

DRAFT
DURHAM TOWN COUNCIL
MONDAY, APRIL 21, 2025
DURHAM TOWN HALL - COUNCIL CHAMBERS
7:00 PM

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

MEMBERS ABSENT: Councilor Heather Grant

OTHERS PRESENT: Administrator Todd Selig, Town Planner Michael Behrendt, Business Manager Gail Jablonski, Department of Public Works Director Richard Reine, Housing Task Force Chair Sally Tobias

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

No Councilors were on Zoom at this time.

III. Roll Call of Members

Councilor Curtis Register, Councilor Darrell Ford, Councilor Sally Needell, Chair Pro Tem Eric Lund, Chair Joseph Friedman, Councilor Robin Vogt.

IV. Approval of Agenda

Councilor Ford MOVED to approve the agenda. Chair Pro Tem Lund SECONDED the motion. Chair Friedman invited discussion, but there was none. ***The motion PASSED on a unanimous hand vote of 6-0.***

V. Special Announcements - None

VI. Public Comments

Sally Tobias, 107 Madbury Road, speaking as chair of the Housing Task Force, encouraged the Councilors to pass a more open and inviting RSA 79-E as an incentive to developers. She said the town is better going five years without the tax revenue and then having something valuable for years after that. She's happy the Town Council passed the zoning the Task Force and Planning Board brought forth. She said the business organization Celebrate Durham, which was waylaid by the pandemic, can still be used for promotion and communication as its website and social media channels are still available. She said the Town Council has needed to change zoning, to create more housing, but it

1 still needs to bring in businesses and overcome the town's reputation as bring unfriendly
2 to businesses.

3
4 Chair Pro Tem Lund noted for the record that Councilor Burton arrived at the meeting at
5 7:03 p.m.

6
7 **Joe Warzin, 102 Madbury Road**, said he is an appointee to be an alternate to the
8 Library Board of Trustees, which will be voted on later in this meeting. Since he had to
9 leave the meeting early, he wanted to introduce himself to the Council.

10
11 **Joshua Meyrowitz, 7 Chesley Drive**, spoke about the recent incidents of detainment and
12 deportation by ICE, and other injustices being committed by the Trump Administration.
13 He said these actions are not normal and a mass act of resistance is needed. He said he
14 feels a moral obligation to press for justice for those falsely accused.

15
16 *At 7:10 p.m., Councilor Register MOVED to allow Council Friedrichs to join the*
17 *meeting on Zoom. Chair Pro Tem Lund SECONDED the motion. The motion*
18 *PASSED on a unanimous roll call vote of 7-0.*

19
20 **VII. Report from the UNH Student Senate External Affairs Chair or Designee**

21 **UNH student Abigail Bagley**, the External Affairs Chair for the student body president
22 at UNH, said this will be her last Town Council meeting as she is graduating. Her
23 replacement has not been named yet. She said she introduced a resolution in the Student
24 Senate thanking the town for passing the resolution decrying the proposed UNH budget
25 cuts. The Undergraduate Research Conference is coming up and is open to the public.
26 More information is available on the university website. The College Tour episode
27 showcasing UNH premiered last week. More strategic planning listening sessions on the
28 Master Plan are planned this week to gather input from students. Student leadership
29 awards will be presented next week. She also said the Faculty and Student senates are
30 working together on a new discovery program, which is the general education
31 requirements for students.

32
33 Councilor Burton said he'd just come from a reception at UNH President Elizabeth
34 Chilton's house with state legislators and students, and said the students represented
35 UNH very well. Ms. Bagley complimented President Chilton for communicating well
36 with students.

37
38 Councilor Needell praised Ms. Bagley for her work as the liaison to the Council, noting
39 her reports have been detailed and informative. Councilors thanked her for her work and
40 service.

41
42 **Loren Selig, 3 Nobel K. Peterson Drive**, state representative for Strafford District 10,
43 arrived at the end of the Public Comment session, but was given permission to give her
44 comments at this point. She wanted to make residents aware of two events to learn about
45 the state's budget proposal and give their input: A Town Hall sponsored by the NH Fiscal
46 Policy Institute on Tuesday, April 22 at 7 p.m. at North Hampton Town Hall that is open

1 to the public and a Listening Session with State Sen. Deborah Altschiller and State Sen.
2 Rebecca Perkins Kwoka on Wednesday, April 23 at 6:30 p.m. at Winacunnet High
3 School in Hampton that is open to the public.
4

5 **VIII. Unanimous Consent Agenda**

- 6 A. Shall the Town Council approve on **First Reading Ordinance #2025-05** amending
7 Chapter 175, "Zoning," Article XVI, "Aquifer Protection Overlay District," Section 175-
8 86, "Use Regulations" of the Town Code to amend site drainage and permitted uses and
9 set the Public Hearing date for May 5, 2025?
10 B. Shall the Town Council, upon recommendation of the administrator, award the 2025 Road
11 and Sidewalk Program to Continental Paving Inc. of Londonderry, NH in an amount not
12 to exceed \$732,800 and authorize the administrator to sign the associated contract?
13 C. Shall the Town Council, upon recommendation of the administrator, adopt **Resolution**
14 **#2025-08** creating the "Wagon Hill Farm Heritage Expendable Trust"?
15

16 Councilor Register indicated he wanted to discuss Item C. Councilor Burton said he also
17 wanted to discuss Item C. Councilor Friedrichs indicated ze wanted to pull Item A.
18

19 *Chair Friedman MOVED to approve Item B, the road and sidewalk contract.*
20 *Councilor Needell SECONDED the motion. The motion PASSED on a unanimous roll*
21 *call vote of 8-0.*
22

23 *Chair Friedman MOVED to approve Item A. Chair Pro Tem Lund SECONDED the*
24 *motion.*
25

26 Chair Friedman opened discussion. Councilor Friedrichs asked if there are some
27 industrial uses that are permitted in the Aquifer Protection Overlay District. Town
28 Planner Michael Behrendt said the Aquifer Overlay District encompasses several areas of
29 town. The part of the Overlay in the ORLI zone near Technology Drive does allow
30 industrial uses, but nowhere else. Councilor Friedrichs said ze is concerned about PFAS
31 or forever chemicals that are not filtered by septic systems. Ze said ze is concerned about
32 allowing industrial uses over the aquifer and allowing them to be handled by septic
33 systems and not the town wastewater system.
34

35 Councilors discussed why it's important to create an Aquifer Overlay District and why
36 the only difference it adds is requiring connection to the town's water and wastewater
37 systems.
38

39 Mr. Behrendt said the Aquifer Overlay District includes a comprehensive list of
40 prohibited uses and that includes all industrial uses. The purpose of the district is to
41 protect public health, aquifers and aquifer recharge areas for most likely private, not
42 town, use. He said the district has been around for about 30 years and in the 13 years he's
43 been here there's been no applications in the district.
44

Councilors discussed the two changes in the ordinance - removing the requirement to connect to the town's sewer system, which is unrealistic for many because the system is so far away and it would be too expensive to connect to it, especially for a single family home, which is the use most allowed in the district. Councilor debated requiring other uses such as commercial or industrial to connect.

Mr. Behrendt said modifying the amendment consistent with its intent wouldn't require it to go back to the Planning Board as long as it's before the public hearing occurs on May 5. Chair Friedman called for a vote on the motion.

Councilor Friedrichs proposed an amendment to the change the proposed ordinance so that it would only drop the requirement to connect to town water and sewer systems for residential uses, and not other uses. Chair Pro Tem Lund SECONDED the amendment.

Department of Public Works Director Rich Reine on Zoom asked if the new RJ Kelly proposed facility on Technology Drive is within the Aquifer Protection Overlay District. Mr. Behrendt said no, just a tiny northerly corner of the property is in the district. Mr. Reine pointed out some of these industrial or commercial developments have other options available to them rather than connection to the town's sewer system and therefore would not have any industrial waste charge to the town. He suggested building in some flexibility for those who develop other options. Discussion continued about different scenarios that may be handled under the amended ordinance that the current ordinance wouldn't allow. It was suggested that the entire ordinance be provided and that the map of the Overlay District be more detailed before the public hearing occurs.

Chair Friedman called the vote on the amendment.

The motion to add the amendment FAILED on a unanimous roll call vote of 8-0.

Councilor Register - nay, Councilor Ford - nay, Councilor Needell - nay, Councilor Burton - nay, Chair Pro Tem Lund - nay, Chair Friedman - nay, Councilor Vogt - nay, Councilor Friedrichs - nay.

Chair Friedman called the vote on the original motion.

The motion PASSED on a unanimous roll call vote of 8-0.

Councilor Vogt - aye; Chair Friedman - aye; Chair Pro Tem Lund - aye; Councilor Burton - aye; Councilor Needell - aye; Councilor Ford - aye; Councilor Register - aye; Councilor Friedrichs - aye.

Chair Friedman MOVED to approve Item C. Chair Pro Tem Lund SECONDED the motion.

Councilor Burton said creating the historic preservation funding trust moves the Bickford-Chesley Farmhouse project to the next level. He said work is going well. Creating the trust is a “great step forward.” Councilor Register said he is in favor of getting private funds to preserve the town’s heritage, but cautioned against mixing public and private funding. He clarified this is being done just to allow private individuals to donate to preserving local history and has no impact on the town budget, and that was confirmed. Administrator Selig said the town is working on how to make it easy to donate, and confirmed the fund would be held by the Trustees of the Trust Funds and that the agent to expend the funds is the town’s Heritage Commission.

The motion to approve Item C PASSED on a unanimous roll call vote of 8-0.

IX. Committee Appointments

- A. Shall the Town Council, upon Recommendation of the Library Board of Trustees Chair, re-appoint Martie Gooze, 9 Meadow Road, and appoint Joe Warzin, 102 Madbury Road, and Laura Mason, 129 Durham Point Road, to fill three alternate memberships on the Library Board of Trustees with term expirations of April 2026?
- B. Shall the Town Council, upon Recommendation of the Integrated Waste Management Advisory Committee Chair, move regular member Janet Perkins-Howland to an alternate membership and move alternate member Susan Richman to a regular membership on IWMAC, retaining their current term expirations?
- C. Shall the Town Council, upon Recommendation of the Conservation Commission Chair, appoint alternate member Jacob Cragg to an unexpired regular membership on the Conservation Commission with a term expiration of April 2028?
- D. Shall the Town Council, upon Recommendation of the Conservation Commission Chair, appoint Benjamin Phelps, 341 Lee Hook Road, to an unexpired alternate membership on the Conservation Commission with a term expiration of April 2027?
- E. Shall the Town Council Nominate Resident Jim Hornbeck, 19 Woodridge Road, for a three-year reappointment by the NHDES Commissioner as Durham’s Representative to the Oyster River Local Advisory Committee?
- F. Shall the Town Council Nominate Resident Matt Lake, 266 Newmarket Road, for a three-year appointment by the NHDES Commissioner as a Durham Representative to the Lamprey River Local Advisory Committee?

Chair Friedman remarked Durham is fortunate to have so many well-qualified people willing to serve the town, and thanked them.

Chair Friedman MOVED to appoint those listed in Item A. Chair Pro Tem Lund SECONDED the motion.

Resident Laura Mason introduced herself. She holds bachelor’s degrees in English Literature and Anthropology. She earned a master’s degree in writing at UNH. She said she’s been a resident of Durham for 20 years and is a frequent user of the library. She said she wants to support the library especially in difficult times like the present. She

1 recently attended two board meetings. She said that she's used the library for years and is
2 still surprised at how much it offers, and her experience has been very eye-opening.

3
4 ***The motion PASSED on a unanimous roll call vote of 8-0.***

5
6 ***Councilor Needell MOVED to appoint those listed in Item B. Councilor Ford***
7 ***SECONDED the motion. The motion PASSED on a unanimous roll call vote of 8-0.***

8
9 ***Councilor Ford MOVED to appoint those listed in Item C and D. Chair Pro Tem Lund***
10 ***SECONDED both motions.***

11
12 Resident Ben Phelps, who is nominated to be on the Conservation Commission,
13 introduced himself, and said this is first opportunity to volunteer for the town and he is
14 looking forward to it. He said his relevant experience is he spends a lot of time in the
15 woods, outdoors, hunting, fishing and hiking, and he wants to see those places continue
16 to be a part of our community.

17
18 ***The motion PASSED on a unanimous roll call vote of 8-0.***

19
20 ***Chair Friedman MOVED to reappoint Jim Hornbeck as Durham's representative on***
21 ***the Oyster River Local Advisory Committee as listed in Item E. Councilor Ford***
22 ***SECONDED the motion. The motion PASSED on a unanimous roll call vote of 8-0.***

23
24 ***Councilor Lund MOVED to appoint Matt Lake as Durham's representative on the***
25 ***Lamprey River Local Advisory Committee as listed in Item F. Councilor Vogt***
26 ***SECONDED the motion.***

27
28 Resident Matt Lake introduced himself and said he lives on the Lamprey River. He's
29 been a Durham resident for six years and is a native of New Hampshire. He said the
30 Lamprey River is a phenomenal resource and he's gained an appreciation for it and for
31 the communities it runs through. He said he has attended a meeting of the advisory board
32 and said it is a passionate group intent on protecting the Lamprey for generations to come
33 and he'd like to be a part of that.

34
35 ***The motion PASSED on a unanimous roll call vote of 8-0.***

36
37 **X. Presentation Items**

38 Quarterly Financial Report through 3/31/25 - Gail Jablonski, Business Manager

39
40 Ms. Jablonski said the town is doing well and finances have gone as expected in the first
41 quarter of 2025. She said the budget is 21.3% expended for the first quarter, which the
42 town was able to maintain even though it was an interesting winter. She said no crises
43 have come up and she identified no areas of concern. The audit was conducted and they
44 are now in the review phase. Councilors had questions about the library fund, where the
45 revenue has not been transferred to the books yet, and about the rink fund, which didn't

1 seem to reflect the more successful year the rink had this year over last year because of
2 the way the fiscal year bookkeeping is done.

3
4 **XV. Councilor and Town Administrator Roundtable**

5
6 Councilor Register - Agricultural Commission

7 He said the commission met April 14 and reviewed the results of its survey. He said 151
8 responded, which they felt was low, but was a good cross-section of Durham residents
9 who expressed support for a food co-op and Food Together Durham. He said they heard a
10 talk about how local bees are taking a hit. Nationally, bee loss is at 65 to 75 percent; in
11 Durham, it's 90 percent. He said the main culprits were fungus, new bacteria and heat.
12 The commission is studying this to learn how the town can combat it. He said cultivating
13 more residential pollinator gardens, making sure there are greenbelts in town and careful
14 cutting of vegetation are recommendations. Aug. 16 will be Farm Day. He said he
15 changed the regional food growth goal in the Town Council goals because the benchmark
16 was unrealistic. The Farmers' Market will open on the first Monday in June and have the
17 same hours as last year.

18
19 Councilor Ford - Conservation Commission

20 He said the commission has not met since the last Council meeting and will meet on
21 April 28.

22
23 Councilor Needell - Integrated Waste Management Advisory Committee

24 She reported the DPW is still in a holding pattern on the purchase of trucks and toters.
25 She said Labrie, the company that builds the trucks the town needs, is shifting its
26 manufacturing to its U.S. plant but the timing is unknown. Contracting out curbside
27 pickup temporarily is being explored as the town's trucks are constantly in repair and
28 staffing challenges continue. The town would still have to buy the toters if it goes with a
29 contractor. Swap Shop season is off to a strong start. Councilor Register noted the
30 Council gave DPW staff a pizza party and thank you notes. She asked residents to be
31 kind to the DPW staff.

32
33 Councilor Burton

34 He said he's worried about the school budget depending on how the state budget and
35 several bills that could affect it end up. He said the uncertainty just makes it difficult for
36 the school district to plan.

37
38 Chair Pro Tem Lund - Planning Board

39 He said the Planning Board met April 9 and held a workshop on April 16. It discussed the
40 zoning amendments in process, the PUD zoning amendment, and scheduling a public
41 hearing before the Planning Board in May and before the Town Council in June.

42
43 Chair Friedman - Parks and Recreation Committee

44 He said the committee approved its goals for this year. It will next meet April 22 and hear
45 a presentation on the design for the new rink and facility, which will then be shared with
46 the Town Council. He said it also expects to hear the findings of the consultant studying

1 Jackson's Landing within the next month or two, and then will present the findings to the
2 Town Council.

3
4 Chair Friedman - Seacoast Economic Development Stakeholders

5 He said when SEDS next meets it will hear a presentation on day care in the state and
6 recommendations for improving it.

7
8 Councilor Vogt - Energy Committee

9 He said the committee next meets on May 6.

10
11 Councilor Vogt - Human Rights Commission

12 He said the commission elected a new chair, Richard Belshaw, and thanked Councilor
13 Needell for all her hard work as chair. He said Durham Police Chief Rene Kelley and his
14 team met with the commission to talk about concerns about potential ICE enforcement at
15 the university and in town, and explained the Durham and UNH police departments'
16 policy. Chief Kelley expressed concerns about the federal government's choice and
17 wanted to make sure the public knows Durham and UNH police are making every effort
18 to ensure public safety and that they want the public to report any suspicious situation
19 they witness or are concerned about. He said the Durham and UNH police don't enforce
20 federal law, only local and state laws. They don't approve of any federal agencies
21 accessing files or records, and that special permission from the Attorney General's office
22 would be required for any access. If local police are asked for assistance in an operation
23 that looks like it may involve ICE, he said the local police would work directly with the
24 state's Attorney General for guidance about whether to assist or not assist in that
25 situation. He noted ICE does not need to contact local police for any operation, which is
26 frustrating to local police departments.

27
28 Councilors discussed incidents they're aware of and the Strafford County Jail's contract
29 with ICE, and encouraged those who are scared or concerned, even if through someone
30 else, to reach out to the community as there are many who will help and want to know
31 about their situation.

32
33 Councilor Friedrichs, who also participated in the HRC discussion, said the threat is real
34 and not a theoretical exercise. Ze said there are people in Durham who have had their
35 immigration status changed to a deportable category. Ze gave the example of a Durham
36 family ze knows who are not citizens and where one parent works for UNH and the other
37 travels for business unrelated to UNH and they fear they could be detained and the family
38 separated. Other town residents ze said are afraid of losing their refugee status. Ze said ze
39 asked Chief Kelley if there was a policy of checking for a warrant before being willing to
40 back up or assist federal agencies coming in to take an action. Ze also said as of last
41 Friday, it's a federal crime to not register your information with the federal database as a
42 green card holder or other immigrant status so if you're pulled over and your info is not
43 updated correctly, you are now a criminal. Ze said the police can see the severity of a
44 crime you're charged with when running a person in the system. Ze suggested
45 considering these policies as a future agenda item. Councilor Register suggested getting a
46 workshop team of Councilors together to work on these concerns.

Councilor Friedrichs - Land Stewardship Subcommittee

Ze said ze was not able to attend the subcommittee's meeting because of illness. On the impact on bees, ze said ze would encourage the Planning Board to discuss a lighting ordinance because ze knows lighting has an effect on insect death. Ze said pesticides, climate change and heat obviously are a factor, but things like leaving leaves in the yard so insects can overwinter successfully and No Mow May are helpful, too.

Administrator Selig

He said he included his updates in the last Friday Update of April 18 so they could be found there. He said his employment contract allows him to write, so he's started to do more social commentary and tie it back to local values.

XII. Unfinished Business

A. Discussion of draft 2025/2026 Town Council goals

Councilors discussed the draft of the proposed Town Council goals, which compiles all the suggestions of the Councilors into one document.

Councilor Needell presented her proposal that the goals document include core priorities and principles that acknowledge the basics the town needs to provide and are clear about what the Town Council must support in the larger picture. Some thought there is a place for a document stating the core of expectations for the town, but the goals document may not be the place for it.

Some thought it important to distinguish between short- and long-term goals in the document. There was discussion about having a visual progress tracker. Some goals mentioned included upgrading the fire department and MacGregor EMS facility; creating a business development committee, possibly using the Celebrate Durham base as a place to start and creating Small Business Saturday events; encouraging food production and creating a food co-op to combat food insecurity; creating a policy to notify the town of ICE activity; creating more informative social media around the Town Council and commissions; creating office hours for Councilors to meet with residents; hosting town hall events; and creating town awards for those who have elevated the community.

The Council discussed how to structure the goals document and whether to assign goals to a person or a committee. Discussion of the goals will continue in the future.

B. Continued Discussion of downtown zoning changes

Chair Friedman noted there has been lots of conversation about the revitalization of downtown recently. Councilors discussed how it's important the Town Council provide infrastructure and the laws that enable responsible development, that the town meet climate goals while developing the downtown, that the town provide incentives to development like the RSA 79-E resolution that on the agenda of the meeting, and the

1 current demand for hotel, workforce housing, senior housing and attainable housing
2 among other issues.

3
4 Councilors discussed specifically the initiative to divide the Central Business District into
5 two separate zones, and what the new CBD 2 zone would look like, how long down Mill
6 Road it would extend and how property owners would be affected. There is a map on the
7 Planning Board's website of the proposed zone.

8
9 There was some discussion about the status of the 66 Main Street lot, which the town
10 owns, and which is included in the RFP for UNH's West Edge project. There was also
11 discussion of the location of a new fire station in the new UNH Master Plan, which will
12 probably be in Lot B on the UNH campus near Mill Road.

13
14 Chair Friedman said he would attend the Planning Board meeting on April 23 speaking as
15 a resident to describe the Town Council's proposal. Discussion continued about this
16 strategy.

17
18 ***Councilor Burton MOVED that the Durham Town Council convey to the Planning***
19 ***Board its plan for the rezoning of downtown Durham with Chair Friedman speaking***
20 ***officially for the Council. Chair Friedman SECONDED the motion.***

21
22 Discussion continued about how far CBD 2 should extend down the west side of Mill
23 Road.

24
25 ***Councilor Ford revised the motion to include all the properties on the west side of Mill***
26 ***Road. Both Councilor Burton who originated the motion and Chair Friedman who***
27 ***seconded the motion agreed to the revision.***

28
29 ***Chair Friedman SECONDED the revised motion.***

30
31 ***The motion PASSED on a roll call vote of 5-3.***

32
33 **Councilor Vogt - aye; Chair Friedman - aye; Councilor Lund - nay; Councilor**
34 **Burton - aye; Councilor Needell - nay; Councilor Ford - aye; Councilor Register -**
35 **aye; Councilor Friedrichs - nay.**

36
37 ***Chair Pro Tem Lund MOVED to extend the meeting to 10:45 p.m. Council Register***
38 ***SECONDED the motion. The motion PASSED on a roll call vote of 6-2.***

39
40 ***Councilor Vogt - aye, Chair Friedman - aye, Chair Pro Tem Lund - aye, Councilor***
41 ***Burton - aye, Councilor Needell - aye, Councilor Ford - nay, Councilor Register - aye,***
42 ***Councilor Friedrichs - nay.***

43
44 **XIV. Approval of Minutes - April 7, 2025**

45 Chair Pro Tem Lund, resident Robin Mower, Councilor Needell and Chair Friedman
46 submitted changes to the minutes.

Chair Pro Tem Lund MOVED to approve the minutes of the April 7, 2025 meeting as amended. Councilor Needell SECONDED the motion. The motion PASSED on a unanimous roll call vote of 8-0.

XVI. New Business

- A. Shall the Town Council adopt **Resolution #2025-09** rescinding resolution #2011-11 and implementing new local objectives and guidelines for reviewing applications under New Hampshire Revised Statutes Annotated (RSA) 79-E “Community Revitalization Tax Relief Incentive” enabling municipalities to provide for short-term property assessment tax relief?

Housing Task Force Chairman Sally Tobias gave some of the history of the use of RSA 79-E in town, and said some of the aspects of the town’s requirements for its implementation for a project were not realistic in encouraging developers to invest in the town. She noted Durham has almost declined in a time when other communities have risen up in development, all using 79-E as an incentive. She also noted Durham has acquired a negative reputation for not being inviting to business and developers. She said many have a vision for the town, but it’s not even close to living up to its potential.

She said in addition to changing the way the town implements 79-E and dropping some of its requirements, the town needs to actively promote it is making these changes to be more welcoming to business and developers going forward, and to demonstrate why Durham is a great place to do business, and both a college town and a multi-generational town.

Mr. Behrendt said there are three kinds of development projects: ones that are a “slam dunk,” like the student housing from 10 years ago; some that are probably not going to work even with the 79E incentive; and ones in the middle where the idea is appealing but where there is a lot of uncertainty. He said those are the projects where the town’s incentive helps it to partner with a developer by keeping the property’s assessment at its pre-development level for a mutually agreed upon timeframe, and that deferment helps the project move forward.

He said the town adopted 79-E in 2009 and changed its implementation of it in 2011. Since that change, the town has only had one project that took advantage of the incentive. He said this resolution removes these restrictions and enhances the public benefit question and adds some guidelines.

Councilors discussed how in the past the town had a part-time economic development staff person who worked with developers on projects, and who currently on the town staff has time to work with them. Mr. Behrendt said he and Administrator Selig are most often the staff members that work with them and would continue, and that others such as Chair Friedman, who has a background in real estate, and other individuals would help out as opportunities arise.

1 ***Councilor Needell MOVED to adopt Resolution #2025-09 rescinding resolution #2011-***
2 ***11 and implementing new local objectives and guidelines for reviewing applications***
3 ***under NHRSA 79-E. Councilor Register SECONDED the motion.***

4
5 Chair Friedman suggested an amendment to the resolution to make minor wording
6 changes. Councilor Register agreed with those changes.

7
8 Councilor Friedrichs said ze was uncomfortable about moving forward with an action
9 that would affect people's taxes without a public hearing. It was discussed that what the
10 Council is voting on is not an ordinance, which would require a public hearing before a
11 vote, and that this is a resolution, which doesn't require a public hearing for approval.

12
13 ***Councilor Friedrichs MOVED to continue the discussion of the resolution at a later***
14 ***meeting because of the lateness of the hour and some confusion over draft versions of***
15 ***the resolution.*** Chair Friedman noted there was already another motion on the floor.
16 Councilor Register called the motion.

17
18 ***The motion to call the original motion on the floor to a vote CARRIED on a roll call***
19 ***vote of 7-1.***

20
21 ***Councilor Vogt - aye; Chair Friedman - aye; Chair Pro Tem Lund - aye; Councilor***
22 ***Burton - aye; Councilor Needell - aye; Councilor Ford - aye; Councilor Register - aye;***
23 ***Councilor Friedrichs - nay.***

24
25 ***Chair Pro Tem Lund MOVED to extend the meeting to 10:50 p.m. Councilor Register***
26 ***SECONDED the motion. The motion PASSED on a unanimous roll call vote of 8-0.***

27
28 ***The motion to adopt Resolution #2025-09 PASSED on a roll call vote of 7-1.***
29 ***Councilor Register - aye; Councilor Ford - aye; Councilor Needell - aye; Councilor***
30 ***Burton - aye; Chair Pro Tem Lund - aye; Chair Friedman - aye; Councilor Vogt - aye;***
31 ***Councilor Friedrichs - nay.***

32
33 **XVII. Nonpublic Session - Not Required**

34
35 **XVIII. Adjourn (NLT 10:30 PM)**

36
37 ***Councilor Ford MOVED to adjourn the meeting. Councilor Register SECONDED the***
38 ***motion. The motion PASSED on a unanimous roll call vote of 8-0.***

39 The meeting was adjourned at 10:49 PM.

40
41 - Jane Murphy, Minutes Taker