council approve it. If the Council is interested in adding that referendum, he'd have to check the Town Charter statute to make sure there is enough time for public notice and hearings, and getting it on the ballot for the Town Meeting. He doesn't know, and would research it if the Town Council wants to do so.

Councilor Burton said when he made that suggestion he erroneously thought it would be a bond issue and would have an impact on taxes in Durham. That's not a reason not to put it on the ballot, he said, but he thought a major expense like this should be put to a vote, but that is not the case for the farmhouse project.

***Chair Needell MOVED the Town Council approve the Supplemental Property Tax Warrant and approve and sign the Warrant for the Town Election on March 11, 2025. Chair Pro Tem Friedman SECONDED the motion. The motion PASSED on a unanimous roll call vote.***

Councilors signed the Warrant for the Town Election.

**X. Committee Appointments**

- A. Shall the Town Council, upon recommendation of the Human Rights Commission Chair, Appoint Leslie Schwartz, 24 Laurel Lane, to fill a Regular Membership position on the Human Rights Commission with a term expiration of April 2027?

***Chair Needell MOVED the Town Council by recommendation of the Human Rights Chair appoint Leslie Schwartz to fill a Regular Membership position on the Human***

***Rights Commission with a term expiration of April 2027. Councilor Lund SECONDED the motion. The motion PASSED on a unanimous roll call vote.***

- B. Shall the Town Council, upon recommendation of the Parks & Rec Committee Chair, Appoint Chris Gowland, 28 Newmarket Road, to fill an Alternate Membership position on the Parks & Rec Committee with a term expiration of April 2027?

Mr. Gowland introduced himself and said he was excited for the opportunity. He said he was very involved in town activities when his children were young and then that took a back seat to music activities, sports leagues and coaching. Now he is nearing retirement and is looking forward to making a contribution to the town again.

***Chair Needell MOVED the Town Council appoint Chris Gowland to fill an Alternate Membership position on the Parks and Recreation Committee with a term expiration of April 2027. Councilor Friedman SECONDED the motion. The motion PASSED on a unanimous roll call vote.***

## **XI. Presentation Items**

- A. Report from Julie Kelley and Will Byington on the Compost Challenge  
Will Byington, an environmental and research economics major at UNH, introduced himself and his Composting Challenge capstone project which he worked on with Julie Kelley and the IMAC committee.

He reviewed what compost is and why it matters. He said compost is the breakdown of organic waste into nutrient-rich soil. It is powered by microorganisms, fungi and decomposers. It significantly cuts down on greenhouse gases and reduces the amount of waste going into landfills.

Its environmental benefits are boosting soil health and reducing chemical use. Its economic benefits are saving waste management costs and enriching agriculture.

He visited the Transfer Station with Kelley one Saturday and said it was enlightening. Many people in town compost, he said, and most compost at the transfer station.

He described the different things you could put in a backyard compost pile vs. the Mr. Fox Composting at the transfer station.

He said composting reduces waste, cuts emissions and improves soil. Reducing methane is composting's biggest impact on climate change.

Nine households completed the six-week Composting Challenge. They listed weekly how many pounds of food waste they composted for a total of 511 pounds. That was 9.6 pounds per household. All the households said they would continue to compost. Carbon dioxide emissions saved was 0.23 metric tons. The average solid waste weight for each household each week was 11.7 pounds, but it did decrease over time as people became more conscious of what they were buying.

In the survey, 24.6 percent of participants did backyard composting, 73.6 percent composted at the transfer station.

He kept in touch with participants at least twice a week during the challenge.

Recommendations include continue to work with IWMAC, expand the use of Mr. Fox and create a Composting Pilot Program in a neighborhood with door-to-door pickup or a central collection point. He thanked Ms. Kelley, the town, and Erin Hale, his advisor for sustainability.

Councilor Register thanked them and said the town's Agricultural Commission is working with the community garden, that there is a synergy with backyard food production and composting, and it is an opportunity for collaboration. Friedman asked if there'd be another challenge. This is the fourth, and Ms. Kelley said they will continue. She said when residents are willing and they have the information they need, habits can change.

Councilor Friedrichs said ze was excited to hear how much waste was kept out of the landfill and knows that creates budget savings. Ze asked how the town could encourage everyone to continue to compost at home, avoid the emissions caused by door-to-door pickup and still keep waste out of the landfill by getting composters to bring the larger items that only work in a commercial composting pile to dispose of them at the transfer station.

Ms. Kelley said that is part of the challenge. More information about how easy it is to start and continue will help. She said the composters at the transfer station did mention alternate spots or having a pile outside the front gate so they could do dispose of food waste any day, and not just when the transfer station is open.

Administrator Selig said the committee has been working hard to do the pilot program, but the challenge is resources. Setting up neighborhood composting sites or a curbside program all cost. Evaluating when composting pickup becomes a given and the town will have to pay the cost is difficult.

Councilor Bubar asked Ms. Kelley if there's any information about pay-as-you-go programs, and she said there is.

Administrator Selig thanked and congratulated Mr. Byington who is finishing his studies at UNH in a couple weeks.

## **B. Report from the Planning Board – Paul Rasmussen, Chair**

Planning Board Chair Paul Rasmussen thanked the Town Council and said most of his information is in his report, which has been distributed to the Council, to be included in



the town's Annual Report. He said he feels the board has done a successful job keeping the aesthetic of the town.

Administrator Selig praised the apartment building at the corner of Garrison Avenue and Madbury Road as very attractive.

Mr. Rassmussen said there's been interest in the vacancy on the board, an application has arrived and he hopes to bring it to the Town Council for approval on its next agenda. He said the Housing Task Force members are having a hard time finding meeting times that work for everyone.

He expects the Planning Board to take up the planned unit development ordinance, set public hearings in January for the Planning Board and get it to Council by spring. He said he expects it to be controversial and to be a hard sell for a major part of the community. This will be complicated because it is important to the university's Edge project.

He said the board is moving toward performance-based design for zoning, which means as long as requirements are met, the board is less concerned about how they are met.

Administrator Selig noted two steps the town has to take: adopting the planned unit development ordinance and then coming up with a Master Plan for the development. If UNH brings on a master developer for the project, then the town can develop an idea together with them instead of in a vacuum.

Mr. Rasmussen pointed out there has to be fairly high level of certainty for a developer that if they come up with a plan, it has a fair chance of being approved. Lack of discretion by the town can create uncertainty for the developer about partnering with UNH.

Mr. Rasmussen said the board is considering separating the Mill Plaza property into its own zone. He said it's hard to make zoning changes to the downtown Central Business District zone so if they take that property out of it, that allows more freedom to make changes to the zoning for Main Street and Pettee Brook.

Administrator Selig said the Mill Plaza site is a natural transition zone between the dense downtown urban zone and the Faculty neighborhood and beyond so there is a strong rationale for this change.

Administrator Selig said the town has encouraged UNH to include 66 Main Street in talks with Edge project developers and have them offer their vision and proposals so that property could be developed in tandem with the Edge. He said the point is that the Edge property doesn't compete with the downtown and to maximize the natural synergy between the two sites. He said if no developers are interested in doing that, the next step would be to think about how the town will market the property itself to developers.

Mr. Rassmussen said the board is working on the no-more-than-three unrelated and family definitions and hopes to hold a public hearing for one or both next week. He said

next week's board meeting was so full that he's had to push public hearings into January. He hopes the definitions will come before the Town Council in a couple of weeks.

## **XII. Councilor and Town Administrator Roundtable**

### **Councilor Register - Agricultural Commission**

He said the Agricultural Commission will meet next on Dec. 9.

### **Councilor Register - School Board**

He said the Oyster River Cooperative School Board met Nov. 20. Next meeting is Dec. 4 at 7 p.m. in the high school library where there will be a Public Hearing on the teachers' contract.

### **Councilor Ford - Land Stewardship Subcommittee**

Councilor Ford said the Land Stewardship Subcommittee hasn't met since the last Town Council meeting so he has nothing to report.

### **Councilor Lund**

Councilor Lund said he attended the Station Operations Committee of the Northern New England Passenger Rail Authority on Nov. 13. Administrator Selig, John Carroll, Durham's representative to the authority, and Stephen Pesci, UNH director of special projects, also attended. There was discussion on capital projects including the installation of active train control, which would remove any statutory limits on the frequency of operation six roundtrips per day. He said there is still the limitation of the amount of equipment available, but they could run as many trains as they have equipment to support. They talked about building a new station in Portland, closer to downtown, where trains could through run. Support for a Rockland extension pulled out so at this point they can't move forward on an extension.

He said his other committees have not met since the last roundtable so he has nothing to report.

### **Councilor Burton - Conservation Commission**

He said the commission is looking to fill a vacancy and has a candidate in the pipeline.

### **Chair Pro Tem Friedman - Parks and Recreation**

He said the Parks and Recreation committee met on Nov. 26 and discussed the Wagon Hill farmhouse renovation and Jackson Landing projects and what role Parks and Rec will play in them.

### **Chair Pro Tem Friedman - Seacoast Economic Development Commission**

He said the commission didn't meet this month, but back in October, they had a discussion about economic development in various towns in the region, and they had three main questions to focus on for discussion. He will share them when the Council next discusses economic development.

He said IWMAC worked with Parks and Rec on three successful Durham trail walks this fall and both would like to see the collaboration continue next year.

He said he is encouraged that UNH cares what residents have to say about the UNH Master Plan, he will attend the forum for residents, and continue to encourage UNH and the town about working to revitalize and rejuvenate downtown.

**Chair Needell - Human Rights Commission**

She said the commission next meets on Dec. 4 at Town Hall and will discuss the equity index score, listen to the Housing Task Force presentation and discuss support for Indigenous Peoples Day.

**Chair Needell - Integrated Waste Management Advisory Committee**

She said IWMAC met Nov. 20 and talked about its support for the rollout of the new solid waste program the Council approved recently. They were wondering the best way to communicate with all town residents in addition to mail or the Friday Updates.

They discussed the Compost Challenge. At the meeting, Peter Yost, who just moved to town from Brattleboro, Vt., said that town has a very successful composting program. The town makes \$100,000 a year selling compost and it is all run in house. He may be interested in joining the committee. Members discussed prioritizing next steps and the leaf and brush pickup, which is done at no extra cost to the town because it's done at a slow time of year and has no impact on budget.

**Councilor Bubar - Zoning Board of Adjustment**

He thanked Chair Needell for attending the IWMAC meeting for him.

He said no variance applications have come before the Zoning Board of Adjustment for two or three months.

**Councilor Grant - Housing Task Force**

She said the Housing Task Force met Nov. 18. Public Works Director Rich Reine attended the meeting to provide information about infrastructure in the downtown area, especially stormwater and water flows between Pette Brook and Main Street. She said they learned the downtown has some very old infrastructure and suggested Councilors listen to the recording of the meeting. She said there was discussion about housing in general. She said there will be a forum at Freedom Cafe on Dec. 10.

**Councilor Friedrichs - Planning Board**

Ze referred to Mr. Rasmussen's annual report earlier in the meeting and thanked him.

**Councilor Friedrichs - Energy Committee**

Councilor Friedrichs said ze attended the New Hampshire Municipal Association conference in November and learned what different communities are doing with Community Power. Some have put a surcharge in the Community Power default rate to

do different community energy projects as cost-saving measures. The Energy Committee will explore this as a way to achieve climate goals as a town.

Ze said ze recently saw a Welcome to Hampton Falls packet that selectmen provide to new arrivals in town and ze suggested Durham look into creating one, including tips and other hints to living in Durham, to welcome new residents.

Ze said ze is concerned town staff and volunteers have been faced with huge pressures around the election and election auditing, and this comes from a place of questioning the fairness of the election. Ze noted they are so dedicated to a fair and just election process and suggested if anyone has a question about the election process, they should first volunteer and witness employees and volunteers at work to get an idea of what they do and are faced with. Ze said you would have no doubt how well this process runs after observing them. Ze said the added stress this has been causing is unfair to what they do and it is creating an ugly, unnecessary environment. Ze said ze thinks when there are differences of opinion or concern, residents need to treat each other with dignity, but not hesitate to say certain behavior is not OK. Ze said being so aggressive to town employees and volunteers is not OK.

Council Register supported zir remarks, referred to the amount of intimidating phone calls the town has received and said he greatly respects and appreciates town employees and encourage them to push through this adversity. He thanked Councilor Friedrichs for bringing it up.

Councilor Burton commented on the Edge project and said the town has to make sure the tail doesn't wag the dog. He said under state law the town has no control over what UNH does. About to enter this project which the town has a stake in, he asked if the town is staffed up enough to have the expertise in econ development to deal with it. He said it's equivalent to building another downtown and the town can't get overrun in the process. He said Planning Board Chair Rasmussen's admonitions struck home with him.

Chair Pro Tem Friedman said the Edge project being like another downtown is not accurate. He said he thinks of it more like an industrial office park and isn't intended to replace our downtown.

Councilor Grant said the project doesn't preclude people going back downtown. The town is responsible for making sure the downtown is attractive enough to draw them in.

Councilor Burton said he doesn't know if the town is seen as an equal partner in the project and that UNH is under great pressure to make the project work, and he wants to make sure the town gets a say in what happens there as it will be taxable.

Councilor Bubar said if the project is going to work, it's going to have to work for the employees that work there. Competition should strengthen the businesses in town and the town should allow business to develop naturally.

### **Administrator Selig**

Administrator Selig reminded Councilors about the site walk at Jackson's Landing on Dec. 9 at 9 a.m.

Administrator Selig explained the calls referred to by Councilors. He said the town has received threatening, mean-spirited calls, emails and letters recently. He said the administrative office has received 63 phone calls from around the country, with callers swearing and being accusatory. The business office has received more than that, and the Town Clerk's office has received them, too. He said he spoke with one of his peers and they said the town of Raymond has received 300 calls from around the country after a similar Right to Know audit.

On the need for economic development expertise on the Edge project, Administrator Selig said it's too early to know exactly what resources will be needed. He noted the possibility of using the town's contingency account. Councilor Burton suggested applying for a grant or private funding. He said he will look out for opportunities and if UNH hired a master developer, they might be able to help, too.

Administrator Selig says he sees the Edge project as a public-public-private partnership, where the publics are UNH and Durham. He said to a certain extent the town has influence over any private development that happens there. He said there is a need for Durham to do more than want, but to show its commitment to making this work. He said that might mean creating a Tax Increment Finance District that could help with the high cost of developing utilities to create the long-term taxable value, using some of the tax revenue to fund the buildout of the infrastructure. He said the town needs to keep an open mind and he has offered to the extent it's valuable to both parties for Durham to partner with UNH on consultation services, for example on water or stormwater expertise, and potentially Durham shares in the costs so it is sitting at the table and the consultants are considering Durham to be an equal partner.

He said he is curious to see the response to the RFP that's about to be issued and what feedback UNH receives. UNH did share a copy of the RFP with him and Town Planner Michael Behrendt confidentially to get their feedback and he said these are all good signs.

Councilor Grant said the overall project is moving very slowly and they're talking 20- to 30-year plan. Administrator Selig agreed and he said some estimate it will be a \$50 million project. He said while the buildout will take time, it is necessary to get the infrastructure in place so development can come in and it's shovel-ready. He said next year the focus needs to be the planned use development, the utilities, making sure the design and the connection with downtown is harmonious.

Councilor Burton cautioned about the state legislature trying to control UNH and there is a tendency in the general culture to devalue higher education, which will create a tricky relationship. You want the university to be autonomous academically, he said, but you still need the help of the state.

Administrator Selig reminded that the town has a revenue problem and this is a significant economic development opportunity to change that and the town wants to help move it forward. He said he hopes the incoming legislature and governor will see this as an economic boost for the state as well as the region and a real win-win for everyone

### **XIII. Unfinished Business**

**Continued Discussion and Possible Adoption** of the Administrator's proposed FY 2025 Operating, Capital, and Special Fund Budgets, and the 2025-2034 Capital Improvement Plan, as amended.

Administrator Selig thanked the Council for their good questions about the budget and the town staff for providing feedback and answers, and for attending the meeting. He invited Councilors to ask questions of staff, one by one.

#### **Darcy Freer, Town Assessor**

Town Assessor Darcy Freer explained the statistical update to property valuations, which is a \$37,000 one-time allocation, in the proposed budget. Administrator Selig recommends the statistical update because he thinks it's the right thing to do. He said the town is chasing an ever-changing real estate market and is trying to stay as equitable as possible by doing the update.

Ms. Freer said this would be a statistical revaluation utilizing existing data in the in the Cama software and analyze the valuations of properties based on properties that have already sold. She said the real estate market is still appreciating and accelerating and the value of properties in town have been increasing 7 percent to 14 percent every year since 2019. Prior to that, values would ebb and flow 2 percent to 4 percent each year and would even themselves out over the five-year periods when the town is mandated to do a revaluation.

In a market like this with prices increasing so dramatically, Ms. Freer recommends doing an update to valuations to allow for fairness and proportionality of the assessments so all properties are at an even rate; and to prevent dramatic, unpredictable changes to the resulting tax bills. Generally, a dramatic increase like the 40 percent at the last revaluation causes an uptick in abatements on commercial properties, which cost the town money.

Councilors discussed the lawsuits from commercial property owners looking for abatements that resulted from the last revaluation and the process of how the update will affect tax bills. Councilor Lund raised the question that if doing an update in 2025 would allow the town to delay the mandated revaluation in 2028?

Ms. Freer said it will be a full update to the valuation of every property visited during the physical revaluation that was done in 2023. She said the statistical update will affect both commercial and residential properties, and that it will probably increase residential

property values and not commercial property values as much. She said she would have the new values at the end of next summer and they would be used for the tax bills that go out in November 2025. She said residents would receive a draft value and be given the opportunity to meet with town officials to discuss their revaluations before getting a tax bill.

Councilor Friedman thanked Ms. Freer for finding the missing school tax omitted from some properties recently, which the Town Council fixed and passed under this meeting's Unanimous Consent Agenda.

### **Rachel Gasowski, Parks and Recreation**

Administrator Selig thanked her for attending and said many residents think Parks and Rec is a nice-to-have, but Durham believes it's important to the town and tries to provide quality services at a reasonable price. He pointed out that there is a revenue Potential in this department, unlike essential services like fire and police, and people think just raising the fees to make the programs pay for themselves is the way to operate, but it's important that programs are priced so they are affordable to all the town's residents to be equitable. That's the balancing act for the department. Participation has been growing, which is a positive, but that comes with additional cost. He said he believes the department can achieve greater revenue of about \$25,000 than originally thought.

Discussion covered how Parks and Recreation programs support themselves with some having revenue potential, but that the community events such as Downtown Trick or Treating or Frost Fest, which the department presents do not pay for themselves and are offered free to the public.

Councilor Bubar asked what percentage of residents take a Parks and Rec program. Ms. Gasowski said she can't pull a number of unique participants to produce a percentage easily. Councilor Friedrichs said ze thinks you could get some rough statistics out of Rec Desk because of the way it makes you sign up. Ms. Gasowski said it would be very time-consuming to get unique participation, but that she can get less exact participation numbers.

Administrator Selig asked how non-residents support the programs. Ms. Gasowski said the programs use the Lee and Madbury facilities and non-residents pay the same as Durham resident fees. For some adults living outside the three towns, they pay a higher fee.

Administrator Selig pointed out that taking over the Growing Places programs and running them has produced revenue for the town and that the rink makes enough money from the hockey programs to pay for itself and bank money for capital improvements. He asked if she was aware of any Parks and Rec departments that support themselves totally on fees and essentially be tax-neutral. She said she did not know of a department that does.

He asked if the town increased fees by 10 percent across the board, how would that affect the department. She said they are always evaluating the fees and raising rates to stay competitive with other departments, but it's a fine line with pricing families out. She doesn't feel the department needs to raise fees at this time.

Councilor Lund asked how close the department is to breaking even, and Ms. Jablonski said no programs lose money, except the free downtown community events. The programs do not cover the cost of administration.

When Councilor Friedman asked about the department's capacity to work with the University, Gasowski said the department has worked with Campus Recreation in the past and said she would work with them in future, noting partnerships are how the department thrives and survives.

Administrator Selig said there are families in very different circumstances in Durham, and some depend on the town to have affordable, quality programs for their children. Chair Needell said it's important for families to keep their children in programs in their own community and that during the summer especially parents need its programming to be able to continue to work while school is out.

Councilor Grant remarked there is not a lot of fat in the department's budget and asked about the increased revenue since programming is increasing. Administrator Selig said the increased revenue goes into general fund and will offset an expense omitted in the IT budget. He said no document shows right now an increase of \$25,000, which will require a motion. He said they eliminated the subsidy on UNH pool passes and for the ORYA over the years.

Ms. Gasowski said taking over the Growing Places program has continued to exceed revenue expectations. She talked about how many changes in the department have made it difficult to predict exactly what the registration will be.

There was discussion about how this is accounted for in the budget and how Parks and Rec is not a self-funding department and that the town pays for the department's personnel costs and overhead. Participants cover the cost of the programs. Councilors discussed how expanding the programming is expanding the cost to the town, and how to address it. Administrator Selig pointed out expenses are going up by about \$30,000 and if that will be offset from revenue from the afterschool program by the end of 2025.

Councilor Burton said it is not the town's fault that it has to employ staff to take care of their children and that the programs and afterschool services are necessary.

Councilor Register complimented Ms. Gasowski and the programs offered, and thanked her for her work.

***Chair Pro Tem Friedman MOVED to add \$25,000 to the revenue for the Department of Parks and Recreation. Councilor Ford SECONDED the motion.***



Councilor Lund clarified the department's budget total would now be \$317,000 instead of \$292,000. Chair Pro Tem Friedman agreed. Chair Needell asked if there were any discussion.

Councilor Bubar said he is confused why the Council deals with line items instead of just giving each department a lump sum for their budget and let the experts in the department decide how to use it.

Chair Needell responded the Council will only vote on the line items it wants to change. Councilor Bubar said he'd like to change the large number of the budget total, which he said he will do after all the department presentations.

***The motion PASSED on a roll call vote of 8-1.***

***Chair Needell - aye; Chair Pro Tem Friedman - aye; Councilor Burton - aye; Councilor Lund - aye; Councilor Ford - aye; Councilor Register - aye; Councilor Grant - aye; Councilor Friedrichs - aye; Councilor Bubar - nay.***

#### **Luke Vincent, Information Technology**

Information Technology Manager Luke Vincent explained that there was a line in his department's budget was inadvertently zeroed out when transferred the data from an Excel spreadsheet. The amount for the line item Web Services MIS should be \$20,530.

***Councilor Lund MOVED to add on the Line Item Web Services MIS the amount of \$20,530. Chair Needell SECONDED the motion and invited discussion. The motion PASSED on a roll call vote of 7-2.***

***Chair Needell - aye; Chair Pro Tem Friedman - aye; Councilor Burton - aye; Councilor Lund - aye; Councilor Ford - aye; Councilor Register - aye; Councilor Grant - aye; Councilor Friedrichs - nay; Councilor Bubar - nay.***

Councilor Bubar asked about replacing the town's Microsoft 10 computers and how the hard drives are disposed of. Mr. Vincent said he uses a boot and nuke process that makes the drive inaccessible to software and then physically destroys them also.

He said the town's website launched in 2012 and the vendor has changed twice. The website is due for an update this year, but the vendor has decided not to update it this year. Mr. Vincent said he recommends just waiting at this point and not moving forward with the website update. He noted this ties the town to a single vendor who is providing third-party support, but who is dedicated to supporting the current product.

Councilor Bubar asked if any of the data on the website is in the vendor's proprietary format. Mr. Vincent said no, the vendor owns the hosting hardware and they host the website, but it's in a format they can export for the town. The town doesn't have administrative access to the website.

Administrator Selig said the website is how the community interacts with the town. Ten years ago, he said, it was state-of-the-art, but technology has progressed so much since then, he gets feedback often that it's increasingly difficult to use and find information. He said part of the motivation for updating is to stay in step with the town's needs. The accessibility of the website is lacking and Mr. Vincent confirmed the website is not in compliance. The town doesn't have the tools to fix this..

Administrator Selig said he can understand not wanting to spend the money on it, but there are choices and consequences. He asked for direction from the Town Council because if the town doesn't do something, it is stuck with a website that's not keeping up with its needs.

Councilor Register said having an easy-to-use website helps residents feel like the town cares about them. He said the quality of the website is important because it's the first encounter with the town for many people and businesses.

Councilor Friedrichs pointed out some of the town's software is listed under the IT budget software and some is listed under the departments' budgets. Ze said it would be helpful to have an overview of spending across all departments on software and communications. Administrator Selig said he would try to pull one together and include it in the informational booklet for the next budget.

***Councilor Register MOVED to extend the meeting to 11 PM. Councilor Burton SECONDED the motion. There was no discussion. The motion PASSED on an 8-1 roll call vote.***

***Chair Needell - aye; Chair Pro Tem Friedman- aye; Councilor Burton - aye; Councilor Lund - aye; Councilor Ford - nay; Councilor Register - aye; Councilor Grant - aye; Councilor Friedrichs - aye; Councilor Bubar - aye.***

Chair Needell called for a short recess at 10:26 PM.

Chair Needell called the meeting back to order at 10:32 PM. Councilor Friedrichs did not return to Zoom after the break because ze no longer had childcare. Councilor Grant left the meeting on Zoom during the last half hour of discussion.

### **Sheryl Bass, Durham Public Library**

Library Director Sheryl Bass and Robin Glasser, chair of the library's Board of Trustees, addressed the question of whether there's potential to make revenue at the library. Ms. Bass said it goes against what the library stands for. The library's goal is to provide equity in the community. It's one of the last places where you can use services and you don't have to pay. She said the library is trying to make an impact on the community with these free services. Glasser said a free library has always been a fixture in communities since the founding of the United States.

Councilor Grant asked about charging fees to use the space or rooms in the library. Chair Needell said she attends a lot of meetings at the library. It's often for a town organization or a presenter invited in to speak with a town board or committee. In those cases, the town would be paying the library and there would be no net gain for the town.

Ms. Bass said a very low percentage of the library's meetings are held by non-town entities and the library's policy is the groups who can use the library have to be non-profit and benefit the Durham community. The rooms are usually reserved by a town resident. The library rewrote this policy about two years ago to prioritize the needs of the town over the public. Ms. Bass said she doesn't feel like the library would generate enough revenue with space fees to offset the costs.

Councilor Bubar asked why the Trustee contributions are down in 2024 by about 20 percent. Glassner said the contribution is based on the annual appeal and for several years the library was contributing more to the budget than it was making in the annual appeal so it dropped it down last year.

Ms. Bass said the money from the Trustees of the Trust Fund is transferred into the budget separately and is not recorded as a donation; it's a revenue line. They discussed the amounts from 2023. Ms. Jablonski joined the conversation to explain the transfers.

Councilor Lund explained the donations line is zero because the library can't predict how much donations are going to be. Councilor Bubar suggested moving back to the 2023 budget amount and let donations make up the difference. Ms. Bass said they have kicked off the annual appeal with a goal of \$28,000 this year. She said the challenge is attracting new donors as consistent donors are aging out. Ms. Glassner said the library averages \$20,000 to \$23,000 each year in the annual appeal and the money is allocated to the following year's budget.

Administrator Selig said doing what Councilor Bubar suggested, cutting the budget back to the 2023 level of \$577,400, almost \$60,000, that the Trustees don't have any way to bridge that gap except for cutting personnel. Councilor Bubar suggested raising fees, which would bump up against the library philosophy of keeping services accessible and free. Ms. Bass explained the Trustees don't just give \$20,000; they pick up all the extras. She gave the example of the library needing to replace its website next year and the Trustees are going to cover that; that the library didn't ask the town for that money. Administrator Selig said the Library Trustees have the power to expend donations on their own with no permission from the town.

Administrator Selig said operationally the Trustees' stated contribution will be \$20,000. He noted library participation has grown over the past six to seven years.

Councilor Register thanked Ms. Bass and Ms. Glasser for all the services the library provides the town.

**Chief Dave Emanuel, Fire Department**

Fire Chief Dave Emanuel introduced the members of his department who were present in Council Chambers: Assistant Chief Randall Trull, Deputy Chief Robert Atwater, Fire Marshal Brendan O'Sullivan, Capt. James Brown, Firefighter David Blatchford and Firefighter Ryan McFadden, and Administrative Assistant Kelley Fowler who attended on Zoom. He noted two different labor unions were represented as well as department management.

Administrator Selig reminded everyone that the fire department is funded 50-50 by the town and the university for both operating and capital expenses. Revenue brought in is also shared 50-50 to offset the cost of operating the department.

Councilor Register apologized for missing Capt. Best's retirement party and said he thought it was wonderful how long he had served. Chief Emanuel said about 80 to 100 people turned out and he is already missed. He praised his 25 years of service and remarkable dedication. He said part of his role was to maintain and repair the department's small tools and equipment.

Administrator Selig noted Capt. Brown also performs a lot of repairs and services that save the town money. Chief Emanuel noted Firefighter McFadden also is interested in learning to repair and service small engines and tools.

He said he brought this up because one of the questions from a Councilor was about why they don't do more themselves.

Councilor Register asked with overtime fees and the reduction in training if there are critical skill areas that will require refreshers or an increase in training offsite. Chief Emanuel said the required skills are in the EMS area and the rest they try to hit on a cycle. He said the department is falling behind and losing ground.

There was a discussion about how much of the training money went to cover overtime and an increase in the money budgeted for training. Chief Emanuel said 75 to 80 percent of the training budget went to cover overtime shifts and the training did not take place. He said he focused on reducing the wear and tear on his people in the proposed budget, and level funded all the other areas.

Chair Needell noted in an ideal world the approved budget would include the requested four shift positions and a deputy position, five in total. She asked if the town can't approve all four positions, is there a benefit of adding two and the chief answered yes. He said he would be happy to speak with the Council about it. Chair Needell said the cost of overtime was \$183,000 and that could be a job. Councilor Bubar is uncomfortable cutting training because you never get caught up. Chief Emanuel said he would come back to a future meeting to discuss further so everyone is comfortable with what the fire department is doing and that it's providing the service the town of Durham wants.

**XIV. Approval of Minutes** of the Nov. 18, 2024 meeting - Did not occur.

**XV. New Business** - Did not occur.  
Discussion of the present composition of Downtown Durham

**XVI. Nonpublic Session (if required)**

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

*Councilor Ford MOVED to adjourn the meeting. Councilor Lund seconded the motion. Motion PASSED by a hand vote of 6 to 1. Councilor Register voted nay.*

**The meeting adjourned at 11 PM.**

*- Jane Murphy, Minutes Taker*