



TOWN OF DURHAM

8 Newmarket Road
Durham, NH 03824
Tel: 603-868-5571
Fax: 603-868-1858
www.ci.durham.nh.us

NOTICE: Although members of the Town Council will be meeting in the Council chambers, the Council meetings are still available for members of the public to participate via Zoom or in-person.

AGENDA

DURHAM TOWN COUNCIL
MONDAY, MARCH 7, 2022
DURHAM TOWN HALL – COUNCIL CHAMBERS
7:00 PM

NOTE: *The Town of Durham requires 48 hours notice if special communication aids are needed.*

- I. Call to Order
- II. Town Council grants permission for fewer than a majority of Councilors to participate remotely
- III. Roll Call of Members. Those members participating remotely state why it is not reasonably practical for them to attend the meeting in person
- IV. Approval of Agenda
- V. Special Announcements – None
- VI. Public Comments (*) – **Please state your name and address before speaking**
- VII. Approval of Minutes – February 7, 2022
- VIII. Councilor and Town Administrator Roundtable
- VIX. Report from the UNH Student Senate External Affairs Chair or Designee
- X. Unanimous Consent Agenda (*Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote*)
 - A. RESOLUTION #2022-03 recognizing outgoing elected officials for their dedicated services to the Town of Durham

- B. Shall the Town Council, upon recommendation of the Administrator, award the 2022 Road and Sidewalk Program to Continental Paving Inc. of Londonderry, NH in the amount of \$695,148 and authorize the Administrator to sign the associated contract?

XI. Committee Appointments

Shall the Town Council, upon recommendation of the Administrator and Durham Energy Committee, appoint Durham Resident Amanda (Mandy) Merrill to replace DEC Chair Nat Balch as Durham's primary representative to the Community Power Coalition of New Hampshire (CPC-NH) and appoint Mr. Balch to replace Administrator Selig as Durham's alternate representative to the Coalition?

XII. Presentation Items - None

XIII. Unfinished Business

XIV. New Business
Other Business

XV. Nonpublic Session (if required)

XVI. Extended Councilor and Town Administrator Roundtable (if required)

XVII. Adjourn (NLT 10:30 PM)

() The public comment portion of the Council meeting is to allow members of the public to address matters of public concern regarding town government for up to 5 minutes. Obscene, violent, disruptive, disorderly comments, or those likely to induce violence, disruption or disorder are not permitted and will not be tolerated. Complaints regarding Town staff should be directed to the Administrator.*



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AGENDA ITEM: **# 7**
DATE: **March 7, 2022**

COUNCIL COMMUNICATION

INITIATED BY: Durham Town Council

AGENDA ITEM: APPROVE THE TOWN COUNCIL MEETING MINUTES FOR MONDAY, FEBRUARY 7, 2022

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

Attached for the Council's review and approval are the minutes for the Town Council meeting held on Monday, February 7, 2022. Please call or email Jennie Berry with any grammatical/spelling changes prior to the meeting. Discussion at Monday evening's meeting should be limited only to substantive changes.

LEGAL AUTHORITY:

RSA 91-A:2 (II) specifies what must be contained in minutes of public meetings:
"Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection not more than 5 business days after the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any body or agency, or any subordinate body thereof, without exception."

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby approve the Town Council meeting minutes for Monday, February 7, 2022 (as presented/as amended).



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AGENDA ITEM:

10A

DATE: March 7, 2022

COUNCIL COMMUNICATION

INITIATED BY:

Durham Town Council

AGENDA ITEM:

**RESOLUTION #2022-03 RECOGNIZING OUTGOING ELECTED
OFFICIALS FOR THEIR SERVICES TO THE TOWN OF DURHAM**

PREPARED BY:

Jennie Berry, Administrative Assistant

PRESENTED BY:

Durham Town Council

AGENDA DESCRIPTION:

Attached is Resolution #2022-03 recognizing the services of Durham's elected officials whose terms will expire March 2022.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby adopt Resolution #2022-03 recognizing the elected officials listed below for their dedicated services and hard work on behalf of the Town.

<u>Elected Office</u>	<u>Name</u>	<u>Term</u>
Durham Town Council:	Andrew Corrow	Oct 18, 2021 - Mar 2022
	Allan Howland	Mar 2019 - Mar 2022
	Dinny Waters	Mar 2019 - Mar 2022

Library Board of Trustees:	Charlotte Ramsay	Mar 2019 – Mar 2022
	Andrew Sharp	Mar 2019 – Mar 2022
	Erik Waddell	Mar 2019 – Mar 2022
	Karen Damtoft, <i>Alt.</i>	Apr 2021 – Mar 2022
	Lai Lai Jenkins, <i>Alt.</i>	Apr 2021 – Mar 2022
Moderator	Christopher T. Regan	Mar 2020 – Mar 2022
Supervisors of the Checklist	Deborah Hirsch Mayer	Mar 2016 – Mar 2022
Trustees of Trust Funds	Craig Seymour	Mar 2019 – Mar 2022

RESOLUTION #2022-03 OF DURHAM, NEW HAMPSHIRE

RECOGNIZING OUTGOING ELECTED OFFICIALS FOR THEIR DEDICATED SERVICES TO THE TOWN OF DURHAM

WHEREAS, the Town of Durham is fortunate to have a number of highly dedicated and civic-minded citizens who have served as elected officials and whose terms will shortly expire; and

WHEREAS, each of these public servants devoted many countless hours toward enacting changes for the betterment and enrichment of the Durham community; and

WHEREAS, the Durham Town Council wishes to recognize these citizens for their contributions while serving in these various capacities,

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire, does hereby adopt **Resolution #2022-03** expressing its appreciation to and recognizing the following Durham elected officials for their dedication, hard work, and commitment on behalf of the Town of Durham.

<u>Elected Office</u>	<u>Name</u>	<u>Term</u>
Durham Town Council:	Andrew Corrow	Oct 18, 2021 – Mar 2022
	Allan Howland	Mar 2019 – Mar 2022
	Dinny Waters	Mar 2019 – Mar 2022
Library Board of Trustees:	Charlotte Ramsay	Mar 2019 – Mar 2022
	Andrew Sharp	Mar 2019 – Mar 2022
	Erik Waddell	Mar 2019 – Mar 2022
	Karen Damtoft, <i>Alt.</i>	Apr 2021 – Mar 2022
	Lai Lai Jenkins, <i>Alt.</i>	Apr 2021 – Mar 2022
Moderator	Christopher T. Regan	Mar 2020 – Mar 2022
Supervisors of the Checklist	Deborah Hirsch Mayer	Mar 2016 – Mar 2022
Trustees of Trust Funds	Craig Seymour	Mar 2019 – Mar 2022

PASSED AND ADOPTED on this 7th day of March, 2022 by a majority vote of the Durham Town Council with ____ voting in favor, ____ opposing, and ____ abstaining.

Katherine Marple, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk-Tax Collector



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AGENDA ITEM: # 10B

DATE: March 7, 2022

COUNCIL COMMUNICATION

INITIATED BY: Durham Public Works

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AWARD THE 2022 ROAD AND SIDEWALK PROGRAM TO CONTINENTAL PAVING INC. OF LONDONDERRY, NH IN THE AMOUNT OF \$695,148 AND AUTHORIZE THE ADMINISTRATOR TO SIGN THE ASSOCIATED CONTRACT?

CC PREPARED BY: Richard Reine M.S.C.E., CA, Public Works Director
April Talon, P.E. Town Engineer
Sam Hewitt, Assistant Public Works Director

PRESENTED BY: Richard Reine, M.S.C.E., CA, Public Works Director

AGENDA DESCRIPTION:

Roadways

The Town of Durham Public Works Department has developed the proposed 2022 Road and Sidewalk Program and corresponding contract amendment with Continental Paving. The program consists of roadway reclamation, milling and paving of approximately 1.51 miles of roadway on Town owned roads including, Wednesday Hill Road, Mast Road, Timberbrook Lane, Pendexter Road and Back River Road and reconstructing concrete sidewalks on Newmarket Road and Main Street. The program also includes crack sealing pavement preservation activities along sections of Durham Point Road and Pettee Brook Lane/Main Street. The attached exhibit titled "2022 Road and Sidewalk Program Overview" provides an overview of the proposed construction improvements. Please note this scope is subject to modification to ensure the overall project budget is not exceeded.

Consistent with prior years, the Town of Durham has included planned pavement improvements for roadways owned and maintained within the University of New Hampshire (UNH) campus as a part of this proposed contract award. These roadways include both North Drive and Sage Way, each of which will receive an overlay treatment. The value of this work is contained within the Town's capital improvement

plan and funded by the University and estimated at a cost of \$112,000. This work will be funded entirely by the University.

Work is scheduled to commence in a mid to late spring timeframe, as weather and conditions allow. Durham Public Works has completed early morning neighborhood meetings during the week of February 7th at which time, following invitations to project abutters, the Director, Assistant Director, Town Engineer and Operations Manager visited each of the locations to meet with residents to discuss the project and respond to any questions or concerns.

Continental Paving has provided roadway and sidewalk paving services to the Town of Durham for the past 11 years and has consistently performed in an outstanding manner while providing extremely competitive pricing and the highest level of workmanship, project coordination and materials. Continental has agreed to hold their very competitive 2021 base price of \$74.50/ton for hot mix asphalt for the 2022 Road Program contract, with an increase of \$2.90 per ton reflecting the increase in liquid asphalt. Most notably, Continental has agreed to enter into this contract without including an asphalt escalator, which further reduces the Town's financial risk, especially at a time when fuel prices are projected to increase dramatically. After a thorough evaluation and discussion with the Town Administrator, for the reasons stated, the Department and Town Administrator recommend executing this contract amendment with Continental Paving for the 2022 program and have determined it is in the best interests of the Town of Durham.

Following identification of the candidate roads noted above, Durham Public Works completed a subsurface exploration program and subsequent geotechnical engineering evaluation of these existing bituminous asphalt roadways. The purpose of the subsurface exploration program was to:

- Assess the nature, consistency and relative density of the soils encountered at the site.
- Provide soil samples for visual classification and perform standard penetration testing.
- Assess the thickness and conditions of the existing pavement structure and subgrade soils encountered at the test boring locations.
- Assess the thickness and condition of the existing asphalt pavements.
- Assess the depth to groundwater, if encountered.

Based on these explorations, it was found that the pavement distresses observed on each of the roadways evaluated can be attributed to multiple factors including, varying degrees of insufficient roadway base course and sub-base course thicknesses along

with the presence of clayey silt subgrade and seasonal weakening of that subgrade. It was evident from the investigation that the existing asphalt pavements in the test areas are exhibiting symptoms of minor to very-severe distresses resulting from a combination of thermal and age-related shrinkage and subgrade fatigue. The recommended treatment for each of these roads is a reclaim and pave. Reclamation is the process of pulverizing and blending layers of asphalt and existing road base material in place on the roadway in order to provide an adequate base and consistent material upon which to place and support a new surface of asphalt.



Mast Road - Very Severe Alligator Cracking
Raveling and Shoulder Loss



Mast Road - Very Severe Alligator Cracking
and Rutting, indicating Base Failure

In addition, due to the extremely poor-quality of the base materials encountered in certain areas on Pendexter Road and Mast Road which is evident by pavement failures, Durham Public Works intends on using public works forces to improve the existing gravels in targeted areas by excavating unsuitable base materials and replacing with specified roadway gravels. Furthermore, adjustments in pavement width of a section of Pendexter Road, from the intersection of Madbury Road, extending easterly approximately 550 feet, are planned in an effort to develop a uniform roadway width, enhance traffic calming by narrowing the roadway and to improve stormwater quality by reducing impervious areas. The current width of 33+ feet is inconsistent with the recommended pavement width, based on traffic volumes, and will be reduced to 28 feet (*11-foot travel lanes*) with 3-foot paved shoulders.



Pendexter Road – Construct 28' Wide Consistent Width Roadway – 11-foot travel lanes with 3-foot Paved Shoulders



Pendexter Road at Madbury Road - Localized Rutting and Alligator Cracking



Wednesday Hill Road – Very Severe Cracking and Rutting Near Boring No. B13



Timber Lane Road - Severe Alligator Cracking and Minor Rutting Near Boring No. B16

Back River Road, from the intersection of Route 4 to the Madbury town line, is a roadway which will receive a Mill and Overlay treatment. The process of milling and installing a pavement wearing course also known as a "mill and fill" includes the removal of the existing surface layer or wearing course of a pavement cross section with a milling machine and the replacement of the milled location with approximately 1.5" of new asphalt. This targeted maintenance approach will extend the overall longevity of the roadway until such time the entire roadway becomes a candidate for reclamation and paving. Also included in the 2022 Road Program is a targeted mill and pave

program consisting of approximately 2,000 square yards of repair on Durham Point Road.



Back River Road - Alligator Cracking and Longitudinal Cracking

Sidewalks

Durham Public Works has also developed the 2022 Sidewalk Reconstruction Plan approved within the 2022 Capital Plan. The plan addresses sections of deteriorated concrete sidewalks with brick edging in multiple phases of construction. Phases I and II are planned for construction improvements in 2022 and include the sidewalks on Route 108 from School House Lane, extending past the Old Court House to 12 Dover Road. Also included are sidewalks from Bayview Road to Park Court. The sidewalks currently have non-compliant accessible ramps, areas of failed and overturned curbing, dislodged bricks with upheaved and deteriorated concrete panels. The project will remove the existing concrete and brick banded sidewalks and replace with new concrete panels eliminating the failed brick banding.



Main Street and Newmarket Road – Phase I and II Sidewalk Reconstruction

Continental Paving has provided a unit price proposal to complete this work inclusive of traffic control, installation of 4" of 5-foot-wide concrete walks with reinforcing mesh, ADA ramps with detectable warning plates, crushed stone and curbing for a total of \$106,791, included within the proposed contract total above.

Public Works Staff, the Business Office and the Town Administrator recommend awarding the 2022 Road Resurfacing contract to Continental Paving Inc. of Londonderry, NH in a total amount of \$695,148.00, inclusive of both Town and UNH Roadways and Town sidewalks . As noted, Continental Paving has successfully completed several paving programs for the Town over the past 15 years including the last 11 annual road program contracts.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

ACCOUNT	TITLE	BUDGETED	EXPENSED/ ENCUMBERED TO DATE	BALANCE	REQUESTED
07-2081-801-36-000	2022 Road Program	\$450,000	\$4,650	\$445,350	\$445,350
07-2183-801-36-000	2021 Road Program	\$435,000	\$351,416	\$68,444	\$31,007
07-2283-801-36-000	2022 UNH Road Program	\$112,000	\$0	\$112,000	\$112,000
07-1982-801-36-000	2019 Sidewalk Program	\$90,500	\$39,709	\$50,791	\$50,791
07-2182-801-36-000	2021 Sidewalk Program	\$36,000.00	\$0	\$36,000.00	\$36,000.00
07-2282-801-36-000	2022 Sidewalk Program	\$20,000	\$0	\$20,000	\$20,000
TOTAL					\$695,148

SUGGESTED ACTION OR RECOMMENDATIONS:

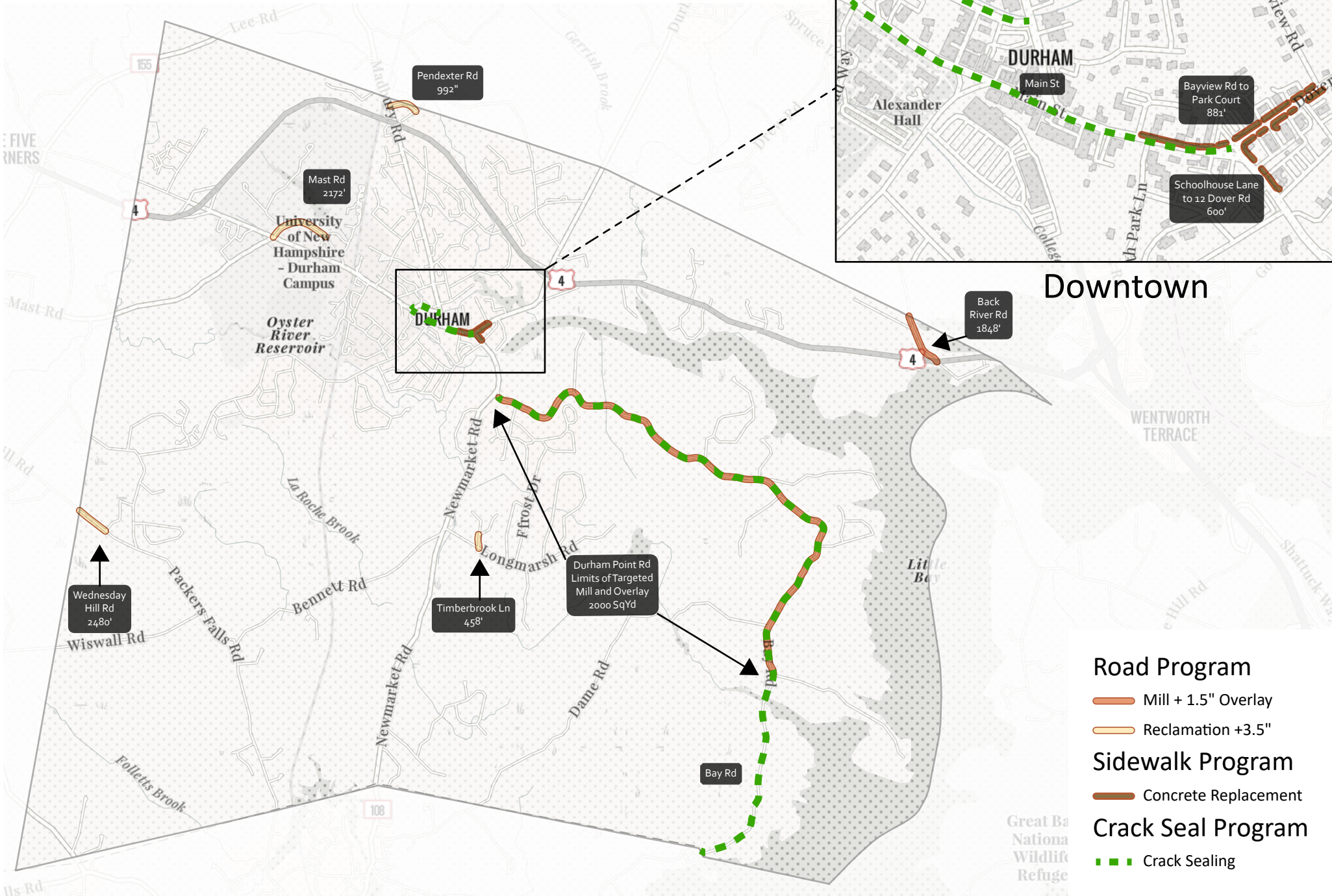
MOTION:

The Durham Town Council does hereby, upon recommendation from the Administrator, award the 2022 Road Program totaling \$695,148 to Continental Paving, Inc. of Londonderry, NH and authorizes the Administrator to sign said contract.



Durham Public Works

2022 Road and Sidewalk Program Overview





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AGENDA ITEM: # 11
DATE: March 7, 2022

COUNCIL COMMUNICATION

INITIATED BY: Durham Energy Committee

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR AND DURHAM ENERGY COMMITTEE, APPOINT DURHAM RESIDENT AMANDA (MANDY) MERRILL TO REPLACE DEC CHAIR NAT BALCH AS DURHAM'S PRIMARY REPRESENTATIVE TO THE COMMUNITY POWER COALITION OF NEW HAMPSHIRE (CPC-NH) AND APPOINT MR. BALCH TO REPLACE ADMINISTRATOR SELIG AS DURHAM'S ALTERNATE REPRESENTATIVE TO THE COALITION?

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Durham Energy Committee
Todd I. Selig, Administrator

AGENDA DESCRIPTION:

In January 2020, Durham joined the Global Covenant of Mayors, where the community pledged to reduce greenhouse gas emissions, prepare for the impacts of climate change, increase access to sustainable energy, and track progress towards these objectives. Since then, Durham has been working diligently to meet the deliverables for this commitment.

In the summer of 2021, a Community-Wide Greenhouse Gas Inventory was completed through the joint efforts of UNH Sustainability Fellows Emily Mello and Cathy Fletcher. This inventory measured greenhouse gas emissions and removals occurring within Durham. Results from this inventory found that the largest sources of greenhouse gas emissions came from transportation (47%) and the built environment (45%), and the largest sources of greenhouse gas removals came from forests and reforestation (80%) and trees outside forests maintaining or gaining their canopy (20%). This inventory also found that carbon dioxide removals from Durham's forests and trees are equivalent to approximately 34% of Durham's emissions. This inventory will be used to develop emissions reduction targets and strategies in Durham.

At the September 27, 2021 Town Council meeting, upon request of the Administrator and Durham Energy Committee, the Council voted to authorize the Town of Durham to join the Community Power Coalition of New Hampshire (CPC-

Re: Appt. Mandy Merrill as Durham's Primary Rep. to CPC-NH & Nat Balch as Alternate Rep.

NH) and authorized Administrator Todd Selig to sign the Joint Powers Agreement of the Community Power Coalition of New Hampshire, thereby allowing Durham to provide electricity from renewable energy sources, rather than traditional fossil fuel sources, which will help Durham reduce emissions.

In addition to the above action, the Town Council also voted to appoint Durham Energy Committee Chair Nat Balch as Durham's primary representative and Administrator Todd Selig as its alternative representative to the Community Power Coalition of New Hampshire.

Durham resident Amanda (Mandy) Merrill has expressed an interest in serving on the CPC-NH. Chair Balch and Administrator Selig are recommending that the Town Council appoint Mandy as Durham's primary representative to the Coalition to replace him and to appoint him as the alternate representative to replace Administrator Selig.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby, upon recommendation of the Administrator and Durham Energy Committee, APPOINT Durham resident Amanda (Mandy) Merrill to replace DEC Chair Nat Balch as Durham's primary representative to the CPC-NH and APPOINT Mr. Balch to replace Administrator Todd Selig as Durham's alternative representative to CPC-NH.

Amanda Merrill
8 Meadow Rd.
Durham NH
603-969-9900 mandymerrill60@gmail.com

Legislative experience

Member, New Hampshire House of Representatives (1988-98; 2013; Deputy Minority Leader, 1997-98)
Member, New Hampshire Senate (2008-2012)
Policy Staff, New Hampshire House Majority Office (2007-08; working with energy- and environment-related committees)

Successful energy-related legislation :

Requiring electric utilities to submit biennial least cost integrated resource plans to the Public Utilities Commission. PUC to evaluate plans based on a set of priorities favoring demand-side management and renewable energy sources. (lead sponsor)

Establishing a procedure for the State and municipalities to enter into energy performance contracts. (lead sponsor)

Establishing a state auto emissions testing program. (lead minority party co-sponsor)

Requiring electric suppliers to disclose the sources (and %) of supply and their environmental characteristics. (lead sponsor)

Updating and improving the makeup and procedures of the Site Evaluation Committee. (chair of legislators/stakeholders task force on legislation)

Executive branch experience

Member, Governor-Elect Maggie Hassan's five-member energy and environment transition team (December 2012)

Director, New Hampshire Office of Energy and Planning (June 2016- January 2017)

Education

University of New Hampshire, B.A., Psychology
Dartmouth College, Ph.D., Experimental Psychology