

*These minutes were approved at the April 21 meeting.*

**DURHAM TOWN COUNCIL  
MONDAY, APRIL 7, 2025  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
7:00 PM**

**MEMBERS PRESENT:** Chair Joseph Friedman, Chair Pro Tem Eric Lund, Councilor Wayne Burton, Councilor Em Friedrichs (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs), Councilor Darrell Ford, Councilor Heather Grant, Councilor Sally Needell, Councilor Curtis Register, Councilor Robin Vogt

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Administrator Todd Selig

**I. Call to Order**

Chair Friedman called the meeting to order at 7:00 P.M.

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

Chair Friedman noted Chair Pro Tem Lund is participating in the meeting on Zoom and called for a show of hands approving the remote participation of less than a majority of Councilors. It was approved by a unanimous hand vote of 7-0.

**III. Roll Call of Members**

Chair Pro Tem Eric Lund, Councilor Heather Grant, Councilor Robin Vogt, Chair Joseph Friedman, Councilor Sally Needell, Councilor Wayne Burton, Councilor Darrell Ford and Councilor Curtis Register. Administrator Selig noted Councilor Em Friedrichs joined the meeting on Zoom at 7:01 PM.

**IV. Approval of Agenda**

Chair Friedman said there is a proposal to add a resolution in support of the University of New Hampshire to the agenda. He said the resolution would be added under New Business Item C. ***He MOVED to approve the agenda as amended to include that item. Councilor Vogt SECONDED the motion.*** Chair Friedman invited discussion. ***The motion PASSED on a unanimous roll call vote of 9-0.***

**V. Special Announcements - None**

**VI. Public Comments**

**Joshua Meyrowitz, 7 Chesley Drive**, spoke about the continuing Israeli-Palestinian conflict and the fear many feel as he like Jews around the world are preparing for Passover. He said he felt compelled to speak out because so many have been silenced. He asked that the actions by Durham-authorized police officers at the May 1, 2024 protest at UNH be addressed.

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

**UNH student Abigail Bagley**, the External Affairs Chair for the student body president at UNH, said Rachel Rowley has been elected the new student body president and Ben Doyle is the new vice president. She said Ken Weston, executive director of campus stewardship and university architect, met with the Student Senate to discuss the UNH Master Plan and answer questions, and will present it to the UNH Trustees soon. She said the Senate is promoting the Cat Trax program on campus, and that there have been issues with the Park Mobile app on campus, with payment processing and multiple erroneous charges, which she is trying to resolve with the company. She said the UNH Police have acquired three electric bikes to use for patrols and for special events such as football game tailgating. The headliner for the upcoming SCOPE concert has pulled out, so tickets for the community have been reduced to \$20, are free for students and are available at the MUB ticket website. She said the commuter student outreach event went well and revealed issues with their kitchens where they spend time between classes that she is following up on. She said student leaders are working with Student Life and the President's Cabinet so student priorities are heard during this difficult budget cycle.

Councilor Burton encouraged UNH students to make their opinions known to the State Legislature and to show up at the State Capitol building as soon as possible.

Councilor Friedrichs asked for more information about commuter student statistics. Ms. Bagley said she would bring specific information to the next Council meeting.

Executive Councilor Joseph Kenney, who represents Durham, Dover and Madbury, was present at the meeting and invited to speak. He explained the role of an Executive Councilor, and talked about contracts before the Executive Council such as the 10-year highway improvement plan, which includes three projects in Durham; and the senior meals contract. He talked about the difficult budget proposals and challenges facing the state, and he encouraged residents to speak out. Councilors asked for his position on and discussed several issues including the pullback of federal funding from towns and the state, and expressed that their constituents are scared and worried.

Administrator Selig thanked Councilor Kenney for attending the meeting and always being responsive to Durham's requests. He expressed support for Attorney General John

Formella on behalf of the town police department and the town, and asked Councilor Kenney to encourage the governor to reappoint him. He also encouraged Councilor Kenney to advocate for the governor and Legislature to increase revenue by rolling back the state's business tax changes, to push back against the federal government pulling town and state funding, to advocate against some of the zoning changes under consideration that would change the state's character, to advocate for fully funding the Housing Champion program and the Invest NH program, to advocate for the Public Deposit Investment Pool that maximizes municipal investment and keeps money in the state, to oppose enhancements in the N.H. Retirement Fund and increased funding for school vouchers during these challenging financial times, and to oppose the substantial cuts to USNH funding because it's a prime driver of workforce development in the state, which is direly needed.

Councilor Kenney addressed the zoning proposals, the importance of local control, PDIP and other concerns, and thanked the Council.

#### **VIII. Unanimous Consent Agenda**

- A. Shall the Town Council Approve the 2<sup>nd</sup> 2025 Warrant for Water and Sewer Totaling \$659,689.75 commit the bills for charges to the Tax Collector for collection, and authorize the Administrator to sign said warrant on its behalf?
- B. Shall the Town Council, Upon Recommendation of the Administrator, Approve a Special Event Permit Application Submitted by Durham Parks & Recreation to close certain sections of Town Roads for a Memorial Day Ceremony to be held on Monday, May 26, 2025?
- C. Shall the Town Council unseal the Nonpublic Session minutes from the year 2011 dated February 7; and from the year 2013 dated February 4?

***Chair Friedman MOVED to pass the Unanimous Consent Agenda . Councilor Needell SECONDED the motion. The motion PASSED on a unanimous roll call vote of 9-0.***

#### **IX. Committee Appointments**

Annual appointments and reappointments to various town boards and committees

***Chair Friedman MOVED that the Town Council adopt the roster of appointments and reappointments as presented. Chair Pro Tem Lund SECONDED the motion.***

Chair Friedman invited the new appointees in attendance to speak.

**Andrew Coppens** said he is a federally funded UNH professor and thanked the Town Council for its support of UNH in the budget crisis. An education professor, he hopes to contribute to public education while serving on the Energy Committee.

**Malcolm Brown** on Zoom thanked the Council for the opportunity to serve on the Energy Committee. He said he is motivated by his belief that the climate crisis is the most acute crisis facing us collectively and his desire to keep energy prices affordable.

*The motion was approved on a unanimous roll call vote of 9-0.* Chair Friedman thanked everyone for serving the town.

**X. Presentation Items - None**

**XV. Councilor and Town Administrator Roundtable**

Councilor Grant - Housing Task Force

The task force hasn't met since the last Council meeting. Next meeting is April 14.

Councilor Grant - Planning Board

Several amendments were approved including the Aquifer Protection Overlay District change and the Conservation Commission's change to the invasive species list. There was more discussion on the traffic concerns surrounding the proposed Dunkin' Donuts location. The board will hear from applicants again on April 9. The board approved the minor changes and updates in the first phase of the Mill Road Plaza project.

Councilor Vogt - Human Rights Commission

The Human Rights Commission will meet on April 17.

Councilor Vogt - Energy Committee

He welcomed the new committee members present at the Council meeting, and reported Michael Klein was elected the committee's new chair and Charles Forcey is the new vice chair. He thanked outgoing chair Matthias Dean Carpentier for all his hard work. The solar grant program has an April 18 deadline so there was extensive discussion. Committee member Steve Holmgren, who is a board member for Community Power Coalition of NH, gave an update. The committee discussed its plans for the annual Durham Day and NH Energy Week.

Chair Friedman - Parks and Recreation Committee

He reported new Land Stewardship Coordinator Veronique Ludington gave an update on several successful walks on town land in combination with the Parks and Rec Committee. There was a discussion of the rules for e-bikes on trails. He said camp registration is open online. The camp will run nine weeks from June 23 to Aug. 22 and 16 camp counselors are returning this year. The Churchill Rink is now closed. Preliminary plans for rink renovation and Jackson Landing improvements will be presented at the next Parks & Rec meeting. There'll be an Easter Egg Hunt Saturday, April 19 at 9:30 a.m. at high school. He said the Cat Trax program is available for Durham residents, too, and that there'll be a bike clinic at the Durham Public Library on Friday, May 2 from 10 a.m. to 2 p.m.

Chair Friedman - Seacoast Economic Development Stakeholders

There was a presentation of numerous sources of funding for small businesses including a microloan program, 504 loan program and 7A program. Its next meeting will feature a presentation about day care research by New York University students and recommendations about how to remedy the state's childcare crisis.

Councilor Needell - Integrated Waste Management Advisory Committee

The committee has met twice since the last Council meeting. She gave an update on where the DPW is with the new solid waste project. The Diesel Emission Reduction Act was going to provide up to 45 percent funding for the EV collection truck and charger. Due to the extensive lead time for delivery, DPW will not meet the requirement to have a truck ready for service in September 2025. It has requested an extension from the EPA through NH DES for September 2026. The extension has been under review by the EPA and a response is expected soon. It will then need to be approved by the governor and the Executive Council, which will take three to four months.

The purchase of five generators depends on \$500,000 from Congressional funds via Senator Jeanne Shaheen's office, and they are working with FEMA on a 12-month extension that is awaiting sign-off. DPW is awaiting confirmation before bringing this to the Town Council in May.

She said DPW is also having staffing challenges, listed the open positions, and noted one employee is out on short-term disability and one on injury.

The IWMAC committee is still looking at ways to encourage sustainable practices, especially at restaurants in town, and discussed briefly the pilot program for curbside compost pickup. At the most recent meeting on April 2, the committee looked at ways to get Dunkin' Donuts to compost, and also worked on a single-use plastic policy for town facilities and events.

Councilor Burton

He reported the state Human Rights Commission was eliminated in the latest budget proposal so he's glad the town has its own. He said a deal was reached to make sure special education is funded fully, whether the state has enough money or not, the town will only have to pay 80 percent with any shortfall coming from the state's General Fund.

Councilor Ford - Conservation Commission

He said the commission met on March 24 and discussed changes to the Aquifer Protection Overlay District, which are currently at the Planning Board and will shortly be at the Town Council. It continued to review the proposed Wetland Shoreland Overlay District ordinance and discussed 361 Durham Point Road. Next meeting is on April 28.

Councilor Ford

He asked that the minutes taker be given direction to not put so much detail into the minutes. He said they are too long and those interested can always go to DCAT for more detail. Administrator Selig said he would do so. He said after resident Susan Richman's

presentation on plastics at the last Council meeting, he noticed the Councilor's parking pass is laminated. He asked Administrative Assistant Karen Edward not to laminate his in the future and he encouraged others to do the same.

#### Councilor Register - Agricultural Commission

The commission last met on March 10. Farm Day is Aug. 16. He said farmers' markets will be opening soon and the commission has added a locator for local markets to its website. Next meeting is April 14 at 7 p.m. where the results of the commission's recent survey will be reported.

#### Councilor Register - School Board

The board met April 2. He said most of the discussion centered around funding that as of the meeting had not been distributed from the state to the district. He said the district's DEI Director Rachel Blanchette submitted her resignation, but the board had not accepted it as of the meeting. Superintendent Robert Shaps is inviting the public to the first of two strategic planning sessions on Tuesday, May 6 from 6 to 8 p.m. Next board meeting is April 16 at the Moharimet cafeteria.

#### Councilor Friedrichs

Ze asked if Councilors had read the water fund analysis put together by former Councilor James Bubar and if there was any interest in discussing the mutual aid agreement it suggested. Councilors agreed to put it on a future agenda to discuss.

#### Councilor Friedrichs - Land Stewardship Subcommittee

Ze said the subcommittee hasn't met since ze has become the Council representative, but it will meet April 9.

#### Councilor Friedrichs

Ze reported there is an open letter to UNH President Chilton circulating, which asks the university to protect the free speech of UNH students in the face of threats of targeting by U.S. Immigration and Customs Enforcement. Ze proposed looking at how to also protect Durham residents and visitors at the local level. Councilor Vogt agreed it was a huge concern among his UNH colleagues. Councilor Register said he would like to be involved. They agreed to discuss informally and then bring a proposal to the Council.

#### Chair Pro Tem Lund - Historic District-Heritage Commission

The meeting set for April 3 was cancelled for lack of business.

#### Chair Pro Tem Lund - Planning Board

He attended the first Planning Board as alternative representative on March 26. He said the property at 53 Bagdad Road, which is the oldest surviving house in Durham, was discussed. The property owner's plan is to keep it in place during a subdivision of the property. There will be a public hearing on April 9.

Chair Pro Tem Lund

He noted several vacancies on town boards and committees and urged residents to volunteer. He noted the cancellation of the visas of students at various universities and is not aware of any at UNH, but wanted to make sure everyone is aware.

Councilor Vogt

He expressed the importance of the Durham Public Library, where he said many staff are concerned about funding, and encouraged residents to thank staff when they visit.

Administrator Selig

Chair Friedman and he are on the committee choosing the developer for the UNH West Edge project, which is getting close to a decision. He said the project is hoped to bring revenue to Durham, significant investment to UNH and the state by private companies, jobs to NH, training and internships to UNH students, and to make UNH more competitive nationally to bolster enrollment and stabilize finances, create additional housing and potentially a hotel.

Planner Michael Behrendt and he met with RJ Kelly representatives who own the former Goss building on Technology Drive. The company is proposing a new light industrial building of 300,000 to 400,000-sq. feet and potentially \$50 million in valuation. If approved, construction wouldn't start until tenants are in hand.

The town is having conversations with a landowner at the corner of Oyster River Road and Mill Pond Road. Originally, a cul de sac was envisioned but never constructed, and two private homes utilize town land as driveways. Since 2018, discussions have been ongoing to sell the town land to the owner at market rate.

He and town staff did a site walk of Jackson's Landing, which was recently surveyed, and were surprised how much encroachment on town land there has been. He will talk with the Land Stewardship Subcommittee about how to resolve it.

He is writing an editorial on the state's business tax policy and its implications for UNH and towns.

The Planning Department, DPW and the Assessing Office have met with Riverwoods about the Stone Quarry Drive alignment and the company's desire to change it to move away from wetlands, and discussions are continuing.

Councilor Needell's summary on the DPW is correct, and the process of managing grants is bureaucratic and ties up staff time across departments.

He was glad to see the positive CALEA review of the police department, which he noted is a nationally accredited policing agency and Best In Class.

The town is working with the state Division of Historic Resources and the NHDOT on the return of the Oyster River raid historical marker, which will be placed at Jackson's

Landing upon the recommendation of the Durham Historic Association and the Historic District Commission.

On protecting Durham residents and visitors, he said the Human Rights Commission meeting on April 17 would be the appropriate place to discuss it.

## **XII. Unfinished Business**

- A. **Public Hearing and Possible Adoption on Ordinance #2025-04** Amending Chapter 175, "Zoning," Article XII.1, "Use and Dimensional Standards," of the Town Code to change the minimum front setback in the Office – Research 108 (OR) District on minor streets and collector roads.

*Chair Friedman MOVED to open the public hearing on Ordinance #2025-04. Councilor Ford SECONDED the motion. The motion PASSED on a unanimous roll call vote of 9-0.*

No one from the public was present or on Zoom to speak about the ordinance.

*Chair Friedman MOVED to close the public hearing. Councilor Needell SECONDED the motion. The motion was APPROVED on a unanimous roll call vote of 9-0.*

*Chair Friedman MOVED to adopt Ordinance 2025-04. Chair Pro Tem Lund SECONDED the motion.* Chair Friedman opened discussion on the motion and there was none. *The motion PASSED on a unanimous vote of 9-0.*

## **XIV. Approval of Minutes - March 17, 2025**

*Councilor Vogt MOVED to approve the minutes of the March 17, 2025 meeting.*

*Councilor Grant SECONDED the motion.* Chair Friedman opened discussion.

Councilor Needell said she had submitted two minor changes. *The motion PASSED on a roll call vote of 9-0.*

## **XVI. New Business**

- A. Discussion of Administrator's Progress Report (as of March 31, 2025) on the list of approved 2024/25 Town Council Goals adopted on June 3, 2024.

Councilor Needell asked how the goals and the town will be impacted by the reduction in UNH funding.

Administrator Selig said he met with UNH President Chilton on the morning of April 7. He explained how the UNH cuts will almost certainly affect Durham and its residents. Administrator Selig said the town was prudent to put all its 10-year agreements with UNH on a year-to-year automatic renewal so none need to be renegotiated now.



Councilor Burton said he doesn't think the Legislature understands the research mission of UNH, and that there is politics being played. He said he is concerned about a lack of respect for the university.

On the Town Council's goals, Chair Friedman suggested a change on Page 5 under Item B, which reads "to develop and adopt an ordinance to increase the availability of a full range of housing types by April 2025." He said the goal is marked complete, but isn't because there are still three or four amendments being worked on so it is partially complete. He also noted under Item D, that the town is slowing work on the Planned Unit Development until a West Edge developer is chosen to get their input.

He asked for any other changes or comments on the goals.

B. Initial discussion regarding development of the 2025/26 Town Council goals.

Administrator Selig said it's important for the Town Council to provide focus for the year ahead. It helps him prioritize the departments' energy and resources.

He recommended Councilors take a look at the current goals and then suggest adjustments that they feel would be useful. He said he would have Ms. Edwards send the core document to them. They could then send changes to her, and he would bring the compiled document with everyone's suggestions to the next Council meeting.

Councilors discussed the value of being more specific in goals and quantifying how to measure their achievement or lack of achievement of the goals.

C. Consolidation and possible approval of Resolution #2025-XX, opposing the proposed \$50 million reduction in the state appropriation to the University System of New Hampshire for the 2026-2027 Biennium.

Councilor Burton gave an overview of his proposed resolution. He said at least eight towns have approved resolutions on various issues before the Legislature and he thought it would be appropriate for Durham to counter the proposed budget cuts to UNH. Councilors discussed the importance of showing solidarity for UNH, its students and its residents that work there, and discussed editing language and other minor changes.

***Councilor Vogt MOVED that the Town Council adopt Resolution #2025-XX as amended. Councilor Grant SECONDED the motion.***

Chair Friedman asked if there was any further discussion on the resolution.

***The resolution was adopted on a unanimous roll call vote of 9-0.***

Councilor Burton asked Administrator Selig to have the resolution emailed to all members of the N.H. House and UNH leaders.

**XVII. Nonpublic Session - Not Required**

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

*Councilor Ford MOVED to adjourn the meeting. Councilor Grant SECONDED the motion. The motion passed on a unanimous hand vote of 9-0.*

The meeting was adjourned at 10:04 PM

*- Jane Murphy, Minutes Taker*