

DRAFT
DURHAM TOWN COUNCIL
MONDAY, JUNE 2, 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 Sally Needell, Councilor Curtis Register, Councilor Heather Grant

MEMBERS ABSENT: Councilor Darrell Ford, Councilor Robin Vogt

OTHERS PRESENT: Administrator Todd Selig, Town Clerk/Tax Collector Rachel Deane

I. Call to Order

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

II. Roll Call of Members

Councilor Heather Grant, Councilor Emily Friedrichs, Chair Joe Friedman, Chair Pro Tem Eric Lund, Councilor Wayne Burton, Councilor Sally Needell, Councilor Curtis Register

III. Town Council grants permission for fewer than a majority of Councilors to participate remotely - Not needed at this meeting.

IV. Approval of Agenda

Councilor Needell MOVED to approve the agenda for the meeting. Councilor Heather Grant SECONDED the motion. The motion PASSED on a unanimous hand vote of 7-0.

V. Special Announcements

Town Clerk/Tax Collector Rachel Deane announced the town's 2025 Top Dog is Mia Slama and presented a Top Dog gift basket to her. The Top Dog prize was created to remind and motivate dog owners to register their dogs with the town every year by April 30. If residents registered their dog on time, they were entered into the raffle in which the Top Dog is chosen randomly. Ms. Deane introduced the winning owners Emily and Fred Slama of 367 Durham Point Road. Mia is a 5-year-old Brussels Griffon terrier mix. Ms. Deane said mix breed is the most common dog in Durham, followed by Lab mixes and Golden Retrievers. The number of dogs registered as of April 30 this year is 850, a little less than last year.

VI. Public Comments

No one from the public was present to comment.

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

The UNH student representative was not present.

VIII. Unanimous Consent Agenda

- A. Shall the Town Council adopt **Resolution #2025-12**, for the authorization of bonds and approval of a loan agreement with the New Hampshire Municipal Bond Bank?
- 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 Downtown Durham Day to be held on Thursday, Aug. 7, 2025?
- C. Shall the Town Council adopt **Resolution #2025-13** reaffirming Juneteenth Independence Day as a legally recognized holiday and reaffirming Durham's opposition to any form of oppression?
- D. Shall the Town Council unseal the Nonpublic Session minutes from the year 2015 dated May 18 and July 20; from the year 2016 dated Nov. 7; and from the year 2017 dated March 20?

Chair Friedman MOVED to approve the unanimous consent agenda. Chair Pro Tem Lund SECONDED the motion. The motion PASSED on a unanimous 7-0 roll call vote.

IX. Committee Appointments

There were none for this meeting.

X. Presentation Items

- A. Presentation by Executive Director Jen Kennedy, Blue Ocean Society for Marine Conservation, on what they do and what they have collected from the shores of Durham.

Blue Ocean Society Executive Director Jen Kennedy gave a brief history of how the non-profit was founded and its mission. It does a lot of whale research and marine education on whale watching trips in the Gulf of Maine. They catalogue individual whales they see and have compiled a long-term database since 1996. She said the whales have come closer to the shore and into rivers in the area in the last five to 10 years following an influx of bait fish or pogies closer to shore. She told the story of a humpback whale named Pinball who they first observed in 1989 and see every year. She had her ninth calf last year. The pattern on the underside of the tail of a humpback whale does not change and is like a human fingerprint that they can use to easily identify the whales over the years. The whales visit the Gulf of Maine in summer and fall, she said, and last year was a banner year where a cold current from the North brought lots of krill into the Gulf. In 2023, Blue Ocean observed 12 species of large mammals. Last year it almost doubled to 23 different species from pilot whales, a blue whale, dolphins, ocean sunfish and different varieties of sea turtle. The whale watching season has already started for this year, she said, and just a few days ago, one of the watches saw 14 to 18 humpback whales "bubble-feeding" all at once.

She said they also document human impacts on whales, such as those entangled in fishing gear, alerting authorities so they can be disentangled; monitoring them to make sure they're healing; and vessel strikes.

During charter cruises from the coast, Blue Ocean Society naturalists teach whale watchers about the ocean and marine life, and reach about 10,000 people every summer.

1 In response to a question from Councilor Friedrichs, she said they do discuss the
2 scientific facts of controversial subjects such as the effects of offshore wind on marine
3 life to make people aware of environmental issues.
4

5 Blue Ocean also collects marine debris and records it into their database to inspire
6 behavior change and prevent litter in the future. They host beach cleanups and an Adopt
7 A Beach monthly cleanup program, present educational programs, and have created a
8 fishing line recycling program. Volunteers and citizens can use the Marine Debris
9 Tracker app to report what they find to the Seacoast's local database, and Blue Ocean
10 also provides cards for people to track what they see from boats. In 2024, it hosted 293
11 cleanups with 4,055 volunteers, collecting 8,512 pounds of trash. That's 160,811 pieces
12 of litter removed from the local coastline. Top litter items found are cigarette butts and
13 filters, and plastic and foam items and pieces of all sizes. Ms. Kennedy said 34 percent of
14 the trash collected (54,227 items) was single-use plastic items. They all had a reusable
15 choice and said it's important to think of this when making choices at home. She stressed
16 the importance of being responsible with trash and keeping it out of the natural
17 environment, noting it's easy to pick up a plastic bottle, but it's difficult to pick up the
18 hundreds of pieces it will break up into when it's battered by the ocean.
19

20 Blue Ocean cleanups also found 388 balloons onshore and 211 offshore, a reminder of
21 how balloons last a long time in the environment.
22

23 Foam is the most common micro-plastic found, and they're working on analyzing the
24 source locally whether it's from coolers or boat docks or some other source.
25

26 Blue Ocean did one cleanup in Durham last year, which found three pounds of litter
27 which contained 161 pieces. Since 2018, they've done nine cleanups in town, collecting a
28 total of 386 pounds.
29

30 Top 10 items found at Adams Point from 2022 to 2024 were plastic pieces measuring 10
31 cm or less; cigarette butts and filters; foam pieces less than 10 cm; miscellaneous items
32 not named on the data cards; plastic wrappers; glass pieces less than 10 cm; unknown
33 plastic items larger than 10 cm; rope scraps less than 1 meter long; plastic bottle caps and
34 metal items.
35

36 Blue Ocean is recruiting for its Adopt a Beach program in Durham and for clean-ups
37 around the Great Bay. They are already planning a couple this fall.
38

39 Blue Ocean also has a life-size fin whale it brings to schools so students can walk inside
40 it to see its organs and how it functions. She said there is also a Blue Ocean Discovery
41 Center on Hampton Beach, which is now open for the summer.
42

43 When asked by Councilor Register what a citizen could do to help the most, Ms.
44 Kennedy said with the funding landscape so uncertain for all non-profits right now, the
45 best thing to do is to donate money or volunteer your time to a local non-profit.
46

1 B. Receive annual report on the Human Rights Commission activities and projects – Richard
2 Belshaw, Chair

3
4 Human Rights Commission Chair Richard Belshaw said the commission started as an
5 advisory group to the town and the Town Administrator, and has grown into educating
6 the public and dispersing information. He said the commission's year was well
7 summarized in the annual town report by former HRC Chair Sally Needell.
8

9 In the past year, the conversation has been about racism, free speech, police actions and
10 the role of police in situations where a federal agency comes into Durham such as an ICE
11 enforcement. It has discussed anti-Semitism specifically. He said the committee is like a
12 think tank, identifying an issue, researching it and talking about it to illuminate all town
13 residents how the issue relates to human rights. The Constitution, both national and state,
14 is the commission's first go-to document as is the United Nations Universal Declaration
15 of Human Rights.
16

17 Councilor Friedrichs said ze recently met the new Waysmeet Executive Director Eileen
18 Murphy who works with international students and is trying to support them, and
19 working with other organizations to make them feel welcome and safe in town. Ze also
20 said ze heard the Dover Police Department had a new policy about how to handle ICE
21 action in their community and asked the commission to look into what the policy is. Mr.
22 Belshaw said the committee would and will meet again in a couple of weeks.
23

24 **XI. Councilor and Town Administrator Roundtable**

25
26 Councilor Register - Agricultural Commission

27 The commission has not met since the last Council meeting. Farm Day is Aug. 16. The
28 Farmers' Market opened June 2, and will be open every Monday until October, except
29 Labor Day. Grow Together Durham, an informal community co-op, is starting to kick off
30 and share gardening knowledge from experienced gardeners with those just starting out.
31 Next meeting is June 9.
32

33 Councilor Register - School Board

34 The last day of school will be a full day on June 18. The middle school robotics team
35 competed internationally and one of the teams placed. The eighth graders with the team
36 name The Flying Cockroaches won the competition's engineering design process award,
37 of which only six are given out in the world each year. The contracts for the renovations
38 at the elementary school have been signed. The board discussed the three bills in the
39 Legislature regulating cell phone use in schools. He said the student representative to the
40 board is graduating and gave an articulate and insightful farewell statement to the board,
41 encouraging it to continue to center its focus on students and nothing else. Next meeting
42 is June 4.
43

44 Councilor Needell - Integrated Waste Management Advisory Committee

45 She reported on the Committee met on May 21 and discussed sustainable practices at
46 Waysmeet's Cornucopia Food Pantry, the new toters, a compost pickup pilot program,

1 and a compost challenge for Councilors, which will probably start on Farm Day or
2 sooner. She said the Swap Shop is collecting the temporary plastic pots that vegetable
3 and flower plants are sold in. They will be kept out of the landfill and end up at Home
4 Depot and Lowe's for recycling. She said the committee is discussing having a Plastic-
5 Free July event, a Landfill Challenge to coincide with the new toters, and Durham
6 becoming a Zero Waste community. Next meeting is June 4

7
8 She said she visited the Durham Water Treatment Center for training for the Volunteer
9 River Assessment Program, which does regular water testing along the Oyster River. She
10 learned from Mike Sullivan they've used a \$150,000 grant for improvements to make
11 automatic valves to run the Spruce Hole charging and discharging - lowering operation
12 costs, increasing efficiency, and reducing chemical usage by half. She said they can take
13 out 250 gallons during the day and put it back remotely at night because it's automatic,
14 and improves water quality, lessens river sediment and reduces cost of removing solids
15 from the lagoons.

16
17 Councilor Burton

18 He said the Legislature will wrap up most of its legislation on Thursday, June 5, and will
19 meet three times on the budget in June. His caucus discussed the cell phone bill and
20 decided to oppose it because it's too restrictive. He updated Councilors on several other
21 bills including that state Rep. Al Howland's amendment that would have helped Durham
22 has been eliminated from the legislation it sought to amend. He said the UNH cuts were
23 reduced slightly by \$80,000. He noted UNH recently laid off 35 people.

24
25 Chair Pro Tem Lund - Historic District/Heritage Commission

26 The commission will next meet on June 5 and get updates on the Bickford-Chesley
27 House renovation and other projects. He said an event will commemorate the 200th
28 anniversary of Lafayette's visit to town on June 22 from 10:15 to 11:15 a.m.

29
30 Chair Pro Tem Lund

31 On a personal note, he said he begins his treatment program later this week and has to
32 slow down for about six weeks, but will keep participating as best he can during that
33 time. He said doctors found no surprises in his biopsy. Councilors told him to take all the
34 time he needs and wished him well.

35
36 Councilor Grant - Housing Task Force

37 The task force has not met since the last Council meeting and will next meet June 9.

38
39 Councilor Grant - Planning Board

40 She reported the Planning Board met May 28 and voted to support the multi-unit
41 residential amendment, the zoning amendment to eliminate the three-story limit in the
42 Central Business District and go to four stories. The board is looking at recommending
43 the forming of a group to look at areas where a fifth story could be permitted use as
44 opposed to being a conditional use. The board looked at the lodging house use to update
45 it from student rental housing and that next goes to a public hearing at the Planning
46 Board. Councilor Friedrichs asked why the board wanted to remove the student rental

1 category instead of having both the uses. Councilor Grant explained that using the term
2 “student” is problematic because discussion at the state level has been that it is
3 discriminatory and that in general any human being can rent in a lodging house, where
4 the amount of people allowed is defined by the fire code, not by who they are.
5

6 Discussion continued about trying to encourage a diverse population living downtown,
7 which would continue to include student rentals, the complexity of assuring a person is
8 actually a student, and how a lodging house differs from a group home.
9

10 She said the board is also working on looking at the Conservation Subdivision zoning
11 rough draft and how to enhance zoning to bring more density and affordability to the
12 single family home category.
13

14 She said the board is concerned that its approval of the Dunkin Donuts relocation to the
15 old Cumberland Farms building at a previous meeting allowed customers leaving the
16 driveway next to the Holiday Inn to make a left-hand turn onto Route 108. It was the
17 board’s understanding that only a right turn would be allowed when it approved the
18 application, but in fact the applicant provided a letter from the NHDOT permitting left-
19 hand turns at the last minute at the board meeting where the vote took place. The board is
20 considering what its next step, if any, will be.
21

22 Councilor Friedrichs - Land Stewardship Committee

23 Ze said the committee focused on discussing new signage for the town’s various
24 conservation properties to streamline the signs and have continuity between properties,
25 and heard updates from Land Stewardship Coordinator Veronique Ludington.
26

27 Chair Friedman - Parks and Recreation Committee

28 He said the Parks and Rec Committee met May 27 and reviewed the draft of the report on
29 the proposed Jackson’s Landing and Woodridge Park improvements. It will be presented
30 to the Council at its July 7 meeting. The board reelected Cathy Leach as its chair. She
31 indicated it may be her last year. No vice chair was identified. The committee discussed a
32 grant of \$1,500 from the local Rotary Club and is thinking of creating a downtown music
33 series on Thursday nights at 66 Main St. The committee next meets June 24.
34

35 Chair Friedman - Seacoast Economic Development Stakeholders

36 He said the last meeting included a presentation by the Center for Women and Enterprise
37 about the training and resources it offers; and a discussion of the draft 2025 Community
38 Economic Development Strategies annual update, which is online at straftford.org. The
39 group was distressed to hear the Legislature cut \$100,000 from the nine regional planning
40 commissions, amounting to \$11,000 from each one. It cancelled its next meeting to
41 regroup on how to move forward.
42

43 Chair Friedman

44 He said there is progress being made on remaking and reshaping the downtown. He said
45 the Durham Business Administration is reconvening and reestablishing itself. He said the
46 group has asked for a representative from the Council to attend meetings, which will be

1 held once a month on Wednesday evenings. He said he is open to being the representative
2 given his professional background, but is also open to any other Councilors who might be
3 interested. Councilors discussed how this regular connection with the town's business
4 leaders and owners is a welcome idea and needed.

5
6 He said the zoning changes the Planning Board has approved will be before the Council
7 at its next meeting. He noted an email Councilors received from Administrator Selig
8 about wayfinding signage downtown, which is a good idea, but it was determined the
9 quote the town received is too expensive. Councilors discussed other sources for help
10 with the signs.

11
12 Administrator Selig

13 He reported tax bills for the first half of the year had gone out and contained a letter
14 explaining the statistical revaluation process that will take place this summer and will be
15 in effect for the second-half tax bill. He explained since the town's last full revaluation,
16 the value of residential property has continued to increase. The revaluation is intended to
17 revisit recent sales in town and adjust properties to their new market value. The town's
18 commercial base has not increased as much in value so it will absorb less of the tax
19 burden than the residential base will. Councilors discussed how the revelation is not
20 intended to generate additional revenue, but to more fairly distribute the tax burden based
21 on actual sales of properties in town.

22
23 The ongoing litigation with utilities like Eversource over its location's tax valuation was
24 discussed.

25
26 Councilors talked about the fact that the town will continue to see this situation of rising
27 residential tax rates until it can expand its revenue stream from its commercial base with
28 developments such as the proposed Technology Drive \$50 million addition by RJ Kelly,
29 which is before the Planning Board but a few years out from completion; the Riverwoods
30 expansion, which is in process; and development downtown where nothing is yet in the
31 pipeline. Until then, residential property taxes will continue to rise or residents will have
32 to decide to significantly cut services the town provides.

33
34 Councilors discussed the Mill Plaza Building 2 facelift is positive, but doesn't change the
35 property's value significantly. Discussion ensued about the Rite Aid pharmacy closing,
36 prescriptions being transferred to the Walgreens at the Lee Traffic Circle, how this
37 creates a pharmacy desert as the Rite Aid in Newmarket is also closing, and how this is a
38 blow to the town's non-driving population. Until now, you could live in Durham without
39 a car, but now you can no longer walk to get all your essential needs. Discussion
40 continued about how the bus doesn't go to the Lee Traffic Circle, how Hannaford's
41 confirmed it is not taking over the space and that the Hannaford's on Route 108 in Dover
42 has a pharmacy and it is on the bus route. Administrator Selig said he will check in with
43 the plaza's owner Torrington Properties to see if they have a new tenant for the Rite Aid
44 space.

45
46 Administrator Selig noted the farmers market opened June 2 and was very busy.

1
2 He said he is still collecting feedback on former Councilor James Bubar's questions
3 about the town's water system finances and will report his findings soon.
4

5 He brought up a resolution the Town of Hanover passed about the proposed school
6 voucher legislation and asked Councilors if they wanted to take action. It was decided
7 that it is too late in the process to make a statement because the legislation will be
8 decided this week. There was a discussion about the school voucher system and its cost to
9 public schools and therefore residential property taxpayers.
10

11 He said the West Edge project's RFP process continues. He reminded that the town
12 property at 66 Main St. is included in the RFP and the town will work directly the
13 developer on it once one is chosen. He said he can't comment yet and UNH will issue a
14 release when a decision is made.
15

16 He said he and town staff did a site walk at 361 Durham Point Road about the wetlands
17 violations alleged there with a N.H. Department of Environmental Services representative
18 who will follow up directly with the property owner.
19

20 He said ceiling tiles from under the Main Street railroad trestle bridge, which crosses
21 above the platform where passengers wait for the train, fell onto the waiting area this
22 spring. The bridge has been inspected and is safe, and needed repairs to the ceiling have
23 been identified. It is safe for passengers to continue to wait and board on the platform.
24

25 He said at the Wagon Hill Farm excavations, onlookers noticed artifacts from Colonial
26 times in the dirt and debris. UNH archaeologists and students came out, sifted the dirt to
27 retrieve the artifacts, and are researching them, and the town appreciates their efforts.
28

29 On the concerns about the Dunkin Donuts approval, Administrator Selig said the
30 Planning Board can revisit an application within 30 days. In this instance, the concern is
31 with the access to a state right-of-way so the town has no oversight of it. Discussion
32 followed about how the facts weren't understood completely at the time of the vote and
33 the revised letter from NHDOT should have been submitted before the meeting, not at the
34 meeting, but that there was no mal intent.
35

36 He said at the beginning of the wayfinding signs project, he worked with the town's
37 intern to approach design and other classes at UNH to help with the project, and none had
38 the bandwidth so that's why he went to a professional firm who is good at going out in
39 the field and deciding where to locate the signs in advance of the facilities, but the quote
40 was very expensive.
41

42 He said the town doesn't know how the issue of student rental housing will play out in
43 the Legislature. He has reached out to state Sen. Rebecca Perkins Kwoka to get some
44 insight. He said in response to the question of whether UNH will let us know who is a
45 student, UNH said initially it was comfortable doing so, but later said when the town was

1 making a request it wanted to know the circumstances of why it was asking and would
2 evaluate providing the information on a case-by-case basis.

3
4 He said if the public has a complaint of non-compliance with town ordinances, it should
5 notify the police and they will follow up and issue fines if appropriate.
6

7 Councilor Burton

8 Councilor Burton congratulated the Oyster River High School Girls Track Team on
9 winning another state championship. Avery Baumgardt, who is his neighbor, won three
10 state titles: triple jump, 100M hurdles and won as the final leg of the 4x100M relay team.
11 She placed second in the long jump and will compete in the Tournament of Champions.
12

13 **XII. Unfinished Business**

14 A. Continued Discussion Regarding the Development of Town Council Goals for FY
15 2025/26.
16

17 Councilors discussed how to proceed reviewing their goals for the coming year. The
18 document has been revised with the changes made at the last Council meeting and the
19 goals renumbered accordingly. Councilors began with Goal 7 and its five parts which is
20 where they had run out of time at the last meeting.
21

22 Discussion took place around how the Town Council would handle a federal agency
23 taking action in the town; how the Council's priority is protecting residents; if it's willing
24 to stand in opposition to state and federal government if necessary; how the Human
25 Rights Commission is correct to use the state and national Constitutions and United
26 Nations' Universal Declaration of Human Rights for the town's legal and moral compass;
27 how in past tragedies, local governments taking action would have made a difference so
28 it's important to monitor this situation; how there are people in town who are afraid; and
29 how some in town are actively training to be human shields against a seizure in the case
30 of an ICE enforcement incident. Councilors discussed whose responsibility this should be
31 - the HRC, the police department or the Council. They discussed how it's possible to
32 creatively and proactively protect residents' rights without becoming a Sanctuary City.
33 They discussed how it's important that residents have confidence that the Council will do
34 its part, and not just stop at words.
35

36 Councilors discussed how the people who are afraid know the steps to take if they are
37 targeted, but that it would be good to have a checklist for all residents to refer to. It was
38 suggested the presentation that Durham Police Chief Rene Kelley gave to the Human
39 Rights Commission, which laid out how the police would react, should be more widely
40 communicated to all residents to make them aware.
41

42 There was concern about how the Council represents what it can do in a situation and
43 what it can't do. The goal was shortened, rewritten, and portions were deleted and moved
44 to another goal to eliminate redundancy.
45

1 The cybersecurity goal was next discussed, with wording and what to include debated to
2 retain as much flexibility as possible. It was noted that some of the improvements in the
3 goal are already happening.

4
5 The Council next discussed the goal to keep any budget increase within inflation, and
6 how the statistical revaluation may affect the tax rate. Discussion included spending,
7 increasing the tax base, how the community is satisfied with the system in place, how the
8 town can't ignore its contractual obligations to employees; and how the fund balance was
9 used last cycle to balance the budget without cutting essential services, but how the
10 Council would not want to do that again. Councilors did some rewording and editing.

11
12 Councilors discussed how the goal to increase connection with local businesses through a
13 working group is already coming to fruition with the revitalization of the Durham
14 Business Association. It was discussed that Chair Friedman will be the Town Council
15 representative to the DBA with Councilor Register as an alternate.

16
17 The changes to the goals will be incorporated into a new draft of the document and the
18 Council will review again and prioritize the goals at its next meeting.

19
20 **XIII. Approval of Minutes for May 19, 2025 Meeting**

21 *Councilor Needell MOVED to accept the minutes. Councilors Lund and Grant*
22 *SECONDED the motion. The minutes were APPROVED on a unanimous show of*
23 *hands vote of 6-0 with Councilor Friedrichs abstaining because ze was not present for*
24 *the entire meeting.*

25
26 **XIV. New Business - None**

27
28 **XV. Nonpublic Session - Not Required**

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

31
32 *Councilor Lund MOVED to adjourn the meeting. Councilors Register and Grant*
33 *SECONDED the motion. The motion PASSED on a unanimous show of hands vote of*
34 *8-0.*

35 The meeting was adjourned at 10:19 PM.

36
37 - Jane Murphy, Minutes Taker