

*These minutes were approved at the January 6, 2025 meeting.*

**DURHAM TOWN COUNCIL  
BUDGET & CIP WORK SESSION  
MONDAY, DECEMBER 9, 2024  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
7:00 PM**

**MEMBERS PRESENT:** Chair Sally Needell, Chair Pro Tem Joseph Friedman, Councilor Eric Lund, Councilor Darrell Ford, Councilor Curtis Register, Councilor Heather Grant and Councilor James Bubar.

**MEMBERS ABSENT:** Councilor Wayne Burton and Councilor Emily Friedrichs (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs).

Councilor Emily Friedrichs is traveling and joined the meeting on Zoom at 8:36 PM. Councilors voted unanimously to allow zir to participate remotely as they did their roll call introductions. Councilor Wayne Burton joined the meeting in person at 8:53 PM.

**OTHERS PRESENT:** Administrator Todd Selig, Business Manager Gail Jablonski, 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 attended the meeting on Zoom.

**I. Call to Order**

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

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

*Councilors AGREED to allow Councilor Friedrichs who is traveling 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 Eric Lund, Councilor Darrell Ford, Councilor Curtis Register, Councilor Heather Grant and Councilor James Bubar.

**IV. Approval of Agenda**

*Chair Needell MOVED to adopt the agenda. Councilor Ford SECONDED the motion. Motion PASSED on a unanimous show of hands vote. (No councilors are on Zoom at this point.)*

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

**Beth Olshansky, 122 Packers Falls Road**, spoke about the many members of the Durham community who spoke at the Nov. 18th Town Council meeting in favor of the Bickford-Chesley Farmhouse renovation project. She quoted some of their testimony and said the town has an obligation and a responsibility to use the LCHIP grant money and honor the decisions of the previous Town Council. She said the farmhouse will be an incredible resource for the community and a reminder of the town's past.

## **VII. Continued Discussion and Deliberation on the Administrator's FY 2025 Operating, Capital and Special Fund Budgets and the 2025-2034 Capital Improvement Plan**

Councilor Bubar asked how much the proposed budget exceeds the Town Council's goal amount set last May. After some discussion, it was determined the proposed budget is \$463,000 over the Town Council's goal for the budget.

Chair Needell directed Councilors to first ask questions of the staff of the Fire Department and the Department of Public Works whose budgets are under consideration at this meeting and then make motions to propose amendments to the budget for any department. The goal, she said, is to have an updated budget proposal on Monday, Dec. 16 for the Town Council to approve. She said additional meetings can be set if needed. Councilor Register asked if by the final budget meeting Councilors could receive a one-page summary overview of the proposed 2025 budget with comparisons to 2024. Administrator Selig said he would prepare one for the Town Council for the Dec. 16th meeting.

### **Chief Dave Emanuel, Fire Department**

Chief Emanuel said Assistant Chief Randall Trull, Deputy Chief Robert Atwater, Fire Marshal Brendan O'Sullivan, Capt. James Brown, Firefighter David Blatchford and Firefighter Ryan McFadden were joining him in attending the meeting in person.

Discussion covered the purchase of new uniform pants to eliminate exposure to PFAS, which is contained in the current ones, and the future phasing in of PFAS-free firefighting protective apparel; the purchase of cordless electric extraction equipment for the new rescue truck, which will be custom designed to accommodate the equipment; the variable delivery date of the new vehicle; the search for a replacement for the medical checkups for firefighters that Exeter Hospital is discontinuing; the lead time required for purchasing equipment; current staffing and projected staffing if the town and Madbury agree to collaborate on fire coverage and the challenges of blending the two organizations.

Chief Emanuel noted Madbury receives about 200 service calls a year; Durham receives about 2,600 a year. He said Madbury is also exploring a relationship with Dover.

Discussion covered the physical need for space at the fire department and possibly expanding into additional UNH space adjacent to the existing bunk rooms. The ladder

truck is out of service, needing a repair. The backup plan is to call on one from another community if needed. All agreed it would be a good idea for the Town Council to visit the Fire Department in the near future.

### **Rich Reine, Department of Public Works**

Discussion included how Public Works is a small department doing a lot of different functions for the town, and how all employees are willing to step up to fill a variety of roles to accomplish what needs to be done.

Collection system repair and upgrade in the wastewater fund is in the capital improvement plan for the next 10 years and bonded every three years. Councilor Lund suggested it's a good idea to be paying cash vs. paying interest on it, especially if it's more of an operational expense instead of a capital expense. The wastewater rate will increase. Councilor Lund said the tradeoff is in three years the town would no longer be paying interest on these bonds.

Ms. Jablonski said it would increase the wastewater rate by 50 cents, from \$10.66 per cubic foot to \$11.16 per cubic foot. This would not impact the tax rate, but would affect the sewer rate, according to Administrator Selig. He said he philosophically tries to keep a smooth rate over time. Discussion continued on handling improvements like these consistently across departments.

***Councilor Lund MOVED the collection system repair and service on the Capital Improvement Plan for 2025-2034 in the amount of \$65,000 be moved to the wastewater operating budget. Councilor Register SECONDED the motion.***

Discussion continued until Ms. Jablonski clarified that the town doesn't bond any project until the money is expended. Mr. Reine said if a project is on the capital budget, the money for the first year can roll over into the second year. If it's in the operating budget, the money is no longer available if it's not used in that budget year.

***The motion FAILED on a 1-6 roll call vote.***

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

Discussion moved to the renovation of the Bickford-Chesley House at Wagon Hill Farm. Mr. Reine said there are some operating costs in the DPW 2025 budget for the status quo at the Bickford-Chesley House, but no operating costs in the 2025 budget for a renovated farmhouse. Carole Singer provided the council with an operations budget estimate that shows the caretaker apartment rent would be \$2,000 per month.

Discussion included the caretaker rent would possibly be subsidized in exchange for fulfilling responsibilities at the property; potentially charging fees for use or parking at Wagon Hill Farm (because the town has accepted federal money for projects there, it has

to remain open to the public and can't be limited to just town residents); charging private groups for use; regulating alcohol use and smoking on the property; how creating a place for a caretaker creates a positive cash flow and enhanced security; Option 1 vs. Option 2 comparisons; and bonding options and possibly using money from the undesignated reserve fund to pay for the project at no impact to taxpayers.

Administrator Selig explained his philosophy that the undesignated reserve fund is best used for one-time capital expenditures the town needs, not for lowering the tax rate. Relying on that fund to artificially reduce the tax rate instead of cutting the budget to lower the tax rate creates a spiral where the town eats away at the fund balance and at some point the tax rate will have to spike, which impacts taxpayers adversely.

***Chair Needell MOVED to approve Option 2 for the renovation of the Bickford-Chesley House at Wagon Hill Farm as listed in the budget for 2025. Councilor Lund SECONDED the motion.*** Chair Needell opened discussion.

Councilor Friedrichs joined the meeting on Zoom at 8:36 PM.

Discussion included how the Undesignated Reserve Fund has received more revenue than anticipated; if the town could do Option 1 and accept the LCHIP money, and then work toward Option 2, getting it in writing from LCHIP that it would be OK to do so; in response to Councilor questions, Administrator Selig confirming the town can use the Undesignated Reserve Fund to pay for Option 2 and do the project without impacting taxpayers, but not recommending this and cautioning the town might slowly become reliant on the fund; concern the town is on a spending curve that is going to exceed inflation; and whether to take the renovation project to a town vote.

***The motion DID NOT CARRY on a tied 4-4 roll call vote.***

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

Administrator Selig noted in actuality the motion on the farmhouse renovations should be to reduce what's proposed in the budget, which is Option 2.

***Councilor Register MOVED to fund the Bickford-Chesley House renovation to the original amount the Town Council agreed to, which was \$400,000.***

Councilor Burton arrived at 8:53 PM.

***Council Bubar SECONDED the motion.***

Discussion included how this is not allocating another \$400,000, it's the \$400,000 that was allocated earlier, the motion would stabilize the house but it would create a property with substantial investment that's not usable by the public; whether it would be better to

just go with Option 1 if there is not enough support for Option 2; the fact that the motion only takes into consideration the earlier estimate for the cost of the project, not the more recent, updated post-pandemic estimate the Town Council now has; the fact that the existing DPW Capital Plan has the \$400,000 already allocated; how breaking up Option 2 into two parts will see increasing cost over time; concern that town spending is increasing by more than inflation when taxpayers' paychecks aren't; how the town can't keep adding to town services and maintenance budgets; how the Council need to get creative about what to give up in this town so there is a budget set on Dec. 31; and how the town has seen an unusual bump because it had to negotiate salaries based on an unusual inflation rate.

***Councilor Register MOVED to allocate no additional money for 2025 just the LCHIP grant plus what's been allocated.***

Discussion included the concern that this would put LCHIP money at risk; that there would be no occupancy, no fire suppression, no bathrooms at the house; that in a consultation with LCHIP staff members that they thought the town would still be eligible in this scenario but that a committee makes the ultimate decision and they couldn't guarantee what the committee's decision would be.

***The motion FAILED on a unanimous 9-0 roll call vote.***

***Chair Needell MOVED to approve Option 1 for the Bickford-Chesley House renovation.***

Discussion included how Option 1 would keep the LCHIP fund, how Option 2 costs are significantly more than Option 1, which would work to achieve what the house needs; how in the Public Hearings, the Council has heard no public sentiment against the proposed budget, only residents speaking in favor of the renovation project; how Councilors have heard from residents in conversations and emails about the budget being too high; how \$372,000 is the difference between Option 1 and 2; how less taxes are better in a high inflation situation; how the Council has kept the tax rate constant for two years in a row; how the revaluation affected tax bills differently in 2023; how next year, the town will need to renegotiate three contracts for DPW, fire department and middle managers.

***Councilor Ford calls the question.***

***The motion FAILED on a 3-6 roll call vote.***

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

***Councilor Lund MOVED to reconsider the vote on Option 2 (voted aye on the tie vote so he can move to reconsider). Councilor Grant SECONDED the motion.***

Discussion included how Option 3 is just 147,000 more than Option 2, if it's not coming out of the operating budget, but out of the reserve fund and doesn't affect the tax rate, the town should just do it right now; how Option 3 is the best, but not in this budget environment; and how the costs of Option 2 are not the actual end costs, it will end up costing more; how the town is being optimistic thinking it would be just the stated cost.

***The motion FAILED on a 4-5 roll call vote.***

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

***Councilor Burton MOVED to approve Option 3 for the Bickford-Chesley Farmhouse renovation. Councilor Ford SECONDED the motion.***

Discussion ensued including Councilor Grant noting Option 3 could be phased in at another later time and Administrator Selig pointing out the town hasn't fully brainstormed how the building would be used on a year-round basis. He doesn't recommend Option 3, cautioning the barn atmosphere would change significantly.

***The motion FAILED on a roll call vote of 3-6.***

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

The proposal that remains in the proposed budget is Option 2.

Councilor Bubar proposes cutting the library budget by 10 percent. Chair Needell asks for a motion.

***Councilor Bubar MOVED to cut the town's contribution to the library budget by 10 percent. Councilor Friedrichs SECONDED the motion for discussion purposes.***

Discussion centers around having to cut approximately \$63,000 from the budget would require cutting personnel, programming, and hours. Administrator Selig doesn't believe the Trustees of the Trust Funds have the capacity to cover that amount. Others pointed out the librarians and the public don't have any opportunity to respond to this point. Others pointed out that the budget needs to be cut at this point.

Chair Needell calls the question.

***The motion FAILED on a 1-7 roll call vote.***

***Chair Needell - nay; Councilor Lund - nay; Councilor Friedman - nay; Councilor Burton - nay; Councilor Ford - nay; Councilor Register - nay; Councilor Friedrichs - nay; Councilor Bubar - aye. Councilor Grant was not present at the table to vote.***

***Councilor Register MOVED to adjourn; Councilor Lund SECONDED the motion. No discussion allowed. The motion FAILS on a 4-5 roll call vote.***

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

***Councilor Grant MOVED to remove \$15,000 for surveys on the Meadows Property and potential others (on Page 44 of budget) from the budget.***

Discussion included how the Town Administrator has already reduced this amount to \$10,000 in an earlier budget discussion; how there are no definitive surveys in place for The Meadows; how it could be the end of the world not to have a boundary survey now but it is next on the priority list.

***Friedrichs SECONDED the motion.***

Discussion included how The Meadows is conservation land forever in essence, how you can't build on the front portion of it; there's an easement; how it would make a great in-town community garden, and it was noted it already has one; how it's been considered to bridge the Meadows property to the mill property after removal of the Mill Pond dam.

***The motion FAILED on a 4-5 roll call vote.***

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

***Councilor Register MOVED to cut operating budget across the board by 2 percent. Councilor Friedrichs SECONDED the motion.***

Discussion included how that amounts to \$453,000; how the operating budget exceeds the Town Council goal by \$463,000, and 2 percent from every department would achieve the goal.

***Councilor Register MOVED to amend the motion to direct the town administrator to reduce the budget across all departments by 2 percent. Councilor Friedrichs SECONDED the motion.***

Discussion included not being comfortable with telling Administrator Selig he has to cut each budget, that's different from an overall cut by 2 percent; how the Town Administrator spent months analyzing it; how the town has a revenue problem not a

spending problem; how the town needs to change zoning to incentivize development; how the town spending is a systemic issue; how the town needs to find ways to grow revenue and broaden the commercial base to make ends meet.

Councilor Friedrichs calls the question. ***Councilor Register MOVES to cut 2 percent in total operating budget with reductions to be made at Administrator Selig's discretion. Councilor Friedrichs SECONDED. The motion FAILS on a roll call vote of 4-5.***

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

***Councilor Grant MOVED to cut the Town Council Contingency Fund (item on Page 58 of the budget at \$125,000) by \$75,000; Councilor Bubar SECONDED the motion.***

Discussion included how the contingency fund is to cover unanticipated things that come up; things such as legal issues, abatements, breakdowns; how if it's not used it washes into the fund balance; how if money is not there, the town will have to pull from operations; how it's transparent, not a slush fund.

***The motion PASSED on a 5-4 roll call vote.***

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

***Chair Needell MOVED to hire two firefighting positions for the fire department in 2025.***

Discussion included how it's actually two for the price of one because the cost is split 50-50 with UNH; how the cost of a firefighter with benefits is \$107,200, for a total of \$214,400; how the money would wash into the fire capital reserve fund if not used; how this would reduce overtime and not use training money to cover overtime pay.

***Councilor Friedrichs MOVED to amend the motion to one firefighter; Councilor Register SECONDED. The amendment FAILED on a 2-7 roll call vote.***

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

***Chair Needell MOVED the original motion that \$214,000 be added to the budget for the hiring of two firefighters in 2025. Councilor Register SECONDED the motion.***

***Councilor Bubar MOVED to amend the motion to add that it would be effective July 1, 2025. Councilor Register SECONDED the motion.***



***The amendment PASSED on a unanimous 9-0 roll call vote. The original motion as amended PASSED unanimously on a 9-0 roll call vote.***

***Councilor Register MOVED that the Town Council direct the Town Administrator to fund the discrepancy in the tax rate to the Town Council goal from the undesignated fund balance.***

***Councilor Bubar SECONDED the motion.***

Discussion included Administrator Selig reminding that this decision is based on the existing tax rate; how the statistical update will change the tax rate for the second half of the year; and how paying for this with Undesignated Reserve Fund won't affect the town's bond rating.

***The motion PASSED 5-4 on a roll call vote.***

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

***Councilor Register MOVED to extend the meeting to 10:45 PM. Councilor Grant SECONDED the motion. The motion PASSED on an 8-1 roll call vote.***

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

***Councilor Friedrichs MOVED to remove funding for an update to the town website from the proposed budget. Councilor Grant SECONDED the motion. The amount of the upgrade is \$45,000.***

Discussion covered how the town's website vendor is moving all its clients to a new platform; how it is beginning to not support the old platform the town website is on so there may be a loss of functionality going forward; how Administrator Selig recommends going forward with the update because the website is the main way the town engages with residents and non-residents; how Information Technology Manager Luke Vincent believes the town could get by next year without upgrading and feels comfortable with the security and support they will give; how it would cost more to move to another vendor completely for an upgrade.

***The motion FAILED on a 2-7 roll call vote.***

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

***Councilor Friedrichs MOVED to remove the blinking lights at the crosswalk at the Mill Plaza from the budget. Councilor Register SECONDED the motion.***

Discussion included how the Mill Plaza is planning improvements to the parking lot that could change traffic and pedestrian flow; how it's a poorly placed crosswalk and is too close to the intersection with Main Street; how it doesn't make sense to invest in that next year until we know how it will change.

Ms. Jablonski noted the cost of the crosswalk is coming out of the Municipal Transportation Fund so there is no impact on the tax rate. Administrator Selig noted the town has been in touch with Plaza owners so the town would hold its installation until they have come before the Planning Board with a design. The owners have indicated the changes wouldn't take place until the spring of 2026. He said it takes a long time to get these crosswalk lights in when you order them so he'd rather be poised to move forward. Allocating the money gives the town a chance to work with them. If there's no money, there's less incentive for them to work with the town. It was recommended under the traffic engineering study that Durham and UNH undertook. Discussion covered other ways this fund's money could be applied that would reduce the tax rate. Selig noted several items being paid by the fund.

***Councilor Friedrichs MOVED to amend her motion. She MOVED to strike that line item from the budget and move \$30,000 from the Municipal Traffic Fund to something else on the budget that would affect the tax rate.***

Selig said there is sufficient money in the fund to move an additional \$30,000 to something else in the budget and not strike the crosswalk item, but he didn't identify anything else in the budget the money could pay for. Councilor Grant suggested some of the improvements for the Madbury Road Project would be eligible for this fund's money.

***Councilor Grant SECONDED the amendment. Councilor Register called the question. The amendment FAILED on a roll call vote of 4-5.***

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

***The original motion FAILED on a 3-6 roll call vote.***

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

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

***Councilor Register MOVED to adjourn the meeting. Councilor Bubar SECONDED the motion. The motion to adjourn PASSED on a 7-2 roll call vote.***

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

The meeting adjourned at 10:46 PM.

*- Jane Murphy, Minutes Taker*