



TOWN OF DURHAM

8 Newmarket Road

Durham, NH 03824

Tel: 603-868-5571

Fax: 603-868-1858

www.ci.durham.nh.us

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

DURHAM TOWN COUNCIL

MONDAY, APRIL 15, 2024

DURHAM TOWN HALL - COUNCIL CHAMBERS

6:00 PM

IAW RSA 91-A:2 I: (a) Strategy or negotiations with respect to collective bargaining; and
(b) Consultation with legal counsel relative to the Durham Police Officer's Union N.E. Police Benevolent Association, Local 21, Collective Bargaining Unit contracts.

NOTE: *This meeting is not open to the public.*

AGENDA

DURHAM TOWN COUNCIL

MONDAY, APRIL 15, 2024

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

- 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. Shall the Town Council Approve the 2nd 2024 Warrant for Water and Sewer Totaling \$691,712.59 commit the bills for charges to the Tax Collector for collection, and authorize the Administrator to sign said warrant on its behalf?
 - B. Shall the Town Council upon recommendation by the Administrator, release the School Impact Fees collected, plus any accrued interest, to the Oyster River Cooperative School District to be used towards the Middle School bond payment?
 - C. Shall the Town Council accept the recommendations of the Town Assessor and Administrator relative to FY 2023 Property Tax abatement requests in the total amount of \$45,719.21?
 - D. Shall the Town Council, Upon Recommendation of the Administrator, Approve a Special Event Permit Application Submitted by Joan Osborn to close certain sections of Town Roads for Revolution: 1774 to be held on Saturday, June 15, 2024 with a rain date of June 16, 2024?
 - E. Shall the Town Council unseal the Nonpublic Session minutes from the year 2002 dated January 21, June 17, August 5, October 21, and October 28?
- IX. Committee Appointments**

Shall the Town Council, upon recommendation of the Planning Board Chair, Appoint Robert Sullivan 193 Packers Falls Road, to fill an Alternate Membership on the Planning Board with a term expiration of April 2027?
- X. Presentation Items**
 - A. Presentation from Human Rights Commission on Statement issued April 5, 2024 by the Commission in regard to Ceasefire Resolution #2024-10.
 - B. Presentation/Discussion with Fire Chief Dave Emanuel regarding shift vacancies and overtime overages, and options to address these issues.
 - C. Quarterly Financial Report through 3/31/24 - Gail Jablonski, Business Manager
- XI. Unfinished Business**
 - A. **Public Hearing and Action on Resolution #2024-12** Authorizing the Acceptance and Expenditure of Funding from the National Fish and Wildlife Foundation (NFWF) National Coastal Resilience Fund (NCRF) for the Construction Improvements, Engineering Services, Monitoring and Inspection for the Phase 2 Wagon Hill Farm Living Shoreline Improvements in the Amount \$1,994,539.00 and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

- B. **Public Hearing and Action on Resolution #2024-13** Authorizing the Acceptance and Expenditure of Funding from the NH Department of Environmental Services (NHDES) NH Clean Diesel Grant Program, Funded Through the U.S. Environmental Protection Agency's (EPA) Diesel Emission's Reduction Act (DERA), for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC) That will Operate in Durham, New Hampshire to Reduce Diesel Emissions. Funding shall Equal an amount not to exceed 45% of the Cost of Each Eligible Vehicle and Charger Or a Total Not to Exceed \$723,681, Whichever is Less, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.
- C. **Public Hearing and Action on Resolution #2024-14** Authorizing the Acceptance and Expenditure of Funding from the FY23 Congressionally Mandated Projects Program from the U.S. Environmental Protection Agency, for the Bennett Road Stormwater and Flood Resiliency Project, in the Amount of up to \$2,040,000, with a Required 20% Match of \$510,000, for a Total Grant and Match Amount of \$2,550,000, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

- XII. **Approval of Minutes - March 18, 2024**
- XIII. **Councilor and Administrator Roundtable**
- XIV. **New Business**
- XV. **2024/2025 Town Council Goals**
Continued discussion on the draft 2024-25 Town Council goals
- XVI. **Nonpublic Session (if required)**
- XVII. **Extended Councilor and Administrator Roundtable (if required)**
- XVIII. **Adjourn (NLT 10:30 PM)**

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



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AGENDA ITEM: **#8A**

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: April Talon, Town Engineer

AGENDA ITEM: SHALL THE TOWN COUNCIL APPROVE THE 2ND 2024 WARRANT FOR WATER AND SEWER TOTALING \$691,712.59 COMMIT THE BILLS FOR CHARGES TO THE TAX COLLECTOR FOR COLLECTION, AND AUTHORIZE THE ADMINISTRATOR TO SIGN SAID WARRANT ON ITS BEHALF?

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

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

Attached for the Council's approval is the 2nd 2024 Warrant for Water and Sewer totaling \$691,712.59 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 2019 through 2023 and the first three months of 2024 compared to the budget.

LEGAL AUTHORITY:

RSA 38:22 II (a)

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

The warrant details are as follows:

	Water	\$ 353,366.13
Lee Waterline Extension	Water	\$ 7,206.91
	Sewer	\$ <u>331,139.55</u>
	Total	\$ 691,712.59

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 2nd 2024 Warrant for Water and Sewer totaling \$691,712.59, commits the bills for charges to the Tax Collector for collection, and authorizes the Administrator to sign said warrant on its behalf.

2024 ESTIMATED VS ACTUAL USAGE
January 1 - March 31 , 2024

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
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	14,447,347	\$ 10.42	\$ 1,505,414	14,656,024	\$ 10.42	\$ 1,527,158	208,677	\$21,744	101%
2024 - 1st Quarter	3,629,896	\$ 10.61	\$ 385,132	3,330,501	\$ 10.61	\$ 353,366	(299,395)	\$ (31,766)	92%

*Estimated for 2024 - 1st quarter is determined by dividing total 2024 estimate (14,519,584) by four.

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	\$ -	285,509	\$ 11.98	\$ 34,204			0%
2024 - 1st Quarter		\$ 12.20	\$ -	59,073	\$ 12.20	\$ 7,207			0%

Lee Connections through March 31, 2024

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
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	13,651,868	\$ 9.57	\$ 1,306,484	13,815,025	\$ 9.57	\$ 1,322,098	163,157	\$15,614	101%
2024 - 1st Quarter	3,430,032	\$ 10.31	\$ 353,636	3,211,829	\$ 10.31	\$ 331,140	(218,203)	(\$22,497)	94%

*Estimated for 2024 - 1st quarter is determined by dividing total 2024 estimate (13,720,127) by four.

1st QUARTER ACTUALS	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)	2024 (total cubic feet)
Water	3,527,540	3,241,246	3,442,141	3,409,428	3,656,574	3,330,501
Water - Lee Extension					63,233	59,073
Sewer	3,382,932	3,095,327	3,286,030	3,292,580	3,514,853	3,211,829

2nd QUARTER ACTUALS	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)	2024 (total cubic feet)
Water	3,355,258	3,186,882	3,689,323	3,502,992	3,657,659	
Water - Lee Extension					64,104	
Sewer	3,194,670	2,862,096	3,455,094	3,298,425	3,320,712	

3rd QUARTER ACTUALS	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)	2024 (total cubic feet)
Water	3,448,551	3,817,406	3,412,971	3,680,587	3,549,077	
Water - Lee Extension				24,319	68,979	
Sewer	3,159,604	3,449,128	3,205,142	3,305,110	3,336,952	

4th QUARTER ACTUALS	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)	2024 (total cubic feet)
Water	3,703,845	3,618,243	3,883,261	3,638,779	3,792,715	
Water - Lee Extension				47,374	89,193	
Sewer	3,471,691	3,436,605	3,707,154	3,451,330	3,642,509	

YEARLY TOTALS	2019 (total cubic feet)	2020 (total cubic feet)	2021 (total cubic feet)	2022 (total cubic feet)	2023 (total cubic feet)	2024 (total cubic feet)
Water	14,035,194	13,863,777	14,427,696	14,231,786	14,656,025	3,330,501
Water - Lee Extension				71,693	285,509	59,073
Sewer	13,208,897	12,843,156	13,653,420	13,347,445	13,815,026	3,211,829

**2024 BUDGETED VS ACTUAL EXPENDITURES
January 1 - March 31, 2024**

FUNDS	Budgeted Ending 3/31/24	Actual Ending 3/31/24	Under (Over) 2024	Percent as of 3/31/24	Percent as of 3/31/23
Water	\$385,132	\$353,366	\$31,766	91.8%	101.2%
Water - Lee Extension		\$7,207	(\$7,207)	0.0%	
Sewer	\$353,636	\$331,140	\$22,497	93.6%	103.0%

*Budgeted is determined by multiplying total 2024 by 0.25 or 3 months

STATE OF NEW HAMPSHIRE
WATER/SEWER – 2nd WARRANT 2024

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

Six Hundred Ninety-One Thousand, Seven Hundred Twelve and Fifty-Nine Cents
(\$691,712.59)

	Water \$ 353,366.13
Lee Waterline Extension Water \$	7,206.91
Sewer \$	<u>331,139.55</u>
Total \$	691,712.59

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 2nd billing of 2024 computed from the 1st quarter water and sewer readings of 2024.

ATTEST: _____
Rachel Dean, Town Clerk-Tax Collector

Given under our hands and seal at Durham this ____ day of April, 2024.

Todd I. Selig, Administrator
Per Town Council vote on 4/15/2024



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AGENDA ITEM: **#8B TS**

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Gail Jablonski, Business Manager

AGENDA ITEM: SHALL THE TOWN COUNCIL UPON RECOMMENDATION BY THE ADMINISTRATOR, RELEASE THE SCHOOL IMPACT FEES COLLECTED, PLUS ANY ACCRUED INTEREST, TO THE OYSTER RIVER COOPERATIVE SCHOOL DISTRICT TO BE USED TOWARDS THE MIDDLE SCHOOL BOND PAYMENT?

CC PREPARED BY: Gail Jablonski, Business Manager

PRESENTED BY: Todd Selig, Town Administrator

AGENDA DESCRIPTION:

Chapter 75 of the Durham Town Code outlines the Impact Fee Ordinance for the Town of Durham.

This Ordinance is governed by RSA 674:21 Innovative Land Use Controls. Article V reads as follows "... "impact fee" means a fee or assessment imposed upon development, including subdivision, building construction, or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the municipality...the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member..."

Per the December 19, 2005 Public School Impact Fees Basis of Assessment report prepared by Bruce C. Mayberry, Planning Consultant the School Impact Fees to be collected per single detached structure are \$3,699. The Town currently has available

\$73,980 plus accumulated interest which has been collected since December 2018 on the development of 20 new single-family homes in Durham.

Chapter 75 of the Durham Town Code also outlines “The Town, or in the case of school impact fees the School District, has failed, within the period of six (6) years from the date of the final payment of such fee, to appropriate the non-impact fee share of related capital improvement costs the owner of record of property shall be entitled to a refund of that fee, plus accrued interest.”

Project Location	Date Received	Principal Amount Received / Balance
10 Juniper Lane	12/13/18	3,699.00
100 Mill Rd	04/22/19	3,699.00
38 Bagdad	08/27/19	3,699.00
16 Orchard Dr	10/30/19	3,699.00
215 Packers Falls	02/12/20	3,699.00
13 Durham Point	08/27/20	3,699.00
263 Newmarket Rd	08/28/20	3,699.00
74 Piscataqua	09/04/20	3,699.00
157 Mill Rd	01/08/21	3,699.00
560 Bay Rd	03/05/21	3,699.00
32 Cedar Point	03/05/21	3,699.00
209 Packers Falls Rd	08/04/21	3,699.00
9 Deer Meadow Rd	09/01/22	3,699.00
28 Old Piscataqua Rd	10/03/22	3,699.00
11 Stevens Way	12/30/22	3,699.00
137 Mill Rd	01/04/23	3,699.00
37 Mill Rd	02/17/23	3,699.00
7 Young Dr	02/22/23	3,699.00
5 Young Dr	04/19/23	3,699.00
52 OysterRiver Rd	05/19/23	3,699.00
		\$ 73,980.00

As the 6-year mark is approaching on the receipt of some of the funds, the Town is recommending turning over all impact fees collected to date towards the bond payment for the new middle school.

Laura Spector-Morgan of Mitchell Municipal Group has advised us that the statute provides that impact fees may be spent upon order of the municipal governing body. She does recommend that the Town only pay for the percentage of the bond payment that relates to the percentage of Durham students in the school. With 309 of the 618 students at Mast Way residing in Durham this equates to 50% of the total enrollment. The FY 2024 bond payment for the middle school is \$2,066,606.12.

LEGAL AUTHORITY:

Chapter 75 of the Administrative Code of the Town of Durham outlines Impact Fees.

LEGAL OPINION:

Laura Spector-Morgan of Mitchell Municipal Group has approved the use of these funds for the middle school bond payment.

FINANCIAL DETAILS:

Durham has collected \$73,980 plus accrued interest in School Impact Fees which is less than the 50% contribution towards the bond payment allowed.

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby, upon recommendation by the Administrator, release the School Impact Fees collected, plus any accrued interest, to the Oyster River Cooperative School District to be used towards the Middle School bond payment.



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AGENDA ITEM: **#8C TS**

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Jay Ferreira Assessor

AGENDA ITEM: SHALL THE TOWN COUNCIL ACCEPT THE RECOMMENDATIONS OF THE TOWN ASSESSOR AND ADMINISTRATOR RELATIVE TO FY 2023 PROPERTY TAX ABATEMENT REQUESTS IN THE TOTAL AMOUNT OF \$45,719.21?

CC PREPARED BY: Karen Edwards, Administrative Assistant

CC PRESENTED BY: Jay Ferreira, Assessor

AGENDA DESCRIPTION:

Each year the Town receives requests for property tax abatements. The deadline for filing abatement requests is March 1, 2024. The Town must respond to the applicants in writing by July 1, 2024, or the application is automatically denied.

The Assessor's Office has reviewed abatement requests received to date, conducted site inspections, and met with those property owners or tax representatives who requested a meeting. These inspections and meetings have been held on an ongoing basis. Once these meetings concluded, the Assessor reviewed the requests in more detail and formulated recommendations. If the taxpayer has appealed their assessment with the municipality and is dissatisfied with the decision of the Town, they may appeal the abatement to either the New Hampshire Board of Tax and Land Appeals or Superior Court, but not both.

Attached for the Council's review and information are abatement recommendations for the following properties:

- 1. 277 Main St LLC-277 Main St**
Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of \$25,488.62 including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.
- 2. Aggarwal- 14 Sandy Brook Dr**
Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of \$427.55 including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.
- 3. Alpha Gamma Rho- 6 Strafford Rd**
Recommendation: DENY (for Tax Year 2023). The Assessor recommends denying the abatement request. See attached abatement recommendation from the assessor outlining the reasons for denying this request.
- 4. Alpha Phi International Fraternity- 8 Strafford Ave**
Recommendation: DENY (for Tax Year 2023). The Assessor recommends denying the abatement request. See attached abatement recommendation from the assessor outlining the reasons for denying this request.
- 5. Barrett Rev Trust- 38 Colony Cove Rd**
Recommendation: DENY (for Tax Year 2023). The Assessor recommends denying the abatement request. See attached abatement recommendation from the assessor outlining the reasons for denying this request.
- 6. Benning Family Trust- 36 Colony Cove Rd**
Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of \$660.85 including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.
- 7. Dolchino - 41 Emmerson Road**
Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of \$320.68 including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.
- 8. Ehlen Family Trust-570 Bay Rd**
Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of \$3,050.72 including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.

9. Gamma Mu Alumni Association- 5 Strafford Ave

Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of **\$6,118.15**. See attached abatement recommendation from the assessor outlining the reasons for denying this request.

10. Heald-McCosker- 220 Longmarsh Rd

Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of **\$621.37** including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.

11. Inglefinger- 35 Bagdad Rd

Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of **\$632.90** including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.

12. MacLean & Mackie-180 Piscataqua Rd

Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of **\$6,593.61** including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.

13. NH Beta Housing LLC- 28 Madbury Rd

Recommendation: DENY (for Tax Year 2023). The Assessor recommends denying the abatement request. See attached abatement recommendation from the assessor outlining the reasons for denying this request.

14. Schlie- 16 Foss Farm Road

Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement request in the amount of **\$871.16** including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.

15. SZ Durham Apartments LLC- 259 Mast Road

Recommendation: DENY (for Tax Year 2023). The Assessor recommends denying the abatement request. See attached abatement recommendation from the assessor outlining the reasons for denying this request.

16. Wilson-34 Oyster River Rd

Recommendation: GRANT (for Tax Year 2023). The Assessor recommends granting the abatement in the amount of \$933.60 including interest. See attached abatement recommendation from the assessor outlining the reasons for granting this request.

LEGAL AUTHORITY:

RSA 76:16 describes the process for the apportionment, assessment, and abatement of property taxes.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

As part of the FY 2024 budget, the Town of Durham has appropriated \$125,000 to be used for tax abatement/appeal purposes. To date, the Town has abated \$36,627.65 to taxpayers who have appealed their assessments with the municipality, to the Board of Tax and Land Appeals or Superior Court.

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby accept the recommendations of the Town Assessor and Administrator relative to FY 2023 Property Tax abatement requests in the total amount of \$45,719.21.

2023 Local Level Abatements												
Map/Lot	Owner	Property Type	Address	Current Assessment	Taxpayer's Opinion of Value	Assessor's Rec.	Assessor's Revised Assessment	Difference	Abate w/o Int.	**Interest Due	Total Abatement w/Int.	Notes
104-12	Christopher Hall	Residential	23 Bagdad Rd	\$79,700	\$489,100	GRANT	\$492,300	\$87,400	\$1,790.00	\$27.86	\$1,817.86	Letter sent 4/3/24
104-13	Avery Family Trust	Residential	27 Bagdad Rd	\$640,800	\$500,000	GRANT	\$629,300	\$11,500	\$236.00	\$4.16	\$240.16	Letter sent 4/3/24
104-24	BPNE Property	Residential	39 Emerson Road	\$504,100	\$340,000	GRANT	\$453,800	\$50,300	\$1,030.00	\$16.37	\$1,046.37	Letter sent 4/3/24
104-25	Carina Dolcino	Residential	41 Emerson Road	\$434,600	\$397,000	GRANT	\$419,200	\$15,400	\$316.00	\$4.68	\$320.68	
104-31	Lisa & Kurt Harling	Residential	14 Littlehale Road	\$466,200	Not Specified	GRANT	\$462,900	\$3,300	\$69.00	\$0.67	\$69.67	Letter sent 2/6/24
104-48	Dongpeng Xu & Shan Jing	Residential	3 Strout Lane	\$682,800	\$580,000	GRANT	\$599,900	\$82,900	\$1,698.00	\$14.70	\$1,712.70	Letter sent 2/6/24
104-69	Jayson Seaman & Kim Sekera	Residential	46 Bagdad Road	\$723,400	\$586,556	WITHDRAWN						Abatement Application Withdrawn per Owner
104-74	Inglefinger Erich & Trina	Residential	35 Bagdad Rd	\$553,400	\$465,000	GRANT	\$523,000	\$30,400	\$623.00	\$9.90	\$632.90	
104-75	Kenneth & Nancy Lynch	Residential	32 Bagdad Road	\$768,300	Not Specified	GRANT	\$744,400	\$23,900	\$490.00	\$7.20	\$497.20	Letter sent 4/3/24
104-76	Andrea Chan	Residential	30 Bagdad Road	\$563,400	\$427,000	DENY	\$0				\$0.00	Letter sent 4/3/24
105-56	Pamela Shaw	Residential	101 Madbury Road	\$383,600	\$350,000	GRANT	\$368,000	\$15,600	\$319.00	\$2.59	\$321.59	Letter sent 2/6/24
106-7	Gamma Mu	Student Housing	5 Strafford Ave	\$1,509,700	\$720,000	GRANT	\$1,215,400	\$294,300	\$6,027.00	\$91.15	\$6,118.15	
106-8	Mu Alpha Building Association	Sorority	11 Strafford Ave.	\$1,691,200	\$1,600,000	GRANT	\$1,641,200	\$50,000	\$1,024.00	\$16.38	\$1,040.38	Letter sent 4/3/24
106-15	Alpha Phi	Student Housing	8 Strafford Ave	\$2,564,400	\$1,910,000	DENY					\$0.00	
106-37	NH Beta Housing	Student Housing	28 Madbury Rd	\$1,663,100	\$1,310,000	DENY					\$0.00	
107-10	Catboat Properties LLC	Residential	8 Bagdad Road	\$695,900	\$503,000	GRANT	\$603,800	\$92,100	\$1,886.00	\$29.35	\$1,915.35	Letter sent 4/3/24
108-16	Alpha Gamma Rho	Student Housing	6 Strafford Ave	\$1,366,400	\$970,000	DENY					\$0.00	
108-40	Jay Connor	Residential	3 Bayview Road	\$320,600	\$250,000	DENY	\$0				\$0.00	Letter sent 4/3/24
108-71 & 73	Erika Naumann Gaillat & Md Shaad Mahmud	Residential	14 Schoolhouse Lane	\$828,700	\$675,000	WITHDRAWN						Abatement Application Withdrawn per Owner
108-93	Michael Menary	Student Housing	27 Mill Pond Road	\$603,500	\$600,000	GRANT	\$554,700	\$48,800	\$1,000.00	\$9.21	\$1,009.21	Letter sent 2/6/24
109-84	Theodore & Dawn Meredith	Residential	69 Mill Road	\$468,300	\$409,300	GRANT	\$422,700	\$40,100	\$933.00	\$14.52	\$947.52	Letter sent 4/3/24
109-107	BVB LLC	Commerical	48 Main Street	\$1,096,700	\$975,000	GRANT	\$991,200	\$105,500	\$2,160.00	\$33.61	\$2,193.61	Letter sent 4/3/24
113-4	Qifei Wang & Bingxian Mu	Residential	54 Oyster River Rd.	\$752,200	\$650,000	GRANT	\$728,900	\$23,300	\$477.00	\$4.39	\$481.39	Letter sent 2/6/24
113-40	Christina Wilson	Residential	34 Oyster River Rd	\$537,700	\$470,000	GRANT	\$492,800	\$44,900	\$919.00	\$14.60	\$933.60	
113-80	Catherine & David O'Leary	Residential	19 Orchard Drive	\$586,100	\$545,000	GRANT	\$564,900	\$21,200	\$435.00	\$3.77	\$438.77	Letter sent 2/6/24
113-117	Paul & Robyn Schlie	Residential	16 Foss Farm Road	\$629,010	\$580,000	GRANT	\$587,100	\$41,910	\$858.00	\$13.16	\$871.16	
114-36	Elis LaDouceur & Andrew Cartoceti	Residential	16 Laurel Lane	\$926,200	Not Specified	DENY					\$0.00	Letter sent 2/6/24
114-41	Thomas A. Toye IV Rev Trust	Residential	9-13 Tavern Way	\$2,487,132	\$1,502,921	GRANT	\$2,077,400	\$463,000	\$8,391.00	\$130.58	\$8,521.58	Letter sent 4/3/24
118-44	Gloria Smalley Rev Trust & Diane Young	Residential	106 Newmarket Road	\$333,900	Not Specified	GRANT	\$329,200	\$4,700	\$97.00	\$0.94	\$97.94	Letter sent 2/6/24
119-20	Sharad & Manisha Aggarwal	Residential	14 Sandy Brook Dr	\$561,300	\$539,550	GRANT	\$540,700	\$20,600	\$421.00	\$6.55	\$427.55	
203-2	277 Main LLC/ Rivers Edge LLC	Student Housing	277 Main ST	\$10,159,600	\$10,081,020	GRANT	\$8,858,216	\$1,222,800	\$25,044.00	\$444.62	\$25,488.62	
203-7	CDC New Hampshire LLC	Student Housing	100 Clubhouse St.	\$58,656,600	\$53,666,000	DENY					\$0.00	Letter sent 4/3/24
204 & 207	28 Properties on Bagdad Road	Residential	Bagdad Rd	N/A	N/A	DENY	\$0				\$0.00	Appealed based on Disproportionality
209-11	Thanh T. Johns Rev Trust	Residential	90 Bagdad Road	\$586,500	\$575,000	DENY	\$591,500	-\$5,000	\$0.00	\$0.00	\$0.00	Letter sent 2/6/24
209-39	Leda Keef Rev Trust	Residential	59 Piscataqua Road	\$794,305	\$550,000	WITHDRAWN						Abatement Application Withdrawn per Owner
209-46	Jeffrey D. Berlin	Student Housing	81 Piscataqua Road	\$495,600	\$333,689	GRANT	\$392,900	\$102,700	\$2,103.00	\$32.50	\$2,135.50	Letter sent 4/3/24
210-10	SZ Durham Apartments LLC	Student Housing	259 Mast Road	\$54,839,000	\$45,000,000	DENY					\$0.00	No supporting documentation, on opinion of value.
216-14	Sandy Maclean & Janet Mackie	Residential	180 Piscataqua Road	\$1,584,000	\$650,000	GRANT	\$1,263,100	\$320,900	\$6,572.00	\$21.61	\$6,593.61	
217-2	Nancy W. Barrett Rev. Trust	Land	38 Colony Cove Road	\$600,600	\$385,000	DENY					\$0.00	
217-7	Benning Family Trust	Residential	36 Colony Cove Road	\$1,001,500	\$695,000	GRANT	\$969,700	\$41,800	\$651.00	\$9.85	\$660.85	
218-59	Mary Lohnes Ehrenworth & Richard Hallett	Residential	18 Colonial Cove Rd.	\$1,373,700	\$878,000	GRANT	\$1,209,000	\$164,700	\$3,372.00	\$51.73	\$3,423.73	Letter sent 4/3/24
218-69	David E. & Donna L. Langley Rev Trusts	Residential	234 Longmarsh Road	\$516,652	Not Specified	GRANT	N/C	\$0	\$97.00	\$7.20	\$104.20	Abatement due to incorrect Solar Exemption Amount. Letter sent 2/6/24
218-72	Heald McCosker Donna	Residential	220 Longmarsh Rd	\$231,100	N/A	GRANT	\$200,900	\$30,200	\$619.00	\$2.37	\$621.37	
222-28	John & Amy Pierce	Residential	18 Surrey Lane	\$687,600	\$585,000	GRANT	\$612,600	\$75,000	\$1,536.00	\$12.46	\$1,548.46	Letter sent 2/6/24
223-29	Matthew & Austyn Mazzola	Residential	56 Wiswall Road	\$778,600	\$675,000	GRANT	\$676,100	\$102,500	\$2,098.00	\$19.31	\$2,117.31	Letter sent 2/6/24
227-4	Ralph & Elisabeth Kleinmann	Residential	267 Durham Pt. Rd.	\$1,171,000	\$1,010,000	GRANT	\$1,108,700	\$62,300	\$1,276.00	\$11.19	\$1,287.19	Letter sent 2/6/24
227-5	Robert & Brenda Ryan	Residential	269 Durham Pt. Rd.	\$1,295,000	\$925,500	DENY					\$0.00	Letter sent 2/6/24
227-6	Chase Family Security Trust	Residential	271 Durham Pt. Rd.	\$1,201,500	\$975,000	DENY	\$0				\$0.00	203-2
235-14	John L. Pokoski	Residential	333 Lee Hook Road	\$503,011	Not specified	GRANT	\$325,989	\$177,022	\$3,625.00	\$34.96	\$3,659.96	Letter sent 2/6/24
239-24	Ehlen Family Trust	Residential	570 Bay Rd	\$1,372,380	\$1,141,000	GRANT	\$1,225,751	\$146,629	\$3,003.00	\$47.72	\$3,050.72	
TOTALS:									\$81,195.00	\$1,151.86	\$82,346.86	

*Abatements highlighted in Blue have been withdrawn per Owner

*Abatements already brought forward before Town Council.

* Abatements in purple are the Assessor's recommendations for Council Mtg 4/15/2024

**Interest estimated - calculated by Tax Collector.



TOWN OF DURHAM

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

AGENDA ITEM: **#8D TS**

DATE: **April 15, 2024**

COUNCIL COMMUNICATION

INITIATED BY: Joan Osborn

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, APPROVE A SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY JOAN OSBORN TO CLOSE CERTAIN SECTIONS OF TOWN ROADS FOR REVOLUTION: 1774 TO BE HELD ON SATURDAY, JUNE 15, 2024 WITH A RAIN DATE OF SUNDAY, JUNE 16, 2024?

CC PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Joan Osborn

AGENDA DESCRIPTION:

Attached is a special event/road closure permit application submitted by Joan Osborn requesting that certain portions of town roads be closed beginning from 11:15 a.m. to 12:00 p.m. on Saturday, June 15, 2024, for the ceremony commemorating the beginnings of the American Revolution in Durham in 1774. (Ms. Osborn presented the details of this ceremony at the February 5, 2024 Town Council meeting. Please click [HERE](#) to see that presentation.)

The application has been reviewed by the appropriate town departments and has been approved by them. The Administrator therefore recommends approval of this special event and road closure permit. The Durham Historic District/Heritage Commission is a co-sponsor of the event.

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 Administrator, Approve a Special Event Permit Application Submitted by Joan Osborn to Close Certain Sections of Town Roads for Revolution: 1774 to be Held on Saturday, June 15, 2024 with a Rain Date of Sunday, June 16, 2024.



TOWN OF DURHAM

TEL: (603) 868-5578

FAX: (603) 868-8063

Email: publicworks@ci.durham.nh.us

PERMIT APPLICATION

TYPE OF PERMIT (Please check one):

Special Event

Road Closure Request

Use of Town Property

PARADE AND LIVE DEMONSTRATIONS

108 FROM LAUREL LANE TO MAIN ST

SULLIVAN MEMORIAL GREEN, MAPLE ALLE AND OLD LANDING

LOCATION WHERE EVENT WILL OCCUR:

DURHAM HISTORIC DISTRICT

DAY & DATE OF EVENT:

SAT. JUNE 15 '24

TIME(S) OF EVENT:

11:30 - 10 PM

(RAIN DATE: 6/16/24)

NAME OF APPLICANT/ORGANIZATION:

REVOLUTION: 1774 (CO-SPONSORED

BY DURHAM HISTORIC COMMISSION), BENEFITTING

NAME OF EVENT: REVOLUTION: 1774

FREEDOM CAFE

PERSONAL CONTACT FOR THIS EVENT:

JOAN OSBORN, CHAIR

ADDRESS:

21 NEWMARKET RD DURHAM 03824

TELEPHONE NO.:

DAY: (650) 283-9863

EVENING: " "

EMAIL:

joanbigwood@gmail.com

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

The event includes

- 1) An encampment on Sullivan Memorial Green
- 2) Reenactors will parade with fife + drum corps
- 3) Live music from Gen Sullivan House dock
- 4) Live demonstrations in the Maple alle by memorial green
- 5) A "sunset" cruise off Adam's point @ 6pm on the gundalow (Portsmouth's Gundalow Company)
- 6) IF POSSIBLE: ~~9~~ 9pm candlelight flotilla at high tide, plus fireworks (TBD)

ANTICIPATED NUMBER OF PARTICIPANTS:

200?

ANTICIPATED NUMBER OF VEHICLES: *

Many!

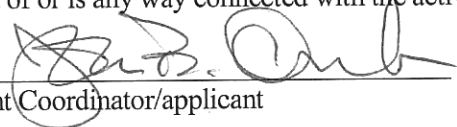
* I hope we can coordinate with UNH parking to secure parking Lot B (I think that's right) plus the parking lot at Old Landing.

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: The Town of Durham will cover The insurance and fire + police coverage.
Policy Number and Expiration Date: _____

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.


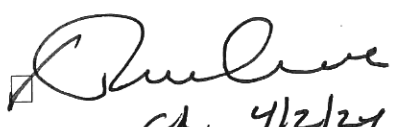
JOAN OSBORN 
Printed Name and Signature of Event Coordinator/applicant

January 11 2024
Date

Printed Name and Signature of Principal/Owner/Authorizing Authority

Date

FOR OFFICIAL USE ONLY

Reviewed by DPW  
Comments: OK 4/2/24

Reviewed by PD
Comments:

Reviewed by FD
Comments:

Reviewed by P&R
Comments:

Approved: _____
Todd I. Selig, Administrator Date

REVOLL



Dear Shannon,

I wanted to officially request an addendum to our application to use Town land and resources for a parade and colonial exhibition on June 15th (rain date: June 16th), 2024.

We would like to include in our application the strip of town land adjacent to the Meadow, across 108 from the Great Bay Animal Hospital, to be designated for military reenactment drills and one shot of the regiment's cannon. (Because there are no projectiles involved, these activities have been cleared through Fire Marshal O'Sullivan. and I am currently seeking 100% abutters' consent.)

Thank you for your help with this addendum.

Yours sincerely,

Joanie

Joan Osborn
Chair, Revolution: 1774
(650) 283-9863 (c)

MAIN ST

DOVER ROAD



CLOSED

IRVING STATION

FOOD TRUCKS

THREE CHIMNEYS INN

TOWN HALL

2x2

OLD LANDING

END
PARKING
LOT

PARADE ROUTE

HISTORIC DISTRICT

WE WOULD LIKE TO
CLOSE THE ROAD
FROM LAUREL LANE
TO THE END OF 108
AT MAIN ST/DOVER RD
FROM 11:15 - 12:00
PM ON JUNE 15, 2024
(RAIN DATE 6/16/24)

LAUREL LANE
STAGING AREA
FOR PARADE

CLOSED



Karen Reynolds

From: Karen Reynolds
Sent: Wednesday, February 21, 2024 12:54 PM
To: joanbigwood@gmail.com
Cc: Shannon Shaw
Subject: FW: Addendum to our application for a permit
Attachments: Joan Osborne Permit Revolution 2024.pdf

Good Afternoon Ms. Osborne,

Please see the attached and mark the area that you would like to add so we may print it out and attach it to your permit. That will ensure everyone is all on the same page while they are reviewing your permit.

Thank you.
Karen

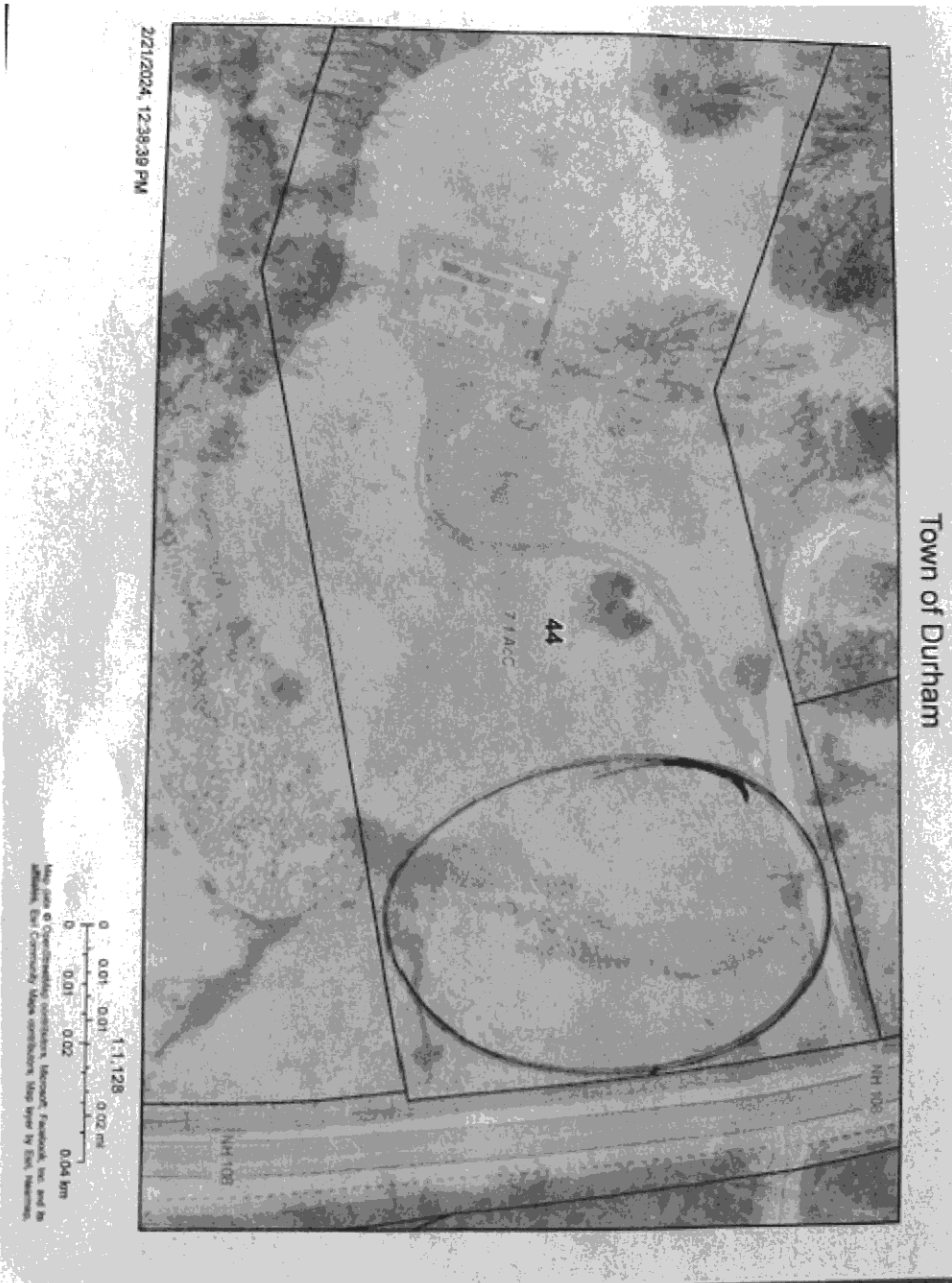
From: Joanie Bigwood Osborn <joanbigwood@gmail.com>
Sent: Wednesday, February 21, 2024 10:50 AM
To: Shannon Shaw <sshaw@ci.durham.nh.us>
Subject: Addendum to our application for a permit

You don't often get email from joanbigwood@gmail.com. [Learn why this is important](#)

Karen Reynolds

From: Joan Bigwood <joanbigwood@gmail.com>
Sent: Thursday, February 22, 2024 12:09 PM
To: Karen Reynolds
Cc: Shannon Shaw
Subject: The part of the lot 44 we would propose to use:

Some people who received this message don't often get email from joanbigwood@gmail.com: [Learn why this is important](#)
Thank you!



Joanie

Karen Reynolds

From: Rachel Gasowski
Sent: Monday, April 1, 2024 4:06 PM
To: Karen Reynolds; David Emanuel; David Holmstock
Cc: Aimee Routhier; Kelley Fowler; Shannon Shaw
Subject: Re: Revolution 1774 Permit Application

OK w/P&R.

Rachel

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: Tuesday, March 26, 2024 at 8:08 AM
To: David Emanuel <david.emanuel@unh.edu>, David Holmstock <dholmstock@ci.durham.nh.us>, 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: Revolution 1774 Permit Application

Good Morning Folks 😊

Please see attached for your approval.

Thank you.
Have a good day.
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: Friday, March 29, 2024 10:23 AM
To: Karen Reynolds; David Emanuel; Rachel Gasowski
Cc: Aimee Routhier; Kelley Fowler; Shannon Shaw; David Holmstock
Subject: RE: Revolution 1774 Permit Application

Karen,

After further review, the police department would recommend two police officers to be hired for this detail.

Due to the unknown variables associated with this event, to include traffic control, crowd patterns, impact on our duty units, and any other unforeseen issues that may arise, I believe it would be irresponsible to not staff this event.

I would be glad to speak further with Joan regarding the times and associated duties that would be expected of the officers that may sign up for this detail.

Respectfully,

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: Tuesday, March 26, 2024 8:09 AM
To: David Emanuel <david.emanuel@unh.edu>; David Holmstock <dholmstock@ci.durham.nh.us>; 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: Revolution 1774 Permit Application

Good Morning Folks 😊

Please see attached for your approval.

Thank you.
Have a good day.
Karen

Karen Reynolds

From: David Emanuel <david.emanuel@unh.edu>
Sent: Tuesday, April 2, 2024 11:45 AM
To: Karen Reynolds
Cc: Aimee Routhier; Kelley Fowler; Shannon Shaw; David Holmstock; Rachel Gasowski; Randall Trull; Robert Atwater; Brendan O'Sullivan
Subject: RE: Revolution 1774 Permit Application - Fire Department Feedback

Karen,

The fire department supports the event permit with the understanding and condition that any type of outside fire and/or pyrotechnics will require additional planning and permitting prior to the event.

We also strongly encourage a safety plan be in place for coordinators, participants, and attendees to ensure timely communications and emergency access to the festivities.

I've copied our key staff members to assist answering any questions or coordinating resources as required prior to the event.

DE

Dave Emanuel, MPA, EFO, CFO
Fire Chief - Durham Fire Department
51 College Road, Durham, NH 03824
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. Please update your address book.

From: Karen Reynolds <kreynolds@ci.durham.nh.us>
Sent: Tuesday, March 26, 2024 8:09 AM
To: David Emanuel <david.emanuel@unh.edu>; David Holmstock <dholmstock@ci.durham.nh.us>; 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: Revolution 1774 Permit Application

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 Folks 😊

Please see attached for your approval.



TOWN OF DURHAM

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

AGENDA ITEM: **#8E TS**

DATE: **April 15, 2024**

COUNCIL COMMUNICATION

INITIATED BY: Administrator Todd Selig

AGENDA ITEM: SHALL THE TOWN COUNCIL UNSEAL THE NONPUBLIC SESSION MINUTES FROM THE YEAR 2002 DATED JANUARY 21, JUNE 17, AUGUST 5, OCTOBER 21 AND OCTOBER 28?

CC PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

The process for Nonpublic Session minutes is stated in RSA 91 A:3 as follows:

III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes of such sessions shall record all actions in such a manner that the vote of each member is ascertained and recorded. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply. For all meetings held in nonpublic session, where the minutes or decisions were determined to not be subject to full public disclosure, a list of such minutes or decisions shall be kept and this list shall be made available as soon as practicable for public disclosure. This list shall identify the public body and include the date and time of the meeting in nonpublic session, the specific exemption under paragraph II on its face which is relied upon as foundation for the nonpublic session, the date of the decision to withhold the minutes or decisions from public disclosure, and the date of any subsequent decision, if any, to make the minutes or decisions available for public

disclosure. Minutes related to a discussion held in nonpublic session under subparagraph II(d) shall be made available to the public as soon as practicable after the transaction has closed or the public body has decided not to proceed with the transaction.

IV. (a) A public body or agency may adopt procedures to review minutes of meetings held in nonpublic session and to determine by majority vote whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. If the public body determines that those circumstances no longer apply, the minutes shall be available for release to the public pursuant to this chapter.

*(b) In the absence of an adopted procedure to review and determine whether the circumstances no longer apply for meeting minutes kept from the public, the public body or agency shall review and determine by majority vote whether the circumstances that justified keeping meeting minutes from the public under RSA 91 A:3, III no longer apply. This review shall occur no more than 10 years from the last time the public body voted to prevent the minutes from being subject to public disclosure. **Meeting minutes that were kept from the public prior to the effective date of this paragraph that are not reviewed by the public body or agency within 10 years of the effective date of this paragraph shall be subject to public disclosure without further action of the public body.***

This statute was revised in 2023 to contain the last highlighted section. The Town of Durham has sealed nonpublic minutes dating back to 2000. Throughout this year, these minutes will be brought to the Council to determine if they should remain sealed or be unsealed for public viewing. At this meeting the nonpublic minutes from the year 2002 will be reviewed. The Administrator has reviewed the minutes from the meetings listed and has determined there is no longer a valid reason to keep the minutes sealed.

LEGAL AUTHORITY:

RSA 91 A:3

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

The Town Council does hereby unseal the Nonpublic Session minutes from the year 2022 dated January 21, June 17, August 5, October 21 and October 28.



TOWN OF DURHAM

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

AGENDA ITEM: **#9**

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Robert Sullivan

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE PLANNING BOARD CHAIR, APPOINT ROBERT SULLIVAN, 193 PACKERS FALLS ROAD, TO FILL AN ALTERNATE MEMBERSHIP ON THE PLANNING BOARD WITH A TERM EXPIRATION OF APRIL 2027?

CC PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

Attached for the Council's information and consideration is an application for board appointment submitted by Robert Sullivan, requesting appointment as an alternate member to the Planning Board. There are currently two vacant alternate memberships with term expirations of April 2025 and April 2027 (see attached roster). Mr. Sullivan will be assigned the membership with the April 2027 term expiration.

Mr. Sullivan has attended one meeting of the Planning Board and has spoken with Chair, Paul Rasmussen. Attached for the Council's information is Chair Rasmussen's endorsement of Mr. Sullivan's appointment.

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

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby, upon recommendation of the Planning Board Chair, appoint Robert Sullivan, 193 Packers Falls Road, to fill an Alternate Membership on the Planning Board with a term expiration of April 2027.

Robert C. Sullivan

193 Packers Falls Road Durham, NH 03824
603-502-3670 robert.sullivan@icloud.com

Experienced leader with 25 years of field supervision, sales, design, operations, and financial skills in construction. Project work has spanned from conceptual design through final construction.

Project Experience

- Project Manager / Field Superintendent – The Edge - Berwick Maine** **2022 – 2023**
- Project manager and superintendent for brownfield commercial development. Scope included site work/roads, underground utilities, wood building construction, permitting, and interior renovations for tenants.
- MEP Superintendent – Oyster River Middle School - Durham, New Hampshire** **2020 – 2022**
- Mechanical, Electrical, Plumbing Super for \$45 Million Oyster River Middle School.
- Vice President for Special Projects – Riverwoods Durham - Durham, New Hampshire** **2018 – 2019**
- Owner’s representative for standup of construction team and negotiations for a residential community
- Project Manager - Stantec Consulting - Scarborough, Maine and Regina, Saskatchewan** **2011 - 2014**
- Owner’s Engineer for multi-discipline (mechanical/structural/process/electrical) design work on power plants
- Project Engineer - Powerspan Corporation – Portsmouth, New Hampshire** **2008 - 2011**
- Managed teams preparing formal design and bid packages for emission control equipment.
- Construction Manager – New Hampshire** **2003 - 2023**
- Managed design and construction process for:
 - \$5M renovation for brokerage office on 42nd St. New York City
 - 6 retail bank branches for banks in Boston
 - Rebuild of collapsed metal frame indoor tennis facility in Hampton, NH
 - New stair tower and elevator addition in Seabrook, NH
 - Large concrete flatwork in Portsmouth, NH
 - 55+ residential community in Durham, NH
 - HVAC renovation for office building in Rome NY
 - Remediation and renovation of contaminated train building at shipyard
 - Demolition of school building
 - New school construction
- Financial Analyst - Fleet Boston Financial – Manchester, New Hampshire** **2001 – 2003**
- Operations Manager Bell Atlantic – Maryland and New Jersey** **1996 – 1999**
- Naval Officer - U.S. Navy - Yokosuka, Japan** **1991 – 1996**

Education

- **Rutgers, State University of New Jersey - MBA** **1999 – 2000**
- **United States Naval Academy – Bachelor of Science** **1987 – 1991**

Former Member of Conservation Commission in Durham, NH (3 years on commission, 2 years as Chair)

From: paul.rasmussen
To: [Karen Edwards](mailto:Karen.Edwards)
Subject: Re: Sullivan - application to join Planning Board
Date: Monday, March 11, 2024 7:02:10 PM

Karen,
I have met with Rob Sullivan and recommend him for the Planning Board.
Paul Rasmussen

On Mon, Mar 11, 2024, 8:34 AM Karen Edwards <kedwards@ci.durham.nh.us> wrote:
Rob,

Thanks for your application. Your appointment will be before the Town Council at their April 1 meeting. Please make a point to attend this meeting.

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
She/her/hers

-----Original Message-----

From: robert.sullivan@icloud.com <robert.sullivan@icloud.com>
Sent: Wednesday, March 6, 2024 3:52 PM
To: Michael Behrendt <mbehrendt@ci.durham.nh.us>; pnrasmus@gmail.com
Cc: Karen Edwards <kedwards@ci.durham.nh.us>
Subject: Sullivan - application to join Planning Board

[You don't often get email from robert.sullivan@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Paul,

I hope you are well. I am writing to submit an application to join the Planning Board as an alternate. My resume and application are attached. I would bring Durham, construction (field and design), and conservation commission experience to the Planning Board.

I will attend tonight's planning board meeting to introduce myself and am available whenever you need a new addition to the board.

I just started a new job at UNH, working on a Department of Energy grant, and will be local for the next three years.

Thank you,

Paul Rasmussen, Chair	5 Glassford Lane	603-397-5359	pnasmus@gmail.com	3 Yrs	4/26
VACANT (H. Grant)				3 Yrs	4/27
Peyton McManus, Sec.	54 Ross Road	603-479-3764	peyton_mcmanus@yahoo.com	3 Yrs	4/25
Richard Kelley	5 Garden Ln.	603-767-9795	richard.kelley@hdrinc.com	3 Yrs	4/25
William McGowan	135 Packers Falls Rd.	603-396-2032	wfmcg@icloud.com	3 Yrs	4/24
Sally Tobias	107 Madbury Road	603-397-0802	sally.tobias@me.com	3 Yrs	4/26
Chris McClain, Alt.	54 Edgewood Road	603-969-6435	chris@mcclainsells.com	3 Yrs	4/26
Tom DeCapo, Alt.	315 Durham Point Road	917-859-4848	tdc.decapo@gmail.com	3 Yrs	4/26
Erika Naumann Gaillat Alt.	14 Schoolhouse Lane	269-903-6801	enaumanngaillat@gmail.com	3 Yrs	4/25
Robert Sullivan, Alt.	193 Packers Falls Road	603-502-3670	robert.sullivanh@icloud.com	3 Yrs	4/27
VACANT, Alt.				3 Yrs	4/25
Emily Friedrichs, Cncl Rep	18 Garden Lane	603-706-8174	emilyfriedrichs@gmail.com	1 Yr	3/25
Heather Grant, Alt Cncl Rep	7 Emerson Road	603-285-2913	hcgrantdb@gmail.com	1 Yr	3/25



TOWN OF DURHAM

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AGENDA ITEM: **#10A** *TS*
DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Human Rights Commission

AGENDA ITEM: PRESENTATION FROM HUMAN RIGHTS COMMISSION ON STATEMENT ISSUED APRIL 5, 2024 BY THE COMMISSION IN REGARD TO CEASEFIRE RESOLUTION #2024-10.

CC PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Richard Belshaw & Deborah Hirsch Mayer

AGENDA DESCRIPTION:

At their April 5, 2024 meeting, the Human Rights Commission approved a statement addressing their concerns with Council Resolution #2024-10 regarding the ceasefire of the hostilities between Israel and Gaza. The members of the Human Rights Commission have requested an opportunity to present their statement to the Council.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

No formal action required. Receive presentation from Human Rights Commission members and hold question and answer session if desired.

Statement from Durham Human Rights Commission

Adopted on 4/5/24

We, members of Durham's Human Rights Commission, are concerned that we were not consulted prior to the Durham's Town Council vote to pass a ceasefire resolution (Resolution #2024-10) on March 4, 2024, regarding the war in Gaza and Israel. Although the Human Rights Commission was cited in the "Whereas" section of the resolution, we were not involved in either the decision to pass a resolution or the content of the one that was passed.

Normal Town Council practice is to refer issues to appropriate committees/commissions prior to acting. Skipping that step undermined the value of the Council's action. Despite Councilor Friedman mentioning usual practice, the Council, prompted by requests from members of public in attendance at a February 19, 2024 Town Council meeting, a sense of urgency, and facing fixed meeting dates, decided to move ahead. We feel that acting in haste in this situation was not necessary and resulted in poor process and untoward consequences.

One of the charges of Durham's Human Rights Commission (HRC) is to counter prejudice of any kind. We are to encourage town employees and volunteers, as well as private persons and groups, to promote and provide equal opportunity for and *goodwill towards all people*.

We are deeply concerned about the growing discord caused by the ongoing war in Gaza and Israel and the rising rates of antisemitic and Islamophobic incidents and sentiments. Durham is not immune from these actions and attitudes. We call on the Town of Durham to combat these trends and support all our residents. We believe that building skills in deep listening, dialogue, and cultivating the ability to hold multiple perspectives are fundamental to strengthening communities. Understanding and empathy are essential for reconciliation and healing, and ultimately, for finding ways of coexisting in peace. We call on Durham's town government, organizations, and citizens to collaborate in developing opportunities and resources to support Durham residents in achieving the greater mutual understanding necessary for goodwill towards all who call Durham home.

Approved by a vote of 5-0.



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AGENDA ITEM: **#10B** *TS*

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: David F. Emanuel, Fire Chief

AGENDA ITEM: PRESENTATION/DISCUSSION WITH FIRE CHIEF DAVE EMANUEL REGARDING SHIFT VACANCIES AND OVERTIME OVERRAGES, AND OPTIONS TO ADDRESS THESE ISSUES.

CC PREPARED BY: David F. Emanuel, Fire Chief

PRESENTED BY: David F. Emanuel, Fire Chief

AGENDA DESCRIPTION:

The first quarter of fiscal year 2024 (FY24) has been taxing on fire department personnel and the operating budget, as there have been up to six vacancies in the first three months increasing hours worked by department members as well as overtime wages expended. This communication outlines the chain of events that have led to the current staffing and fiscal situation impacting the department's operating budget, and the health and safety of the employees who serve the community.

The fire department on-duty staffing consists of one captain and four firefighters who serve the community on a rotating 24-hour shift schedule. These five positions are staffed person-for-person and open positions/shift vacancies are filled by off-duty personnel and funded through overtime. The department has maintained the five-person level of service for over 10 years and has a staffing factor of one, meaning there are twenty line positions within the fire department and twenty people to staff them. There is no capacity to fill shift vacancies with additional firefighters or company officers beyond the minimum staffing level.

The table below lists the positions, dates, and vacancies impacting the department in 2024.

Fire Department Staffing Challenges:

<i>Staff Position:</i>	<i>Vacancy Created:</i>	<i>Vacancy Filled:</i>	<i>Explanation/Notes:</i>
FF Position 1	08/31/23	03/11/24	Campbell retirement, filled by E. Crafts
FF Position 2	12/15/23	04/16/24	Boutin resignation, filled by F. Brown
Capt. Position 3	12/19/23		Medical leave - return date TBD
FF Position 4	02/26/24		Medical leave - return date TBD
FF Position 5	02/29/24		Medical leave - return date TBD
FF Position 6	03/06/24		Medical leave - return date TBD

The table below outlines the multiple selection processes conducted over the past several months to yield three hires for the fire department. The applicant pool has been consistently shallow across the state and region.

Fire Department Selection and Hiring Processes Conducted:

<i>Date</i>	<i>Number Applicants</i>	<i>Applicants Evaluated</i>	<i>Offers Extended</i>	<i>Hires</i>	<i>Explanation/Notes:</i>
04/26/23	12	6	2	1	Filled 05/11/23 vacancy of E. Crafts
07/10/23	2	2	2	0	Conditional offers declined by candidates
09/01/23	2	1	1	0	Conditional offer declined by candidate
10/05/23	1	0	0	0	Applicant not qualified
12/01/23	1	1	1	0	Conditional offer declined by candidate
01/03/24	43	8	2	2	One additional candidate on eligibility list

At the time of this communication, four members remain out on medical leave with various estimated return to work dates. These four positions continue to be filled by existing staff working overtime. The constant need to cover open shifts with existing staff creates an excessive work burden on members which is detrimental to their health and safety and conflicts with the department’s value of “family first”.

The vacant positions, injuries, and medical leave for FY24 have resulted in an estimated overtime wage expense of approximately \$200K with associated benefits and retirement

expense of \$65K. Anticipated offsetting revenues from the Town's short-term disability insurance and worker's compensation, combined with the budgetary savings from the two vacant firefighter positions that were funded in the FY24 operating budget, are estimated to be approximately \$90K. The total fiscal impact will be determined by the duration of time each individual remains out of work on medical leave. This rate of overtime expenditure is far higher than anticipated for the first quarter of FY24 and any additional unforeseen staffing challenges will have adverse consequences on the operating budget for the remainder of the fiscal year.

The fire department administration has worked with the Administrator, Durham Professional Firefighters Association, and Durham Professional Municipal Managers Association to seek alternatives and solutions to hire and retain staff to fill open positions, reduce working time and increase safety for members, maintain spending within the fire department's FY24 operating budget, and reduce overtime costs for the Town. In March 2024, the fire chief implemented a budgetary spending freeze and additional scrutinization of all department spending, including department training and professional development. Additional options including temporary assignments, hiring additional firefighters to increase staffing capacity, and reducing on-duty staffing levels, have been discussed and explored.

The first quarter has not been favorable to the organization's operating budget and has been taxing on the staff. I am grateful for the dedication of the fire department members who serve the community. Additional staffing and financial updates will be provided to the Council as information becomes available.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

No formal action required. Receive presentation from Fire Chief Dave Emanuel and hold question and answer session if desired.



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AGENDA ITEM: **#10C**

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Gail Jablonski, Business Manager

AGENDA ITEM: QUARTERLY FINANCIAL REPORT THROUGH MARCH 31, 2024

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 2024 through March 31, 2024. 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 03/31/23 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 March 31, 2024 show a total expenditure of \$4,766,281 or 24.7% of the total approved budget amount of \$19,315,015. To compare, the amount expended as of March 31, 2023 was 24.3%

The expenditure lines reflect no abnormal activity. The MIS line is showing 40.6% expended and is due to the payment of software and maintenance agreements which occur at the beginning of the year.

The Fire Department is showing a normal percentage of expenditures in the first quarter, however, it is to be noted that they are anticipating some overage in their overtime lines. They have been able to maintain the norm by deferring some expenses until a more accurate projection can be made on what the exact overage may be.

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.

2024 Budget/Estimated Other Funds Summary January 1 - March 31, 2024					
Water Fund	Estimated 2024	Ending 03/31/24	Under (Over) 2024	Percent as of 03/31/24	Percent as of 03/31/23
Revenues	\$1,545,482	\$400,458	\$1,145,024	25.9%	21.4%
Expenses	\$1,545,482	\$580,311	\$965,171	37.5%	15.8%
Sewer Fund	Estimated 2024	Ending 03/31/24	Under (Over) 2024	Percent as of 03/31/24	Percent as of 03/31/23
Revenues	\$3,344,030	\$919,469	\$623,613	27.5%	24.7%
Expenses	\$3,344,030	\$871,014	\$2,473,016	26.0%	25.1%
Parking Fund	Estimated 2024	Ending 03/31/24	Under (Over) 2024	Percent as of 03/31/24	Percent as of 03/31/23
Revenues	\$448,000	\$89,098	\$358,902	19.9%	29.8%
Expenses	\$448,000	\$74,851	\$373,149	16.7%	16.4%
Depot Road Fund	Estimated 2024	Ending 03/31/24	Under (Over) 2024	Percent as of 03/31/24	Percent as of 03/31/23
Revenues	\$139,000	\$10,467	\$128,533	7.5%	15.4%
Expenses	\$139,000	\$1,100	\$137,900	0.8%	1.5%
Churchill Rink Fund	Estimated 2024	Ending 03/31/24	Under (Over) 2024	Percent as of 03/31/24	Percent as of 03/31/23
Revenues	\$342,500	\$91,121	\$251,379	26.6%	31.7%
Expenses	\$342,500	\$86,659	\$255,841	25.3%	24.0%
Library Fund	Estimated 2024	Ending 03/31/24	Under (Over) 2024	Percent as of 03/31/24	Percent as of 03/31/23
Revenues	\$652,765	\$2,000	\$650,765	0.3%	0.1%
Expenses	\$652,765	\$152,845	\$499,920	23.4%	24.3%

2024 Budget/Estimated General Fund January 1 - March 31, 2024					
PROPERTY TAXES/ABATEMENTS/CREDITS	Estimated Revenue 2024	Revenues Ending 03/31/24	Revenues Under (Over) 2024	Percent Collected 03/31/24	Percent Collected 03/31/23
Property Taxes	\$10,795,215	\$0	\$10,795,215	0.0%	0.0%
Payment in Lieu of Taxes	\$1,102,100	\$0	\$1,102,100	0.0%	0.0%
Abatements	(\$485,000)	(\$12,842)	(\$472,158)	2.6%	4.3%
Veteran Service Credits	(\$129,500)	\$0	(\$129,500)	0.0%	0.0%
REVENUES	Estimated Revenue 2024	Revenues Ending 03/31/24	Revenues Under (Over) 2024	Percent Collected 03/31/24	Percent Collected 03/31/23
Interest and Penalties on Delinquent Taxes	\$60,000	\$5,323	\$54,677	8.9%	18.8%
Permit Fees	\$1,606,650	\$343,228	\$1,263,422	21.4%	22.1%
State/Federal Revenues	\$1,667,100	\$105,718	\$1,561,382	6.3%	9.5%
Intergovernmental Revenues (ORCSD-SRO)	\$91,500	\$45,767	\$45,733	50.0%	50.0%
UNH - Shared Services, School, Fire & Debt Service	\$2,714,350	\$793,528	\$1,920,822	29.2%	29.2%
Departmental Income	\$285,700	\$177,118	\$108,582	62.0%	23.4%
Fire and Police Special Details	\$170,000	\$26,449	\$143,551	15.6%	24.6%
Miscellaneous Revenue	\$951,900	\$83,347	\$868,553	8.8%	11.1%
Fund Balance	\$485,000	\$0	\$485,000	0.0%	0.0%
Total General Fund Revenues	\$8,032,200	\$1,580,478	\$6,451,722	19.7%	21.4%
EXPENDITURES	Council Budget 2024	Expended Through 03/31/24	Expenditures Under (Over) 2024	Percent Expended 03/31/24	Percent Expended 03/31/23
GENERAL GOVERNMENT					
Town Council	\$162,250	\$14,327	\$147,923	8.8%	4.8%
Town Treasurer	\$6,030	\$1,292	\$4,738	21.4%	21.4%
Town Administrator	\$416,400	\$118,234	\$298,166	28.4%	27.0%
Elections	\$28,100	\$7,505	\$20,595	26.7%	29.7%
Tax Collector/Town Clerk	\$283,840	\$71,344	\$212,496	25.1%	22.7%
Accounting	\$499,980	\$109,031	\$390,949	21.8%	24.6%
Assessing	\$238,350	\$64,847	\$173,503	27.2%	20.2%
Legal - Attorney Fees	\$80,000	\$7,862	\$72,138	9.8%	21.5%
Planning	\$216,900	\$52,225	\$164,675	24.1%	23.5%
Boards/Commissions/Committees	\$59,100	\$5,384	\$53,716	9.1%	5.7%
DCAT	\$183,970	\$43,737	\$140,233	23.8%	20.5%
GIS	\$120,650	\$28,045	\$92,605	23.2%	23.00%
MIS	\$564,430	\$229,235	\$335,195	40.6%	32.2%
Building Inspection	\$244,400	\$58,754	\$185,646	24.0%	20.2%
Emergency Management	\$1,000	\$470	\$530	47.0%	12.5%
Other General Government	\$409,000	\$87,541	\$321,459	21.4%	19.4%
General Government Total	\$3,514,400	\$899,833	\$2,614,567	25.6%	21.9%
PUBLIC SAFETY					
Police Department	\$3,540,645	\$784,423	\$2,756,222	22.2%	23.0%
Police Department Special Details	\$84,000	\$7,726	\$76,274	9.2%	17.1%
Fire Department	\$4,863,250	\$1,190,680	\$3,672,570	24.5%	24.2%
Fire Department Special Details	\$38,600	\$10,577	\$28,023	27.4%	25.6%
Communication Center	\$31,000	\$20,734	\$10,266	66.9%	101.3%
Ambulance Services	\$147,720	\$0	\$147,720	0.0%	0.0%
Public Safety Total	\$8,705,215	\$2,014,140	\$6,691,075	23.1%	23.7%

EXPENDITURES	Council Budget 2024	Expended Through 03/31/24	Expenditures Under (Over) 2024	Percent Expended 03/31/24	Percent Expended 03/31/23
PUBLIC WORKS					
Administration	\$406,100	\$107,009	\$299,091	26.4%	26.1%
Engineer	\$163,900	\$24,459	\$139,441	14.9%	18.3%
Stormwater Permitting	\$3,500	\$0	\$3,500	0.0%	11.4%
Town Buildings	\$360,500	\$57,084	\$303,416	15.8%	17.6%
Town Cemeteries & Trusted Graveyards	\$10,850	\$0	\$10,850	0.0%	0.0%
Wagon Hill & Parks & Grounds Maintenance	\$223,910	\$36,459	\$187,451	16.3%	19.6%
Equipment Maintenance	\$288,550	\$58,419	\$230,131	20.2%	21.7%
Roadway Maintenance	\$195,800	\$27,291	\$168,509	13.9%	13.2%
Drainage & Vegetation	\$142,100	\$25,805	\$116,295	18.2%	17.7%
Snow Removal	\$340,900	\$142,336	\$198,564	41.8%	59.0%
Traffic Control	\$155,500	\$20,386	\$135,114	13.1%	16.6%
Bridges & Dams	\$231,650	\$43,603	\$188,047	18.8%	15.7%
Public Works Use of Donations	\$0	\$0	\$0	0.0%	0.0%
Public Works Total	\$2,523,260	\$542,851	\$1,980,409	21.5%	24.9%
SANITATION					
Solid Waste Administration	\$214,850	\$51,432	\$163,418	23.9%	20.6%
Rolloff Vehicle Operation	\$72,900	\$10,240	\$62,660	14.0%	18.3%
Curbside Collection	\$235,600	\$48,387	\$187,213	20.5%	21.5%
Litter Removal	\$31,300	\$5,564	\$25,736	17.8%	20.8%
Recycling	\$171,700	\$28,420	\$143,280	16.6%	23.2%
Solid Waste Management Facility (SWMF)	\$160,900	\$35,254	\$125,646	21.9%	13.5%
Sanitation Total	\$887,250	\$179,297	\$707,953	20.2%	20.1%
HEALTH & WELFARE					
Health Inspector	\$150	\$0	\$150	0.0%	30.0%
Social Service Agencies	\$12,050	\$12,050	\$0	100.0%	100.0%
Direct Assistance (Welfare)	\$40,000	\$19,621	\$20,379	49.1%	77.7%
Health & Welfare Total	\$52,200	\$31,671	\$20,529	60.7%	49.5%
CULTURE & RECREATION					
Parks & Recreation Department	\$428,515	\$93,912	\$334,603	21.9%	21.2%
UNH Outdoor Pool and ORYA	\$0	\$0	\$0	0.0%	0.0%
Parks & Recreation Committee	\$1,500	\$0	\$1,500	0.0%	0.0%
Memorial Day	\$500	\$0	\$500	0.0%	0.0%
Conservation	\$62,600	\$4,709	\$57,891	7.5%	4.9%
Culture & Recreation Total	\$493,115	\$98,621	\$394,494	20.0%	19.4%
DEBT SERVICE					
Principal	\$1,370,010	\$830,898	\$539,112	60.6%	62.2%
Interest	\$338,550	\$166,930	\$171,620	49.3%	35.9%
Debt Service Charges	\$6,000	\$2,040	\$3,960	34.0%	58.3%
Debt Service Total	\$1,714,560	\$999,868	\$714,692	58.3%	56.0%
TRANSFERS					
Transfer to Library	\$633,515	\$0	\$633,515	0.0%	0.0%
Transfer to Capital Project Fund	\$771,500	\$0	\$771,500	0.0%	0.0%
Transfer to Capital Reserve Fund	\$20,000	\$0	\$20,000	0.0%	0.0%
Debt Service Total	\$1,425,015	\$0	\$1,425,015	0.0%	0.0%
TOTAL GENERAL FUND EXPENDITURES	\$19,315,015	\$4,766,281	\$14,548,734	24.7%	24.3%



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AGENDA ITEM: **#11A** TS

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Durham Public Works

AGENDA ITEM: PUBLIC HEARING AND ACTION ON RESOLUTION #2024-12 AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) NATIONAL COASTAL RESILIENCE FUND (NCRF) FOR THE CONSTRUCTION IMPROVEMENTS, ENGINEERING SERVICES, MONITORING AND INSPECTION FOR THE PHASE 2 WAGON HILL FARM LIVING SHORELINE IMPROVEMENTS IN THE AMOUNT \$1,994,539.00 AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM.

PREPARED BY: Richard Reine, Director of Public Works
April Talon, Town Engineer

CC: Todd Selig, Administrator
Gail Jablonski, Business Manager
Sam Hewitt, Assistant Public Works Director

PRESENTED BY:

AGENDA DESCRIPTION:

PROJECT BACKGROUND

In 2020 the Town of Durham along with its project partners, which included the NHDES Coastal Program, Army Corps of Engineers, NHDES Wetlands Bureau, UNH Coastal Habitat Restoration Team (CHART), Great Bay Stewards, the Great Bay National Estuarine Research Reserve (GBNERR) and SRPC received grant funding in the amount of \$257,000 to, in part, develop preliminary designs, which

would extend the existing Living Shoreline at Wagon Hill Farm 1,800 feet westward. Following completion of the 2020 design effort, the Town advanced the project design to the 100% level utilizing Seacoast Reliability Project Mitigation funding. During that same time the Project Team continued to identify and seek funding opportunities to implement the design improvements.

The proposed improvements include the construction of a Living Shoreline, which will stabilize severe erosion as depicted in the photos below and will increase the adaptive capacity of important habitat/recreation space as sea levels rise. Fish, at multiple life stages, and waterfowl will also benefit greatly from the restored ecosystem resulting from these proposed improvements. The Living Shoreline will protect valuable public property and continue to serve as an accessible example for nature-based solutions in coastal New Hampshire. The project includes the installation of fencing, similar to the Phase 1 Project, with the intent of mitigating marsh trampling, while reestablishing this environmentally sensitive area. Trail and foot bridge construction, and additional viewing platforms are proposed to be installed as part of the Living Shoreline project and will continue to provide visitors to the property with access in close proximity to the waterfront.



To the West of Phase 1 Restoration Area

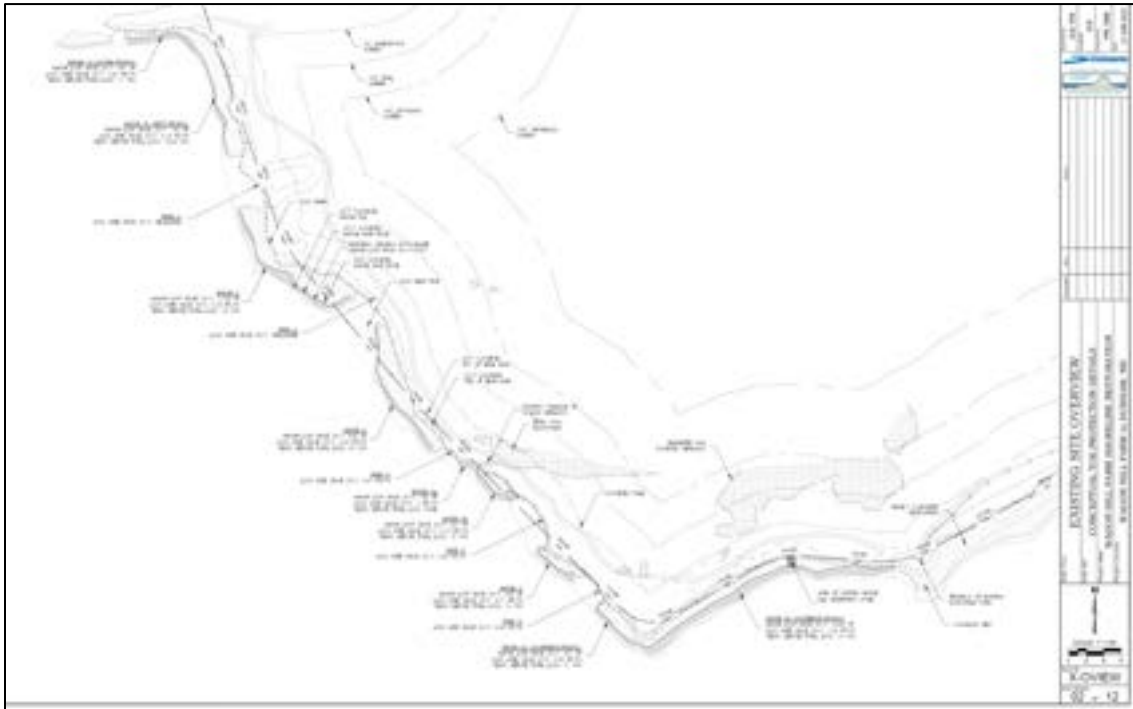


Wagon Hill Farm -Western

The Project Team is currently in the permitting phase working with the various regulatory agencies and intends on submitting permits over the next several weeks. Public meetings are also included as part of the Phase 2 project, which will seek public involvement and education about shoreline issues. Project Bidding is currently scheduled for the summer of 2024, subject to receipt of final permits.

As shown in the graphics below, upon the completion and dependent on project cost, this project will stabilize up to 1,835 linear feet of tidal shoreline, restore up to 4,060 square feet of salt marsh habitat and restore up to 2,810 square feet of tidal buffer. NFWF project requirements include a monitoring period of 5 years to evaluate project success.

The design approach includes a rock toe/rock slope that mimics nearby natural rocky, salt marsh shorelines and native salt marsh plantings along with natural bank stabilization in steeper eroding areas, including native transitional tidal bank-upland plantings.



Site mobilization in this densely wooded area will be challenging. The existing roadway adjacent to the historic “borrow pit” will be utilized for primary site access and will be restored upon project completion. Additional trees will be removed for the equipment access lane and this lane will ultimately be converted to an access trail for site users. Severely undercut trees at the shoreline will be removed to avoid tree fall on the project site and enable bank regrading. These trees were determined to be too severely undercut to survive any stabilization efforts. The root structures will remain in place as required by New Hampshire Shoreland rules due to the bank stabilization benefits they provided.

At its meeting on March 18, 2024, the Town Council scheduled a Public Hearing on this item for their meeting on Monday, April 15, 2024. A Public Hearing notice was published in *Foster's/Seacoast Online* on Thursday, March 28, 2024. The notice was also posted at the Town Hall and on the Town Website, as well as at the Durham Public Library and Department of Public Works.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

\$1,994,539.00 in Fiscal Year 2024 monies to be received from the National Fish and Wildlife Foundation (NFWF) National Coastal Resilience Fund (NCRF) for the construction, engineering, inspection, and monitoring of the Wagon Hill Farm Phase 2 Living Shoreline Project.

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION #1:

The Durham Town Council, does hereby OPEN the Public Hearing on Resolution #2024-12 Authorizing the Acceptance and Expenditure of Funding from the National Fish and Wildlife Foundation (NFWF) National Coastal Resilience Fund (NCRF) for the Construction Improvements , Engineering Services, Monitoring and Inspection of the Phase 2 Wagon Hill Farm Living Shoreline Improvements In the Amount of \$1,994,539 and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

MOTION #2:

The Durham Town Council, does hereby CLOSE the Public Hearing on Resolution #2024-12 Authorizing the Acceptance and Expenditure of Funding from the National Fish and Wildlife Foundation (NFWF) National Coastal Resilience Fund (NCRF) for the Construction Improvements , Engineering Services, Monitoring and Inspection of the Phase 2 Wagon Hill Farm Living Shoreline Improvements In the Amount of \$1,994,539 and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

MOTION #3:

The Durham Town Council, does hereby ADOPT Resolution #2024-12 Authorizing the Acceptance and Expenditure of Funding from the National Fish and Wildlife Foundation (NFWF) National Coastal Resilience Fund (NCRF) for the Construction Improvements , Engineering Services, Monitoring and Inspection of the Phase 2 Wagon Hill Farm Living Shoreline Improvements In the Amount of \$1,994,539 and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

RESOLUTION #2024-12 OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) NATIONAL COASTAL RESILIENCE FUND (NCRF) FOR THE CONSTRUCTION IMPROVEMENTS, ENGINEERING SERVICES, MONITORING AND INSPECTION OF THE PHASE 2 WAGON HILL FARM LIVING SHORELINE IMPROVEMENTS IN THE AMOUNT \$1,994,539 AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM

WHEREAS, the Town of Durham submitted an extensive \$1,994,539 grant application package titled, "Pipeline Wagon Hill Farm Living Shoreline (NH)," to NFWF as part of their National Coastal Resiliency funding opportunity under the Infrastructure and Jobs Act (IIJA); and

WHEREAS, in February of 2024, the Town was formally notified that the Board of Director's at the National Fish and Wildlife Fund approved an award for \$1,994,539; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, on Monday, April 15, 2024, a duly posted and published Public Hearing was held by the Durham Town Council on the \$1,994,539.00 monies in accordance with RSA 31:95-b;

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2024-12** authorizing the acceptance and expenditure of funding from the National Fish and Wildlife Fund for the Construction Improvements, Engineering Services, Monitoring and Inspection of the Phase 2 Wagon Hill Farm Living Shoreline Improvements in the amount of \$1,994,539, and authorizes the Administrator to sign and submit grant paperwork on behalf of the Town of Durham.

PASSED AND ADOPTED this 15th day of April, 2024, by a majority vote of the Durham Town Council with _____ affirmative votes, _____ negative votes, and _____ abstentions.

Sally Needell, Chair
Durham Town Council

ATTEST:

Rachel Deane, Town Clerk-Tax Collector



TOWN OF DURHAM

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AGENDA ITEM: **#11B** TS

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Durham Public Works

AGENDA ITEM: PUBLIC HEARING AND ACTION ON RESOLUTION #2024-13 AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES (NHDES) NH CLEAN DIESEL GRANT PROGRAM, FUNDED THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S (EPA) DIESEL EMISSION'S REDUCTION ACT (DERA), FOR UP TO TWO (2) BATTERY ELECTRIC REFUSE COLLECTION TRUCKS AND UP TO TWO (2) DIRECT CURRENT FAST CHARGING STATIONS (DCFC) THAT WILL OPERATE IN DURHAM, NEW HAMPSHIRE TO REDUCE DIESEL EMISSIONS. FUNDING SHALL EQUAL AN AMOUNT NOT TO EXCEED 45% OF THE COST OF EACH ELIGIBLE VEHICLE AND CHARGER OR A TOTAL NOT TO EXCEED \$723,681, WHICHEVER IS LESS, AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM.

PREPARED BY: Richard Reine, Director of Public Works
Sam Hewitt, Assistant Director of Public Works

CC: Todd Selig, Administrator
Gail Jablonski, Business Manager
John Baker, Administrative Assistant
April Talon, Town Engineer

PRESENTED BY: Richard Reine, Director of Public Works

AGENDA DESCRIPTION:

PROJECT BACKGROUND

The Durham Public Works Curbside Municipal Solid Waste Collection Program consists of two diesel-powered collection vehicles that operate four days per week. Each vehicle is operated by a single collection equipment operator and services approximately 1,900 collection points, collecting an average of twenty tons of household trash and twelve tons of recycling per week. Continuous wear and tear on these vehicles since their 2014 and 2015 in-service dates has resulted in unplanned downtime and significant investments in the electrical, mechanical, hydraulic, and diesel exhaust fluid treatment systems in recent years. Photos of the two front line collection vehicles Durham Public Works operates today are shown below for your reference.



While these semi-automated collection vehicles are capable of mechanically hoisting certain containers, most of the containers setout curbside by our customers require manual loading by the single collection equipment operator. Collection efficiencies are further reduced by uncontained household trash and recycling which is frequently windblown, lending itself to unsightly areas and animal scavenging. These factors significantly reduce the Department's ability to maintain right-of-way cleanliness and community satisfaction. Over the past two years, Durham Public Works, and the Integrated Waste Management Advisory Committee (IWMAC) focused on this issue and explored potential program improvements with the implementation of state-of-the art solid waste collection technologies. The focal point surrounded the potential advantages that would result from the transition to

what has become an industry standard of a fully automated curbside collection program, complete with standardized collection carts servicing both solid waste and single stream recycling, often times utilizing a split body collection vehicle. Automated Collection Equipment Operators of automated curbside collection vehicles utilize a remotely operated arm from the driver's seat to unload material carts, eliminating the need to exit the vehicle at each collection point. Additionally, the use of these vehicles would result in a safer working environment by minimizing physical strain and reducing the risk of operator injuries while increasing their longevity in the position. This is a critical objective of Durham Public Works' current employee retention and hiring strategies.

A Mack Automated Collection Vehicle with Labrie Body and 96-gallon Toter® Cart (TS)





To further understand the details of the current program, Durham Public Works undertook a series of comprehensive curbside audits targeting the network of approximately 1,900 collection points. These audits were designed to gather information on metrics such as program participation, quantity of disposed materials, recycling participation and contamination levels. This exercise allowed the Department to determine the optimum container size for both solid waste and recycling collection. Our findings indicate that there was a large disparity between the lowest and greatest volumes of usage between households for our curbside collection program. Furthermore, the analysis confirmed that a 64-gallon solid waste container will satisfy 93% of the collection points and 96-gallon single stream recycling container would satisfy 100% of our customer needs. The Automated Curbside Collection Program with standardized carts will further incentivize recycling and allow for a prediction of maximum capacity for each collection day allowing for the proper vehicle selection and size to service each route. Additionally, the Department arranged consultations with surrounding municipalities who have established similar programs and solicited input from automated collection vehicle manufacturers.

On November 14th, 2023, the Integrated Waste Management Advisory Committee (IWMAC) formally endorsed the modernization of the solid waste operation and the transition to the Automated Curbside Collection Program. These program improvements were presented to the Town Council during the 2024 budget process and included within the approved 2024 Capital Improvement Plan.

Throughout 2023, Durham Public Works also explored the potential integration of alternative fuel refuse collection vehicles into its solid waste and recycling collection fleet. This evaluation included compressed natural gas and battery electric vehicles (BEV) with DCFC stations. It was determined that the utilization of battery electric

collection vehicles would offer a range of benefits to the community and advance Durham's commitment to environmental sustainability and resiliency. Reduced environmental impacts would be realized through zero tail pipe emissions and noise reduction. Improvements in public health through emission reduction and decreases in particulate generation would result in improved air quality, a reduction in respiratory complications and improved overall health. Furthermore, an increase in energy efficiency through regenerative braking would lead to a reduction in energy waste and make the collection process more efficient.

Recognizing these benefits and in need of additional information, Durham Public Works communicated with truck dealerships, body manufacturers, private refuse collection companies utilizing battery electric Refuse Collection Vehicles, charging station providers, electrical utility providers, electrical contractors, the US Department of Energy, and the NH Department of Environmental Services (NHDES).

Durham Public Works analyzed the electrical distribution infrastructure at its current facilities, and the requirements of BEV solid waste collection vehicles. An analysis was completed to further understand the run-time capacity of selected BEV's, including the simulation of current routes using proprietary software provided by Mack Trucks.

With these findings, Durham Public Works submitted an application through the NHDES for a NH Clean Diesel Program Grant funded through the EPA's DERA. The DERA program funds projects that protect human health and improve air quality by reducing harmful emissions from diesel engines. The specific grant applied for by Durham Public Works provides up to 45% in funding for replacement of existing class 8 diesel vehicles with a Zero-Tailpipe Emission Power Source (such as BEV's) and the DCFC stations to charge these vehicles.

On September 26th, 2023 Durham Public Works was notified that the Town of Durham's project proposal to replace two (2) 2015 Diesel Refuse Trucks with two (2) 2024 BEV equivalents was selected for funding for the requested amount totaling \$723,681. Discussions with the NHDES DERA Program Manager continued while Durham Public Works undertook continued due diligence steps to further evaluate BEV technology and the feasibility of integrating this equipment into the Solid Waste and Recycling Collection Program. The largest concerns centered around vehicle range per charge, impacts due to number of cart lifts per stop, the influence of extreme high and low temperatures on battery performance, life cycle cost of equipment, expected longevity and disposal costs of batteries, complexity and cost of maintenance, and the Department's operational flexibility to implement a transition to BEV solid waste collection vehicles.

The vehicles involved in this project will service the 61 miles of public roadways within the Town on a weekly basis. Refuse collection points are distributed throughout, and are concentrated more heavily near the more developed urban central/North section of Durham. With a reported standard operating range of 100+ miles, Durham Public Works has determined that a Mack LR64 BE or a vehicle with similar capabilities could potentially handle the Town's collection routes under favorable conditions i.e. absent of extreme high and low temperatures where battery performance can be impacted. The longest collection route is 82.1 miles, which is inclusive of transportation to the Turnkey Landfill in Rochester, NH. The current routes would be optimized for new capacities and ranges, as some routes have more collection points but fewer miles.

The Mack LR 64R BE specification sheet claims 375 kWh of energy is available at a full charge, however simulated data is run against 80% state of charge due to the limitations of batteries. This allows for about 300 kWh of usable consumption.

In simulations using Mack Trucks proprietary modeling software, the data shown below indicates our collection routes appear to be viable during normal operating conditions (50-90 °F).

Town of Durham, NH Summary									
Date	Miles	Total Consumption kWh	kWh/Mile	Stops	Stops/Mile	kWh			
						Propulsion	Body	Aux	Regen
10/23/2023	82.1	228.3	2.78	266	3.24	224.2	45.0	37.0	77.9
10/24/2023	52.7	208.8	3.96	369	7.00	165.6	63.0	35.0	54.8
10/25/2023	75.9	238.3	3.14	327	4.31	227.7	56.0	36.0	81.4
10/26/2023	68.1	238.3	3.50	385	5.66	216.9	65.0	34.0	77.7
11/2/2023	68.5	256.0	3.74	444	6.49	219.5	72.0	29.0	64.5
Totals	347.2	1169.7		1791		1053.9	301.0	171.0	356.2
Averages	69.4	233.9	3.37	358	5.16	kWh/mile			
						3.04	0.87	0.49	1.03

However, when looking at the simulation in temperatures of 0°F, the data below suggests operational challenges related to available battery capacity could be encountered.

The simulation below uses a Thursday collection route under three (3) temperature scenarios. This route has 444 stops which represents a heavier Thursday, but not a maximum of 100% participation. At 0°F, the kWh consumption for the route is

303.87 kWh, exceeding the available capacity of 300 kWh. Available energy is further depleted with two container tips per residential stop. As the batteries age, the maximum available energy will gradually decrease with each charge, further constraining the vehicles range over time.



A benefit of the Durham solid waste and recycling collection program is the operational flexibility we maintain. This includes expansion of collection to 5 days per week, returning to the transfer station to recharge as needed and disposing of materials the following day with a full charge.

As previously noted, these vehicles perform a critical task within Durham Public Works which must be completed each day without failure. Notwithstanding this operational flexibility and understanding this technology is evolving at a rapid pace, it would be imprudent to rely solely on BEV vehicles, recognizing the challenges noted above. Given these facts, Durham Public Works recommends the acceptance of the New Hampshire Clean Diesel Grant as presented, with the intention of procuring one of the two vehicles approved in the NH Clean Diesel DERA grant. The Department would move forward with procurement of the 2nd vehicle, as approved in the 2024 Capital Plan. This second collection vehicle would be specified with an EPA Certified Diesel Engine which ensures compliance with EPA's emissions standards, while providing consistent performance, unimpacted by temperatures or weather events.

At its meeting on March 18, 2024, the Town Council scheduled a Public Hearing on this item for their meeting on Monday, April 15, 2024. A Public Hearing notice was published in *Foster's/Seacoast Online* on Thursday, March 28, 2024. The notice was also posted at the Town Hall and on the Town Website, as well as at the Durham Public Library and Department of Public Works.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

Up to \$723,681.00 in Fiscal Year 2024 monies to be received from the NHDES, Clean Diesel Program for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC)

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION #1:

The Durham Town Council does hereby OPEN the Public Hearing on Resolution #2024-13 Authorizing the Acceptance and Expenditure of Funding from the NH Department of Environmental Services (NHDES), NH Clean Diesel Grant Program, Funded Through the U.S. Environmental Protection Agency's Diesel Emission's Reduction Act (DERA) for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC) That will Operate in Durham, New Hampshire to Reduce Diesel Emissions. Funding shall Equal an amount not to exceed 45% of the Cost of Each Eligible Vehicle and Charger Or a

Total Not to Exceed \$723,681, Whichever is Less, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

MOTION #2:

The Durham Town Council does hereby CLOSE the Public Hearing on Resolution #2024-13 Authorizing the Acceptance and Expenditure of Funding from the NH Department of Environmental Services (NHDES), NH Clean Diesel Grant Program, Funded Through the U.S. Environmental Protection Agency's Diesel Emission's Reduction Act (DERA) for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC) That will Operate in Durham, New Hampshire to Reduce Diesel Emissions. Funding shall Equal an amount not to exceed 45% of the Cost of Each Eligible Vehicle and Charger Or a Total Not to Exceed \$723,681, Whichever is Less, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

MOTION #3:

The Durham Town Council does hereby ADOPT Resolution #2024-13 Authorizing the Acceptance and Expenditure of Funding from the NH Department of Environmental Services (NHDES), NH Clean Diesel Grant Program, Funded Through the U.S. Environmental Protection Agency's Diesel Emission's Reduction Act (DERA) for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC) That will Operate in Durham, New Hampshire to Reduce Diesel Emissions. Funding shall Equal an amount not to exceed 45% of the Cost of Each Eligible Vehicle and Charger Or a Total Not to Exceed \$723,681, Whichever is Less, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

RESOLUTION #2024-13 OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES (NHDES), NH CLEAN DIESEL GRANT PROGRAM, FUNDED THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S (EPA) DIESEL EMISSION'S REDUCTION ACT (DERA) FOR UP TO TWO (2) BATTERY ELECTRIC REFUSE COLLECTION TRUCKS AND UP TO TWO (2) DIRECT CURRENT FAST CHARGING STATIONS (DCFC) THAT WILL OPERATE IN DURHAM, NEW HAMPSHIRE TO REDUCE DIESEL EMISSIONS. FUNDING SHALL EQUAL AN AMOUNT NOT TO EXCEED 45% OF THE COST OF EACH ELIGIBLE VEHICLE AND CHARGER OR A TOTAL NOT TO EXCEED \$723,681, WHICHEVER IS LESS, AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM

WHEREAS, the Town of Durham submitted a comprehensive grant application to the New Hampshire Department of Environmental Services (NHDES), NH Clean Diesel Program funding opportunity under the Environmental Protection Agency's (EPA) Diesel Emissions Reduction Act (DERA) in the amount of \$723,681 for the replacement of up to two diesel semi-automated refuse collection vehicles with up to two EV split body automated collection vehicles and charging stations; and

WHEREAS, on September 26, 2023, the Town was formally notified that the New Hampshire Clean Diesel Scoring Committee has selected the project for funding in the requested amount of \$723,681, noting the formal grant agreement must be approved by the Governor and Executive Council ; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, on Monday, April 15th, 2024, a duly posted and published Public Hearing was held by the Durham Town Council on the \$723,681 monies in accordance with RSA 31:95-b;

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2024-13** authorizing the Acceptance and Expenditure of Funding from the NH Department of Environmental Services (NHDES), NH Clean Diesel Grant Program, Funded Through the U.S. Environmental Protection Agency’s (EPA) Diesel Emission’s Reduction Act (DERA) for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC) That will Operate in Durham, New Hampshire to Reduce Diesel Emissions. Funding shall Equal an amount not to exceed 45% of the Cost of Each Eligible Vehicle and Charger Or a Total Not to Exceed \$723,681, Whichever is Less, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

PASSED AND ADOPTED this 15th day of April, 2024, by a majority vote of the Durham Town Council with _____ affirmative votes, _____ negative votes , and _____ abstentions.

Sally Needell, Chair
Durham Town Council

ATTEST:

Rachel Deane, Town Clerk-Tax Collector



TOWN OF DURHAM

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AGENDA ITEM: **#11C** TS

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Durham Public Works

AGENDA ITEM: PUBLIC HEARING AND ACTION ON RESOLUTION #2024-14 AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE FY23 CONGRESSIONALLY MANDATED PROJECTS PROGRAM FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY, FOR THE BENNETT ROAD STORMWATER AND FLOOD RESILIENCY PROJECT, IN THE AMOUNT OF UP TO \$2,040,000, WITH A REQUIRED 20% MATCH OF \$510,000, FOR A TOTAL GRANT AND MATCH AMOUNT OF \$2,550,000, AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM.

PREPARED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

CC: Todd Selig, Administrator
Gail Jablonski, Business Manager

PRESENTED BY: April Talon, Town Engineer
Richard Reine, Director of Public Works

AGENDA DESCRIPTION:

PROJECT BACKGROUND

Durham Public Works submitted a FY23 Congressional Directed Spending Request (CDR) application titled, "Town of Durham Bennett Road Stormwater and Flood Resiliency Project", to Senator Shaheen's office as part of their project solicitation in April 2022. The primary desired outcome of the Bennett Road Culverts Resiliency Project is to mitigate flooding of Bennett Road which creates a hazardous and impassable condition and continues to deteriorate the roadway and stormwater infrastructure. This will address the chronic public safety risks of isolated residences

and properties during significant flooding events, which is an ongoing condition requiring construction improvements to mitigate. These sections of Bennett Road experienced significant road closures during the Mother's Day storm of 2006, flooding in 2007 and 2010, and more recently on December 18th, 2023, and January 10th 2024.

Corsey Brook Crossing December 18th, 2023 - 3.31" of precipitation over ~24 hours from 6 PM on the 17th to 6 PM on the 18th



In the spring of 2023, the Town was formally notified by Senator Shaheen's office that the Senate Appropriations Committee approved our application and to the Town was granted an award of \$2,040,000, with a required 20% match commitment of \$510,000 for the design, permitting and construction of the most deficient Bennett Road stream crossings. The match requirement has been included within the approved fiscal year 2023 and 2024 Capital Plans, along with additional project funding.

Bennett Road is a connector road between Packers Falls Road and Newmarket Road and runs east-west, parallel to the Lamprey River, a Designated Wild and Scenic River by the U.S. Congress. The road crossing at Woodman Brook consists of a 36-inch Reinforced Concrete Pipe (RCP) that, following our initial investigation, appears to have been constructed above an older granite slab box culvert. The RCP culvert has approximately 4 feet of fill over it and dry-laid stone headwalls at the inlet and outlet. There is also an additional 200 linear feet of stone retaining wall along the south side of the roadway, supporting the raised embankment and roadway. The outlet of the RCP culvert is severely perched while the inlet of the structure is typically underwater due to a wire grate over the inlet and significant

debris covering the grate. The roadway width is approximately 24 feet wide with a guardrail on the north side as well as aerial utilities. There are a significant number of large trees located near the edge of Bennett Road along most of the corridor.

Bennett Road Culvert Locations



Woodman Brook - Upstream



Woodman Brook - Downstream Showing Perched Outlet and Compromised Retaining Wall and Embankment



Additional crossings along Bennett Road include Corsey Brook to the West (closest to Packers Falls Rd) and LaRoche Brook to the East. The culvert at Corsey Brook is a 36-inch diameter reinforced concrete pipe (RCP). The existing structure has approximately 6 feet of fill above it and dry-laid stone headwalls at the inlet and outlet.

Corsey Brook - Downstream



Corsey Brook - Upstream



The LaRoche Brook culvert crossing is a 30-inch CMP culvert with a 24-inch CMP overflow culvert located approximately 5 feet higher. The lower culvert has 7.5 feet of fill over it and significant dry stacked stone headwalls and wingwalls located at the inlet and outlet. This crossing is located at a higher elevation and is not directly adjacent to the Lamprey River, therefore the construction of this culvert replacement is not included in the grant scope of work, and may be completed in-house in a future year.

In 2022, CMA Engineers was retained by the Town to advance previously completed 2013 conceptual designs of these crossings. CMA Engineers and the Town utilized subconsultants Doucet Survey (Doucet) and Miller Engineering & Testing (Miller) to collect additional site information. The limits of the previously completed survey were expanded at each crossing to include more of the roadway approaches which could be impacted by raising the roadway profile. Additionally, two rounds of additional borings were performed to collect additional information at the crossings and along the approaches where the profile grade may be raised.

CMA completed preliminary design in the fall of 2023 and recommends 10-foot span concrete box culvert embedded 2 feet below the channel bottom at both Woodman and Corsey Brook. They also determined that raising the road by up to 5 feet and the addition of retaining wall systems to support these grades would be required to elevate the profile above the FEMA 100-year flood elevation. The evaluation indicated that a minimum 2-foot roadway profile increase could be implemented to reduce potential flood impacts to the roadway from lesser storms in the event the full 5-foot increase becomes cost prohibitive.

Significant geotechnical work was also completed to determine that the material beneath the roadway consists of thick layers of compressible soils (clays) and organic materials where the weight of the additional fill materials would result in settlement beyond acceptable tolerances for the roadway, culverts, and wall structures, dependent on the degree of profile increase and thickness of additional materials. Lightweight fill would not be sufficient to mitigate the added weight at a 5-foot profile increase and driven piles or over-excavation of the entire site would be required at the approaches and structures. A recommended solution for this option is to utilize rammed aggregate piers and settlement platforms at both culvert locations which increases overall project costs.

Construction will require significant excavation for removal of the existing structure, placement of base gravels, embedment of culvert bottoms, and installation of stone fill for inlet and outlet scour protection. At the Woodman site, there are approximately 200 linear feet of stone retaining walls along the south side of the roadway. Reconstruction of the roadway to accommodate the proposed guardrail, or to raise the roadway profile, will require these walls to be removed and reconstructed.

Both Woodman and Corsey crossing sites have wetlands areas along the north and south sides of the roadway in the vicinity of the culverts. Wetland limits were delineated by West Environmental, Inc. in June and July of 2022. Installation of the proposed replacement culverts will require an NHDES Dredge & Fill wetlands permit and compliance with NHDES Stream Crossing Guidelines. Additional wetlands impacts may also be generated by raising the elevation of the roadway profile. While it is not anticipated that permitting wetland impacts will be an obstacle for this project, multiple approaches for minimizing impacts have been evaluated.

Bennett Road is designated as a Scenic Road. It is anticipated that removal of trees will be required for installation of culverts and walls, slope grading, and widening of the roadway for guardrail installation. This will require coordination and consultation with the Planning Board.

The Town will continue to work with CMA Engineers to complete Final Design as well as wetland permitting for the replacement of the Woodman and Corsey Brook Culverts on Bennett Road. The completion date for design and permitting is anticipated during 2024/2025. This work is being funded by the Town of Durham utilizing existing funds, including grant match and ARPA funding, received, and included within previously approved Capital Improvement Programs. Following wetland permitting approval, construction plans and specifications will be developed to publicly bid the culvert replacement construction through a competitive bidding process. Bid advertisement and award is expected to be completed in 2025. Construction would begin in a subsequent construction season.

CONSTRUCTION ESTIMATE

The engineer's estimate of probable cost is \$2,973,000 at the current preliminary design phase. Please note the escalation of construction costs continues and this cost estimate is based on initial quantities and current unit costs. Additional funding or prioritization of the Woodman brook culvert may be required as the design is advanced, and the estimate of probable cost is further refined. The federal share provided by grant funding is \$2,040,000 and the grant matching funds to be provided by the Town of Durham are \$510,000, funded by the approved 2023 and 2024 Town Capital Improvement Program. Final design engineering and permitting costs are being funded by the Town of Durham capital funds.

The Total Budget includes the following items:

- Construction-phase contractor costs for the following project elements:
- Replacement of Culverts at Woodman Brook and Corsey Brook (as funding limits allow), and associated roadway profile adjustment and reconstruction of stone retaining walls.
- Construction-phase support services including construction administration and inspection services.

At its meeting on March 18, 2024, the Town Council scheduled a Public Hearing on this item for their meeting on Monday, April 15, 2024. A Public Hearing notice was published in *Foster's/Seacoast Online* on Thursday, March 28, 2024. The notice was also posted at the Town Hall and on the Town Website, as well as at the Durham Public Library and Department of Public Works.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

\$2,040,000 monies to be received from US EPA from the Fiscal Year 2023 Congressionally Mandated Projects Program for Design, Permitting and Construction of the Woodman and Corsey Brook culverts located on Bennett Road.

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION #1:

The Durham Town Council does hereby OPEN the Public Hearing on Resolution #2024-14 Authorizing the Acceptance and Expenditure of Funding from the Fiscal Year 2023 Congressionally Mandated Projects Program from the U.S. Environmental Protection Agency, for the Bennett Road Stormwater and Flood Resiliency Project, In the Amount of up to \$2,040,000, with a Required 20% Match of \$510,000, for a Total Grant and Match Amount of \$2,550,000, and Authorize the

Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

MOTION #2:

The Durham Town Council does hereby CLOSE the Public Hearing on Resolution #2024-14 Authorizing the Acceptance and Expenditure of Funding from the Fiscal Year 2023 Congressionally Mandated Projects Program from the U.S. Environmental Protection Agency, for the Bennett Road Stormwater and Flood Resiliency Project, In the Amount of up to \$2,040,000, with a Required 20% Match of \$510,000, for a Total Grant and Match Amount of \$2,550,000, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

MOTION #3:

The Durham Town Council does hereby ADOPT Resolution #2024-14 Authorizing the Acceptance and Expenditure of Funding from the Fiscal Year 2023 Congressionally Mandated Projects Program from the U.S. Environmental Protection Agency, for the Bennett Road Stormwater and Flood Resiliency Project, In the Amount of up to \$2,040,000, with a Required 20% Match of \$510,000, for a Total Grant and Match Amount of \$2,550,000, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

RESOLUTION #2024-14 OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE FY23 CONGRESSIONALLY MANDATED PROJECTS PROGRAM FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY, FOR THE BENNETT ROAD STORMWATER AND FLOOD RESILIENCY PROJECT, IN THE AMOUNT OF UP TO \$2,040,000, WITH A REQUIRED 20% MATCH OF \$510,000, FOR A TOTAL GRANT AND MATCH AMOUNT OF \$2,550,000, AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM?

WHEREAS, the Town of Durham submitted an extensive grant application package titled, "Bennett Road Stormwater and Flood Resiliency Project," to Senator Shaheen's Office as part of their FY23 Congressionally Directed Spending funding requests; and

WHEREAS, in the Spring of 2023, the Town was formally notified that the Senate Appropriations Committee accepted the Town's full project proposal; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, on Monday, April 15, 2024, a duly posted and published Public Hearing was held by the Durham Town Council on the \$2,040,000 monies in accordance with RSA 31:95-b;

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2024-14** Authorizing the Acceptance and Expenditure of Funding from the FY23 Congressionally Mandated Projects Program from the U.S. Environmental Protection Agency, for the Bennett Road Stormwater and Flood Resiliency Project, In the Amount of up to \$2,040,000, with a Required 20% Match of \$510,000, for a Total Grant and Match Amount of \$2,550,000, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham?

PASSED AND ADOPTED this 15th day of April, 2024, by a majority vote of the Durham Town Council with _____ affirmative votes, _____ negative votes , and _____ abstentions.

Sally Needell, Chair
Durham Town Council

ATTEST:

Rachel Deane, Town Clerk-Tax Collector



TOWN OF DURHAM

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

AGENDA ITEM: #12
DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Durham Town Council

AGENDA ITEM: **APPROVE THE TOWN COUNCIL MEETING MINUTES FOR MARCH 18, 2024.**

CC PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Todd Selig, Administrator

AGENDA DESCRIPTION:

Attached for the Council's review and approval are the minutes for the meeting held on March 18, 2024. 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 March 18, 2024 (as presented/as amended).



TOWN OF DURHAM

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Fax: 603-868-1858
www.ci.durham.nh.us

AGENDA ITEM: **#15**

DATE: April 15, 2024

COUNCIL COMMUNICATION

INITIATED BY: Durham Town Council

AGENDA ITEM: CONTINUED DISCUSSION REGARDING THE DEVELOPMENT OF TOWN COUNCIL GOALS FOR 2024/25

CC PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Todd I. Selig, Administrator

AGENDA DESCRIPTION:

At the April 1, 2024 Town Council meeting, Council members began discussing the process for the development of goals for the upcoming year.

Council members were asked to submit any suggested changes to the Administrator's office for incorporation into the draft 2024/25 goals, which will be further discussed at Monday night's meeting.

Attached for the Council's information is the draft goals list for 2024/25 with comments and suggestions submitted by Councilors.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

No formal motion is required. Continue discussion and working toward adopting a final list of Council goals for FY 2024/25.

From: [James Bubar](#)
To: [Karen Edwards](#)
Subject: Re: Council Goals
Date: Wednesday, April 10, 2024 6:49:51 AM

Karen,

Below are my comments on the Town's Goals, if you have any questions please let me know.

I would change the Mission Statement by replacing 'Durham community' with 'stakeholders.

Stakeholder is a more inclusive term that would incorporate the non-Durham students at ORCSD and their parents, the non-Durham residents who attend or teach at UNH and their parents, business representatives from Companies looking at Durham for expanding their operations, non-residents who work in Town, and the myriad of people who transverse our Town on Route 4 and Route 108 in their daily commute.

I would add 'Honesty' to the Core Values.

Generally, Integrity refers to a strong moral character and following a set of strict ethics and principles while Honesty refers to telling the truth. Honesty is an integral part of complete transparency.

Goals – I would add the following or replace the existing with:

Maintain a safe, secure, healthy, respectful, efficient, and welcoming environment for all stakeholders to pursue their needs, wants and desires.

Provide a clear focus on stakeholder satisfaction.

Provide superior customer service by making it easy to engage and transact business in a courteous, efficient, and friendly manner while maintaining full

compliance with the Town's rules, policies, procedures, and ordinances.

Focus on continuous process improvement as a vehicle for achieving superior stakeholder satisfaction.

Maintain an honest, ethical, and moral workplace environment where all employees are respected, valued, their contributions recognized and celebrated. Where all employees are encouraged to identify process enhancements and improvements. Where all employees are provided with the tools, training, and support to achieve their full potential.

Stakeholder satisfaction cannot be achieved or sustained without superior employee relations. It is important that the Town clearly expresses how critical employees, and their families, are to the Town's future successes.

Pursue long-term economic strength . . .

The Town Administrator and Team should be challenged to deliver the budgeted goals within the budgeted expenditures or less.

The Town Council should be held accountable for holding the municipal tax rate at the current level. The Town Administrator and staff may propose objectives and budgets but do not set those, that is clearly the Town Council responsibility.

James A Bubar

On Tue, Apr 2, 2024 at 11:55 AM Karen Edwards <kedwards@ci.durham.nh.us> wrote:

Dear Council,

Eric Lund's Suggestions



TOWN OF DURHAM
8 Newmarket Road
Durham, NH 03824-2898
603.868.5571
www.ci.durham.nh.us

2023-2024 Town Council Goals * *(Approved May 15, 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.**
- 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.**
- 3. Pursue long-term economic strength and resiliency, anticipating the community's, the region's, and the nation's economic characteristics and opportunities.**
 - Task the Administrator with meeting the following: a) **Holding the updated (post-revaluation) 2024 municipal tax rate at the 2023 level or less to less than the 2023 tax rate plus inflation.** 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.
- 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.**
- 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.~~ [EJL comment: I think this is the best place to include a goal about workforce housing]**
 - Offer a wide array of parks & recreation and library events and facilities
 - Offer publicly facing educational information celebrating the rich tapestry of Durham history
 - Pursue opportunities to enable a larger proportion of Durham's workforce to live in Durham
- 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.

- 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.**

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



Amended goals from Councilor Needell

TOWN OF DURHAM
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2023-2024 Town Council Goals *
(Approved May 15, 2023)

Mission

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Core Values

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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.**
- 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.**
- 3. Pursue long-term economic strength and resiliency, anticipating the community's, the region's, and the nation's economic characteristics and opportunities.**
 - Task the Administrator with meeting the following: a) Holding the updated (post-revaluation) municipal tax rate at the **2024** 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.
- 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, **solid waste**, ecology, and economy.**
- 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. **Continue to protect and defend the integrity of Durham's neighborhoods.****
- 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.**
- 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.**

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



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2023-2024 Town Council Goals *
Comments from Em Friedrichs in Green

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.**
 - **Waste reduction - by December 2024, and either supplementary to or within the Town's Climate Action Plan, outline a roadmap for *how* municipal-only functions will reduce their collective carbon footprint year by year to reach 42.5% reduction by 2030, and include input/participation from all municipal activities/departments. Re-evaluate this roadmap annually until 2030 or until the 42.5% commitment is met.**
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.**
3. **Pursue long-term economic strength and resiliency, anticipating the community's, the region's, and the nation's economic characteristics and opportunities.**
 - Task the Administrator with meeting the following: a) Holding the updated (post-revaluation) municipal tax rate at the 2023 level or less. **I strongly endorse maintaining the 2023 rate.** 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.
 - **Pass an ordinance by December 2024 that enables more workforce housing**
 - **Create a plan so that increased bond rates beginning around 2025 will not increase the municipal tax rate (per Councilor Welsh's past comments).**
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.**
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.**

- What is the update from last year’s goal of including a non-binary gender option on Town forms?
 - Do all Town buildings have 1 or more non-binary bathrooms? (Town Hall & library do). Make it a goal for all Town facilities to have 1 non-binary facility per floor (per wing in larger buildings) to continue to improve a welcoming environment for employees as well as public. How is gender handled to locker facilities for police/fire—do they have options that would be comfortable for an employee who is trans or agender?
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.
- This year’s closing of the UNH art museum and related decisions was a big blow to town-gown relations. I am disappointed and even angered that UNH gave no warning of closing the museum and cutting the music department’s events budget prior to making the decision. Any closing of or cuts to UNH facilities that are open to the public should be discussed confidentially with the Town administrator (if they cannot be made public) in advance. Obviously the Town cannot influence UNH’s budget decision, but changes to public facilities/services affects the town economically and socially, and UNH should demonstrate courtesy by recognizing this. As an example, if the museum cuts had come with advance notice, it’s possible that residents may have volunteered to write grants and pursue private funding that could have resulted in a different outcome. Similarly, in a situation where large enough numbers of UNH staff were going to be laid off as to have an economic impact on the Town, UNH should confidentially provide advance notice to the Town administrator so that the Town can anticipate such an event in its financial forecasts. I recommend that Todd draft a letter reflecting these concerns to send to UNH’s President to correct this for the future.
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.
- In line with the Town’s Global Covenant of Mayors commitment and preparation for climate change (also related to #1, #2 & #4) - by December 2024, all Town departments and Committees have sponsored programming/action to encourage community involvement in Durham’s Climate Action Plan. Adding a few ideas below, but we need all departments/committees to become involved beginning this year or we will never reach our town-wide commitment. Continue annually until 2030 or until the Town’s Global Covenant of Mayors’ commitment is met. *Ex: library could choose a climate-change book for the book group, police/fire could host a workshop for how residents can be better prepared for extreme weather events (heat stroke prevention, etc), Parks & Rec could sponsor an active transportation campaign, Historic Commission could prepare research/education for a talk or Friday update blurbs on how the climate in Durham has changed since earliest recorded history and how this has changed daily life (past town-sponsored skating parties on Mill Pond no longer possible, possible affects on historic buildings etc), Planning/public works could audit codes/enforcements to look for places to improve energy efficiency/increase resiliency or could explain the work they’ve already done around this to the community in a series of Friday update blurbs, etc etc.*

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

Heather Grant's Suggestions

-Facilitate continued optimal functioning of Town Government through continuous improvement, new efficiencies, waste reduction, and inter-agency collaboration

-Change to-

Continued management of Town Government by maintaining effective functions of Durham town department's core responsibilities.

- Complete at least one continuous improvement event per year.
- Leverage and support Town Committees, Subcommittees and Boards to support Council goals
- Continue offering a wide array of active and passive parks and recreation and library opportunities, programming, events, facilities, and publicly facing educational information celebrating the rich tapestry of Durham history
- Complete key infrastructure projects such as Mill Pond, Madbury Road, Refuse and Recycling collection
- Provide superior customer service that provides courteous, efficient service for stakeholders that engage and transact business with the Town.

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

Delete this above, all are items that are same as optimal functioning government. Put Climate Change in own category

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

Change to:

Pursue long-term economic strength and resiliency by:

1. Understanding any Town actions to support UNH West Edge project, items such as zoning
2. Reach out to all stakeholders (businesses, town departments, residents) for feedback on areas related to roadblocks in Town that could improve support of economic vitality. Create a list of positives and negatives with possible hit list of improvements.
3. Continue rigorous work on external grant funding.

-Pursue long-term social resiliency and quality of life in Durham intended to strengthen the community in a welcoming and inclusive manner by supporting needs of residents, families and other identified stakeholders by offering a wide array of active and passive parks and recreation and library opportunities, programming, events, facilities, and publicly facing educational information celebrating the rich tapestry of Durham history

Delete this above, moved key portion to first item

-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.

Delete this above

ADD – Develop short and long range plans related to the 2023 Master Plan addition on Climate Change related to Town public infrastructure capital planning.

ADD – Support efforts of creating the availability of a full range of housing types, supporting all stakeholders in the process that create projects that reflect neighborhood character and other attributes that provide a welcoming environment for current and future residents.