



# TOWN OF DURHAM

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Durham, NH 03824  
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[www.ci.durham.nh.us](http://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, JULY 17, 2023

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. Report from the UNH Student Senate External Affairs Chair or Designee
- VIII. **Unanimous Consent Agenda** *(Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote)*
  - A. Administrator's Progress Report (as of June 30, 2023) on the list of approved 2022/2023 Town Council Goals adopted on May 15, 2023.
  - B. Shall the Town Council approve the 3<sup>rd</sup> 2023 Warrant for Water and Sewer Totaling \$706,599.92, commit the bills for charges to the Tax Collector for collection and authorize the Acting Administrator to sign said Warrant?
  - C. Shall the Town Council, Upon Recommendation of the Acting Administrator, Approve a Special Event Permit Application Submitted by Catherine Pease to close certain sections of Town Roads for University Day to be held on Thursday, September 7, 2023 with a rain date of Thursday, September 14, 2023?

- D. Shall the Town Council adopt Resolution 2023-19 recognizing traditional Indigenous Foraging Rights on Town of Durham public lands?
- E. Shall the Town Council, upon the recommendation of the Acting Administrator and the Chief of Police, authorize the purchase and installation of thirteen Flowbird CWT parking kiosks with an amount not to exceed \$102,876 to be paid from Capital account 07-2316-566-36-00 and an amount not to exceed \$8,573 from Depot Road Lot account 08-4000-866-96-000?
- F. Shall the Town Council Schedule a Public Hearing for Monday, August 14, 2023 on Resolution #2023-20 to:
  - 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Four Hundred Twenty-Four Thousand, Two Hundred and Fifty Dollars (\$424,250) Within the Approved FY 2023 Capital Fund Budget (With \$424,250 to Come From a Clean Water State Revolving Fund loan , of Which \$42,425 of Loan Principal Forgiveness to be Forgiven) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project?
  - 2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$424,250 in Long-term Bonds or Notes in Accordance With the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Brook at Edgewood Road Culvert Project?
  - 3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Amendment Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Brook at Edgewood Road Culvert Project?

**IX. Committee Appointments**

- A. Shall the Town Council, Upon Recommendation of the Trustees of the Trust Fund Chair, appoint Alberto B. Manalo, 11 Sumac Lane, to fill an Alternate Member vacancy on the Trustees of the Trust Fund with a term expiration of March 2024?
- B. Shall the Town Council, Upon Recommendation of the Zoning Board Chair, move Leslie Schwartz, 24 Laurel Lane, from a Regular Membership to an unexpired Alternate Member vacancy on the Zoning Board with a term expiration of April 2024?
- C. Shall the Town Council, upon recommendation of the Zoning Board Chair, appoint Kevin Lemieux, 11 Bartlett Road, to fill an unexpired regular member vacancy on the Zoning Board with a term expiration of April 2024?
- D. Shall the Town Council, upon recommendation of the Integrated Waste Management Advisory Committee Chair, appoint Mike Pazdon, 163 Dame Road, to fill a regular member vacancy on the Integrated Waste Management Advisory Committee with no term expiration?

**X. Presentation Items**

- A. Presentation by Gail Jablonski, Business Manager on the Quarterly Financial Report for Period Ending June 30, 2023.

- B. Presentation by Jim Rice, Town Assessor, on Proposed Changes to Income, Asset, and Exemption Thresholds for Blind, Disabled and Elderly Exemptions. Authorize Town Assessor to create Ordinance 2023-XX amending Chapter 132, Tax Exemptions & Credits, of the Town Code with the proposed changes and schedule a First Reading for August 14, 2023.

**XI. Unfinished Business**

**XII. Approval of Minutes - June 26, 2023**

**XIII. Councilor and Town Administrator Roundtable**

**XIV. New Business**

**XV. Nonpublic Session (if required)**

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

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

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*(\*) 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: **# 8A** *TS*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Todd I. Selig, Administrator

**AGENDA ITEM:** ADMINISTRATOR'S PROGRESS REPORT, AS OF JUNE 30, 2023, ON THE LIST OF APPROVED 2023/24 TOWN COUNCIL GOALS ADOPTED ON MAY 15, 2023

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**CC PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

On Monday, May 15, 2023, the Council adopted its goals for 2023/24. In order to measure the progress of the goals adopted by Council, the Administrator believes it is important to provide the Council with periodic status reports.

Attached for the Council's information is an updated progress report prepared by the Administrator which outlines the status of each of the goals as of June 30, 2023.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action is required. Receive progress report of the 2023/24 Town Council goals updated by the Administrator as of June 30, 2023, and provide direction, if needed.



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**2023-2024 Town Council Goals \***  
**(Approved May 15, 2023)**  
**Progress Report as of June 30, 2023**

***Mission***

To provide ongoing stewardship for the Durham community including effective and efficient municipal services.

**Core Values**

Excellence, Integrity, Justice, Resilience, Respect, Transparency

**Goals**

Note: These goals are intended to convey a **1- to 5-year** time horizon and assume but do not list all baseline activities.

- 1. Facilitate continued optimal functioning of Town government through continuous improvement, new efficiencies, waste reduction, and inter-agency collaboration.**
  - a. Take steps as necessary to ensure Durham's IT infrastructure remains secure from cybersecurity threats, technology obsolescence, and other challenges. [IT, Business Office, Administration]

**IT:** We continue to monitor and patch equipment throughout the Town automatically and in rare cases manually. Working on a formal Incident Response plan with our insurer, Primex. IT Manager Luke Vincent was able to attend the annual Primex Summit in which an IT focus was on Cybersecurity and included such activities as a simulated attack, a simulated press briefing, and a deep dive into threats members are currently facing. **Next Steps:** Explore ways to extend our logging capabilities, move toward an Identity and Access Management platform, Implement .gov address, implement multi-factor authentication, create training opportunities for IT staff and system users

- b. Research whether consistent municipal financial & permitting software across all departments is possible. [Business Office, PZA Office, Fire, Public Works]

**Business:** Working with IT on developing an RFP for software that meets the needs of the Town. **Next Steps:** Distribute RFP and review bids.

**DPW:** Attended Demo with City Works. Will coordinate further vendor demos **Next Steps:** Debrief with rest of team to determine project scope and Town needs

**Fire:** The Fire Department is moving forward with software to assist with a public facing portal to assist with housing standards ordinance inspections. **Next Steps:** Work with vendor to develop the interface.

- c. Evaluate updating procurement guidelines to determine whether increasing purchasing thresholds due to inflation & establishing exceptions for restoration/repairs of important historic properties to ensure proper historical workmanship would be appropriate. [Business Office, DPW]

**Business:** Review of purchasing policy ongoing. **Next Steps:** Recommend changes to include adjustments for inflation and a potential carve out for historic rehabilitation work.

**DPW:** Provided recommendations for possible updates to procurement limits for internal review/discussion.

- d. Complete update to the Fire Department's strategic plan by end of 2023. [Fire]

**Fire:** The consultant has met with the DFD leadership team to present findings and is final stages of revising the goals and objectives. **Next Steps:** Review findings and format the document into a final product for presentation.

- e. Complete facility improvements at Fire Department within newly occupied space by end of 2023. [Fire/UNH]

**Fire:** The existing fire station within the UNH General Services building has completed significant second floor renovations. First floor scope of work is still ongoing. Labor has been a significant challenge for the general contractor. This has created operational challenges for the department as well. **Next Steps:** Review work, completing punch list items, and continue with inspections and approvals as needed.

- f. Although unsuccessful in 2022, pursue Federal FEMA Assistance to Firefighters Grant in amount of \$515,480 for replacement of 2011 SCBA equipment in 2023/24. [Fire]

**Fire:** A 2023 request for a Federal FEMA Assistance to Firefighters Grant for replacement of 2011 SCBA equipment was submitted in February 2023. **Next Steps:** Awaiting grant review feedback and response.

- g. Evaluate potential opportunities for shared municipal services with surrounding communities and external entities as opportunities arise. [All Depts./Committees]

**Code Enf.** This would be possible but I don't see, right now, what the advantage to Durham would be.

**DPW:** Ongoing effort

**IT:** Looking to do combined trainings and tabletops with surrounding communities such as Rochester or Dover. We have become a direct participant in the MCDP program.

[<https://www.theatgroup.com/mcdp>]

- h. Completion of Land and Mobile Radio upgrade for public safety services [12/31/23] and emergency generator installation project for Durham's critical infrastructure [6/30/24]. [IT, Police, Fire, DPW, Administration]

**IT:** Progress continues toward completion on the project. A nesting bird has hampered antenna installation at Foss Farm tank as of June 1st. We are working coordination with Motorola and Stafford to align the completion of this project with the larger radio upgrade project throughout the county. **Next Steps:** antenna install, microwave link install, fiber install, Radio tune-up, baseline coverage collection, testing and launch, coverage comparison

**Fire:** Awaiting boots on the ground installation of LMR system components.

**DPW:** Support LMR Team including IT, Motorola and 2 Way as needed.

**Police:** In process. Providing support as needed.

- i. Ongoing compliance with Commission on Accreditation for Law Enforcement Agencies (CALEA) at Durham Police Department in preparation for 2025 reaccreditation process. [Police]

**Police:** In process. DPD is scheduled for the yearly CALEA inspection on July 7th, 2023. **Next Steps:** Participate with the assessor and provide all required documentation.

- j. Complete Comcast/Xfinity cable franchise renewal process. [IT/DCAT/Administration]

**Admin:** In process. Compliance survey, which was initial step in process, is now complete.

- k. Ensure optimal working environment for staff members. [Administration/Business Office]

**Admin:** Evaluating through collective bargaining process whether modifications are needed within contracts across divisions to attract and retain the modern workforce. Has included a re-visit of vacation accruals based on length of service, reimbursement for bona-fide educational expenses toward advanced degrees or certifications, wages, etc.

- l. Annual orientation for new Town Councilors [Administration – Completed 4/3/23]

**Admin:** Completed 4/3/23.

- m. Annual orientation for new board/committee officers in fall 2023 (if needed) [Administration]

**Admin:** Determined not needed as most officers are continuing from last year. To the extent useful, will provide one-on-one guidance to new chairpersons.

- n. Annual forum on Right-to-Know Law for committee members and Durham community scheduled for May 25, 2023. [Administration]

**Admin:** Completed May 25, 2023.

- o. Replacement of 2011 aerial bucket truck totaling \$135,000 in 2023. [DPW]

**DPW:** Received bids back from vendors **Next Steps:** Evaluating bids and available budget for planned approval request.

- p. Replacement of 1998 Landini sidewalk snow tractor totaling \$195,000 in 2023. [DPW]

**DPW:** Received bids back from vendors **Next Steps:** Council Communication for approval to purchase Completed and placed on 6/5 agenda.

- q. Replacement of 2008 International combination vacuum/jet rodder truck totaling \$520,000 in 2023. [DPW]

**DPW:** Completed and approved by Town Council - Order Placed with CN Wood.

## **2. Conduct planning and take steps as necessary to protect public health and safety and provide ongoing service continuity given the anticipated impacts of climate change, the post-pandemic era, and general operational challenges.**

- a. Continue to monitor and evaluate the reliability, capacity, and functionality of public water, wastewater, and stormwater services, and move ahead with associated capital initiatives as appropriate and work with the EPA and NHDES on swift enforcement for any violations that impact Durham/UNH infrastructure or resources. [DPW/Administration]

**DPW:** Several Capital Project on going including Emerson Road Watermain, Littlehale and Pettee Brook Culvert Improvements, Mill Pond Dam Removal and upstream UNH Dam Natural Fish Passage, MS4

permit requirements, Bennett Road Culvert, Madbury Road Complete Streets Project, etc. **Next Steps:** Continue to advance designs and construction improvements.

- b. Make changes to land use and other regulations as necessary to ensure local resilience associated with climate change in accordance with the recommendations of the Climate Action Plan. [Planning Board, Energy Committee, Conservation Commission, Agriculture Commission, Council, Administration]

**Admin:** Evaluation of wetland conservation overlay district is under way by DCC. First batch of changes approved by Town Council on June 5, 2023. Draft 2022 Multi-Hazard Mitigation Plan still under review by FEMA as of June 27, 2023. Bennett Road culvert replacement project grant application in process.

- c. Adopt the draft Climate Adaptation Chapter as an Administrative document if not adopted as part of the Master Plan by end of 2023. [Planning Board/Administration]

**Planning:** Public hearing continued to June 14, 2023 and adoption by the Planning Board on that date.

- d. As time allows, evaluate the cost/benefit of buying out the 2016 Power Purchase Agreement (PPA) relative to the 640 kW Oyster River Solar Array located at the Town's Packers Falls Road gravel pit. Estimated purchase price is \$850,000. [Energy Committee/Administration]

**Admin:** Town Councilor Joe Friedman has reviewed PPA and we have requested Clean Capital to provide a proposal/analysis to Durham as of June 12, 2023.

- e. Continue developing plans and commencing work for the rehabilitation of both the Old Town Hall/Courthouse and the Bickford-Chesley House at Wagon Hill Farm (new roof in 2023). [DPW, Working Group, Administration]

**DPW:** Masonry Work (repointing) for Old Court House to be completed by Richard Irons - quote received with award pending. Wagon Hill Farmhouse - Working with LCHIP working group for grant submittal.

**Next Steps:** Continue efforts as described

- f. Complete annual \$490,000 road resurfacing program (with an additional \$131,250 funded by UNH for University roadways) and \$84,500 sidewalk program focusing on Emerson Road, Durham Point Road, DPW Facility lot, Misc. locations during 2023 paving season. The 2023 sidewalk program focuses on the southern side of Main Street from approx. Smith Park Lane to Mill Pond Road including ADA tip downs, relocation of crosswalk in front of Town Hall, etc. [DPW, Historic District/Heritage Commission, Planning, Administration, Council]

**DPW:** Contract awarded to Continental Paving for 2023 Road and Sidewalk Program - Expect Mobilization during over the next 2 weeks in early July to begin work on sidewalk. Received permit from NHDOT for work in State ROW. Emerson Road work to be completed following water main installation over the next 5 weeks. **Next Steps:** Coordinate pre-construction meeting to include traffic management plan and inspection.

**Planning:** Nothing new on this from Planning

### **3. Pursue long-term economic strength and resiliency, anticipating the community's, the region's, and the nation's economic characteristics and opportunities.**

- a. Task the Administrator with meeting the following: a) Holding the updated (post-revaluation) municipal tax rate at the 2023 level or less. b) Continue to make an effort to control spending, enhance revenues, broaden the tax base, and explore innovative ways to stabilize or reduce the municipal tax rate. [Note, this item is part and parcel of adopted Council goal.]

**Admin:** Budget development process to begin in summer 2023.

- b. Work to secure meaningful external grant funding opportunities and successfully manage a rigorous web of required Federal, state, and third party financial and programmatic reporting.

**Admin:** Underway.

- c. Support as appropriate the efforts of local businesses, the Durham Business Association, and Celebrate Durham as they plan and host events and activities intended to maintain and enhance a vibrant downtown Durham. [Administration/Parks & Rec. Dept./DPW]

**DPW:** Coordinating with other Depts as needed. Providing support for events such as Durham Day

- d. Continue planning for the re-development of 66 Main Street beginning in spring 2024 or as circumstances dictate and consider adding the Town's Pettee Brook Parking Areas to the project. [Administration/Planning]

**Planning:** Nothing now. Our working group met in early-2023 and decided to revisit after UNH and Durham housing studies were completed and once impacts from the pandemic settled, perhaps next year. Hope to take up in the spring of 2024.

- e. Consider working with the General Services Administration for the possible redevelopment of U.S. Government properties in Durham. [Administration/Planning/Council]

**Planning:** Nothing for Planning. No action to date.

- f. Continue to work toward understanding, defining, and addressing downtown parking challenges in the post-Covid era to support local businesses, the diversification of downtown housing opportunities, and the expansion of the tax base. [Administration, Police, Code Office, Council, Planning Board]

**Code Enf.:** Continue enforcement of the unrelated maximum so that properties may over time become more attractive to resident homeowners.

**Police:** In process. We have been given approval to replace 1/3rd of the parking kiosks. The new kiosks will have updated software that will allow for pay and display and other technological improvements. Payment by App is also being explored and will be integrated over time with the new parking kiosks.

**Next Steps:** Order and installation of replacement kiosks, likely scheduled for Council action in July 2023.

- g. Complete the 2023 full revaluation of the Town of Durham including public engagement, mailings, and the abatement process as necessary. [Assessing Department]

**Assessing:** Completion date for full revaluation is July 31, 2023. Preliminary assessed values mailed week of June 16th. Informal hearings scheduled for week of June 26th. Once hearings have concluded, revised assessments will be finalized and brought to Council for approval in July (date tbd). USPAP manual to be completed 30 days after MS-1 submitted to DRA. Abatements may be applied for at local level after December tax bills issued. **Next Steps:** Continue review of contractor's work.

- h. Navigate planned retirement transition of Assessor position scheduled to occur in early 2024. [Assessing/Administration]

**Assessing:** Retirement date scheduled for late 2023 or early 2024. Job posting in September/October 2023. **Next Steps:** Consult with Administration regarding replacement. We have evaluated three potential scenarios, each to include an annual statistical update, as follows: 1) Status quo with experienced assessor capable of undertaking statistical update in-house; 2) Assessing technician requiring more robust external contractor services; 3) Contract out for assessing services. At this time

we are leaning toward scenario 1. Plan to advertise for replacement in late-August/September 2023 with a possible December 2023 start date but the plan is not yet set in stone.

**4. Pursue long-term environmental sustainability and resiliency, taking into account existing and predicted impacts of climate change in multiple areas including drinking water, agriculture, food, society, transportation, ecology, and economy.**

- a. Take steps that reflect the implementation and, when appropriate, revisions to Durham’s Climate Action Plan (CAP) toward a reduction in GHG emissions of 2019 levels by 42.8% by 2030, and achieving zero emissions by 2050. [Energy Committee/Administration/UNH Sustainability Fellow]

**Admin:** Energy Committee is in the process of developing an action plan as of June 2023. Evaluating potential grant possibilities to bolster Durham’s efforts.

- b. Evaluate whether Durham’s commitment to the Global Covenant of Mayors for Climate and Energy (GCoM) has been effective and whether that commitment going forward is the best framework for achieving Durham’s CO2 reduction goals. [Energy Committee/Administration/UNH Sustainability Fellow]

**Admin:** To be evaluated in fall/winter 2023.

- c. Work with the Town Clerk, Town Assessor, Code Officer, and Admin. Asst. to Administrator to implement a method for tracking EV adoption and building electrification in Durham and create a plan for promoting and educating residents on both. [Administration/Energy Committee]

**Admin:** Town Clerk and Admin. Office have set up a mechanism to track number of EV/Hybrid vehicles registered in Durham, as well as building permits issued for efficiency/weatherization/electrification work at private properties.

- d. Complete an updated greenhouse gas inventory using previous modeling methodologies and evaluate the feasibility of using a consumption-based model for the inventory by May 2024. [UNH Sustainability Fellow]

**Admin:** We have just onboarded our new UNH Sustainability Fellow and will be tackling this summer/fall.

- e. Monitor and continue evaluating opportunities to move forward with Durham Community Power with the goal that the default rate is less than Eversource and the renewable content is greater. [Administration/Energy Committee]

**Admin:** Community Power being evaluated by working group – potentially CPCNH or Standard Power utilizing the recent Keene bid process.

- f. Support efforts of the Integrated Waste Management Advisory Committee, Agricultural Commission, and Public Works to reduce municipal solid waste landfill use through a volume-based approach and increase composting. [DPW/Integrated Waste Management Advisory Committee]

**DPW:** Public Works attending meetings and providing support. Continuing to develop plan for implementation of automated collection of MSW and single stream recycling and compaction of MSW and single stream Recycling at the Transfer Station. Next Steps: Continue efforts as described.

- g. Complete the regulatory requirements for dam removal, secure grant funding and finalize the Mill Pond dam removal plan and river restoration design, including the possibility of adding a fish ladder to the upstream UNH dam, such that permitting and contractor bids can be secured in 2024. [DPW/Administration]

**DPW:** Continued progress in design and permitting ongoing. VHB provided an update to Council on June 26, 2023.

- h. Move forward with Phases II and III of the Wagon Hill Farm Shoreline Restoration project. [DPW, UNH, NHDES Coastal Program, Administration]

**DPW:** Finalized contract with Streamworks for final design of Phase 2 improvements. Procured wetland delineation services and flagged wetlands. Procured Archeological Phase 1A Services - Report from Monadnock Arch. Services Pending **Next Steps:** Complete design by late June 2023 for NFWF Grant Submittal requesting +/- \$2 Million to complete construction improvements.

- i. Work with City of Portsmouth to mitigate impacts to Wagon Hill Farm as part of waterline replacement project under Little Bay. [DPW/Administration]

**DPW:** Finalized Agreement with Portsmouth and received favorable support from Durham Town Council in spring 2023. **Next Steps:** Execute Agreement with updated Exhibit A and monitor project permitting progress. NHDOT driveway permit submitted for access to WHF via new temporary access per ongoing conversations with Portsmouth.

- j. Support local and regional efforts to promote and improve the long-term health of the Great Bay Watershed, including its tributaries and surrounding catchment areas. [DPW/Administration/Conservation Commission/Planning Board/Council]

**DPW:** Ongoing work with WWTP, stormwater improvements, involvement with Epping AO **Next Steps:** Continue efforts as described.

- k. Continue to support the proactive stewardship of Town-owned lands and other lands in Durham held in conservation or under easement with nonprofit organizations while improving appropriate and sustainable public access and use of those lands. [Land Stewardship Subcommittee, Land Stewardship Coordinator, DPW, Administration]

**DPW:** Working with Land Steward to plan and implement projects. Coordinated with volunteer groups for maintenance projects at WHF Shoreline, Jackson's Landing, Town Landing, etc. **Next Steps:** Ongoing coordination.

- l. In 2023, review and possibly update renewable energy exemptions now available to property owners under NH laws in order to support community transition to renewable energy alternatives versus fossil fuels. [Assessing Office/Energy Committee/Administration]

**Assessing:** Municipality has adopted RSA 72:62 Exemption for Solar Energy Systems. **Next Steps:** Discuss with Energy Committee and Administration.

- m. Support and preserve a potential and/or working landscape of farms, gardens, and forests. [Agricultural Commission, Land Stewardship Subcommittee, Conservation Commission]

**Admin:** Nothing to report at present.

**5. Pursue long-term social resiliency and quality of life in Durham intended to strengthen the community in a welcoming and inclusive manner by supporting the needs of residents, families, and other identified stakeholders by offering a wide array of active and passive parks & recreation and library opportunities,**

**programming, events, facilities, and publicly facing educational information celebrating the rich tapestry of Durham history.**

- a. Continue to work to preserve the health and vitality of Durham’s neighborhoods by addressing noise, trash, and zoning violations. [Code Office, Police, DPW, Planning Board, Administration, Council]

**Code Enf.:** Consistently enforce regulations so that consequences become anticipated and avoided.

**DPW:** Completed Annual Bulky waste cleanup. Recommend we revisit this practice for future years. Work with Code Enforcement as needed.

**Planning:** Nothing new for Planning.

**Police:** Ongoing with the police department.

- b. Work with the NH Division of Historic Resources to develop updated wording on the State Historic Marker commemorating the July 18, 1694 attack on the Oyster River settlement by Native American forces under French command during King William’s War consistent with the above stated goal. [Durham Historic Association, Historic District/Heritage Commission, Human Rights Commission, Administration, Council]

**Admin:** Ongoing discussion by the HDC/HC and to a lesser extent the Human Rights Commission.

- c. Support efforts to investigate opportunities, challenges, and options to ensure the availability of a full range of housing types in Durham. [Housing Task Force, Energy Committee, Human Rights Commission, Conservation Commission, Agricultural Commission]

**Planning:** Ongoing effort. Working closely with Housing Task Force. Housing survey being discussed as of early-June 2023.

- d. Support ongoing improvement of pedestrian and bicycle connectivity and access to public transportation. [Administration, UNH, DPW, Planning]

**Planning:** Nothing new for Planning.

**DPW:** Integrated into all transportation related projects i.e. Madbury Road Complete Streets, Road and Sidewalk Project, crosswalk evaluation, Stealth Stat Requests. Prioritize pedestrian Travel in Winter Maintenance Program. Will be coordinating with UNH on a crosswalk/pedestrian signalizations study through downtown and additional Town-identified locations. Total cost \$75,000 with around \$65,000 covered by UNH and \$10,000 covered by Durham. **Next Steps:** Continued Focus.

- e. Move forward with multi-phased Madbury Road Complete Streets and water/sewer initiative over the next four to five years. [DPW, Administration, Council]

**DPW:** Completed Design and Permitting of Littlehale and Pettee Brook Edgewood Culvert - Bid Projects on 6/2/2023 with bids to be received on 7/5. Received recommendation from Sen. Shaheen on CDR of +/- \$5 Million for utility improvements requiring schedule revisions for utility construction until we confirm if funding will be included in FY24 Federal Budget. **Next Steps:** Award Culvert projects and manage construction while Continuing to Advance design for balance of project.

- f. Support initiatives that welcome diversity, equity, and inclusion within our community. [All]

**Code Enf.** Be open to discussing new ideas and methods suggested by residents

**Fire:** Four members of the fire department leadership team are enrolled in the Cornell University Diversity, Equity, and Inclusion certificate program.

**IT:** In the next version of the Town's website we should adopt the ADA guidance to accessibility [<https://www.ada.gov/resources/web-guidance/>]

**Planning:** HDC working on new language for the Oyster River Massacre state marker that is respectful of all parties.

**Police:** Increase training in ethics, de-escalation and bias.

- g. [Edit Town forms to include a nonbinary option by the end of 2023. \[Business Office/Administration\]](#)

**Business:** Ongoing.

- h. [Update 2003 General Public Assistance/Welfare Regulations for readoption in 2023. \[Business Office\]](#)

**Business:** Developed by the Business Office in spring 2023 and approved by the Town Council on June 26, 2023.

- i. [Update Elderly Exemptions qualification thresholds for income and assets \(last updated around 2017\) to coincide with 2023 revaluation. \[Assessing\]](#)

**Assessing:** As a result of the full revaluation and increase in property assessments in tax year 2023 as well as inflation rate since 2016 (when last updated) recommendations for revisions to Elderly, Blind and Disabled exemptions will be brought to Council for approval in July/August 2023, with effective date 4/1/2023. **Next Steps:** Finish analyzing recommended qualification thresholds.

**6. Continue cooperative and collaborative efforts with UNH to enhance mutual intellectual, cultural, environmental, social, and economic benefits associated with hosting New Hampshire’s flagship state university.**

- a. [Work collaboratively with UNH to develop The Edge at West End in ways that support both Town and Gown. \[Planning/Administration/Council\]](#)

**Planning:** Nothing new. Waiting for word from UNH to move forward with PUD. In addition, UNH will shortly begin to undertake a 10-year Campus Master Plan update and will be including representatives from Durham on various subcommittees. Planner Michael Behrendt and UNH Campus Stewardship Director Ken Weston are in discussions about this upcoming process.

**7. Leverage town committees and subcommittees to develop tactical plans to align with the broader goals of the Council and encourage them to collaborate with each other and communicate as necessary with the community at large.**

- a. [Town committees are encouraged to outline 3-5 goals with the Council & Administrator that support initiatives outlined herein as well as plans for working to achieve them.](#)

**Admin:** Under discussion by various committees of the Town.

Parks & Rec. Committee:

1. Collaborate with Downtown Businesses for Community Events- *aligns with TC goals 5 & 7*
2. Connect with Lee & Madbury Rec. Committees/Staff: Possible partnerships with programs, events and resources. Marketing recreation efforts of the three towns cohesively to the OR community. *aligns with TC goal 5*
3. Support DPR in the parks/playground community needs assessment- *aligns with TC goals 1 & 6*
4. Support Director/Rink Manager Goal to Create a working group for Churchill Rink- Help guide renovation planning, fundraising efforts, and decision-making as needed- aligns with TC goals 1, 3, 4 & 5
5. Create P&R specific Data/Impact Reports & Graphics- *aligns with TC goals 3 & 7*

6. Investigate Potential Grant Opportunities (Playgrounds)- *aligns with TC goals 3*

*\* Note that the order of the goals does not imply priority.*



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Durham, NH 03824  
Tel: 603-868-5571  
Fax: 603-868-1858  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

AGENDA ITEM: **# 8B** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** April Talon, Town Engineer

**AGENDA ITEM:** SHALL THE TOWN COUNCIL APPROVE THE 3<sup>RD</sup> 2023 WARRANT FOR WATER AND SEWER TOTALING \$706,599.92, COMMIT THE BILLS FOR CHARGES TO THE TAX COLLECTOR FOR COLLECTION AND AUTHORIZE THE ACTING ADMINISTRATOR TO SIGN SAID WARRANT?

**CC PREPARED BY:** April Talon, Town Engineer  
Gail Jablonski, Business Manager

**PRESENTED BY:** Gail Jablonski, Business Manager

**AGENDA DESCRIPTION:**

Attached for the Council's approval is the 3<sup>rd</sup> 2023 Warrant for Water and Sewer totaling \$706,599.92 in accordance with RSA 38:22 II (a) which states: "A municipality may commit bills for charges to the Tax Collector with a warrant signed by the appropriate municipal officials requiring the Tax Collector to collect them." The commitment list is available for viewing in the Town Clerk-Tax Collector's Office and will be available for viewing once the warrant is approved Monday evening.

At the July 12, 2021, Town Council meeting Councilors Lawson and Welsh asked that additional information be included with all water and sewer warrants. Particularly how the warrant is calculated, what the usage was, and how it compares to the budget.

Water and/or sewer bills are issued quarterly and are based on meter readings which are taken at the beginning of each quarter (on or about January 1, April 1, July 1 and October 1). Bills are calculated on the actual cubic foot (CF) of water used for

each account. The Durham Public Works Water Division obtains the necessary readings using an automatic meter reading system and software which collects meter data including account numbers and water meter readings. This information is uploaded into the Town’s utility billing software to generate the warrant. Some accounts are water only as is the case for irrigation meters or for properties that have a septic system. Some accounts are sewer only if they have a residential well. The Town obtains the total number of cubic feet used and converts it to a dollar amount using the cost per cubic foot which is determined during the budget cycle. The amount of cubic feet used can fluctuate from year to year for the same period due to changes in weather (for example when there is more rain, people use less irrigation), time of year (summer versus winter), and whether UNH is in or out of session.

The attached charts compare the actual water and sewer usage and fees for 2018 through 2022 and the first three months of 2023 compared to the budget.

**LEGAL AUTHORITY:**

RSA 38:22 II (a)

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

The warrant details are as follows:

	Water	\$ 381,128.09
Lee Waterline Extension	Water	\$ 7,679.66
	Sewer	\$ <u>317,792.17</u>
	<b>Total</b>	<b>\$ 706,599.92</b>

with interest at eight percent (8%) on all sums not paid thirty days (30) from the due date.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby approve the 3<sup>rd</sup> 2023 Warrant for Water and Sewer totaling \$706,599.92, commits the bills for charges to the Tax Collector for collection, and authorizes the Acting Administrator to sign said warrant.*

**STATE OF NEW HAMPSHIRE**  
**WATER/SEWER – 3<sup>rd</sup> WARRANT 2023**

**STRAFFORD SS**

To Rachel Dean, Collector of Water and Sewer Taxes for the Town of Durham in said County.

In the name of said State, you are directed to collect the water and sewer taxes in the list herewith committed to you, amounting in all to the sum of

*Seven Hundred and Six Thousand, Five Hundred Ninety-Nine and Ninety-Two Cents*  
**(\$706,599.92)**

	Water \$381,128.09
Lee Waterline Extension Water \$	7,679.66
Sewer	<u>\$317,792.17</u>

<b>Total</b>	<b>\$706,599.92</b>
--------------	---------------------

with interest at eight percent (8%) on all sums not paid thirty (30) days from the due date.

And we further order you to pay all monies collected to the Treasurer of said Town at least on a weekly basis.

As attested by the Town Clerk-Tax Collector, the list on the following pages is a correct list of the assessment of the 3<sup>rd</sup> billing of 2023 computed from the 2<sup>nd</sup> quarter water and sewer readings of 2023.

**ATTEST:** \_\_\_\_\_  
Rachel Dean, Town Clerk-Tax Collector

Given under our hands and seal at Durham this 18th day of July, 2023.

\_\_\_\_\_  
Gail Jablonski, Acting Administrator  
Per Town Council vote on 7/17/2023

**2023 ESTIMATED VS ACTUAL USAGE**  
**January 1 - June 30, 2023**

YEARLY COMPARISONS	ESTIMATED WATER			ACTUAL WATER			VARIANCE		
	Cubic Feet (cf)	Rates per 100 cubic feet	cf/100 * Rate	Cubic Feet (cf)	Rates per 100 cubic feet	cf/100 * Rate	CF Estimate vs. Actual	\$ Estimate vs. Actual	% Estimated to Actual
2018	14,391,134	\$ 6.05	\$ 870,664	14,383,549	\$ 6.05	\$ 870,205	(7,585)	(\$459)	100%
2019	14,420,835	\$ 7.08	\$ 1,020,995	14,035,194	\$ 7.08	\$ 993,692	(385,641)	(\$27,303)	97%
2020	14,853,460	\$ 7.35	\$ 1,091,729	13,863,777	\$ 7.35	\$ 1,018,988	(989,683)	(\$72,742)	93%
2021	14,853,460	\$ 7.74	\$ 1,149,658	14,427,696	\$ 7.74	\$ 1,116,704	(425,764)	(\$32,954)	97%
2022	14,304,304	\$ 8.43	\$ 1,205,853	14,231,786	\$ 8.43	\$ 1,199,740	(72,518)	(\$6,113)	99%
2023 - 2nd Quarter	7,223,674	\$ 10.42	\$ 752,707	3,657,659	\$ 10.42	\$ 381,128	(3,566,015)	(\$371,579)	51%

\*Estimated for 2023 - 2nd quarter is determined by dividing total 2023 estimate by two.

YEARLY COMPARISONS	ESTIMATED WATER - LEE EXTENSION			ACTUAL WATER - LEE EXTENSION			VARIANCE - LEE EXTENSION		
	Cubic Feet (cf)	Rates per 100 cubic feet	cf/100 * Rate	Cubic Feet (cf)	Rates per 100 cubic feet	cf/100 * Rate	CF Estimate vs. Actual	\$ Estimate vs. Actual	% Estimated to Actual
2022		\$ 9.69	\$ -	71,693	\$ 9.69	\$ 6,947			0%
2023		\$ 11.98	\$ -	64,104	\$ 11.98	\$ 7,680			0%

Lee Connections through June 30, 2023

YEARLY COMPARISONS	ESTIMATED SEWER			ACTUAL SEWER			VARIANCE		
	Cubic Feet (cf)	Rates per 100 cubic feet	cf/100 * Rate	Cubic Feet (cf)	Rates per 100 cubic feet	cf/100 * Rate	CF Estimate vs. Actual	\$ Estimate vs. Actual	% Estimated to Actual
2018	13,898,594	\$ 8.96	\$ 1,245,314	13,316,231	\$ 8.96	\$ 1,193,134	(582,363)	(\$52,180)	96%
2019	13,444,655	\$ 8.71	\$ 1,171,029	13,208,897	\$ 8.71	\$ 1,150,495	(235,758)	(\$20,535)	98%
2020	13,713,549	\$ 8.97	\$ 1,230,105	12,843,156	\$ 8.97	\$ 1,152,031	(870,393)	(\$78,074)	94%
2021	13,713,549	\$ 8.97	\$ 1,230,105	13,653,420	\$ 8.97	\$ 1,224,712	(60,129)	(\$5,393)	100%
2022	13,516,701	\$ 8.98	\$ 1,213,800	13,347,445	\$ 8.98	\$ 1,198,601	(169,256)	(\$15,199)	99%
2023 - 2nd Quarter	6,825,934	\$ 9.57	\$ 653,242	3,320,712	\$ 9.57	\$ 317,792	(3,505,222)	(\$335,450)	49%

\*Estimated for 2023 - 2nd quarter is determined by dividing total 2023 estimate by two.

1st QUARTER ACTUALS	2018 (total cubic feet)	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)
Water	3,593,015	3,527,540	3,241,246	3,442,141	3,409,428	3,656,574
Water - Lee Extension						63,233
Sewer	3,356,917	3,382,932	3,095,327	3,286,030	3,292,580	3,514,853

2nd QUARTER ACTUALS	2018 (total cubic feet)	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)
Water	3,495,620	3,355,258	3,186,882	3,689,323	3,502,992	3,657,659
Water - Lee Extension						64,104
Sewer	3,255,271	3,194,670	2,862,096	3,455,094	3,298,425	3,320,712

3rd QUARTER ACTUALS	2018 (total cubic feet)	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)
Water	3,645,321	3,448,551	3,817,406	3,412,971	3,680,587	
Water - Lee Extension					24,319	
Sewer	3,264,997	3,159,604	3,449,128	3,205,142	3,305,110	

4th QUARTER ACTUALS	2018 (total cubic feet)	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)
Water	3,649,592	3,703,845	3,618,243	3,883,261	3,638,779	
Water - Lee Extension					47,374	
Sewer	3,439,047	3,471,691	3,436,605	3,707,154	3,451,330	

YEARLY TOTALS	2018 (total cubic feet)	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)
Water	14,383,548	14,035,194	13,863,777	14,427,696	14,231,786	
Water - Lee Extension					71,693	
Sewer	13,316,231	13,208,897	12,843,156	13,653,420	13,347,445	

**2023 BUDGETED VS ACTUAL EXPENDITURES**  
**January 1 - June 30, 2023**

FUNDS	Budgeted Ending 6/30/23	Actual Ending 06/30/23	Under (Over) 2023	Percent as of 6/30/23	Percent as of 6/30/22
Water	\$752,707	\$762,143	(\$9,436)	101.3%	
Water - Lee Extension		\$15,255	(\$15,255)	0.0%	
Sewer	\$653,242	\$654,163	(\$921)	100.1%	

\*Budgeted is determined by multiplying total 2023 by 0.50 or 6 months



# TOWN OF DURHAM

8 Newmarket Road  
Durham, NH 03824  
Tel: 603-868-5571  
Fax: 603-868-1858  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

AGENDA ITEM: **# 8C GJ**

DATE: **July 17, 2023**

## COUNCIL COMMUNICATION

**INITIATED BY:** Catherine Pease

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ACTING ADMINISTRATOR, APPROVE A SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY CATHERINE PEASE TO CLOSE CERTAIN SECTIONS OF TOWN ROADS FOR UNIVERSITY DAY TO BE HELD ON THURSDAY, SEPTEMBER 7, 2023 WITH A RAIN DATE OF THURSDAY, SEPTEMBER 14, 2023?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

Attached is a special event/road closure permit application submitted by Catherine Pease requesting that certain portions of town roads be closed beginning from 2:30 p.m. to 6:30 p.m. on Thursday, September 7, 2023, for University Day.

The application has been reviewed by the appropriate town departments and has been approved by them. The Acting Administrator therefore recommends approval of this special event and road closure permit.

**LEGAL AUTHORITY:**

RSA 41:11 "Regulation of Use of Highways, Etc.", and RSA 47:17 VII "Use of Public Ways" authorize the Town Council to regulate the use of public highways.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Town Council, Upon Recommendation of the Acting Administrator, hereby Approves a Special Event Permit Application Submitted by Catherine Pease to close certain sections of Town Roads for University Day to be held on Thursday, September 7, 2023 with a rain date of Thursday, September 14, 2023.*



## TOWN OF DURHAM

100 Stone Quarry Drive, Durham, NH 03824

TEL: (603) 868-5578

FAX: (603) 868-8063

Email: [publicworks@ci.durham.nh.us](mailto:publicworks@ci.durham.nh.us)

### PERMIT APPLICATION

Revised: 2/18/19

**TYPE OF PERMIT (Please check one):**

Special Event

Road Closure Request

Use of Town Property

X

LOCATION WHERE EVENT WILL OCCUR: Main Street between Garrison & Edgewood

DAY & DATE OF EVENT: Thurs. 9/7/23 TIME(S) OF EVENT: 2:30 - 6:30 pm  
rain date: Thurs 9/14/23

DURATION OF EVENT (including set up and breakdown time): 7am - 8pm

NAME OF APPLICANT/ORGANIZATION: Memorial Union & Student Activities,  
UNH

NAME OF EVENT: University Day

PERSONAL CONTACT FOR THIS EVENT: Catherine Pease

ADDRESS: 83 Main Street, Durham, NH 03824

TELEPHONE NO.: DAY: 603-862-0737 EVENING: 207-515-2783

EMAIL: Catherine.pease@unh.edu

DETAILED DESCRIPTION OF REQUEST (Pertaining to amplified music, location, route of travel. Please attach maps denoting routes and road closures):

Requesting closure of Main Street from 9:30 am to 8 pm  
for annual University Day event between Garrison  
and Edgewood Road. VDay will take place on T-Hall  
Lawn, Scott Hall Lawn, and on Main Street with  
tabling, food, and amplified sound.

ANTICIPATED NUMBER OF PARTICIPANTS: 10,000

ANTICIPATED NUMBER OF VEHICLES: 50

**CERTIFICATE OF INSURANCE INFORMATION**

As evidence of its financial ability to indemnify the Town of Durham, during the term of this agreement, the applicant shall obtain and pay premiums for Commercial General Liability insurance protecting the parties hereto, their agents, officers, elected officials, representatives, or employees because of bodily injury, property damage, personal injury or products liability incurred by the parties in the performance of the terms of this lease, such policy to provide limits no less than \$1 million per occurrence. A Certificate of Insurance naming the Town of Durham as an Additional Insured shall be provided.

Insurance Carrier: AGORD (on file w/ town - sent to Jen Berry on 11/29/21)  
Policy Number and Expiration Date: E0195B 11/1/23

The undersigned hereby agrees, at its sole cost and expense, to defend, indemnify and hold harmless the Town of Durham and all associated, affiliated, allied and subsidiary entities of the Town, now existing or hereinafter created, and their respective officers, boards, commissions, employees, agents, and contractors (hereinafter referred to as "indemnities") from and against any and all liability, obligation, damages, penalties, claims, liens, costs, charges, losses and expenses which may be imposed upon, incurred by or asserted against the indemnities by reason of any act or omission of the undersigned, its personnel, employees, agents, contractors or subcontractors which results in damage or injury of any kind to any person or any property and which arises out of or is in any way connected with the activities permitted by this permit.

Stacey Hall Stacey Hall  
Printed Name and Signature of Event Coordinator/applicant

5/22/23  
Date

\_\_\_\_\_  
Printed Name and Signature of Principal/Owner/Authorizing Authority

\_\_\_\_\_  
Date

\*\*\*\*\*

**FOR OFFICIAL USE ONLY**

Reviewed by DPW  
Comments:

Reviewed 6.1.23

Reviewed by PD  
Comments:

Reviewed by FD  
Comments:

See attached Fire Department conditions of permit approval

Reviewed by P&R  
Comments:

Approved:

\_\_\_\_\_  
Todd I. Selig, Administrator

\_\_\_\_\_  
Date

## **GENERAL USE POLICY FOR TOWN FACILITIES**

When not used for regular purposes, buildings and grounds or portions thereof may be used for adult education, discussion, religious, civic, social, recreation, entertainment purposes, and such other purposes that promote the welfare of the community, including use as registration and polling places for voters.

No person, group, or organization has any vested right to use Town property; but the right to use the property for any lawful purpose is subject to approval by the Town.

Accordingly, the Town Administrator has established detailed regulations pertaining to the public use of facilities.

### **USE OF PUBLIC BUILDINGS AND GROUNDS**

The use of Town buildings, grounds, equipment and facilities will be authorized by the Town Administrator in conformity with the following regulations governing their use.

1. Requests for the use of Town buildings will be made through the appropriate department where the facility is located at least 14 days prior to the date of use.
2. Requests for special event, road closure or use of Town property permits must be completed and received at least four (4) weeks prior to the date of the event, road closure or property use.
3. Applicant is responsible for acquiring the necessary signatures from Town officials. In addition, both the event coordinator and the organization's owner/principal are required to sign the application.
4. If a student organization, appropriate staff advisor must complete the application.
5. Applicant shall be responsible for the cleanup of Town building/grounds prior to leaving the premises.
6. Road closure permits must go before the Town Council for final approval, which meets the first and third Mondays of each month. Applications for use of Town facilities, including large numbers of persons, may also be referred to the Town Council by the Town Administrator for approval.
7. For a use of Town property permit, applicant will post a minimum deposit of \$150.00, which will be refunded to the applicant, less any costs, within five (5) working days of the event. Further, the applicant agrees to pay any and all costs incurred by the Town greater than \$150.00.
8. Facilities may not be used for commercial purposes.

9. The use of Town buildings for government purposes, meetings of pupils, community meetings, local community group entertainment for the community, clubs, alumni associations, parent-teacher associations and other organizations affiliated with the Town have precedence over all others.
10. All activities must be under competent adult supervision approved by the Town Administrator. The group using the facilities will be responsible for any damage to the building or equipment.
11. Groups receiving permission are restricted to the dates and hours approved and to the building area and facilities specified, unless requested changes are approved by the Town Administrator.
12. Groups receiving permission are responsible for the observance of Town and state fire and safety regulations at all times.
13. The use of alcoholic beverages, profane language, or gambling in any form is not permitted in municipal buildings or on Town grounds. Smoking within municipal buildings is not permitted.
14. The Town will cooperate with recognized agencies, such as the Red Cross and Civil Defense, and will make suitable facilities available without charge during community emergency or to prepare for civil defense.
15. Liability insurance will be required for all outside groups given permission to use facilities or to hold an event. Organizers of any activity not under the direct supervision of an employee of the Town must provide a certificate of insurance endorsed to name the Town as an additional insured.
16. In situations where extended use of Town buildings or facilities is required, rental fees may be set at a contract price as determined by the Town Administrator.
17. The Town Administrator reserves the right to cancel any permission granted.
18. Town buildings and grounds, or portions thereof, may be used by religious entities or organizations for organized, temporary events that are discrete, one-time events, including but not limited to sunrise services, interfaith vigils, menorah lightings, or similar events. Religious symbols may be used and displayed only during an event approved by the town and only within the timeframe approved for the event in question; no display of religious symbols shall occur for longer than six (6) hours.



## Durham Fire Department

51 College Road ■ Durham, New Hampshire 03824-3585

Phone 603-862-1426 ■ Fax 603-862-1513

[fire@ci.durham.nh.us](mailto:fire@ci.durham.nh.us)

Fire, Rescue and Emergency Medical Services

### Durham Fire Department Conditions of Event Permit Approval

*Revised April 28, 2016*

#### Fire and/or Medical Assistance and Event Access:

- If emergency fire or medical assistance is required - activate emergency services by calling 911.
- An event coordinator familiar with the event/site shall be available to meet and lead emergency services to the party or location(s) in need of assistance.
- All fire lanes, roads, and access points to the site are to be maintained at all times. Tents, tables, booths, structures, and any other event set-up component(s) (including lines) cannot block walkways, doorways, fire lanes, and/or roads/access.
- Event coordinators and participants must yield to responding emergency vehicles if the event is using a road, path, or access. (an emergency incident may require the re-routing of a road race course for instance).
- Any plans to provide any on-site medical aid or medical assistance to event participants must be coordinated through the Assistant Fire Chief of the Durham Fire Department, call (603) 862-1426 at least two weeks prior to the event to coordinate.

#### Use of Fire, Cooking Appliances, Grills, or Pyrotechnics:

- Outside fires are required to be permitted in the State of NH and must be obtained through the Durham Fire Department at (603) 862-1426.
- Electric griddles must be listed by a recognized testing lab (eg UL or Intertek) and have proper cord & power supply
- Residential-type gas grills must be a manufacturer's listed and approved appliance that has not been altered from its original manufactured condition.
- Commercial-grills, and any grills that do not have an approved fitting allowing the user to connect a 20 lb. tank by hand and without tools, require a NH licensed gas fitter to set up. These appliances require a Fire Department gas permit and an inspection by the fire department.
- Pyrotechnics and fireworks require State and Fire Department Permits and/or inspections and may require fire department staffing at the event.

#### Tents & Amusements:

- Tents of 350 square feet in size or greater must be flame retardant and approved/inspected by Fire Department.
- Tents which have walls or sides or any tent serving alcohol must have an occupancy permit from the Durham Fire Department.
- Any amusements such as rides, mechanical bulls, or bouncy house type structures, etc. require licenses from the State of NH and inspections by the Durham Fire Department.

***Violating any of the stated conditions will revoke the fire department approval of the event permit application.***

## Karen Reynolds

---

**From:** Rachel Gasowski  
**Sent:** Thursday, June 1, 2023 9:02 AM  
**To:** Karen Reynolds; David Holmstock; David Emanuel  
**Cc:** Aimee Routhier; Kelley Fowler; Shannon Shaw  
**Subject:** Re: University Day Special Permit

OK with P&R.

Rachel Gasowski  
Park & Recreation Director  
Town of Durham  
(603) 817-4074  
durhamrec.recdesk.com  
follow us on Facebook "Durham Rec"

---

**From:** Karen Reynolds <kreynolds@ci.durham.nh.us>  
**Date:** Wednesday, May 31, 2023 at 3:10 PM  
**To:** David Holmstock <dholmstock@ci.durham.nh.us>, David Emanuel <david.emanuel@unh.edu>, Rachel Gasowski <rgasowski@ci.durham.nh.us>  
**Cc:** Aimee Routhier <Aimee.Routhier@unh.edu>, Kelley Fowler <Kelley.Fowler@unh.edu>, Shannon Shaw <sshaw@ci.durham.nh.us>  
**Subject:** University Day Special Permit

Good Afternoon,

Special Event Permit is attached for your approval.

Thanks very much,  
Karen

Karen Reynolds  
Administrative Assistant  
Durham Public Works  
DPW/Water/WWTP  
100 Stone Quarry Drive  
Durham, NH 03824  
603.868.5578



## Karen Reynolds

---

**From:** David Holmstock  
**Sent:** Thursday, June 1, 2023 10:08 AM  
**To:** Karen Reynolds; David Emanuel; Rachel Gasowski  
**Cc:** Aimee Routhier; Kelley Fowler; Shannon Shaw; David Holmstock  
**Subject:** RE: University Day Special Permit

The police department supports the event as submitted.

Dave

David Holmstock  
Deputy Chief  
Durham Police Department  
86 Dover Road  
Durham, NH 03824  
FBINA-224th - HSLA #2  
603-868-2324  
D-603-590-0765

**From:** Karen Reynolds <kreynolds@ci.durham.nh.us>  
**Sent:** Wednesday, May 31, 2023 3:11 PM  
**To:** David Holmstock <dholmstock@ci.durham.nh.us>; David Emanuel <david.emmanuel@unh.edu>; Rachel Gasowski <rgasowski@ci.durham.nh.us>  
**Cc:** Aimee Routhier <Aimee.Routhier@unh.edu>; Kelley Fowler <Kelley.Fowler@unh.edu>; Shannon Shaw <sshaw@ci.durham.nh.us>  
**Subject:** University Day Special Permit

Good Afternoon,

Special Event Permit is attached for your approval.

Thanks very much,  
Karen

Karen Reynolds  
Administrative Assistant  
Durham Public Works  
DPW/Water/WWTP  
100 Stone Quarry Drive  
Durham, NH 03824  
603.868.5578



## Karen Reynolds

---

**From:** David Emanuel <david.emanuel@unh.edu>  
**Sent:** Tuesday, June 13, 2023 1:39 PM  
**To:** Karen Reynolds  
**Cc:** Kelley Fowler; Aimee Routhier; Shannon Shaw; Randall Trull; Brendan O'Sullivan; Kenneth Lundberg  
**Subject:** RE: University Day Special Permit  
**Attachments:** Scanned from Senior Vice Provost for Student Life.pdf

Karen,  
The fire department supports the U-Day permit as submitted,  
DE

Dave Emanuel, MPA, EFO, CFO  
Fire Chief - Durham Fire Department  
51 College Road, Durham, NH 03824  
[david.emanuel@unh.edu](mailto:david.emanuel@unh.edu)  
(603) 862-1426 (Office) - (603) 397-7447 (Mobile)  
"Our Family Protecting Your Family"



*Please note the email address change as the Durham Fire Department migrated from the Town of Durham to University of New Hampshire IT platform on May 27, 2020. The best email address for Dave Emanuel from this point forward is [david.emanuel@unh.edu](mailto:david.emanuel@unh.edu). Please update your address book.*

---

**From:** Karen Reynolds <kreynolds@ci.durham.nh.us>  
**Sent:** Tuesday, June 13, 2023 10:15 AM  
**To:** David Emanuel <david.emanuel@unh.edu>  
**Cc:** Kelley Fowler <Kelley.Fowler@unh.edu>; Aimee Routhier <Aimee.Routhier@unh.edu>; Shannon Shaw <sshaw@ci.durham.nh.us>  
**Subject:** FW: University Day Special Permit

---

**CAUTION:** This email originated from outside of the University System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

---

Good Morning Chief,

Attached Special Event Permit is waiting for your approval. 🙏

Thanks very much.  
Karen

Karen Reynolds  
Administrative Assistant



## TOWN OF DURHAM

8 Newmarket Road  
Durham, NH 03824  
Tel: 603-868-5571  
Fax: 603-868-1858  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

AGENDA ITEM: **#8D TS**

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Durham Conservation Commission

**AGENDA ITEM:** SHALL THE TOWN COUNCIL ADOPT RESOLUTION #2023-19  
RECOGNIZING TRADITIONAL INDIGENOUS FORAGING RIGHTS ON  
TOWN OF DURHAM PUBLIC LANDS?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

At the Durham Human Rights Commission meeting of August 26, 2021, a land acknowledgement statement regarding indigenous peoples was adopted. Subsequently the Durham Conservation Commission adopted the same statement.

The Durham Conservation Commission has since had discussions with Indigenous leaders regarding how the town might expand upon the acknowledgement statement. The Conservation Commission proposed and adopted a policy for traditional Indigenous foraging rights on Town of Durham public lands at their meeting of April 24, 2023.

At the Durham Human Rights Commission meeting of June 13, 2023, the Commission reviewed the policy statement and voted to endorse it.

**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 #2023-19 recognizing traditional Indigenous Foraging Rights on Town of Durham public lands.*

## **RESOLUTION #2023-19 OF DURHAM, NEW HAMPSHIRE**

### **RECOGNIZING TRADITIONAL INDIGENOUS FORAGING RIGHTS ON TOWN OF DURHAM PUBLIC LANDS.**

**WHEREAS**, the lands on which the Town of Durham, New Hampshire, now sit are the ancestral and unceded lands of the Pennacook-Abenaki people, with history of use by other Indigenous peoples as well. Recognizing the historical mistreatment and contemporary marginalization of Indigenous peoples, the Town has engaged with Pennacook-Abenaki and other Indigenous leaders in a number of ways to recognize and recover Indigenous heritage; and

**WHEREAS**, one manifestation of this dialogue was adoption of the *Land, Water, and Life Acknowledgement* by the Durham Human Rights Commission. The *Acknowledgement* recognizes the longstanding connections of Indigenous peoples to the natural landscape, and pledges to help repair and support continuity of those connections. The Durham Conservation Commission subsequently adopted the *Acknowledgement* as well, which is now read at the opening of all meetings; and

**WHEREAS**, following adoption of the *Acknowledgement*, the Conservation Commission began discussions among its members and with Indigenous leaders about ways to actualize the intentions conveyed. Indigenous leaders identified recognition of traditional foraging rights as a priority goal. These leaders see these foraging rights as a foundational element of their culture, an important way to maintain direct connections to the landscape, and a vehicle for educating future generations – both Indigenous and non-Indigenous alike – about traditional practices and relationships; and

**WHEREAS**, both Indigenous leaders and the Conservation Commission recognize that continuing Indigenous foraging rights must respect the contemporary state of the natural landscape. Habitats have been lost, fractured, and altered; certain species have been lost or severely depleted; non-native species have become established; and nature now co-exists with substantial human development. Some Indigenous practices that were sustainable prior to colonization are no longer sustainable, although many still are; and

**WHEREAS**, the Conservation Commission adopted the following policy on April 24, 2023 and the Durham Human Rights Commission endorsed the same on June 13, 2023:

*It shall be the policy of the Durham Conservation Commission to recognize and support Indigenous foraging rights on Town conservation lands, with the following guidelines:*

*a) This policy applies to shrubs, flowers, grasses, fungi, and other productive non-animal species. Following the guidance of Indigenous leaders, plants and fungi should be gathered in the traditional Indigenous manner of never gathering more than the species can support, and gathering with reverence and respect.*

*b) Endangered species, threatened species, and species of conservation concern, whether plant, animal, fungi, or any other type of organism, shall remain within the natural landscape.*

*c) Hunting, trapping, fishing, and timber harvest are not part of this policy, although these activities are permitted when consistent with other Town, state, and federal policies. The Conservation Commission will work with members of the Indigenous community who are interested in conducting these traditional activities by identifying the relevant policies and management entities with whom to work.*

*d) Collecting bones, hides, shells, and feathers from animals found to be deceased is supported, unless possession is prohibited by state or federal statutes and regulations. Similarly, collection of fallen tree branches, leaves, seeds, and fruits is supported, unless from species of conservation concern for which replenishing the seedbank is important.*

*e) Recognizing that Indigenous peoples have incorporated use of non-native species into their cultural practices as part of adaptation to a changing landscape, this policy supports use of those species. However, care should be taken to prevent unintended spread of those species through proper handling and storage.*

*f) In order to facilitate better understanding of ongoing Indigenous connections with the landscape by the Town, identify educational opportunities, and support inventory of natural resources on Town lands, Indigenous peoples acting on these rights are invited to notify the Chair of the Conservation Commission and/or the Land Stewardship Coordinator of their intent to forage and of any species collected.*

*g) This policy does not discriminate among Indigenous identities, recognizing that many places were historically used by multiple Indigenous communities over time but that historical land use is poorly documented. Furthermore, forced displacement has severed traditional connections with ancestral landscapes for many Indigenous peoples, and these connections need to be rebuilt in new ways. This policy is also not intended to convey an exclusive right to Indigenous peoples to access Durham Conservation land and does not supersede or modify any existing agreements, designations, or regulations concerning land within the Town of Durham.*

*The Conservation Commission shall periodically review and revise this policy as needed in consultation with Indigenous communities, other Town bodies, state and federal agencies, and the public at large.*

**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 #2023-19 recognizing traditional indigenous foraging rights on Town of Durham public land.

**PASSED AND ADOPTED** this 17th day of July 2023 by a majority vote of the Durham Town Council with \_\_\_\_\_ voting in favor, \_\_\_\_\_ voting against, and \_\_\_\_\_ abstentions.

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Sally Needell, Chair  
Durham Town Council

**ATTEST:**

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Rachel Dean, Town Clerk-Tax Collector

## Recognizing Traditional Indigenous Foraging Rights on Town of Durham Public Lands

Adopted by the Durham Conservation Commission

April 24, 2023

The lands on which the Town of Durham, New Hampshire, now sit are the ancestral and unceded lands of the Pennacook-Abenaki people, with history of use by other Indigenous peoples as well. Recognizing the historical mistreatment and contemporary marginalization of Indigenous peoples, the Town has engaged with Pennacook-Abenaki and other Indigenous leaders in a number of ways to recognize and recover Indigenous heritage.

One manifestation of this dialogue was adoption of the *Land, Water, and Life Acknowledgement* by the Durham Human Rights Commission. The *Acknowledgement* recognizes the longstanding connections of Indigenous peoples to the natural landscape, and pledges to help repair and support continuity of those connections. The Durham Conservation Commission subsequently adopted the *Acknowledgement* as well, which is now read at the opening of all meetings.

Following adoption of the *Acknowledgement*, the Conservation Commission began discussions among its members and with Indigenous leaders about ways to actualize the intentions conveyed. Indigenous leaders identified recognition of traditional foraging rights as a priority goal. These leaders see these foraging rights as a foundational element of their culture, an important way to maintain direct connections to the landscape, and a vehicle for educating future generations – both Indigenous and non-Indigenous alike – about traditional practices and relationships.

Both Indigenous leaders and the Conservation Commission recognize that continuing Indigenous foraging rights must respect the contemporary state of the natural landscape. Habitats have been lost, fractured, and altered; certain species have been lost or severely depleted; non-native species have become established; and nature now co-exists with substantial human development. Some Indigenous practices that were sustainable prior to colonization are no longer sustainable, although many still are.

Within this context, the Durham Conservation Commission adopts the following:

*It shall be the policy of the Durham Conservation Commission to recognize and support Indigenous foraging rights on Town conservation lands, with the following guidelines:*

- a) This policy applies to shrubs, flowers, grasses, fungi, and other productive non-animal species. Following the guidance of Indigenous leaders, plants and fungi should be gathered in the traditional Indigenous manner of never gathering more than the species can support, and gathering with reverence and respect.*
- b) Endangered species, threatened species, and species of conservation concern, whether plant, animal, fungi, or any other type of organism, shall remain within the natural landscape.*
- c) Hunting, trapping, fishing, and timber harvest are not part of this policy, although these activities are permitted when consistent with other Town, state, and federal policies. The Conservation Commission will work with members of the Indigenous community who are interested in conducting these traditional activities by identifying the relevant policies and management entities with whom to work.*
- d) Collecting bones, hides, shells, and feathers from animals found to be deceased is supported, unless possession is prohibited by state or federal statutes and regulations. Similarly, collection*

*of fallen tree branches, leaves, seeds, and fruits is supported, unless from species of conservation concern for which replenishing the seedbank is important.*

- e) Recognizing that Indigenous peoples have incorporated use of non-native species into their cultural practices as part of adaptation to a changing landscape, this policy supports use of those species. However, care should be taken to prevent unintended spread of those species through proper handling and storage.*
- f) In order to facilitate better understanding of ongoing Indigenous connections with the landscape by the Town, identify educational opportunities, and support inventory of natural resources on Town lands, Indigenous peoples acting on these rights are invited to notify the Chair of the Conservation Commission and/or the Land Stewardship Coordinator of their intent to forage and of any species collected.*
- g) This policy does not discriminate among Indigenous identities, recognizing that many places were historically used by multiple Indigenous communities over time but that historical land use is poorly documented. Furthermore, forced displacement has severed traditional connections with ancestral landscapes for many Indigenous peoples, and these connections need to be rebuilt in new ways. This policy is also not intended to convey an exclusive right to Indigenous peoples to access Durham Conservation land and does not supersede or modify any existing agreements, designations, or regulations concerning land within the Town of Durham.*

*The Conservation Commission shall periodically review and revise this policy as needed in consultation with Indigenous communities, other Town bodies, state and federal agencies, and the public at large.*



## TOWN OF DURHAM

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AGENDA ITEM: # **8E** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Durham Police Department

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON THE RECOMMENDATION OF THE ACTING ADMINISTRATOR AND THE CHIEF OF POLICE, AUTHORIZE THE PURCHASE AND INSTALLATION OF THIRTEEN FLOWBIRD CWT PARKING KIOSKS WITH AN AMOUNT NOT TO EXCEED \$102,876 TO BE PAID FROM CAPITAL ACCOUNT 07-2316-566-36-00 AND AN AMOUNT NOT TO EXCEED \$8,573 FROM DEPOT ROAD LOT ACCOUNT 08-4000-866-96-000?

**PREPARED BY:** Rene Kelley, Chief of Police  
Jack Dalton, Captain  
Sandra Hebert, Parking Enforcement Officer

**PRESENTED BY:** Jim Lawson for Todd Selig, Administrator

**AGENDA DESCRIPTION:**

The approved 2023 budget includes \$112,000 for the first phase of replacing the current twenty-seven (27) VenTek International Parking Kiosks located throughout downtown Durham. The 2023-2032 Capital Improvement Plan (CIP) anticipated replacing all of the Kiosks over three years at a cost of \$336,000. Because of the kiosk recommended by the Durham Police and the competitive pricing available on an existing contract, both of which are described below, the Police Department and the Business office have determined that the replacement can be accomplished in two years at a cost approximately \$100,000 less than the original estimate. This reduced cost will be reflected in the proposed 2024-2033 CIP.

The Kiosks replaced during this first phase will be the one unit at the Depot Road Lot and the twelve units used for long-term parking on Main Street, Garrison Avenue and Pettee Brook Lane.

The current VenTek Kiosks were first deployed more than 10 years ago, and the units are at the end of their expected life cycle. The Kiosks have worked as anticipated, demonstrating good overall reliability - especially considering both our weather extremes and deployment in a college community. However, the kiosks now have evidence of rust and corrosion, and internal components, particularly the printers, require regular repair and maintenance. See Figure 1 below for examples of the current VenTek kiosks.



Figure 1 - Current VenTek Parking in Durham

The Durham Police Department evaluated different options for new Kiosks. VenTek was not selected because the company now focuses less on parking kiosks and more on enforcement technology and service payment kiosks targeted for state and national parks.

Several manufacturers have been consolidated under Flowbird (formerly Parkeon), and Flowbird kiosks have been selected for use by Dover, Portsmouth and UNH. The Flowbird CWT Credit Card Pay Station with a color touch screen has been selected for Durham because of its features, successful deployment on the seacoast, and lower cost.

Flowbird Kiosks will provide benefits to the town, residents and visitors, including;

- Touch screen technology and software-controlled keypads providing versatile parking payment options, easy upgrades and reprogramming as parking needs change.
- Kiosk commonality with UNH and other seacoast communities, including the ParkMobile smartphone application.
- Lower recurring costs.
- Users do not need to return to their vehicle to place a ticket on the dashboard since they only need to enter their vehicle plate number at the kiosk.
- Integration with the ParkMobile applications allow users to pay for parking without using the kiosk. Users can also increase their parking time remotely without returning to a kiosk.
- Parking enforcement verifies parking is paid for by the vehicle license plate number, which eliminates the challenge of parking enforcement officers accessing the front dash of the car, especially during the winter months.
- The town can continue to offer progressive parking fees and programs (i.e., first hour is free) but eliminate the current abuse by people that move their vehicles every few hours to avoid paying for parking or more expensive long-stay parking.

The capital cost is \$7,673.00 per Flowbird pay station. This price is inclusive of the pay station, hardware, operating system, shipping, and training. The quote received from Flowbird is based on the National Cooperative Purchasing Alliance contract. The Town Business Manager has reviewed the Purchasing Alliance's procedures and contract, and determined that it meets Durham's standards, assuring that the Town is receiving favorable pricing.

It is believed that minimal groundwork will be necessary to install the new kiosks as there are already the existing concrete pads. However, the funding request assumes \$900 per kiosk for a new pad that may need to be installed by Public Works or an outside contractor. This is a worst-case scenario. Please see the financial details below.

The estimated reoccurring costs for the existing 12 VenTek International pay stations is \$23,800.00. This includes CCU server hosting fees, digital cellular carrier services fees, estimated transaction fees and extended warranties.

The total estimated annual costs for all communication fees, credit card gateway and 24/7 support for 12 new pay stations will be \$9,792.00. The new Flowbird pay stations will come with a 1-year warranty, and extended warranty costs are estimated to be

\$4,608.00 after the first year for the 12 pay stations. Projected total for all the fees and warranty (after the first year) for the 12 Flowbird pay stations is estimated to be \$14,400.00 annually.

The total estimated annual costs for all communication fees, credit card gateway and 24/7 support for the one new pay station located at Depot Road lot will be \$816.00. The new Flowbird pay station will come with a 1-year warranty, and extended warranty costs are estimated to be \$386.00 after the first year. Projected total for all the fees and warranty (after the first year) for the one Flowbird pay station at the Depot Road lot is estimated to be \$1,200.00 annually.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

<b>Capital Expenditure - 2023 Kiosks</b>			
<u>Description</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Flowbird Kiosk (Downtown)	12	\$7,673.00	\$92,076.00
Groundwork NTE (Downtown)	12	\$900.00	<u>\$10,800.00</u>
TOTAL			\$102,876.00
<b>APPROVED 2023 CAPITAL IMPROVEMENT BUDGET</b>			<b>\$112,000.00</b>
<b>Capital Expenditure - 2023 Kiosk for the Depot Road</b>			
<u>Description</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Flowbird Kiosk (Depot Rd Lot)	1	\$7,673.00	\$7,673.00
Groundwork NTE (Depot Rd Lot)	1	\$900.00	<u>\$900.00</u>
TOTAL			\$8,573.00
<i>Note: Some kiosks may not require groundwork. The costs shown assume all kiosks will require groundwork.</i>			

**SUGGESTED ACTION OR RECOMMENDATIONS:**

***Motion:***

***The Durham Town Council, upon the recommendation of the Acting Administrator and the Chief of Police, authorize the purchase and installation of thirteen Flowbird CWT parking kiosks with an amount not to exceed \$102,876 to be paid from Capital account 07-2316-566-36-00 and an amount not to exceed \$8,573 from Depot Road Lot account 08-4000-866-96-000.***



## TOWN OF DURHAM

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AGENDA ITEM: **# 8F** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Public Works Department

**AGENDA ITEM:** SHALL THE TOWN COUNCIL SCHEDULE A PUBLIC HEARING FOR MONDAY, AUGUST 14, 2023 ON RESOLUTION #2023-20 TO:

1. AUTHORIZE THE RAISING, APPROPRIATING, AND EXPENDITURE OF AN ADDITIONAL FOUR HUNDRED TWENTY-FOUR THOUSAND, TWO HUNDRED AND FIFTY DOLLARS (\$424,250) WITHIN THE APPROVED FY 2023 CAPITAL FUND BUDGET (WITH \$424,250 TO COME FROM A CLEAN WATER STATE REVOLVING FUND LOAN , OF WHICH \$42,425 OF LOAN PRINCIPAL FORGIVENESS TO BE FORGIVEN) FOR THE COMPLETION OF THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT?
2. AUTHORIZE THE BORROWING, ISSUANCE, AND INCURRENCE OF DEBT OF NOT MORE THAN \$424,250 IN LONG-TERM BONDS OR NOTES IN ACCORDANCE WITH THE PROVISION OF THE MUNICIPAL FINANCE ACT (RSA CHAPTER 33) FOR COMPLETION OF THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT?
3. AUTHORIZE THE ADMINISTRATOR TO SUBMIT A CLEAN WATER STATE REVOLVING FUND LOAN AMENDMENT APPLICATION TO THE NHDES AND EXECUTE ALL NECESSARY DOCUMENTS IN ACCORDANCE WITH NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER ENV-WQ FOR THE COMPLETION OF THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT?

**CC PREPARED BY:** April Talon, Town Engineer  
Sam Hewitt, Assistant Director of Public Works

**PRESENTED BY:** April Talon, Town Engineer  
Sam Hewitt, Assistant Director of Public Works

**AGENDA DESCRIPTION:**

The purpose of this Council Communication is to request that an additional \$424,250 be appropriated within the approved FY 2023 Capital Fund Budget and to request that the Town Council authorize the submission of a Clean Water SRF Loan Application Amendment for the same amount, for the construction of the Littlehale Creek at Edgewood Road Culvert Project.

The FY22 Capital Improvements Program includes \$822,500 for the construction of the Edgewood Road over Littlehale Culvert (Account #07-2264-801-36-000). This capital account is funded by a Clean Water SRF Loan in the amount of \$575,750 with 10% principal forgiveness and an American Rescue Plan Act (ARPA) Grant in the amount of \$246,75 (Resolution #2022-09).

Construction bids for this project were opened at the public bid opening on July 6, 2023. The Town received bids from Severino Trucking Co., Inc. (Severino), Sargent, and Northeast Earth Mechanics, LLC (Northeast Earth). The apparent low bidder for the Littlehale Creek over Edgewood Road Culvert is Severino with a base bid price of \$1,072,454 which exceeds the available funding of \$822,500 (Capital Account # noted above), therefore we are requesting an increase in the SRF Loan amount to cover the additional needed for construction contract and construction inspection contract with the VHB team as well. Other bids received for the construction of this culvert were \$1,177,012.50 from Sargent and \$1,923,718 from Northeast Earth.

The construction bid also included the Littlehale Creek and Madbury Road Culvert, and bids came in lower than the available funding therefore there will be a cost savings on that portion of the project. The construction award request for this culvert will be on the August 14, 2023 Town Council Meeting.

This culvert is an integral part of the overall Madbury Road Complete Streets Project which is currently in design phase. The design contract for this work was awarded to VHB Engineers by the Town Council in September 2021. More detail on the existing culvert and the proposed improvements can be found in the project background section below.

**Project Background:**

In July 2021, Durham Public Works and VHB conducted a conditions assessment of five culverts as part of the drainage master plan development and identified the need for extensive construction improvements at the following locations; Littlehale Creek passing under Madbury Road, Littlehale Creek passing under Edgewood Road, Pettee Brook passing under Edgewood Road, Pettee Brook under Madbury

Road, and Ellison Brook under Ross Road (*included within a future separate contract and scope*). The design of these improvements to four of these stormwater culverts is included within the scope of design services by VHB Engineers. (See Agenda Item VIII.C from the September 13, 2021 Town Council meeting here

[https://www.ci.durham.nh.us/sites/default/files/fileattachments/town\\_council/meeting/packets/64481/september\\_13\\_2021\\_council\\_packet.pdf](https://www.ci.durham.nh.us/sites/default/files/fileattachments/town_council/meeting/packets/64481/september_13_2021_council_packet.pdf)).



**Culvert Locations Map**

The Edgewood Road culvert is a stacked stone box culvert that is approximately 32 inches wide by 32 inches tall and roughly 72 feet long. The inlet is heavily obstructed by soil and debris, the height of which is approximately 4 feet above bottom of culvert to top of soil. The outlet end of the culvert is largely clear of debris, however there is a fractured top stone over the outlet headwall. The side slopes on both the inlet and outlet ends are between 1.5H:1V and 1H:1V, with light stone armoring over the outlet end.



*Snapped Stone at Outlet headwall – (Left) and Fallen Stones from Sidewall and Ceiling (Right)  
Littlehale Brook at Edgewood Road Stone Box Culvert*

The video inspection showed fallen and shifted stones from both the wall and ceiling of the culvert approximately 59 feet from the inlet. The history of this deficiency is unknown since there are no prior inspection photos or reports available at this location. However, it is assumed the stones have shifted recently since the exposed granite surfaces of the breaks in the stones appear clean and not stained with age.

Given the age of the structure, the potential signs of shifting and/or settling, and evidence that the culvert cannot pass fines efficiently (given the 4' of built-up sediment at the inlet), this culvert is proposed to be entirely replaced with a new box culvert. The culvert size is currently being determined. While the culvert is very deep (approximately 30 ft below Edgewood Road), there is significantly less impact to traffic to close this section of Edgewood Road than there would be for Madbury Road. There is a water line crossing at this culvert however there is not a sewer crossing. We expect Edgewood Road from Madbury Road to Emerson Road to be closed for the duration of the construction project however local traffic would be permitted.

An important part of this culvert project and as a condition of the SRF loan and ARPA grant, the project will make various water quality improvements and stormwater treatment systems, such as deep sump catch basins that will be required with the construction of the roadway.

**LEGAL AUTHORITY:**

Article 5 Section 5.5 of the Durham Town Charter states that no appropriation shall be made for any purpose not included in the annual budget as adopted unless approved by a **two-thirds (2/3) majority of the Council after a public hearing**. The Council shall, **by resolution**, designate the source of any money so appropriated.

This provision shall not apply, however, to emergency appropriations adopted pursuant to 3.10 of this Charter.

Article 5, Section 5.12 of the Durham Town Charter states that no bonds shall be issued by the Town Council in excess of \$500,000.00 per issue except by a **two-thirds (2/3) vote** of the Council. In addition, 5.12 states that the Council shall hold a **public hearing** on such bond issue in excess of five hundred thousand dollars (\$500,000.00) preceding its vote on the issue.

NH RSA 33:9 authorizes the issuance of bonds by a city, by **resolution** of the Council, passed by at least **two-thirds (2/3) vote** of all Council members.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

An additional \$424,250 requested will be appropriated within the approved FY 2023 Capital Fund Budget for the project. Funds will come from a Clean Water State Revolving Fund Loan and partial principal forgiveness.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby schedule a Public Hearing for Monday, August 14, 2023, on Resolution #2023-20 to:*

- 1. Authorize the Raising, Appropriating, and Expenditure of an Additional Four Hundred Twenty-Four Thousand, Two Hundred and Fifty Dollars (\$424,250) Within the Approved FY 2023 Capital Fund Budget (With \$424,250 to Come From a Clean Water State Revolving Fund loan, of Which \$42,425 of Loan Principal Forgiveness to be Forgiven); and*
- 2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$424,250 in Long-term Bonds or Notes in Accordance With the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Creek at Edgewood Road Culvert Project; and*
- 3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Amendment Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative Rules Chapter Env-Wq for the Completion of the Littlehale Creek at Edgewood Road Culvert Project*

## **RESOLUTION #2023-20 OF DURHAM, NEW HAMPSHIRE**

- 1. AUTHORIZE THE RAISING, APPROPRIATING, AND EXPENDITURE OF AN ADDITIONAL FOUR HUNDRED TWENTY-FOUR THOUSAND, TWO HUNDRED AND FIFTY DOLLARS (\$424,250) WITHIN THE APPROVED FY 2023 CAPITAL FUND BUDGET (WITH \$424,250 TO COME FROM A CLEAN WATER STATE REVOLVING FUND LOAN , OF WHICH \$42,425 OF LOAN PRINCIPAL FORGIVENESS TO BE FORGIVEN) FOR THE COMPLETION OF THE LITTLEHALE CREEK AT EDGEWOOD ROAD CULVERT PROJECT;**
- 2. AUTHORIZE THE BORROWING, ISSUANCE, AND INCURRENCE OF DEBT OF NOT MORE THAN \$424,250 IN LONG-TERM BONDS OR NOTES IN ACCORDANCE WITH THE PROVISION OF THE MUNICIPAL FINANCE ACT (RSA CHAPTER 33) FOR COMPLETION OF THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT;**
- 3. AUTHORIZE THE ADMINISTRATOR TO SUBMIT A CLEAN WATER STATE REVOLVING FUND LOAN AMENDMENT APPLICATION TO THE NHDES AND EXECUTE ALL NECESSARY DOCUMENTS IN ACCORDANCE WITH NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER ENV-WQ FOR THE COMPLETION OF THE LITTLEHALE BROOK AT EDGEWOOD ROAD CULVERT PROJECT**

**WHEREAS**, the Town of Durham, after thorough consideration, decided that the completion of the Littlehale Creek at Edgewood Road Project is critical infrastructure and an integral piece to the overall Madbury Road Complete Streets Project, and to that end it is necessary to apply for assistance from the State Revolving Fund (SRF); and

**WHEREAS**, the Town of Durham expects to receive principal forgiveness on the SRF loan in the amount of ten percent (10%) or \$42,425; and,

**WHEREAS**, the Town of Durham has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Wq 500, which relate to loans from the Clean Water State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

**WHEREAS**, the Durham Town Council voted to approve the original loan application for the Littlehale Brook at Edgewood Road Culvert Project on June 6, 2022 ; and

**WHEREAS**, Section 5.5 of the Durham Town Charter states that no appropriation shall be made for any purpose not included in the annual budget as adopted unless approved by a two-thirds (2/3) majority of the Council after a public hearing. The Council shall, by resolution, designate the source of any money so appropriated; and

**WHEREAS**, a duly posted Public Hearing on the additional appropriation of \$424,250 within the approved FY 2023 Capital Fund Budget was held on Monday, August 14, 2023; and

**WHEREAS**, the Town of Durham will need to borrow and incur the debt of not more than \$424,250 in accordance with the provision of the Municipal Finance Act (RSA Chapter 33) and outlined in Section 5.12 of the Durham Town Charter which states that no bonds shall be issued by the Town Council in excess of \$500,000.00 per issue except by a two-thirds (2/3) vote of the Council. In addition, 5.12 states that the Council shall hold a public hearing on such bond issue in excess of five hundred thousand dollars (\$500,000.00) preceding its vote on the issue; and

**WHEREAS**, NH RSA 33:9 authorizes the issuance of bonds by a city, by resolution of the Council, passed by at least two-thirds (2/3) vote of all Council members.; and

**NOW, THEREFORE BE IT RESOLVED** by the Durham Town Council, the governing body of the Town of Durham, New Hampshire, does hereby approve Resolution #2023-20 to:

1. Authorize the Raising, Appropriating, and Expenditure of an Additional Four Hundred Twenty-Four Thousand, Two Hundred and Fifty Dollars (\$424,250) Within the Approved FY 2023 Capital Fund Budget (With \$424,250 to Come From a Clean Water State Revolving Fund loan , of Which \$42,425 of Loan Principal Forgiveness to be Forgiven) for the Completion of the Littlehale Creek at Edgewood Road Culvert Project;
2. Authorize the Borrowing, Issuance, and Incurrence of Debt of Not More Than \$424,250 in Long-term Bonds or Notes in Accordance With the Provision of the Municipal Finance Act (RSA Chapter 33) for Completion of the Littlehale Brook at Edgewood Road Culvert Project;
3. Authorize the Administrator to Submit a Clean Water State Revolving Fund Loan Amendment Application to the NHDES and Execute all Necessary Documents in Accordance With New Hampshire Code of Administrative

Rules Chapter Env-Wq for the Completion of the Littlehale Brook at Edgewood Road Culvert Project.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_, **2023** by a **two-thirds (2/3) majority vote** of the Durham Town Council with \_\_ voting in favor, \_\_ voting against, and \_\_ abstaining.

---

Sally Needell, Chair  
Durham Town Council

***ATTEST:***

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Rachel Deane, Town Clerk-Tax Collector



## TOWN OF DURHAM

8 Newmarket Road

Durham, NH 03824

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AGENDA ITEM: **#9A** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Alberto B. Manalo, 11 Sumac Lane

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE TRUSTEES OF THE TRUST FUND CHAIR, APPOINT ALBERTO B. MANALO, 11 SUMAC LANE, TO FILL AN ALTERNATE MEMBER VACANCY ON THE TRUSTEES OF THE TRUST FUND WITH A TERM EXPIRATION OF MARCH 2024?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's information and consideration is an application for board appointment submitted by Alberto B. Manalo, requesting appointment as an alternate member to the Trustees of the Trust Fund.

Mr. Manalo has attended at least one meeting of the Trustees of the Trust Fund and has spoken with Chair, Michael Everngam. Attached for the Council's information is Chair Everngam's endorsement of Mr. Manalo's appointment.

Mr. Manalo will attend Monday night's Council meeting relative to his request for appointment.

There remains one vacant, one-year term alternate membership on the Trustees of the Trust Fund.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby, upon recommendation of Trustees of the Trust Fund Chair, appoint Alberto B. Manalo, 11 Sumac Lane, to fill an alternate member vacancy on the Trustees of the Trust Fund with term expiration of March 2024.*



# Town of Durham

8 Newmarket Road  
Durham, NH 03824-2898  
Tel: 603/868-5571  
Fax 603/868-1858

[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)

## Application for Board Appointment

Type of Appointment and Position Desired (Please select only one):

New appointment/regular member       New appointment/alternate member   
Reappointment/regular member       Reappointment/alternate member

**NOTE:** New applicants are asked to attend AT LEAST ONE meeting, as well as to meet separately with the Chair(s) of the committee(s) to which they are applying, **prior to submitting an application for appointment.**

Applicant has:

ATTENDED A MEETING  
 SPOKEN WITH CHAIR/V CHAIR  
 BEEN RECOMMENDED FOR MEMBERSHIP

} SCHEDULED FOR JUNE 29, 2023

Name: ALBERTO B. MANALO      Date: JUNE 5, 2023  
Address: 11 SUMAC LANE, DURHAM NH 03824-3215  
E-Mail Address: ALBERTO.MANALO@COMCAST.NET  
Telephone: 603-502-0539

Board/Commission/Committee to which you are interested in being appointed. (Please list in order of preference, if interested in more than one appointment).

1. TRUSTEES OF THE TRUST FUNDS
- 2.
- 3.

Are you willing to attend ongoing educational sessions offered by the New Hampshire Municipal Association, Strafford Regional Planning Commission, et al. and otherwise develop skills and knowledge relevant to your work on the board/committee?  YES      NO

(Over)



**From:** [meverngam@aol.com](mailto:meverngam@aol.com)  
**To:** [Karen Edwards](#)  
**Cc:** [Ted Howard](#); [external forward for tbebbington](#)  
**Subject:** RE: Alberto Manalo Appointment as Alternate Trustee  
**Date:** Tuesday, June 27, 2023 1:33:43 PM

---

Dear Members of the Durham Town Council:

I am heartily recommend Prof. Alberto Manalo for appointment as an Alternate Trustee of Trust Funds. Prof. Manalo's background includes management of both public and private funds as well as an extensive background in resource administration and management. He is known personal by two of the present Trustees, both of whom welcome his appointment. He has attended a Trustee meeting and I have spoken with him concerning his interest in joining the Trustees as an Alternate Trustee. He is a most impressive candidate for appointment.

Respectfully submitted,

Michael H. Everngam, Chair  
Trustees of Trust Funds.

**From:** Karen Edwards <[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)>  
**Sent:** Tuesday, June 27, 2023 12:04 PM  
**To:** external forward for meverngam <[MEverngam@aol.com](mailto:MEverngam@aol.com)>  
**Subject:** Alberto Manalo

Michael,

Alberto Manalo has informed me that he has spoken with you and attended a meeting of the Trustees. Please email me a recommendation for his appointment as an alternate to the Trustees of the Trust Fund. His application will be before the Town Council on July 17.

Karen

*Karen Edwards*

Administrative Assistant  
Administrator's Office  
Town of Durham  
8 Newmarket Road  
Durham, NH 03824  
(603) 868-5571  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)  
She/her/hers



## TOWN OF DURHAM

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Fax: 603-868-1858

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AGENDA ITEM: **#9B** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Leslie Schwartz, 24 Laurel Lane

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ZONING BOARD CHAIR, MOVE LESLIE SCHWARTZ, 24 LAUREL LANE, FROM A REGULAR MEMBERSHIP TO AN UNEXPIRED ALTERNATE MEMBER VACANCY ON THE ZONING BOARD WITH A TERM EXPIRATION OF APRIL 2024?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's information and consideration is an email submitted by Leslie Schwartz, requesting movement from a regular membership on the Zoning Board to an unexpired alternate member vacancy and Chair Warnock's endorsement of Ms. Schwartz's appointment.

Also attached is a listing of Zoning Board membership including this proposed change.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby, upon recommendation of the Zoning Board Chair, move Leslie Schwartz, 24 Laurel Lane, from a Regular Membership to an unexpired Alternate Member vacancy on the Zoning Board with a term expiration of April 2024.*

**From:** [schwartz leslie](#)  
**To:** [Karen Edwards](#)  
**Cc:** [Todd Selig](#); [Micah Warnock](#)  
**Subject:** Re: ZBA membership  
**Date:** Wednesday, June 28, 2023 2:01:54 PM  
**Importance:** High

---

Greetings, Karen,

Per your email below and our follow-up phone conversation, please consider this my official request to be reappointed as an Alternate member of the ZBA.

Please let me know if any further information and/or action(s) is required on my part.

Thank you,  
Leslie

On Jun 28, 2023, at 10:40 AM, Karen Edwards <[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)> wrote:

Leslie,

Micah mentioned to me that you were interested in moving to an alternate position on the ZBA. If that is true, please email me an official request as soon as possible. There is a new person who would like to be on the ZBA but I need to know if I should put him in your spot as a regular member or put him in as an alternate.

Karen

*Karen Edwards*  
Administrative Assistant  
Administrator's Office  
Town of Durham  
8 Newmarket Road  
Durham, NH 03824  
(603) 868-5571  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)  
She/her/hers

## Karen Edwards

---

**From:** Micah Warnock <warnockmr@gmail.com>  
**Sent:** Wednesday, June 28, 2023 2:26 PM  
**To:** Karen Edwards  
**Cc:** kevin lemieux  
**Subject:** Re: FW: Kevin Lemioux

Thanks Karen,

Please consider this my recommendation to reappoint Leslie Schwartz as an alternate member of the Zoning Board of adjustments per her wishes.

Best,

Micah Warnock  
ZBA Chair



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AGENDA ITEM: **#9C** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Kevin Lemieux, 11 Bartlett Road

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ZONING BOARD CHAIR, APPOINT KEVIN LEMIEUX, 11 BARTLETT ROAD, TO FILL AN UNEXPIRED REGULAR MEMBER VACANCY ON THE ZONING BOARD WITH A TERM EXPIRATION OF APRIL 2024?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's information and consideration is an application for board appointment submitted by Kevin Lemieux, requesting appointment as a regular member to the Zoning Board. Leslie Schwartz has requested to move from a regular member to an alternate member on the Zoning Board. Mr. Lemieux will fill Ms. Schwartz's unexpired term.

Mr. Lemieux has attended at least one meeting of the Zoning Board and has spoken with Chair, Micah Warnock. Attached for the Council's information is Chair Warnock's endorsement of Mr. Lemieux's appointment. Also attached is a listing of Zoning Board membership including this proposed change.

Mr. Lemieux will attend Monday night's Council meeting relative to his request for appointment.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby, upon recommendation of Zoning Board Chair, appoint Kevin Lemieux, 11 Bartlett Road, to fill an unexpired regular member vacancy on the Zoning Board with a term expiration of April 2024.*



## Town of Durham

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Fax 603/868-1858

[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)

### Application for Board Appointment

Type of Appointment and Position Desired (Please select only one):

New appointment/regular member       New appointment/alternate member        
Reappointment/regular member            Reappointment/alternate member     

**NOTE: New applicants are asked to attend AT LEAST ONE meeting, as well as to meet separately with the Chair(s) of the committee(s) to which they are applying, **prior to submitting an application for appointment.****

**Applicant has:**

  X   ATTENDED A MEETING  
  X   SPOKEN WITH CHAIR/V CHAIR  
  X   BEEN RECOMMENDED FOR MEMBERSHIP

---

Name: *Kevin Lemieux*

Date: *6/28/2023*

Address: *11 Bartlett Road, Durham, NH*

E-Mail Address: *lemieux\_kevin@hotmail.com*

Telephone: *617.999.4489*

Board/Commission/Committee to which you are interested in being appointed. (Please list in order of preference, if interested in more than one appointment).

1. *Zoning Board of Appeals*
- 2.
- 3.

Are you willing to attend ongoing educational sessions offered by the New Hampshire Municipal Association, Strafford Regional Planning Commission, et al, and otherwise develop skills and knowledge relevant to your work on the board/committee?    YES    NO

(Over)

Please provide a brief explanation for your interest in appointment to a particular board, commission or committee:

*I am interested in becoming a member of the Zoning Board as I see it as an opportunity to serve my community in an area in which I have experience and a useful skillset.*

Please provide brief background information about yourself:

*Currently I am the Building Inspector/Code Enforcement Officer for the town of Deerfield, NH. I also own a small home inspection company. I have been a licensed inspector in both NH and MA since 2017. Further, I worked as the Land Use Clerk in Nottingham, NH for 18 months (2021-2022).*

Please provide below the names and telephone numbers of up to three personal references:

Name: *Chris Sterndale (former TA Nottingham)* Telephone: *603.502.7980*

Name: *John Harrington (TA Deerfield)* Telephone: *603.370.7418*

Name: *Peter Schibbellhute (Chair Deerfield PB)* Telephone: *603.340.6841*



Thank you for your interest in serving the Town. Please return this application, along with a resume, if available, to: Town Administrator, 8 Newmarket Road, Durham, NH 03824, or email Karen Edwards at [kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us).

**From:** Micah Warnock <warnockmr@gmail.com>  
**Sent:** Wednesday, May 31, 2023 12:29 PM  
**To:** Karen Edwards <kedwards@ci.durham.nh.us>  
**Subject:** Kevin Lemiux

Council,

I had the pleasure of sitting down with Kevin Lemiux and discussing his interest in the Zoning Board of Adjustments. Kevin's interest is in line with the charge of the ZBA. He is thoughtful in his words and understands the obligations of the board. Hi back ground in code and inspections will be an asset. He is pleasant to chat with and is respectful. I believe he will make a great addition to the board. I have no hesitancy with recommending him to be a full member of the Zoning Board of Adjustments.

Best,

Micah

# Proposed Zoning Board Membership

OFFICIAL/BOARD	ADDRESS	PHONE	EMAIL	TERM	EXPIRES	APPT. AUTH.
Micah Warnock, <b>Chair</b>	45 Woodman Rd.	540-421-3705	<a href="mailto:warnockmr@gmail.com">warnockmr@gmail.com</a>	3 Yrs	4/24	Council
Neil Niman, <b>Vice Chair</b>	10 Cold Sprint Road	603-659-8853	<a href="mailto:neil.niman@gmail.com">neil.niman@gmail.com</a>	3 Yrs	4/25	Council
Mark Morong, <b>Sec.</b>	21 Emerson Rd.	603-661-1296	<a href="mailto:mduffm@comast.net">mduffm@comast.net</a>	3 Yrs	4/25	Council
Kevin Lemieux	11 Bartlett Road	617-999-4489	<a href="mailto:lemieux_kevin@hotmail.com">lemieux_kevin@hotmail.com</a>	3 Yrs	4/24	Council
James Bubar	4 Old Piscataqua Road	603-343-7890	<a href="mailto:jamesabubar@gmail.com">jamesabubar@gmail.com</a>	3 Yrs	4/26	Council
Joseph Warzin, <b>Alt.</b>	102 Madbury Road	586-933-6336	<a href="mailto:warzin@gmail.com">warzin@gmail.com</a>	3 Yrs	4/25	Council
Leslie Schwartz, <b>Alt.</b>	24 Laurel Lane	-----	<a href="mailto:totographs@metrocast.net">totographs@metrocast.net</a>	3 Yrs	4/24	Council
<b>VACANT, Alt.</b>				3 Yrs	4/26	Council



## TOWN OF DURHAM

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AGENDA ITEM: **#9D** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Mike Pazdon, 163 Dame Road

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE INTEGRATED WASTE MANAGEMENT ADVISORY COMMITTEE CHAIR, APPOINT MIKE PAZDON, 163 DAME ROAD, TO FILL A REGULAR MEMBER VACANCY ON THE INTEGRATED WASTE MANAGEMENT ADVISORY COMMITTEE WITH NO TERM EXPIRATION?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's information and consideration is an application for board appointment submitted by Mike Pazdon, requesting appointment as a regular member to the Integrated Waste Management Advisory Committee (IWMAC).

Mr. Pazdon has attended at least one meeting of IWMAC and has spoken with Chair, Nell Neal. Attached for the Council's information is Chair Neal's endorsement of Mr. Pazdon's appointment. Also attached is a listing of IWMAC membership including this proposed addition.

Mr. Pazdon will attend Monday night's Council meeting relative to his request for appointment.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby, upon recommendation of Integrated Waste Management Advisory Committee Chair, appoint Mike Pazdon, 163 Dame Road, to fill a regular member vacancy on the Integrated Waste Management Advisory Committee with no term expiration.*



## Town of Durham

8 Newmarket Road  
Durham, NH 03824-2898

Tel: 603/868-5571

Fax 603/868-1858

[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)

### Application for Board Appointment

Type of Appointment and Position Desired (Please select only one):

New appointment/regular member       New appointment/alternate member   
Reappointment/regular member       Reappointment/alternate member

**NOTE: New applicants are asked to attend AT LEAST ONE meeting, as well as to meet separately with the Chair(s) of the committee(s) to which they are applying, **prior to submitting an application for appointment.****

**Applicant has:**

x  ATTENDED A MEETING  
x  SPOKEN WITH CHAIR/V CHAIR  
 BEEN RECOMMENDED FOR MEMBERSHIP

---

Name: Mike Pazdon

Date: 7/3/2023

Address: 163 Dame Road, Durham, NH 03824

E-Mail Address: mpazdon@comcast.net

Telephone: 603-770-9414

Board/Commission/Committee to which you are interested in being appointed. (Please list in order of preference, if interested in more than one appointment).

1. IWMAC
- 2.
- 3.

Are you willing to attend ongoing educational sessions offered by the New Hampshire Municipal Association, Strafford Regional Planning Commission, et al, and otherwise develop skills and knowledge relevant to your work on the board/committee?    YES

(Over)

Please provide a brief explanation for your interest in appointment to a particular board, commission or committee:

Disposal of waste is an ongoing task for the town and I would like to be in the group to help discuss progress on better ways to recycle, cost effective methods and even perhaps cooperating with UNH, DES and others to develop new methods for moving toward sustainability. Also, I would like to see us get more participation and have some background in marketing and PR.

Please provide brief background information about yourself:

From here, Durham 42 years, family 100 years.

MS in Chemistry, UNH.

A number of differing positions of employment over the years including Lab Director for hazardous materials investigations.

Former Durham Town Councilor

Please provide below the names and telephone numbers of up to three personal references:

Name: Todd Selig

Telephone: Next door to you

Name: Vin Dell'Ova

Telephone: 603-781-6503

Name: Susan Caswell

Telephone: 603-498-7054



Thank you for your interest in serving the Town. Please return this application, along with a resume, if available, to: Town Administrator, 8 Newmarket Road, Durham, NH 03824, or email Karen Edwards at [kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us).

----- Forwarded message -----

From: **Nell Neal** <nellneal3@gmail.com>

Date: Sat, Jun 24, 2023 at 2:44 PM

Subject: Re: IWMAC

To: <[mpazdon@comcast.net](mailto:mpazdon@comcast.net)>

CC: Todd Selig <[tselig@ci.durham.nh.us](mailto:tselig@ci.durham.nh.us)>, <[council@ci.durham.nh.us](mailto:council@ci.durham.nh.us)>

Dear Mike, Council members and Administrator Selig,

The committee would be happy to have you join us. You are right. The members of this committee are very active and passionate about our purpose. We look forward to seeing you at our next meeting.

Sincerely,

Nell Neal

Chair

Integrated Waste Management Advisory Committee

On Sat, Jun 24, 2023 at 11:09 AM <[mpazdon@comcast.net](mailto:mpazdon@comcast.net)> wrote:

I am interested in joining the IWMAC. I attended a meeting last week and was educated on the items they are discussing to bring Durham forward with sustainability and reduction of cost in regards to our waste stream. The group discussion was engaging and each member seemed to have a task to research and therefore contribute to the deliberations.

As some of you know, I am a long time area resident, Durham, 41 years on a plot of family land, 163 Dame Road.

I attended UNH and hold a Masters of Science in Chemistry. I have had several interesting positions when I was working including the Director of the Hazardous Waste Analysis Lab for the State of NH and the Pesticide Surveillance officer. I served one term on the Council and occasionally send ideas to you about various subjects in Town.

I find the details of waste disposal interesting and also dynamic as the technology and methods are developed. I would be able to apply the necessary time and effort to be an active member of the group and firmly believe any good idea is one that is discussed and debated.

## Proposed IWMAC Membership

OFFICIAL/BOARD	ADDRESS	PHONE	EMAIL	TERM	EXPIRES	APPT. AUTH.
Nell Neil, <b>Chair</b>	11 Riverview Rd.	603-866-2153	<a href="mailto:Nellneal2@comcast.net">Nellneal2@comcast.net</a>	N/A	N/A	Council
Julie Kelley	5 Garden Ln.	603-767-9796	<a href="mailto:Ricjulkelley@comcast.net">Ricjulkelley@comcast.net</a>	N/A	N/A	Council
Naomi Kornhauser	27 Edgewood Road	603-868-6698	<a href="mailto:naomi.kornhauser@comcast.net">naomi.kornhauser@comcast.net</a>	N/A	N/A	Council
Sally Needell	36 Bagdad Rd.	603-868-1552	<a href="mailto:Sallyneedell@gmail.com">Sallyneedell@gmail.com</a>	N/A	N/A	Council
Mike Pazdon	163 Dame Road	603-770-9414	<a href="mailto:mpazdon@comcast.net">mpazdon@comcast.net</a>	N/A	N/A	Council
<b>VACANT</b>				N/A	N/A	Council
Susan Richman, <b>Alt.</b>	16 Cowell Drive	603-868-2758	<a href="mailto:susan7richman@gmail.com">susan7richman@gmail.com</a>	N/A	N/A	Council
Carden Welsh, <b>Cncl Rep.</b>	3 Fairchild Dr.	Private	<a href="mailto:cardentc2@gmail.com">cardentc2@gmail.com</a>	1 Yr	3/24	Council
Heather Grant, <b>PB Rep.</b>	7 Emerson Road	603-285-2913	<a href="mailto:hcgrant51@gmail.com">hcgrant51@gmail.com</a>	1 Yr	4/24	Planning Board



## TOWN OF DURHAM

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AGENDA ITEM: **# 10A** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Gail Jablonski, Business Manager

**AGENDA ITEM:** QUARTERLY FINANCIAL REPORT THROUGH JUNE 30, 2023

**CC PREPARED BY:** Gail Jablonski, Business Manager

**PRESENTED BY:** Gail Jablonski, Business Manager

**AGENDA DESCRIPTION:**

In compliance with section 5.6 of the Durham Town Charter attached for your review and consideration is a financial report for 2023 through June 30, 2023. General Fund information is broken down by function which may be helpful for your analysis and for the purpose of discussion at the Town Council Meeting. Revenue and expense reports for all other funds are presented in summary format. You will note on the attached report the last column indicates the Percent Collected/Expended as of 06/30/22 for year-to-year comparison purposes.

**LEGAL AUTHORITY:**

Durham Town Charter Section 5.6

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

The Town's expenditures as of June 30, 2023 show a total expenditure of \$9,723,053 or 53.3% of the total approved budget amount of \$18,256,249. To compare, the amount expended as of June 30, 2022 was 51.1%.

There are no abnormalities to report at this time.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action is required. This report is presented as information to keep the Council informed on the Town's financial position.

<b>2023 Budget/Estimated General Fund January 1 - June 30, 2023</b>					
<b>PROPERTY TAXES/ABATEMENTS/CREDITS</b>	<b>Estimated Revenue 2023</b>	<b>Revenues Ending 06/30/23</b>	<b>Revenues Under (Over) 2023</b>	<b>Percent Collected 06/30/23</b>	<b>Percent Collected 06/30/22</b>
Property Taxes	\$10,677,404	\$4,667,802	\$6,009,602	43.7%	41.0%
Payment in Lieu of Taxes	\$1,045,500	\$0	\$1,045,500	0.0%	0.0%
Abatements	(\$75,000)	(\$6,204)	(\$68,796)	8.3%	56.4%
Veteran Service Credits	(\$129,500)	\$0	(\$129,500)	0.0%	0.0%
<b>REVENUES</b>	<b>Estimated Revenue 2023</b>	<b>Revenues Ending 06/30/23</b>	<b>Revenues Under (Over) 2023</b>	<b>Percent Collected 06/30/23</b>	<b>Percent Collected 06/30/22</b>
Interest and Penalties on Delinquent Taxes	\$50,000	\$41,946	\$8,054	83.9%	81.4%
Permit Fees	\$1,457,720	\$825,511	\$632,209	56.6%	52.9%
State/Federal Revenues	\$1,382,500	\$198,781	\$1,183,719	14.4%	8.7%
Intergovernmental Revenues (ORCSD-SRO)	\$90,250	\$90,250	\$0	100.0%	52.3%
UNH - Shared Services, School, Fire & Debt Service	\$2,586,375	\$1,406,316	\$1,180,059	54.4%	55.3%
Departmental Income	\$253,000	\$183,393	\$69,607	72.5%	74.2%
Fire and Police Special Details	\$123,500	\$91,255	\$32,245	73.9%	19.8%
Miscellaneous Revenue	\$794,500	\$495,067	\$299,433	62.3%	74.7%
Fund Balance	\$0	\$0	\$0	0.0%	0.0%
<b>Total General Fund Revenues</b>	<b>\$6,737,845</b>	<b>\$3,332,519</b>	<b>\$3,405,326</b>	<b>49.5%</b>	<b>41.1%</b>
<b>EXPENDITURES</b>	<b>Council Budget 2023</b>	<b>Expended Through 06/30/23</b>	<b>Expenditures Under (Over) 2023</b>	<b>Percent Expended 06/30/23</b>	<b>Percent Expended 06/30/22</b>
<b>GENERAL GOVERNMENT</b>					
Town Council	\$312,250	\$24,178	\$288,072	7.7%	14.5%
Town Treasurer	\$6,030	\$2,799	\$3,231	46.4%	46.7%
Town Administrator	\$400,000	\$206,698	\$193,302	51.7%	43.3%
Elections	\$8,700	\$4,857	\$3,843	55.8%	25.5%
Tax Collector/Town Clerk	\$308,950	\$139,801	\$169,149	45.3%	44.4%
Accounting	\$385,450	\$189,435	\$196,015	49.1%	46.4%
Assessing	\$210,850	\$87,838	\$123,012	41.7%	47.5%
Legal - Attorney Fees	\$85,000	\$36,485	\$48,515	42.9%	77.5%
Legal - Eversource Settlement (Great Bay Study)	\$0	\$0	\$0	0.0%	100.0%
Planning	\$189,700	\$90,528	\$99,172	47.7%	47.0%
Economic Development	\$0	\$0	\$0	0.0%	0.0%
Boards/Commissions/Committees	\$61,450	\$22,405	\$39,045	36.5%	48.8%
DCAT	\$122,350	\$54,195	\$68,155	44.3%	41.5%
GIS	\$113,350	\$57,027	\$56,323	50.3%	44.30%
MIS	\$457,170	\$242,516	\$214,654	53.0%	39.6%
Building Inspection	\$238,800	\$94,317	\$144,483	39.5%	39.0%
Emergency Management	\$1,000	\$125	\$875	12.5%	14.0%
Other General Government	\$450,500	\$152,200	\$298,300	33.8%	40.8%
<b>General Government Total</b>	<b>\$3,351,550</b>	<b>\$1,405,404</b>	<b>\$1,946,146</b>	<b>41.9%</b>	<b>46.7%</b>
<b>PUBLIC SAFETY</b>					
Police Department	\$3,338,765	\$1,563,592	\$1,775,173	46.8%	43.7%
Police Department Special Details	\$60,500	\$38,088	\$22,412	63.0%	17.0%
Fire Department	\$4,636,050	\$2,205,179	\$2,430,871	47.6%	46.0%
Fire Department Special Details	\$38,800	\$26,565	\$12,235	68.5%	34.4%
Communication Center	\$18,700	\$19,876	(\$1,176)	106.3%	90.3%
Ambulance Services	\$46,950	\$23,471	\$23,479	50.0%	49.9%
<b>Public Safety Total</b>	<b>\$8,139,765</b>	<b>\$3,876,771</b>	<b>\$4,262,994</b>	<b>47.6%</b>	<b>44.2%</b>

EXPENDITURES	Council Budget 2023	Expended Through 06/30/23	Expenditures Under (Over) 2023	Percent Expended 06/30/23	Percent Expended 06/30/22
<b>PUBLIC WORKS</b>					
Administration	\$387,250	\$180,391	\$206,859	46.6%	43.5%
Engineer	\$149,700	\$55,498	\$94,202	37.1%	33.7%
Stormwater Permitting	\$3,500	\$1,678	\$1,822	47.9%	0.0%
Town Buildings	\$358,150	\$158,218	\$199,932	44.2%	42.3%
Town Cemeteries & Trusted Graveyards	\$15,650	\$6,039	\$9,611	38.6%	11.6%
Wagon Hill & Parks & Grounds Maintenance	\$174,390	\$87,886	\$86,504	50.4%	29.6%
Equipment Maintenance	\$280,750	\$95,907	\$184,843	34.2%	34.1%
Roadway Maintenance	\$190,400	\$77,816	\$112,584	40.9%	35.9%
Drainage & Vegetation	\$133,300	\$55,760	\$77,540	41.8%	30.9%
Snow Removal	\$348,900	\$212,268	\$136,632	60.8%	51.6%
Traffic Control	\$145,000	\$70,074	\$74,926	48.3%	32.9%
Bridges & Dams	\$227,650	\$81,671	\$145,979	35.9%	36.3%
Public Works Use of Donations	\$0	\$0	\$0	0.0%	94.5%
<b>Public Works Total</b>	<b>\$2,414,640</b>	<b>\$1,083,206</b>	<b>\$1,331,434</b>	<b>44.9%</b>	<b>39.0%</b>
<b>SANITATION</b>					
Solid Waste Administration	\$199,050	\$78,735	\$120,315	39.6%	48.0%
Rolloff Vehicle Operation	\$67,600	\$26,662	\$40,938	39.4%	43.9%
Curbside Collection	\$226,100	\$94,564	\$131,536	41.8%	42.3%
Litter Removal	\$33,300	\$12,142	\$21,158	36.5%	35.3%
Recycling	\$165,800	\$75,933	\$89,867	45.8%	44.1%
Solid Waste Management Facility (SWMF)	\$127,100	\$60,871	\$66,229	47.9%	42.8%
<b>Sanitation Total</b>	<b>\$818,950</b>	<b>\$348,907</b>	<b>\$470,043</b>	<b>42.6%</b>	<b>43.9%</b>
<b>HEALTH &amp; WELFARE</b>					
Health Inspector	\$300	\$90	\$210	30.0%	0.0%
Social Service Agencies	\$12,300	\$12,300	\$0	100.0%	100.0%
Direct Assistance (Welfare)	\$30,000	\$41,413	(\$11,413)	138.0%	64.5%
<b>Health &amp; Welfare Total</b>	<b>\$42,600</b>	<b>\$53,803</b>	<b>(\$11,203)</b>	<b>126.3%</b>	<b>74.1%</b>
<b>CULTURE &amp; RECREATION</b>					
Parks & Recreation Department	\$374,570	\$170,566	\$204,004	45.5%	40.9%
UNH Outdoor Pool and ORYA	\$0	\$0	\$0	0.0%	0.0%
Parks & Recreation Committee	\$1,500	\$0	\$1,500	0.0%	5.2%
Memorial Day	\$500	\$655	(\$155)	131.0%	101.0%
Conservation	\$44,000	\$17,572	\$26,428	39.9%	20.9%
<b>Culture &amp; Recreation Total</b>	<b>\$420,570</b>	<b>\$188,793</b>	<b>\$231,777</b>	<b>44.9%</b>	<b>37.9%</b>
<b>DEBT SERVICE</b>					
Principal	\$1,203,400	\$983,119	\$220,281	81.7%	64.4%
Interest	\$367,750	\$288,824	\$78,926	78.5%	88.9%
Debt Service Charges	\$6,000	\$3,500	\$2,500	58.3%	0.0%
<b>Debt Service Total</b>	<b>\$1,577,150</b>	<b>\$1,275,443</b>	<b>\$301,707</b>	<b>80.9%</b>	<b>69.1%</b>
<b>TRANSFERS</b>					
Transfer to Library	\$577,400	\$577,400	\$0	100.0%	100.0%
Transfer to Capital Project Fund	\$843,624	\$843,324	\$300	100.0%	100.0%
Transfer to Capital Reserve Fund	\$70,000	\$70,000	\$0	100.0%	0.0%
<b>Debt Service Total</b>	<b>\$1,491,024</b>	<b>\$1,490,724</b>	<b>\$300</b>	<b>100.0%</b>	<b>98.3%</b>
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$18,256,249</b>	<b>\$9,723,051</b>	<b>\$8,533,198</b>	<b>53.3%</b>	<b>51.1%</b>

**2023 Budget/Estimated Other Funds Summary  
January 1 - June 30, 2023**

Water Fund	Estimated 2023	Ending 06/30/23	Under (Over) 2023	Percent as of 06/30/23	Percent as of 06/30/22
Revenues	\$1,525,220	\$724,445	\$800,775	47.5%	49.7%
Expenses	\$1,525,220	\$874,309	\$650,911	57.3%	42.8%

  

Sewer Fund	Estimated 2023	Ending 06/30/23	Under (Over) 2023	Percent as of 06/30/23	Percent as of 06/30/22
Revenues	\$3,152,000	\$2,001,492	\$1,150,508	63.5%	64.2%
Expenses	\$3,152,000	\$1,767,566	\$1,384,434	56.1%	52.4%

  

Parking Fund	Estimated 2023	Ending 06/30/23	Under (Over) 2023	Percent as of 06/30/23	Percent as of 06/30/22
Revenues	\$420,000	\$243,720	\$176,280	58.0%	66.7%
Expenses	\$420,000	\$155,644	\$264,356	37.1%	38.4%

  

Depot Road Fund	Estimated 2023	Ending 06/30/23	Under (Over) 2023	Percent as of 06/30/23	Percent as of 06/30/22
Revenues	\$119,000	\$32,594	\$86,406	27.4%	18.3%
Expenses	\$119,000	\$5,264	\$113,736	4.4%	2.8%

  

Churchill Rink Fund	Estimated 2023	Ending 06/30/23	Under (Over) 2023	Percent as of 06/30/23	Percent as of 06/30/22
Revenues	\$318,000	\$190,931	\$127,069	60.0%	54.0%
Expenses	\$318,000	\$124,209	\$193,791	39.1%	37.0%

  

Library Fund	Estimated 2023	Ending 06/30/23	Under (Over) 2023	Percent as of 06/30/23	Percent as of 06/30/22
Revenues	\$602,400	\$584,337	\$18,063	97.0%	96.2%
Expenses	\$602,400	\$291,582	\$310,818	48.4%	48.1%



## TOWN OF DURHAM

8 Newmarket Road  
Durham, NH 03824  
Tel: 603-868-5571  
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AGENDA ITEM: **#10B** *GJ*

DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Jim Rice, Assessor

**AGENDA ITEM:** PRESENTATION BY JIM RICE, TOWN ASSESSOR, ON PROPOSED CHANGES TO INCOME, ASSET, AND EXEMPTION THRESHOLDS FOR BLIND, DISABLED AND ELDERLY EXEMPTIONS. AUTHORIZE TOWN ASSESSOR TO CREATE ORDINANCE 2023-XX AMENDING CHAPTER 132, TAX EXEMPTIONS & CREDITS, OF THE TOWN CODE WITH THE PROPOSED CHANGES AND SCHEDULE A FIRST READING FOR AUGUST 14, 2023.

**CC PREPARED BY:** Jim Rice, Assessor

**CC PRESENTED BY:** Jim Rice, Assessor

**AGENDA DESCRIPTION:**

Due to the increase in property assessments from the 2023 revaluation and the cost-of-living increases, the income, asset, and exemption thresholds for the blind, disabled and elderly exemptions needs to be reviewed and possibly revised.

Currently, the income, asset, and exemption amounts for the **blind, disabled and elderly** are as followed:

**Blind:**

- No income or asset thresholds required.
- Exemption amount is \$30,000.

**Disabled:**

- Single Person - Net income of not more than \$38,000
- Married Person - Net income of not more than \$52,000
- Must not own assets more than \$155,000, excluding the primary residence.
- Exemption amount is \$110,000 off assessed value.

**Elderly:**

- Single Person - Net income of not more than \$38,000
- Married Person - Net income of not more than \$52,000
- For a person aged 65-74, the exemption is \$125,000 off the assessed value.
- For a person aged 75-80, the exemption is \$175,000 off the assessed value.
- For a person aged 80 or older, the exemption is \$225,000 off the assessed value.
- Must not own assets more than \$200,000, excluding the primary residence.

The Town of Durham last updated the disabled and elderly income and exemption amounts on April 3, 2017. Since that time, the Cost of Living (COLA) has increased 22.3% between 2017 and 2022, and due to the 2023 revaluation, property assessments for single family homes have increased an average of 52%. Due to these changes, it is time to review, discuss and revise these income, asset and exemption amounts as deemed necessary.

**LEGAL AUTHORITY:**

**72:37 Exemption for the Blind.** – Every inhabitant who is legally blind as determined by the blind services program, bureau of vocational rehabilitation, department of education shall be exempt each year on the assessed value, for property tax purposes, of his or her residential real estate to the value of \$15,000, and a city or town may exempt any amount it may determine is appropriate to address significant increases in property values in accordance with the procedures in RSA 72:27-a. The term " residential real estate " as used in this section shall mean the same as defined in RSA 72:29. All applications made under this section shall be subject to the provisions of RSA 72:33 and RSA 72:34.

**72:37-b Exemption for the Disabled.** –

I. Upon its adoption by a city or town as provided in RSA 72:27-a, any person who is eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled shall receive a yearly exemption in an amount to be chosen by the town or city.

I-a. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, a person who is eligible under Title II or Title XVI of the federal Social Security Act on his or her sixty-fifth birthday shall remain eligible for a yearly exemption either in the amount of the exemption applicable under paragraph I or the amount of the elderly exemption granted to the person under RSA 72:39-b, whichever is greater.

I-b. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, any person who at any time previously was eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled, but who is no longer eligible for such federal benefits due to reasons other than the status of that person's disability, shall be eligible for the exemption under paragraph I or I-a, or both as may be applicable, provided that the person submits an

affidavit from a physician licensed in New Hampshire that attests to the fact that the person continues to meet the criteria for disability that are used under Title II or Title XVI of the federal Social Security Act.

II. The exemptions in paragraph I and I-a may be applied only to property which is occupied as the principal place of abode by the disabled person. The exemption may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode. Nothing in this section shall preclude a qualified applicant from earning an income.

III. No exemption shall be allowed under paragraph I or I-a unless the person applying for an exemption:

(a) Had, in the calendar year preceding said April 1, a net income from all sources, or if married, a combined net income from all sources, of not more than the respective amount determined by the city or town for purposes of paragraph I or I-a. Under no circumstances shall the amount determined by the city or town be less than \$13,400 for a single person or \$20,400 for married persons. The net income shall be determined by deducting from all moneys received from any source including social security or pension payments, the amount of any of the following or the sum thereof:

(1) Life insurance paid on the death of an insured.

(2) Expenses and costs incurred in the course of conducting a business enterprise.

(3) Proceeds from the sale of assets.

(b) Owns net assets not in excess of the amount determined by the city or town for purposes of paragraph I, excluding the value of the person's actual residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The amount determined by the city or town shall not be less than \$35,000 or, if married, combined net assets in such greater amount as may be determined by the town or city. "Net assets" means the value of all assets, tangible and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

(c) Has been a New Hampshire resident for at least 5 years.

IV. Additional requirements for an exemption under paragraph I or I-a shall be that the property is:

(a) Owned by the resident;

(b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirements for the exemption claimed;

(c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable requirements for the exemption claimed; or

(d) Owned by a resident, or the resident's spouse, either of whom meets the requirements for the exemption claimed, and when they have been married to each other for at least 5 consecutive years.

**72:27-a Procedure for Adoption, Modification, or Rescission. –**

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, RSA 72:62, RSA 72:66, RSA 72:70, RSA 72:76, RSA 72:82, RSA 72:85, or RSA 72:87, in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the property tax exemption or credit, the amount of such exemption or credit, and the manner of its determination, as listed in paragraph I. If a majority of those voting on the question vote " yes, " the exemption or credit shall take effect within the town or city, on the date set by the governing body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

III. A municipality may modify, if applicable, or rescind the exemption or credits provided in paragraph I in the manner described in this section.

IV. An amendment to a statutory provision listed in paragraph I related to an exemption or credit amount or to the eligibility or application of an exemption or credit, shall apply in a municipality which previously adopted the provision only after the municipality complies with the procedure in this section, unless otherwise expressly required by law.

**72:39-a Conditions for Elderly Exemption. –**

I. No exemption shall be allowed under RSA 72:39-b unless the person applying therefor:

(a) Has resided in this state for at least 3 consecutive years preceding April 1 in the year in which the exemption is claimed.

(b) Had in the calendar year preceding said April 1 a net income from all sources, or if married, a combined net income from all sources, of not more than the respective amount applicable to each age group as determined by the city or town for purposes of RSA 72:39-b. Under no circumstances shall the amount determined by the city or town be less than \$13,400 for a single person or \$20,400 for married persons. The net income shall be determined by deducting from all moneys received from any source including social security or pension payments, the amount of any of the following or the sum thereof:

(1) Life insurance paid on the death of an insured.

(2) Expenses and costs incurred in the course of conducting a business enterprise.

(3) Proceeds from the sale of assets.

(c) Owns net assets not in excess of the amount determined by the city or town for purposes of RSA 72:39-b, excluding the value of the person's actual residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The amount determined by the city or town shall not be less than \$35,000. A city or town may set a combined net assets amount for married persons in such greater amount as the legislative body of the city or town may determine. " Net assets " means the value of all assets, tangible and intangible, minus the value of any good faith encumbrances. " Residence " means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

II. Additional requirements for an exemption under RSA 72:39-b shall be that the property is:

(a) Owned by the resident; or

(b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the age requirement for the exemption claimed; or

(c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable age requirement for the exemption claimed; or

(d) Owned by a resident, or the resident's spouse, either of whom meets the age requirement for the exemption claimed, and when they have been married to each other for at least 5 consecutive years.

III. Upon the death of an owner residing with a spouse pursuant to subparagraph II(b) or II(d), the combined net asset amount for married persons determined by the city or town shall continue to apply to the surviving spouse for the purpose of the exemption granted under RSA 72:39-b until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse.

**72:39-b Procedure for Adoption and Modification of Elderly Exemption. –**

I. A town or city may adopt or modify elderly exemptions by the procedure in RSA 72:27-a.

II. An elderly exemption, based on assessed value for qualified taxpayers, may be granted for a different dollar amount determined by the town or city, to a person 65 years of age up to 75 years, to a person 75 years of age up to 80 years, and to a person 80 years of age or older. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must

have a net income in each applicable age group of not more than a dollar amount determined by the town or city of not less than \$13,400 or, if married, a combined net income of not more than a dollar amount determined by the town or city of not less than \$20,400; and own net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the person's residence or, if married, combined net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the residence. Under no circumstances shall the amounts of the exemption for any age category be less than \$5,000. The combined net asset amount for married persons shall apply to a surviving spouse until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

See attached spreadsheets

**SUGGESTED ACTION OR RECOMMENDATIONS:**

Receive presentation from Assessor, Jim Rice, and hold question and answer session if desired. Authorize Town Assessor to create Ordinance 2023-XX amending Chapter 132, Tax Exemptions & Credits, of the Town Code with the proposed changes and schedule a First Reading for August 14, 2023.

ELDERLY EXEMPTION - CURRENT							
RSA 72:39-a							
MUNICIPALITY	ELDERLY EXEMPTION AMOUNT 65-74	ELDERLY EXEMPTION AMOUNT 75-79	ELDERLY EXEMPTION AMOUNT 80+	ELDERLY INCOME SINGLE	ELDERLY INCOME MARRIED	ELDERLY ASSET LIMIT SINGLE	ELDERLY ASSET LIMIT MARRIED
<b>DURHAM</b>	<b>125,000</b>	<b>175,000</b>	<b>225,000</b>	<b>38,000</b>	<b>52,000</b>	<b>200,000</b>	<b>200,000</b>
DOVER	166,000	234,000	300,000	47,000	64,000	186,100	186,100
EXETER	152,251	183,751	236,251	40,427	51,977	194,251	194,251
HAMPTON	140,000	168,000	221,000	38,000	58,000	250,000	250,000
LEE	217,500	262,500	337,500	46,500	59,400	222,500	222,500
MADBURY	90,000	110,000	130,000	40,000	50,000	180,000	180,000
NEWMARKET	125,000	150,000	175,000	35,000	50,000	175,000	175,000
NOTTINGHAM	101,000	142,000	184,000	38,000	48,000	180,000	180,000
PORTSMOUTH	235,000	285,000	335,000	50,137	68,598	500,000	500,000
STRATHAM	125,000	145,000	165,000	36,000	60,000	200,000	200,000
<b>*AVERAGE:</b>	<b>150,195</b>	<b>186,695</b>	<b>231,528</b>	<b>41,229</b>	<b>56,664</b>	<b>231,983</b>	<b>231,983</b>
<b>*MEDIAN:</b>	<b>140,000</b>	<b>168,000</b>	<b>221,000</b>	<b>40,000</b>	<b>58,000</b>	<b>194,251</b>	<b>194,251</b>
<b>**AVERAGE:</b>	<b>147,675</b>	<b>185,525</b>	<b>230,875</b>	<b>40,906</b>	<b>56,198</b>	<b>228,785</b>	<b>228,785</b>
<b>**MEDIAN:</b>	<b>132,500</b>	<b>171,500</b>	<b>223,000</b>	<b>39,000</b>	<b>55,000</b>	<b>197,126</b>	<b>197,126</b>

\*Does not include Durham

\*\* Includes Durham

BLIND EXEMPTION - CURRENT	
RSA 72:37	
MUNICIPALITY	BLIND EXEMPTION AMOUNT
<b>DURHAM</b>	<b>30,000</b>
DOVER	166,000
EXETER	15,000
HAMPTON	25,000
LEE	15,000
MADBURY	15,000
NEWMARKET	20,000
NOTTINGHAM	37,200
PORTSMOUTH	25,000
STRATHAM	15,000
<b>*AVERAGE:</b>	<b>37,022</b>
<b>*MEDIAN:</b>	<b>20,000</b>
<b>**AVERAGE:</b>	<b>36,320</b>
<b>**MEDIAN:</b>	<b>22,500</b>

\*Does not include Durham

\*\* Includes Durham

DISABLED EXEMPTION - CURRENT					
RSA 72:37-b					
MUNICIPALITY	DISABLED EXEMPTION AMOUNT	DISABLED INCOME SINGLE	DISABLED INCOME MARRIED	DISABLED ASSET LIMIT SINGLE	DISABLED ASSET LIMIT MARRIED
<b>DURHAM</b>	<b>110,000</b>	<b>38,000</b>	<b>52,000</b>	<b>155,000</b>	<b>155,000</b>
DOVER	166,000	47,000	64,000	186,100	186,100
EXETER	125,000	35,000	45,000	150,000	150,000
HAMPTON	125,000	38,000	58,000	250,000	250,000
LEE	70,000	35,000	50,000	150,000	150,000
NEWMARKET	70,000	35,000	50,000	150,000	150,000
NOTTINGHAM	101,000	38,000	48,000	180,000	180,000
PORTSMOUTH	235,000	50,137	68,598	235,000	235,000
<b>*AVERAGE:</b>	<b>137,000</b>	<b>40,523</b>	<b>55,600</b>	<b>191,850</b>	<b>191,850</b>
<b>*MEDIAN:</b>	<b>125,000</b>	<b>38,000</b>	<b>54,000</b>	<b>183,050</b>	<b>183,050</b>
<b>**AVERAGE:</b>	<b>133,143</b>	<b>40,162</b>	<b>55,085</b>	<b>186,586</b>	<b>186,586</b>
<b>**MEDIAN:</b>	<b>125,000</b>	<b>38,000</b>	<b>52,000</b>	<b>180,000</b>	<b>180,000</b>

\*Does not include Durham

\*\* Includes Durham

The Town's of Epping, Greenland, Lee, Madbury, Newington, Rye, & Stratham have not adopted RSA 72:37-b.

ELDERLY EXEMPTION - RECOMMENDED CHANGES							
RSA 72:39-a							
MUNICIPALITY	ELDERLY EXEMPTION AMOUNT 65-74	ELDERLY EXEMPTION AMOUNT 75-79	ELDERLY EXEMPTION AMOUNT 80+	ELDERLY INCOME SINGLE	ELDERLY INCOME MARRIED	ELDERLY ASSET LIMIT SINGLE	ELDERLY ASSET LIMIT MARRIED
<b>DURHAM</b>	<b>175,000</b>	<b>225,000</b>	<b>275,000</b>	<b>46,474</b>	<b>63,596</b>	<b>No Change</b>	<b>No Change</b>
<b>Rounded:</b>	<b>175,000</b>	<b>225,000</b>	<b>275,000</b>	<b>*46,500</b>	<b>*64,000</b>		
<b>% Increase:</b>	<b>40.00%</b>	<b>28.57%</b>	<b>22.22%</b>	<b>22.30%</b>	<b>22.30%</b>		

\*Increases based on Social Security Cost Of Living Adjustments (COLA) From 2017 Thru 2023 = 22.3%

\*\*Increases to match elderly exemption and asset limits for ages 65-74.

BLIND EXEMPTION - RECOMMENDED CHANGES	
RSA 72:37	
MUNICIPALITY	BLIND EXEMPTION AMOUNT
<b>DURHAM</b>	<b>36,690</b>
<b>Rounded:</b>	<b>*37,000</b>
<b>% Increase:</b>	<b>22.30%</b>

DISABLED EXEMPTION - RECOMMENDED CHANGES					
RSA 72:37-b					
MUNICIPALITY	DISABLED EXEMPTION AMOUNT	DISABLED INCOME SINGLE	DISABLED INCOME MARRIED	DISABLED ASSET LIMIT SINGLE	DISABLED ASSET LIMIT MARRIED
<b>DURHAM</b>	<b>175,000</b>	<b>46,474</b>	<b>63,596</b>	<b>200,000</b>	<b>200,000</b>
<b>Rounded:</b>	<b>**175,000</b>	<b>*46,500</b>	<b>*64,000</b>	<b>**200,000</b>	<b>**200,000</b>
<b>% Increase:</b>	<b>59.09%</b>	<b>22.30%</b>	<b>22.30%</b>	<b>29.03%</b>	<b>29.03%</b>

### Social Security Cost-Of-Living Adjustments

<u>Year</u>	<u>COLA</u>	<u>Year</u>	<u>COLA</u>	<u>Year</u>	<u>COLA</u>
1975	8.0	1995	2.6	2015	0.0
1976	6.4	1996	2.9	2016	0.3
1977	5.9	1997	2.1	2017	2.0
1978	6.5	1998	1.3	2018	2.8
1979	9.9	1999 <sup>a</sup>	2.5	2019	1.6
1980	14.3	2000	3.5	2020	1.3
1981	11.2	2001	2.6	2021	5.9
1982	7.4	2002	1.4	2022	8.7
1983	3.5	2003	2.1		
1984	3.5	2004	2.7		
1985	3.1	2005	4.1		
1986	1.3	2006	3.3		
1987	4.2	2007	2.3		
1988	4.0	2008	5.8		
1989	4.7	2009	0.0		
1990	5.4	2010	0.0		
1991	3.7	2011	3.6		
1992	3.0	2012	1.7		
1993	2.6	2013	1.5		
1994	2.8	2014	1.7		

Social Security COLA	
2017	2.0
2018	2.8
2019	1.6
2020	1.3
2021	5.9
2022	8.7
<b>Total:</b>	<b>22.3</b>

**DEMOGRAPHICS**

NHES - ECONOMIC & LABOR MARKET INFORMATION BUREAU/MLS

MUNICIPALITY	2021 POPULATION	2021 MEDIAN FAMILY INCOME	2021 MEDIAN HOUSHOLD INCOME	Age 65 & OVER	% ELDERLY POPULATION	INDIVIDUALS BELOW POVERTY LEVEL	2022 AVERAGE SALE PRICE SINGLE FAMILY RES.	2022 MEDIAN SALE PRICE SINGLE FAMILY RES.	2022 MEDIAN ASSESSED VALUE SINGLE FAMILY RES.
<b>DURHAM</b>	<b>15,539</b>	<b>139,831</b>	<b>83,289</b>	<b>1,247</b>	<b>8.02%</b>	<b>25.90%</b>	<b>627,404</b>	<b>575,500</b>	<b>356,100</b>
<b>DOVER</b>	33,171	97,359	74,833	5,199	15.67%	8.50%	490,403	406,000	423,800
<b>EXETER</b>	16,114	117,637	73,109	3,600	22.34%	5.90%	452,042	440,000	373,500
<b>HAMPTON</b>	16,333	146,500	141,563	375	4.40%	7.10%	617,249	562,000	389,400
<b>LEE</b>	4,589	121,889	97,438	910	19.83%	1.20%	432,531	475,000	425,400
<b>MADBURY</b>	1,931	149,583	146,288	214	2.30%	8.00%	608,538	608,500	402,300
<b>NEWMARKET</b>	9,435	95,313	76,731	1,361	14.43%	6.70%	476,263	485,000	309,000
<b>NOTTINGHAM</b>	5,308	94,838	82,229	987	18.59%	5.10%	542,546	540,075	351,900
<b>PORTSMOUTH</b>	22,277	109,565	78,712	4,161	18.68%	6.60%	811,613	681,795	481,100
<b>STRATHAM</b>	7,783	134,650	126,009	1,323	17.00%	2.40%	656,319	612,000	479,700
*AVERAGE:	12,993	118,593	99,657	2,014	14.80%	5.72%	565,278	534,486	404,011
*MEDIAN:	9,435	117,637	82,229	1,323	17.00%	6.60%	542,546	540,075	402,300
**AVERAGE:	13,248	120,717	98,020	1,938	14.13%	7.74%	571,491	538,587	399,220
**MEDIAN:	12,487	119,763	82,759	1,285	16.34%	6.65%	575,542	551,038	395,850

**Durham Residents Receiving Exemptions**

Type	Map	Lot	Exemption Amount
Blind Exemption RSA 72:37	108	24	30,000
Blind Exemption RSA 72:37	109	25	30,000
Blind Exemption RSA 72:37	114	8	30,000
Disabled Exemption RSA 72:37-b	108	46	110,000
Elderly Exemption 80+	118	44	112,500
Elderly Exemption 65-74	218	72	125,000
Elderly Exemption 65-74	113	44	125,000
Elderly Exemption 65-74	114	55	125,000
Elderly Exemption 65-74	105	80	125,000
Elderly Exemption 65-74	109	4	125,000
Elderly Exemption 75-79	109	4	175,000
Elderly Exemption 75-79	108	40	175,000
Elderly Exemption 75-79	224	59	175,000
Elderly Exemption 75-79	221	12	175,000
Elderly Exemption 80+	104	22	225,000
Elderly Exemption 80+	104	46	225,000
Elderly Exemption 80+	216	7	225,000
Elderly Exemption 80+	108	9	225,000
Elderly Exemption 80+	102	41	225,000
Elderly Exemption 80+	111	2	225,000
Elderly Exemption 80+	206	23	225,000
Elderly Exemption 80+	206	32	225,000
Elderly Exemption 80+	112	26	225,000

**Assessment Change - No Revision to Exemption Amounts**

2022 Assessment	2023 Revised Assessment	Percent Change Assessment	2022 Taxes	*2023 Taxes	Difference
			\$29.04	\$20	
\$265,000	\$449,000	69%	\$6,824	\$8,380	\$1,556
\$316,100	\$535,300	69%	\$8,308	\$10,106	\$1,798
\$313,500	\$482,600	54%	\$8,233	\$9,052	\$819
\$278,500	\$552,100	98%	\$4,893	\$8,842	\$3,949
\$205,800	\$333,900	62%	\$2,709	\$4,428	\$1,719
\$141,000	\$231,100	64%	\$465	\$2,122	\$1,657
\$306,400	\$516,400	69%	\$5,268	\$7,828	\$2,560
\$245,200	\$433,200	77%	\$3,491	\$6,164	\$2,673
\$251,500	\$456,500	82%	\$3,674	\$6,630	\$2,956
\$137,800	\$215,800	57%	\$372	\$1,816	\$1,444
\$145,400	\$213,600	47%	\$0	\$772	\$772
\$176,200	\$320,600	82%	\$35	\$2,912	\$2,877
\$256,900	\$367,100	43%	\$2,378	\$3,842	\$1,464
\$269,400	\$447,400	66%	\$2,741	\$5,448	\$2,707
\$341,800	\$483,600	41%	\$3,392	\$5,172	\$1,780
\$259,700	\$340,400	31%	\$1,008	\$2,308	\$1,300
\$180,400	\$351,900	95%	\$0	\$2,538	\$2,538
\$237,000	\$395,800	67%	\$348	\$3,416	\$3,068
\$286,400	\$537,500	88%	\$1,783	\$6,250	\$4,467
\$286,100	\$430,900	51%	\$1,774	\$4,118	\$2,344
\$153,500	\$239,600	56%	\$0	\$292	\$292
\$364,000	\$517,300	42%	\$4,037	\$5,846	\$1,809
\$317,800	\$448,200	41%	\$2,695	\$4,464	\$1,769
<b>\$ 249,365</b>	<b>\$ 404,339</b>	<b>63%</b>		<b>Average:</b>	<b>\$2,101</b>

**Assessment Change - With Recommended Revision to Exemption Amounts**

2023 Recommended Exemption Amount	2022 Assessment	2023 Revised Assessment	2022 Taxes	*2023 Taxes	Difference
			\$29.04	\$20	
37,000	\$265,000	\$449,000	\$6,824	\$8,240	\$1,416
37,000	\$316,100	\$535,300	\$8,308	\$9,966	\$1,658
37,000	\$313,500	\$482,600	\$8,233	\$8,912	\$679
175,000	\$278,500	\$571,600	\$4,893	\$7,932	\$3,039
137,500	\$205,800	\$333,900	\$2,709	\$3,928	\$1,219
175,000	\$141,000	\$231,100	\$465	\$1,122	\$657
175,000	\$306,400	\$516,400	\$5,268	\$6,828	\$1,560
175,000	\$245,200	\$433,200	\$3,491	\$5,164	\$1,673
175,000	\$251,500	\$456,500	\$3,674	\$5,630	\$1,956
175,000	\$137,800	\$215,800	\$372	\$816	\$444
225,000	\$145,400	\$213,600	\$0	\$0	\$0
225,000	\$176,200	\$320,600	\$35	\$1,912	\$1,877
225,000	\$256,900	\$367,100	\$2,378	\$2,842	\$464
225,000	\$269,400	\$447,400	\$2,741	\$4,448	\$1,707
275,000	\$341,800	\$483,600	\$3,392	\$4,172	\$780
275,000	\$259,700	\$340,400	\$1,008	\$1,308	\$300
275,000	\$180,400	\$351,900	\$0	\$1,538	\$1,538
275,000	\$237,000	\$395,800	\$348	\$2,416	\$2,068
275,000	\$286,400	\$537,500	\$1,783	\$5,250	\$3,467
275,000	\$286,100	\$430,900	\$1,774	\$3,118	\$1,344
275,000	\$153,500	\$239,600	\$0	\$0	\$0
275,000	\$364,000	\$517,300	\$4,037	\$4,846	\$809
275,000	\$317,800	\$448,200	\$2,695	\$3,464	\$769
				<b>Average:</b>	<b>\$1,279</b>

\*2023 Tax Rate Estimated



## TOWN OF DURHAM

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AGENDA ITEM: **# 12**  
DATE: July 17, 2023

### COUNCIL COMMUNICATION

**INITIATED BY:** Durham Town Council

**AGENDA ITEM:** APPROVE THE TOWN COUNCIL REVISED MEETING MINUTES FOR JUNE 26, 2023

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Gail Jablonski, Acting Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's review and approval are the minutes for the meeting held on June 26, 2023. Please call or email Karen Edwards 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 anybody 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 June 26, 2023 (as presented/as amended).*