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**DRAFT**  
**DURHAM TOWN COUNCIL**  
**MONDAY, MAY 4, 2026**  
**DURHAM TOWN HALL - COUNCIL CHAMBERS**  
**7:00 PM**

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**MEMBERS PRESENT:** Chair Joe Friedman, Councilor Emily Friedrichs (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs), Councilor Jay Gooze, Councilor Heather Grant, Councilor Jim Lawson, Councilor Michael Lehrman, Councilor Curtis Register, Councilor Carden Welsh

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**MEMBERS ABSENT:** Chair Pro Tem Darrell Ford

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**OTHERS PRESENT:** Town Administrator Todd Selig, Town Clerk Rachel Deane, Planning Board Chair Paul Rasmussen, Durham Police Chief Rene Kelley, Police Capt. John Lavoie, Deputy Police Chief Jack Dalton, Town Planner Michael Behrendt

**I. Call to Order**

Chair Friedman called the meeting to order at 7 p.m.

**II. Town Council grants permission for fewer than a majority of Councilors to participate remotely - Not needed.**

**III. Roll Call of Members**

Councilor Heather Grant, Chair Joseph Friedman, Councilor Mike Lehrman, Councilor Jim Lawson, Councilor Carden Welsh, Councilor Curtis Register.

**IV. Approval of Agenda**

Chair Friedman recognized Councilor Lawson, who said at the last Council meeting on April 6, it moved agenda Item 12-D Continued Discussion Regarding Town Council Appointments to Boards and Committees forward to this meeting and proposed it be added to this meeting's agenda under New Business as Item 15-B.

*Chair Friedman MOVED that the Council make that addition to the agenda and approve it. Councilor Welsh SECONDED the motion. The agenda was APPROVED with that addition by a unanimous show of hands vote of 6-0.*

**V. Special Announcements - Recognition of former Councilor Robin Vogt**

Chair Friedman thanked outgoing Councilor Vogt, who resigned on May 1, and presented a certificate recognizing his year of service to the town as a Town Councilor and as the Council liaison to the Energy Committee and the Human Rights Commission.

Mr. Vogt thanked Councilors for all he's learned by working with them, and encouraged residents to make their voice heard on town issues and to participate in town service.

**VI. Discussion, selection and swearing-in of new Town Councilor to fill vacancy**

1           **Councilor Welsh MOVED to nominate Jay Gooze to serve out the rest of the Town**  
2           **Council term vacated by former Councilor Vogt's resignation.** He noted Dr. Gooze has  
3           served two terms on the Town Council, was elected to serve as Council Chair, was  
4           elected to the Zoning Board of Adjustment and served there for many years. He said he is  
5           an advocate for the town's neighborhoods, worked hard to raise money to create the new  
6           library, served as the physician for the UNH Hockey Team, and has volunteered "an  
7           unbelievable amount of hours" to the Police and IT departments. He said he served in the  
8           U.S. Army as a major, served on the Chamber of Commerce and board of the YMCA as a  
9           resident of Rochester, and then moved to Durham in 1979 where all his children attended  
10          Oyster River schools. He said Dr. Gooze is very experienced in the town and the schools,  
11          which the Council has recognized need to work more closely together. He said Dr. Gooze  
12          has a B.A. in Economics and did the budgeting, forecasting and financial work for his  
13          practice. He said he feels Dr. Gooze is the best person to help the town at this time.

14  
15          Councilor Emily Friedrichs arrived at 7:06 p.m.

16  
17          **Councilor Lawson SECONDED the motion.** Councilor Lawson said he served on the  
18          Council with Dr. Gooze for five years and admired his commitment to residents and the  
19          town's neighborhoods, which was balanced with an understanding the town had to  
20          change. He said he understood the town needed to increase its tax base and replace  
21          inadequate infrastructure. He said he always respected that Dr. Gooze would disagree  
22          with you, but he was never disagreeable, and tried to achieve consensus and compromise.

23  
24          Chair Friedman invited Dr. Gooze to speak. He noted he volunteers with the IT  
25          Department, which gives him insight into all the town departments. He said he really  
26          cares about the town and fears the fiscal headwinds it faces, and said he would like to  
27          work with this Council to help with this challenge. He noted the diverse groups of people  
28          that make up Durham and said the Council will not please everyone no matter what it  
29          does, and said some of his votes as a Councilor may not please everyone.

30  
31          Chair Friedman asked if there were any other nominations and there were none.  
32          Councilor Grant said she agrees with Dr. Gooze's nomination because it is important to  
33          have someone on the Council who has previous experience. She said she appreciates  
34          resident Jeff Berlin applying to fill the Council seat, but feels at this point the Council  
35          needs someone with Dr. Gooze's level of experience. Councilors Register and Friedrichs  
36          both spoke in favor of Dr. Gooze's nomination, cited positive aspects of his past work  
37          with the town, and agreed the Council needs someone with experience. Both encouraged  
38          others who were interested in filling the vacancy to run in next year's Town Election.

39  
40          **Dr. Gooze's nomination to the Town Council was approved by a unanimous roll call**  
41          **vote of 7-0.** Chair Friedman congratulated Dr. Gooze and thanked him for serving.

42  
43          Town Clerk Rachel Deane swore in Dr. Gooze and he signed the Oath of Office. He  
44          joined the Council at the table for the rest of the meeting.

45  
46          Chair Friedman acknowledged and thanked Jeff Berlin for applying to serve in the

1 position and Peter Ventura for expressing his interest as well.

2  
3 **VII. Approval of Minutes - April 20, 2026**

4 *Chair Friedman MOVED to approve the minutes for the Council meeting of April 20,*  
5 *2026. Councilor Welsh SECONDED the motion.*

6  
7 Councilor Lawson noted on Page 7, Line 37, the Chairman called for a vote and the  
8 minutes have him being the only person who voted. He said the minutes need to reflect  
9 that it was a unanimous vote.

10  
11 *The minutes as amended were APPROVED on a unanimous roll call vote of 6-0.*

12 Councilors Gooze and Register abstained because they did not attend the April 6 meeting.

13  
14 **VIII. Report from the UNH Student Senate External Affairs Chair or Designee**

15 UNH Student Senate External Affairs Council Chair Deeba Ajamian was not present at  
16 the meeting, but Administrator Selig read a written statement from her. This being her  
17 last Council meeting as the UNH Student Senate External Affairs Chair, Ms. Ajamian  
18 apologized for not being able to attend and thanked the Council for being wonderful to  
19 work with. She said Patrick Daly will be taking her position next semester.

20  
21 **IX. Public Comment**

22 **William Hall, 3 Smith Park Lane,** said he watched the end of the Council's last meeting  
23 and Administrator Selig's comments about the 401 certificate, which Mr. Hall had  
24 brought up earlier in the meeting, and the instream flow regulations. He distributed a  
25 highlighted copy of the certificate, which he said is a Surface Water Discharge Permit.  
26 He said it has nothing to do with removing drinking water. He said Mr. Holland wrote  
27 what he feels was a very good report explaining the discharge permit at the time, and  
28 when Mr. Holland tried to give his presentation to the Council, Councilor Gooze  
29 interrupted him so many times he had to give up. He said there is no legislation to back  
30 up the instream flow rules. He recounted the history of the town installing a siphon and  
31 the handling of its use by subsequent town staff. He said he wanted to make sure  
32 everyone is aware discharge is not drinking water, it's sewage.

33  
34 **Julian Smith, 3 Chesley Drive,** said he was glad to see Dr. Gooze back on the Council  
35 and is particularly grateful to him for his work on developing the DiMambro house as a  
36 location for the new library. He said at the last meeting he suggested creating a formal  
37 group to market Durham as a great place to live. He said there are so many reasons for  
38 upscale luxury condos and affordable family homes to be developed here, citing the  
39 town's advantages such as train access, and environmental and historical heritage. He  
40 proposed again creating a beaver park at Mill Pond after the dam is removed.

41  
42 **Gary Whittington, 6 Old Piscataqua Road,** a member of the Planning Board, wanted to  
43 explain why the board sent back a slightly revised version of the language in the building  
44 height limit ordinance. He said the board thought if a developer chose to set back a five-  
45 story building from Main Street, that would be an alternative compliance to the fifth-story  
46 setback requirement. He said these would roughly correspond to the setbacks of UNH

1 buildings on the other side of Main Street. He said that would create human scale, room  
2 for pedestrian traffic, and potentially a more attractive streetscape.

3  
4 Councilor Welsh asked Mr. Whittington about the “ghost street” provision, which he said  
5 was included in what the Council sent to the Planning Board and applied the setback to  
6 any intervening street or road that has never been built, but which appears on an approved  
7 lot. He asked if the Planning Board intentionally took it out. Mr. Whittington said that  
8 had never come up at the Planning Board meeting, but he couldn’t imagine a scenario  
9 where town staff would interpret a ghost street, which is basically an abstract, in terms of  
10 the setback. Councilor Welsh said the Council was intentional in keeping it in the  
11 ordinance. Mr. Whittington said the Planning Board did not discuss the ghost street, but it  
12 was the subject of email traffic and he doesn’t understand its importance. Councilors  
13 discussed its importance to future building projects and how it might be applied.  
14 Councilor Lehman said it was briefly discussed by the board and decided it wouldn’t go  
15 anywhere. Chair Friedman said the discussion could be picked up in the Roundtable  
16 portion of the agenda so Public Comment can proceed.

17  
18 **Jeff Berlin, 3 Cowell Drive,** said when the Council was deliberating the building height  
19 limit at its last meeting, Councilor Lehrman said he had walked and photographed the  
20 downtown area, and later in the conversation Councilor Welsh brought that up in a  
21 negative way. He said he didn’t know if Councilor Welsh meant it to sound that way, but  
22 it seemed like an insult or meanness. He said he feels it’s important to call the remark out  
23 because as a new Councilor it was important and even necessary for Mr. Lehrman to take  
24 the time to familiarize himself with that area. He added the closing of Hayden Sports  
25 after 38 years as an example of the loss of another business, and the town has to have  
26 people downtown outside the eight months of the year that students are here and asked  
27 the Council to keep this in mind while discussing housing.

28  
29 Councilor Welsh apologized for the comment about Mr. Lehrman, acknowledging it was  
30 “a little snarky.” Councilor Lehrman accepted his apology..

31  
32 **Beth Olshansky, 122 Packers Falls Road,** said she was confused by the Planning Board  
33 discussion and decision-making on the building height limit ordinance. When she noticed  
34 the impact of the omission of the setback on the Aroma Joe’s lot, she asked Mr. Behrendt  
35 and he said it was an oversight on his part, and that’s why it wasn’t discussed at the  
36 Planning Board. She said the intention of the original working group was to mitigate the  
37 impact of five stories along Main Street and the public has been vocal about that. She  
38 said a five-story building will have a strong visual impact there if it doesn’t have the 20-  
39 foot setback. She said the town’s Master Plan is very clear that the vision for the  
40 downtown is two to three, and occasionally four, stories to maintain the downtown  
41 character. She said 86 percent of Master Plan survey respondents said they wanted to  
42 retain the town’s small town character and she doesn’t think a fifth story does that. She  
43 said it is a balance between what’s going to incentivize redevelopment and the town’s  
44 character, which Councilor Lawson demonstrated in his drawings where with the 20-foot  
45 setback, you get the value of the fifth story without the visual impact.

46

1 Mr. Behrendt on Zoom from his office upstairs in Town Hall said in regard to the Ballard  
2 Street question, he said he was focused on the 10- and 20-foot setback and that's what he  
3 prepared for the Planning Board. He said he missed the piece about the paper street and  
4 has forwarded all the information to the Planning Board to make it aware in a memo for  
5 its May 13th meeting. He said it would be easy to add if the board decides to, and another  
6 Public Hearing would be needed, probably on May 27. He said if the board does want to  
7 include Ballard Street, which is a pedestrian way as people walk there, it could apply the  
8 setback there but it would be a 10-foot setback, not a 20-foot setback because the 20-foot  
9 setback only applies to Main Street.

10  
11 **Tom Daly, 190 Piscataqua Road**, spoke on several subjects. He said the town needs to  
12 explain its revised funding plan for the removal of the Mill Pond Dam after the loss of the  
13 NOAA grant funding. He reiterated his support for the zoning amendment as currently  
14 written and encouraged Councilors to review the Planning Board meeting where it  
15 decided accommodations for style and aesthetics will be handled by the architectural  
16 standards. He believes zoning is for what can be built and where, and the architectural  
17 standards are for what it will look like. He said he is excited for the Council to support  
18 the regulations, stop the delay tactics and move the process along. He said he emailed  
19 Councilors comments on their goals and suggestions for paring them down and  
20 eliminating overlap. He highlighted Goal 3 on the tax rate, evaluation and expense  
21 management, and stressed residents' concerns about taxes and spending. He said capping  
22 the property tax rate deserves consideration. He said Goal 5A on housing is also  
23 important and should link housing decisions to fiscal implications. He said 7B on  
24 cooperation with the school system needs to be more concrete, increasing visibility and  
25 collaboration. He said Goal 7 is on public engagement, and he thinks Public Comment  
26 alone is not enough of a forum for the community.

27  
28 Chair Friedman thanked everyone for their comments.

29  
30 **X. Unanimous Consent Agenda**

- 31 A. Shall the Town Council adopt **Resolution #2026-06** to amend Resolution #2007-14  
32 "Creating the Energy Committee Steering Committee" (later Durham Energy Committee)  
33 to allow a Vice-Chairperson and remove the requirement to select a Secretary?  
34 B. Shall the Town Council continue to keep sealed the nonpublic session minutes from July  
35 20, 2009, January 24, 2011, March 19, 2012 and June 16, 2014?

36  
37 Chair Friedman invited any proposed changes and there were none. **Chair Friedman**  
38 **MOVED to accept the Unanimous Consent Agenda. Councilor Welsh SECONDED the**  
39 **motion. The motion PASSED on a unanimous roll call vote of 8-0.**

40  
41 **XI. Citizen Committee Appointments**

- 42 A. Shall the Town Council, upon recommendation of the Conservation Commission Chair,  
43 appoint David Hadley, 15 Edgerly Garrison Road, to an unexpired alternate membership  
44 position on the Conservation Commission with a term expiration of 4/27?  
45

1           ***Chair Friedman MOVED to appoint David Hadley to the Conservation Commission.***  
2           ***Councilor Register SECONDED the motion.***  
3

4           Mr. Hadley introduced himself and said he was glad to be here. Councilor Lehrman said  
5           he met Mr. Hadley while campaigning, had some good discussions with him and thought  
6           him an interested resident who would be good for this position. Councilor Lawson  
7           thanked Mr. Hadley for reaching out to him to learn about this commission on which he  
8           served for years and said he thinks Mr. Hadley will be a great addition. Mr. Hadley said  
9           he moved to Durham because it was clean, quiet and beautiful, and the reason it is  
10          beautiful is because of the strong environmental protections the town has put in place. He  
11          said it is important for the town to have strong protections in addition to state and federal  
12          regulations because it is the first line of defense. He said a clear voice and  
13          recommendations from the Conservation Commission are how to do that better.  
14

15          ***The motion PASSED on a unanimous roll call vote of 8-0.*** Chair Friedman welcomed  
16          him and thanked him for being willing to serve.  
17

18       **XII. Presentation Items**

19       **Presentation by Dr. Andy Smith and UNH Students on Durham Police Department**  
20       **Community Survey Results and Findings**

21       Police Capt. John Lavoie introduced Andy Smith, director of the UNH Survey Center,  
22       and said it is important for the Police Department as well as residents to hear how the  
23       community feels about its safety. He said the Commission on Accreditation for Law  
24       Enforcement Agencies requires a community survey at least every three years.  
25

26       Dr. Smith said the Survey Center has been working with the town since 2000 and that  
27       students do the work with mailing being the only cost to the town. He commended  
28       students Anna Anderson, Alexa Bilgar, Mia Roth, Tarryn Swisher and one other student  
29       who could not be present for doing a great job. He said over the years the survey results  
30       don't change much and the numbers can't get much better in terms of public approval of  
31       the police department's performance. He said the results highlight where improvement is  
32       actually happening. He said the biggest concern the survey found is general traffic issues  
33       in the downtown.  
34

35       Ms. Anderson thanked the town for the opportunity to work on the survey and led the  
36       students in presenting the 2026 Durham Police Department Community Survey.  
37       They said its purpose is to measure residents' level of satisfaction, and was mailed to all  
38       residents and a link was included in Friday Updates and shared in social media posts.  
39

40       The survey found overall strong support for and satisfaction with the police department.  
41       E-scooters, bikes and other e-devices are the biggest concern found. It said in general  
42       residents feel very safe walking alone in their neighborhood and downtown, and in their  
43       homes. They said women tend to feel less safe, but that's generally everywhere. It found  
44       residents don't worry about their home being burglarized. Statistics were presented for  
45       both daytime and nighttime incidences of these activities.  
46

1 Two concerns were children being exposed to drug use and following bike lane laws.  
2 Councilor Welsh asked if drug use is more or less prevalent. Capt. Lavoie said it was  
3 pretty stable, and there has not been a shift in the trend. He said drug use has trended  
4 upward across the state in the last ten years.

5  
6 Dr. Smith said the responses didn't vary depending on what part of town residents live in.

7  
8 Councilor Gooze asked if residents going downtown less helps them avoid seeing some  
9 of the problems. Administrator Selig said there are fewer students in the neighborhoods  
10 now, which effectively ends the problem. Students did note there were a lot of N/A  
11 answers on some of the questions, which may indicate residents are not going downtown  
12 so not feeling the need to respond on an issue

13  
14 They said a hot button issue is the riding of e-scooters, e-bikes and e-devices on  
15 sidewalks with 35% reporting it as a significant problem, 37% reporting it as somewhat  
16 significant, and 29% saying it was insignificant.

17  
18 The survey found residents feel they were treated with dignity and respect in interactions  
19 with police, that police response was faster than expected or as expected, and 97 percent  
20 said police were responsive to their needs and 3 percent said they were not.

21  
22 The students concluded Durham residents feel very safe in their community, the  
23 community strongly supports the Police Department with 64% saying they do an  
24 excellent job; 97% saying they were treated with respect and dignity, and 97% saying  
25 they were responsive to their needs and the response time was excellent.

26  
27 They noted the highest areas of concern is the e-scooter misuse, and telephone and  
28 internet scams. Councilors and police discussed what scams police are seeing. Deputy  
29 Chief Jack Dalton said they are seeing the elderly being targeted, and trying to create  
30 awareness with public meetings and posts on social media about scams. He said on the e-  
31 scooters, they are beginning to issue warnings and following up with prosecution, having  
32 daily directed patrols, have gotten grant money for scooter enforcement, and are taking it  
33 very seriously. He said that's one way the survey helps because the department can focus  
34 on the biggest concerns and then later see if it has got results. Deputy Chief Dalton  
35 thanked students for their work, and thanked the community for letting the department  
36 police the way it does in this community. He said it's not by accident and thanked the  
37 department's officers. Police Chief Rene Kelley on Zoom added his thanks and said the  
38 department doesn't put the survey on the shelf, but uses it to tailor its enforcement around  
39 what the community is telling us. He said he is pleased with the response and results of  
40 the survey. He thanked Mr. Smith and the team of students.

41  
42 Councilors and Dr. Smith discussed breaking out results by more demographics, and how  
43 to survey high school students ages 12 to 17 to find out their concerns, and how difficult  
44 it is to survey that age group. He said UNH Police do a survey, too, of UNH students  
45 about issues such as their walking safety, and how safe staff and faculty feel in buildings,  
46 but overall, it is the same as the town survey. Dr. Smith said students overall feel very

1 safe, and that alcohol and pot are the biggest problems. They also discussed whether the  
2 problems with scooters and bikes is an infrastructure design problem or just one of  
3 educating students.

4  
5 Councilors noted how fortunate the town is to have these extraordinary results and that it  
6 takes extraordinary people to make that happen. They talked about how the survey  
7 identifies issues, but is also a good tool for recruiting people to work at the department.

8  
9 Administrator Selig said he's listened to many CALEA evaluations, and Durham doesn't  
10 have the problems of some departments because it provides resources and sets  
11 expectations, and he congratulated everyone on the survey results. He noted the issue of  
12 body cameras, which the department wants because they help them do their work, but  
13 which have been cut from recent budgets for cost reasons.

14  
15 Chair Friedman thanked the students for their work and presentation.

### 16 17 **XIII. Unfinished Business**

#### 18 **Continued Discussion on the Development of Town Council Goals for FY 2026/27**

19 Administrator Selig presented his compilation of all the comments about the Council  
20 goals and said he continued to receive feedback over the weekend from five or six  
21 residents via email. He responded to the suggestion that the town change its traditional  
22 tax rate framework with a fixed numerical cap on annual municipal spending growth such  
23 as the 1% limit Councilor Lehrman suggested. He said he fully shares the concern about  
24 the rising tax burden on residents and the need for the budget discipline. The question is  
25 not whether the town should be disciplined, he said, but rather what are the tools that will  
26 protect Durham taxpayers while preserving the services they expect. He said the town's  
27 already lean departments are small, staffing is tight, and town staff are committed to  
28 collaborating, being transparent and continuous improvement. He said he feels there is no  
29 reserve of avoidable waste that can be eliminated across the board under a cap. He said  
30 fixed, non-discretionary costs grow faster than 1% per year, so to achieve the cap, the  
31 town will have to reduce service levels, which leads to a gradual erosion of service  
32 quality. He gave the example of the requested police body cameras and replacement of  
33 pistols due to age and safety concerns, and asked how the Council will respond to that  
34 under a cap. He said the only way is to cut more deeply into other services, i.e.  
35 eliminating curbside collection or cutting library hours. He said a cap also undermines the  
36 town's ability to respond to unexpected needs.

37  
38 He said those who don't work in municipal government think government is inherently  
39 inefficient and holding the line is the only way to get it under control, but the more  
40 fundamental challenge is the combination of the N.H. tax framework and the Durham tax  
41 base, and recent increases because of strong market demand. He said the town's tax base  
42 is narrow and unbalanced so durable tax relief can be found in broadening the tax base.  
43 He said the town doesn't operate in a use-it-or-lose-it mind frame and he has worked  
44 against that, having departments only spend what they need and return the savings, and  
45 being honest about the tradeoffs, and not penalized for savings and increased efficiency.

46

1 Councilor Lawson said he disagrees with several of Administrator Selig's statements. He  
2 said the town is not setting a tax cap and that the 5.89 tax rate proposal is the result of  
3 looking at where the town could probably find efficiencies. He said if you take Councilor  
4 Lehrman's suggestion and the fact that next year the town will be relieved of \$277,000,  
5 expenses can rise 2.5 percent next year. He said it's not saying the town has to deliver  
6 services at the same costs next year as this year. He said he would reframe this as a  
7 realistic budget objective, and he said you need two elements - the tax rate and Councilor  
8 Lehrman's proposal. He said it's recognizing the budget forecast that the town can't keep  
9 expenses the same next year, and coming up with a reasonable increase for guidance.

10  
11 Administrator Selig said he agreed with Councilor Lawson, but would favor the historical  
12 approach where the town keeps the tax rate constant and then the growth in the tax base  
13 allows for some additional spending to cover the cost of increases such as the Consumer  
14 Price Index (CPI) and others. He said he gets concerned when there is a constraint on  
15 both the tax rate and the dollar amount of what was budgeted.

16  
17 Councilor Lawson said the town is facing a tougher year in 2028 when an additional \$1  
18 million in bonding will be added to its expense line, and needs to prepare for that, and he  
19 doesn't believe the proposal of a 2.5% increase in spending as an objective is draconian.

20  
21 Councilors and Administrator Selig discussed how the proposal was arrived at and how  
22 presently the town's goal is to keep the tax rate the same and decrease it if possible.

23  
24 Councilor Lehrman said he didn't suggest a tax cap, but a cap on spending. He said these  
25 are goals, a goal is not a tax cap, and the intention is to set forward a prospective goal for  
26 Administrator Selig and department heads to manage throughout the year and not wind  
27 up with lots of cutting at the last minute of the budget process. He said what the town has  
28 done historically hasn't worked, it's no one's fault and the town is a victim of  
29 circumstance due to a lot of factors. He said he is concerned about the continued state and  
30 federal legislative trend of pushing more costs to the town. He said he feels the town very  
31 much needs to be taking a different tact. He said throughout his career he's been  
32 responsible for many budgets for many different organizations, and they're all grounded  
33 in expenses, not revenue growth. He said as you go through the budget year, you  
34 continuously manage the numbers.

35  
36 Councilor Welsh noted last year as several Councilors tried to cut the budget, no  
37 residents came in to react until they saw their reassessments. Councilor Lehrman said he  
38 spoke at Council meetings before that point, worried about the budget. Councilor Welsh  
39 said the town has not been spending outlandishly for years, but disagreed with  
40 Administrator Selig, saying the town has added two firemen, an environmental officer, a  
41 police dog, the Madbury Street project and did a lot of spending it didn't need to do. He  
42 said the Council put pressure on the town and it was creative in raising revenue, i.e.  
43 selling 24-hour parking permits, the police went to a less expensive CALEA level and  
44 didn't need the position they requested, raised charges at the rink, etc. He said a tax cap is  
45 not a bad thing, and it is Administrator Selig's job and Ms. Jablonski's job to manage the  
46 use-it-or-lose-it mentality. He said the town has to be aggressive in managing expenses

1 this year and supports the more challenging scenario.

2  
3 Councilor Friedrichs said ze supports a two-pronged approach combining not a cap, but a  
4 goal based on tax revenue raised by the town, and not solely tied to the rate. Ze said  
5 assessed values can jump all over. Ze said that gives some room for growth in appropriate  
6 scaling of services as the tax base grows, but recently the market has been more erratic.  
7 Ze said ze supports continuing to have a goal for a tax rate combined with a goal for  
8 revenues raised in case assessed values go crazy again. Ze said it is not locking us into a  
9 permanent tax cap. Ze proposed doing two budgets as other towns do - one that meets  
10 goal and an Administrator recommendation. Councilors can say to residents they looked  
11 at that option and weren't comfortable with it. Ze said the town doesn't want to scale  
12 services to increases in assessments, which can be misleading, or decrease over time.

13  
14 Councilor Lawson agreed with zir and said that's why the town needs two elements - a  
15 goal for the tax rate and for the maximum allowable expenses. Because if revenue is  
16 greater, we can't go and increase services because in 2028 the tax rate is forecast to be up  
17 a dollar so this is preparing for that. He disagreed with commercial property devaluing in  
18 time because it is based on an income model and most sustain that.

19  
20 Councilor Lehrman said when he did his Council orientation, he expressed how  
21 impressive town department heads are and wants to go on record that he never suggested  
22 there was slop to be cut, but has found there is always room for more efficiency.

23  
24 Councilor Gooze said his IT work lets him know the departments intimately and feels  
25 they cannot get leaner than they already are. He said everything the town buys is five or  
26 six times as expensive as it was before. He said the Council has to be very careful saying  
27 it can keep spending the same, and has to consider reducing people or services to do that.  
28 He said he doesn't see efficiencies, and if there is a cap for Administrative Selig,  
29 Councilors have to be willing to give up something.

30  
31 Councilor Lawson said the Council is not saying to Administrator Selig to spend the  
32 same amount as last year, but increasing what he spent this year by 2.5 percent for 2027.

33  
34 Councilor Gooze said he feels the uncertainty of how potential development will go  
35 means the town is stuck with residents paying the brunt of its costs.

36  
37 Councilor Lawson said he thinks the Council has an opportunity to talk through the  
38 budget and work with both Administrator Selig and Ms. Jablonski and may identify  
39 places where it made incorrect assumptions about efficiencies.

40  
41 Administrator Selig noted several years ago when the Council goal was to keep the tax  
42 rate flat, it was able to do so for four years while addressing infrastructure challenges. He  
43 said today the town's infrastructure is pretty good with the exception of the fire station,  
44 which is a long-term project. He said he now better understands what Councilor Lawson  
45 is suggesting, is not attacking anyone, and wanted to address some of the email responses  
46 the town received over the weekend and state for the public his belief that town staff

1 works hard to run a lean shop and to safeguard Durham's tax dollars. He said they can  
2 always do better, constraints force creativity, but wants to be realistic about inflation and  
3 equipment cost challenges, and make everyone aware there is not a lot of breathing room.  
4

5 Councilor Register said this is just one goal of many and he's not a finance professional,  
6 giving examples of what he's done as part of different organizations to balance a budget  
7 and procure what his staff needed. He said the town needs to push back against the  
8 narrative of mismanagement of funds. He said the town gets a noteworthy audit every  
9 year from an external auditor. He said from what he's observed in pre-Council budget  
10 discussions, department heads are presenting good-faith budgets. He cited the challenges  
11 the town is facing that impact the delivery of services. He said he feels to do something  
12 about taxes, the town has to look at personnel, and analyze essential and non-essential  
13 positions to really make the reductions the town needs to make.  
14

15 Councilor Lawson said the proposal is not talking about a budget next year that's the  
16 same expense profile as this year. It's a budget that increases costs by 2.5% and results in  
17 a realistic look for efficiencies over what was forecasted. He said he is not talking about  
18 laying off people, though it is always healthy to look at staffing, but it's not appropriate  
19 right now to be talking about that. It's about reining in spending a little and getting a read  
20 for 2028. He said it's leveraging the drop in bond payments and not freeing up that  
21 money to ramp up expenses.  
22

23 Councilor Gooze said that goal is a good one to set, but that it is based on what the town  
24 takes in, which it doesn't control. He asked what Administrator Selig is supposed to do  
25 when revenues come in lower than forecasted and Councilor Lawson said it's a  
26 conversation with the Council about the situation.  
27

28 Councilor Lehrman said the town will be surprised at the efficiencies department heads  
29 can come up with when challenged, and that new efficiencies come up every day,  
30 especially with technology. He said no one's suggesting slashing positions, unless it's  
31 through attrition which should be managed and decided as opportunities arise.  
32

33 Councilor Lawson said Councilors need to sit down, work through the numbers and  
34 really communicate, and get a better understanding of the budget. Administrator Selig  
35 asked what happens when unexpected losses or gains in funds happen. Councilor Lawson  
36 said what the town shouldn't do if it receives unexpected funds is use it to increase  
37 expenses and services next year, but rather bank it for residents for 2028.  
38

39 Administrator Selig said once the audit tells the town exactly what the fund balance is  
40 this year, when would the town discuss using some of it to pay down the debt with a one-  
41 time payment. Councilor Lawson said using the fund balance for the town's debt  
42 obligation to projects it's already committed is good, but would not support using it to  
43 reduce tax burden in any one year, because it just hits harder the next year.  
44

45 Councilors and Administrator Selig discussed how that would work and what future  
46 financial policies are needed and need to be changed to guide the Council.

1 Chair Friedman said it's been a good discussion on Goal No. 3 and encouraged  
2 discussion about consolidating goals, removing ones that are just reiterating the town's  
3 responsibility or already decided projects, and incorporating Mr. Daly's comments into a  
4 new draft to be discussed at the next Council meeting. Administrator Selig said he'll  
5 include Councilor Lehrman's suggestion on stating the purpose of the goals, and how  
6 they're not meant to be a pass/fail exam, just direction to take. Councilor Lehrman said  
7 there is a broader discussion about the desire to create some more measurable aspect of  
8 the goals, which helps to actually anticipate what the town wants to achieve.

9  
10 Administrator Selig thanked the Councilors for a very useful discussion.

11  
12 **XIV. Councilor and Town Administrator Roundtable**  
13 **Planning Board**

14 Councilors discussed the Planning Board's action on the building height limit ordinance  
15 and why it proceeded as it did in sending the zoning change back to the Council before  
16 the architectural standards are completed. Councilor Grant said the board decided to  
17 move things along by getting the zoning change back to the Council and then follow up  
18 with the standards that will determine the setbacks required. The board representatives on  
19 the Council thought the public was happy with it when its Public Hearing was over.

20  
21 Councilor Grant said there was a lot of dialogue about 74 Main St., and the Aroma Joe's  
22 building. Councilor Lawson said it sounds like a great process, but he is confused about  
23 the timing. He feels the public feedback about the zoning change will be influenced by  
24 the architectural standards, and that the town can't move forward until those standards are  
25 finalized and adopted by the Planning Board. He feels it would be a disservice to  
26 residents and the Public Hearing needs to be delayed a meeting so they can be synced up.

27  
28 Planning Board Chair Paul Rasmussen said the standards would be on the books by the  
29 Public Hearing, but Lawson didn't feel five days would be enough for the public to digest  
30 them and respond at the Public Hearing. All agreed if the Planning Board wanted to make  
31 changes to the zoning amendment, it would have to hold another Public Hearing.

32  
33 Chair Friedman noted there was a sizable lawsuit between 72 and 74 Main Street and  
34 Ballard Street was a big part of that, and it settled over the fact that the street exists and  
35 may exist in the future someday. He pointed out Aroma Joe's fronts on Ballard Street  
36 with a sliver of Aroma Joe's lot sitting on Main Street. Councilors discussed how the  
37 setback might apply there, other language in the ordinance, and that it shouldn't go to a  
38 First Reading until the Planning Board has figured this out.

39  
40 Administrator Selig said he has met with Ryan Companies on the 66 Main St., property  
41 and they are close to a letter of intent on that parcel. He said that he just wants the public  
42 to know, but this doesn't create any urgency on the zoning there. He said the project at  
43 this point is looking at non-student workforce-focused housing.

44  
45 ***Councilor Register MOVED to extend the meeting to 10:45 p.m. Councilor Welch***  
46 ***SECONDED the motion. The motion PASSED on a unanimous roll call vote of 8-0.***

1 Councilor Grant also reported Torrington Companies' request to convert the former  
2 Orion building on Main Street to apartments moved forward and will go before the ZBA.  
3 They are proposing one five-bedroom apartment or two two-bedroom apartments.  
4

5 **Councilor Friedrichs**

6 Ze said next Wednesday, May 13 at 7 p.m., at the Planning Board Workshop, there will  
7 be a presentation by UNH Capstone students about how lighting affects wildlife and how  
8 cities and towns in Europe are changing their lighting strategies to address concerns  
9 about declining biodiversity. Eighty percent of the world's population lives in light-  
10 polluted areas, ze said.

11  
12 **Councilor Friedrichs - Durham Business Association**

13 Ze said there will be a Durham Business Association meeting on May 13.  
14

15 **Chair Friedman - Parks and Recreation Committee**

16 He said the committee meeting on April 28 was cancelled. Next meeting is May 26 and  
17 will elect a new chair and vice chair. The committee is still looking for a regular member  
18 and three alternates. The rink report will be presented.  
19

20 **Chair Friedman - Tri Region Economic Development Stakeholders**

21 He said the group met April 28 and did a roundtable of communities reporting.  
22

23 **Councilor Friedman - Durham Business Association**

24 He said the DBA will meet on May 13.  
25

26 **Chair Friedman - Economic Development Strategy Committee**

27 He said the committee held its second to last meeting, refining goals. It will next meet  
28 May 29 and it's expected the 2026-2030 goals will be published as a guideline.  
29

30 **Councilor Lawson**

31 He said he completed the parking survey. He said 2,200 data elements were recorded and  
32 he thanked the parking enforcement staff and Sandra Herbert, the former head of parking  
33 enforcement who was back in town, for volunteering. He said he's working with the data  
34 now and said some of it is very interesting. He will compile a written report for the  
35 Council and, if desired, will present it at a Council meeting.  
36

37 **Councilor Lawson - Energy Committee**

38 He said the committee will meet on May 5 and will talk about the C-PACER program.  
39 He said he thought the program was more manageable than he thought it would be. He  
40 said he thought they negated the risks and that it might be of interest to developers  
41 considering building in Durham.  
42

43 **Councilor Welsh - Historic District and Heritage Commission**

44 He said it hasn't met since last meeting and will meet on May 7 at 7 p.m..  
45

46 **Councilor Register - Oyster River School Board**

1 He said it hadn't met since last Council meeting. Teacher Workshop is on May 22 and  
2 the last day of school is June 16. Next meeting is May 6 at 7 p.m. in the Moharimet  
3 cafeteria.  
4

5 **Councilor Register - Integrated Waste Management Committee**

6 He said the committee last met on April 15. He said the Durham Sustainability E-  
7 Newsletter's first edition is pending. People can sign up through the Friday Update or on  
8 the IWMAC website. He said it is a collaborative effort by all departments and  
9 encouraged residents to subscribe. At the meeting, IWMAC and DPW met with Casella  
10 to talk through the trash collection transition. Co-mingled recyclables and paper can be  
11 mixed together in the same container and will be picked up every two weeks. Residents  
12 must use the containers issued by Casella. They talked about placement of containers,  
13 which will be emptied by an automated arm, and containers have to be out by 7 a.m. He  
14 reminded residents to get burn permits online for \$5. He said Scout Troop 154 will be  
15 picking up trash around town this Saturday, May 9, from 10 a.m. to 2 p.m.  
16

17 **Councilor Register - Strafford Regional Planning Commission**

18 The commission met and identified a significant gap between services and workers on  
19 childcare, and made four recommendations: using zoning to increase home-based  
20 childcare; improving access to start-up capital; training more providers, and creating a  
21 resource guide. It said the cost of transportation such as buses is continuing to rise. They  
22 next meet May 15. There is an updated snapshot profile of Durham on its website.  
23

24 **Councilor Register**

25 May 8 is a Blood Drive at the Durham Evangelical Church and donors register in  
26 advance. June 6 is a run to benefit End 68 Hours of Hunger at the Whittemore Center  
27 from 10 a.m. to 2 p.m. He said he is grateful for the amount of diligent effort and thought  
28 by residents that is going into the discussion of the Council's goals and budget concerns,  
29 the feedback they are giving the town and to see that residents are paying attention.  
30

31 **Councilor Gooze**

32 He relayed responses he's received from residents of neighborhoods about student  
33 behavior and noise, and hopes the Planning Board will seriously take up the owner-  
34 occupied requirement for ADUs. He said he is going to invite the deputy police chief to  
35 meet with residents experiencing this. He said it's changed from nighttime parties to  
36 daytime day drinking by students, which isn't addressed in the town's noise ordinance.  
37 He said he knows the owner-occupied requirement won't cure this, but it would help.  
38

39 **Administrator Selig**

40 He announced UNH graduation is May 16.  
41

42 He said the working concept for charging for parking at Wagon Hill Farm is to recognize  
43 Durham, Lee and Madbury resident stickers as part of the program and to require the use  
44 of the Park Mobile app for those who live elsewhere. He said the police department is  
45 developing an ordinance and deciding on the pricing of parking to bring to Council.  
46

1 He said it was a very busy weekend for Durham police in off-campus student activity  
2 with loud parties, trash and challenging behavior on Madbury Road, Mill Road and  
3 around the downtown. He said police were adequately staffed with almost all officers  
4 working on Derby Day. He said there were also NH state troopers and Strafford County  
5 Sheriff officers assisting. He said staff didn't think Cinco de Mayo on May 5 would be an  
6 abnormal day and is hoping it won't be, and there will be officers on duty.

7  
8 He said DCAT coordinator Craig Stevens will fully retire on June 25. This presents a  
9 challenge because the town only budgeted it as a part-time position and he's looking at  
10 how to address this. Councilor Friedrichs asked if there is an opportunity to combine the  
11 function with another town. He said it's unlikely, but it's not off the table.

12  
13 He said longtime Town Planner Michael Behrendt will be retiring at the end of  
14 November. He said he has asked the Planning Board, the Conservation Commission, and  
15 the Heritage and Historic District Commission for a representative for the search  
16 committee and Councilors Friedrichs, Grant and Lehrman will serve on it.

17  
18 The Business Manager selection process applications were due May 4. Thirteen applied  
19 and he will bring a slate in for initial vetting soon.

20  
21 The C-PACER program forum, which he attended with Councilor Lawson, was very  
22 helpful and its use is under discussion.

23  
24 Planning for the Durham Farmers' Market will take place this week at M&T Bank.

25  
26 The town anticipated it might lose the \$1.3 million in NOAA funding for the Mill Pond  
27 Dam removal so the Council approved \$900,000 in CIP funding for 2026. He said the  
28 town hoped it could save that money, but it is there to use. He said he has not received a  
29 formal letter from NOAA saying the town is not getting the money and that it was just a  
30 phone conversation so he is following up with Senate Shaheen's office to have them  
31 contact NOAA for confirmation.

32  
33 **XV. New Business**

- 34 A. **First Reading on Ordinance #2026-05** Amending Chapter 175, "Zoning," Article II,  
35 "Definitions," Article XII, "Base Zoning Districts," Section 175-42, "Central Business-1  
36 District and Central Business-2 District," Article XII.1, "Use and Dimensional  
37 Standards," Section 175-53, "Table of Land Uses," and Section 175-54, "Table of  
38 Dimensional Standards, of the Town Code to increase the height limit in a section of the  
39 Central Business-1 District to 5 stories and 60 feet, to limit the amount of required  
40 office/retail to a depth of 50 feet, to allow first floor structured parking behind  
41 office/retail uses, and to change several definitions. The Public Hearing can be set for  
42 Monday, May 18, 2026.

43  
44 Chair Friedman opened discussion about whether to proceed with the First Reading.  
45 Councilor Welsh said he thought the Council should wait until the architecture standards  
46 are finalized. He said developers are already uncertain what they will be allowed to do

1 when they're considering a project in Durham and so residents have a chance to read and  
2 consider the changes to the standards before attending a Public Hearing. He said it is a  
3 good process for the future when trying to change a zoning ordinance, that the town  
4 simultaneously changes and presents the corresponding architectural standards.

5  
6 Chair Friedman said there is enough of an issue at 72 and 74 Main St., that the Council  
7 would just be handling this again in the future so it should put it off until the Planning  
8 Board finishes what it's doing with the ordinance and architectural standards.

9  
10 **B. Continued Discussion regarding Council Appointments to Boards/**

11 **Commissions/Committees.** (This was originally Item 12-D on the April 6, 2026 Council  
12 meeting agenda, which was moved to this meeting because of time constraints.)  
13 Councilors discussed who would be the Council liaisons on several committees in the  
14 wake of the filling of the Council vacancy. It was decided Councilor Friedrichs would  
15 continue on the Cemetery Committee and be the Council's rep to the Durham Business  
16 Association; Councilor Gooze will be the Council liaison to the Agricultural Commission  
17 and the Human Rights Commission; Councilor Register will be Council liaison on the  
18 Land Stewardship Subcommittee and the Council representative to the Town Gown  
19 Collaborative; and Councilor Lawson will be the Council liaison on the Energy  
20 Committee.

21  
22 *Councilor Register MOVED to approve the slate of appointments. Councilor*  
23 *Friedrichs SECONDED the motion. The motion PASSED on a unanimous roll call*  
24 *vote of 8-0.*

25  
26 **XVI. Nonpublic Session (if required) - Not needed**

27  
28 **XVII. Adjourn (NLT 10:30 PM)**

29  
30 *Councilor Register MOVED to adjourn the meeting. Councilor Grant SECONDED*  
31 *the motion. The motion PASSED on a unanimous show of hands vote 8-0.*

32  
33 The meeting was adjourned at 10:57 p.m.

34  
35 - Jane Murphy, Minutes Taker