



## TOWN OF DURHAM

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

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

## **AGENDA**

### DURHAM TOWN COUNCIL

MONDAY, MAY 19, 2025

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 – Swearing in of new Firefighters Joshua Gaultier & Kenneth Richard
- 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 Durham Town Council authorize the Administrator to sign the Town of Durham's first half 2025 Property Tax Warrant and direct the Tax Collector to collect partial payment of property taxes assessed on April 1, 2025 in the amount of \$19,053,199?

- B. Shall the Town Council, upon recommendation of the Administrator, review and readopt the Town's Investment Policy as required by New Hampshire Revised Statutes Annotated (RSA) 41:9?
- C. Shall the Town Council, Upon Recommendation of the Administrator, Award The Emergency Generator Project to CDS Unlimited of Bennington, NH for a total price not to Exceed \$738,700, Subject to Available Funding, and Authorize the Administrator to Sign Associated Documents?
- D. Shall the Town Council, Upon Recommendation of the Administrator, Award The Construction Phase Engineering Services for the Emergency Generator Project to Underwood Engineers of Portsmouth, NH for a total price not to Exceed \$118,100, Subject to Available Funding, and Authorize the Administrator to Sign Associated Documents?
- E. Shall the Town Council Reschedule the Council meeting of January 19, 2026 to January 12, 2026 due to the Martin Luther King Jr. Civil Rights Day Holiday?

**IX. Committee Appointments**

Shall the Town Council, upon Recommendation of the Agricultural Commission Chair, appoint David Marcouillier, 7 Fairchild Drive, to an unexpired alternate membership on the Agricultural Commission with a term expiration of April 2028?

**X. Presentation Items**

- A. Receive annual report on the Zoning Board of Adjustment activities and projects – Micah Warnock, Chair
- B. Receive annual report on the Historic District Commission activities and projects – Larry Brickner Wood, Chair

**XI. Councilor and Town Administrator Roundtable**

**XII. Unfinished Business**

- A. **Public Hearing on Resolution #2025-11** authorizing the issuance of long-term bonds or notes not to exceed Fourteen Million, Three Hundred and Thirty-Seven Thousand and Three Hundred dollars (\$14,337,300) for the purpose of bonding 2014-2025 Capital projects and equipment purchases.
- B. **Public Hearing on Ordinance #2025-06** Amending Chapter 175, "Zoning," Article II, "Definitions," Article XII, "Base Zoning Districts," Section 175-42, "Central Business District, Article XII.1, "Use and Dimensional Standards," Section 175-53, "Table of Land Uses," and Section 175-54, "Table of Dimensions," and the Zoning Map of the Town Code to create two new Central Business Zoning Districts.
- C. Continued Discussion Regarding the Development of Town Council Goals for FY 2025/26.

**XIII. Approval of Minutes – May 5, 2025**

**XIV. New Business**

Discussion with Luke Vincent, Manager of I.T., about purchasing tablets for Councilors to use for email.

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

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

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



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AGENDA ITEM: **#5** *TS*  
DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** Fire Chief Dave Emanuel

**AGENDA ITEM:** **SWEARING IN OF NEW FIREFIGHTERS JOSHUA GAULTIER & KENNETH RICHARD**

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

**PRESENTED BY:** Fire Chief Dave Emanuel

**AGENDA DESCRIPTION:**

Please join the Durham Fire Department in welcoming Joshua Gaultier & Kenneth Richard to the position of Probationary Firefighter/EMT.

Joshua Gaultier's fire service career began in 2022 when he joined New Castle Fire Department where he obtained his firefighter I & II certifications. He is also certified as an EMT-B. Joshua lives in Somersworth, is an avid snowboarder, and his biggest passion is traveling.

Joshua was hired to replace Firefighter Kenneth Lundberg who retired earlier this year.

Kenneth Richard's fire service career began in 2012 when he joined Strafford Fire Rescue as a fire explorer. While at Strafford Fire Rescue, Kenneth obtained his firefighter I & II certifications as well as his EMT-B certification. Kenneth is currently working on his EMT-A certification. Kenneth has also served on active-duty military aboard US Coast Guard cutters as a damage controlman, small boat engineer, and crewman for search and rescue law enforcement boats at the small boat station in Newcastle, NH. Kenneth lives in Strafford with his wife and two children on an 8th generation family farm. He enjoys farming, hiking, fishing, hunting, and working on equipment.

RE: Swearing in of new Firefighters

Kenneth's hiring fills the first of two new positions added to the budget and approved by the Town Council to increase firefighter staffing in the 2025 operating budget. The second new hire is anticipated to take place in the fall of 2025.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action required.



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AGENDA ITEM: **#8A**

DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:**

Rachel Deane, Town Clerk-Tax Collector  
Darcy Freer, Assessor

**AGENDA ITEM:**

**SHALL THE TOWN COUNCIL AUTHORIZE THE ADMINISTRATOR TO SIGN THE TOWN OF DURHAM'S 1<sup>ST</sup> HALF 2025 PROPERTY TAX WARRANT AND DIRECT THE TOWN CLERK-TAX COLLECTOR TO COLLECT PARTIAL PAYMENT OF PROPERTY TAXES ASSESSED ON APRIL 1, 2025 IN THE AMOUNT OF \$19,053,199?**

**CC PREPARED BY:**

Karen Edwards, Administrative Assistant

**PRESENTED BY:**

Todd Selig, Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's review is a draft tax warrant authorizing the Town Clerk-Tax Collector to collect partial payment of property taxes assessed on April 1, 2025 in the amount of \$19,053,199. The tax warrant and a complete list of assessed properties and amounts due for the first half of 2025 property tax billing are available in the Town Clerk-Tax Collector's office.

**LEGAL AUTHORITY:**

RSA 76:15-b allows the Town Council, by majority vote, the ability to adopt the provisions of RSA 76:15-a Semi-Annual Collection of Taxes.

RSA 41:35 outlines the duties for the collector of taxes.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby authorize the Administrator to sign the Town of Durham's first half 2025 Tax Warrant and directs the Town Clerk-Tax Collector to collect partial payment of property taxes assessed on April 1, 2025 in the amount of \$19,053,199.*

# **TAX COLLECTOR'S WARRANT**

## **STATE OF NEW HAMPSHIRE**

Strafford ss

TO Rachel Deane, Collector of Taxes, for the Town of Durham in said  
County

In the name of said State, you are directed to collect the taxes in the list herewith  
committed to you, amount in all the sum of

**Nineteen Million, Fifty-Three Thousand,  
One Hundred Ninety-Nine Dollars and Zero Cents**

**(\$19,053,199)**

with interest at eight percent (8%) beginning thirty (30) days from the mailing of  
the tax bills.

And we further order you to pay all monies collected, to the Treasurer of said  
Town at least on a weekly basis when receipts exceed \$1,500.00, or more often  
when directed by the Commissioner of Revenue Administration.

As attested by the Town Clerk/Tax Collector, the list on the following pages is a  
correct list of the assessment of the County, Town, Precinct, Highway and School  
Taxes for the year 2025 upon the ratable estates in said Durham and all taxes  
assessed on the real estate in said Town of persons and corporations not  
residents therein as made by us, the Council of said Durham.

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

Given under our hands and seal at Durham this 20<sup>th</sup> day of May, 2025.

\_\_\_\_\_  
Todd I. Selig, Administrator  
Per vote of the Durham Town Council on 5/19/2025



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AGENDA ITEM: **#8B** *TS*

DATE: May 19, 2025

### COUNCIL COMMUNICATION

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

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, REVIEW AND READOPT THE TOWN'S INVESTMENT POLICY AS REQUIRED BY NEW HAMPSHIRE REVISED STATUTES ANNOTATED (RSA) 41:9?

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

**PRESENTED BY:** Todd I. Selig, Town Administrator

**AGENDA DESCRIPTION:**

In May of 2010 the Town Council approved an Investment Policy (copy attached) for the Town of Durham. RSA 41:9, VII states that "The governing body shall **annually review** and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies."

The adoption of financial policies is a good, sound business practice that fosters confidence in the fiscal operations of the municipality. Financial policies help to provide consistency, stability, and continuity in the financial operations of the Town. Written policies also provide a framework to guide and education both newly elected officials in carrying out their fiduciary responsibilities and newly appointed staff in the conduct of their financial duties. The ability to rely on well-defined financial policies helps to resolve conflicts and avoid allegations of bias or favoritism.



The town currently has a Tri-Party Collateral Agreement with Citizens Bank, N.A. and the Bank of New York Mellon and receives monthly statements with collateralized deposit information.

**LEGAL AUTHORITY:**

**New Hampshire Revised Statutes Annotated (RSA) 41:9(VIII):** “The selectmen shall annually review and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies.”

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby, upon Recommendation of the Administrator, review and readopt the Town’s Investment Policy as Required by New Hampshire Revised Statutes Annotated (RSA) 41:9.*

**TOWN OF DURHAM, NH**  
**INVESTMENT POLICY**

**I. SCOPE**

This investment policy establishes a framework for the safe and prudent investment of public funds. It applies to all financial assets in the custody of the town treasurer of the Town of Durham, NH. These funds are accounted for in the Town's annual financial report and include the following:

- ❑ General Fund
- ❑ Special Revenue Funds
- ❑ Capital Project Funds
- ❑ Forfeiture/Seizure Funds
- ❑ Any new fund created by the Town Council unless specifically exempted by the articles of its creation.

**II. OBJECTIVES**

The primary objective of the Town of Durham's Investment Policy is to set forth appropriate investment activities that provide for, first and foremost, the safety of principal, as well as sufficient liquidity to support operations while generating a reasonable investment yield.

The specific investment policy objectives are as follows:

- ❑ To ensure the preservation of capital and the protection of investment principal;
- ❑ To maintain sufficient liquidity to meet operating requirements;
- ❑ To satisfy all legal requirements;
- ❑ To attain market-average rate of return on investments taking into account risk and legal constraints and cash flow considerations.

**III. DELEGATION OF AUTHORITY**

In accordance with Chapter 41:29 **Duties of Elected and Appointed Town Treasurers** of the Revised Statutes Annotated (RSA), of the State of New Hampshire, the responsibility for conducting investment transactions resides with the Town Treasurer, *except in the instance of capital reserve funds or trust funds, when the responsibility for conducting investment transactions reside with the Trustees of the Trust Funds in accordance with RSA 35:9.*

No person may engage in an investment transaction except as provided under the terms of this policy and the internal procedures and controls hereby established.

**IV. PRUDENCE**

The investment policy will be conducted in accordance with the "prudent person" standard which requires that:

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment,

## TOWN OF DURHAM INVESTMENT POLICY

considering the probable safety of their capital as well as the probable income to be derived.

The Town recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary non-liquidity. The Treasurer is expected to display prudence in the selection of investments in a way to minimize default risk.

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict (or appear to conflict) with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

### **V. INTERNAL CONTROLS**

The internal controls for the Town of Durham shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, imprudent actions by employees and officers of the Town.

In accordance with RSA 41:6 Bonds, Town Treasurers shall be bonded by position under a blanket bond from a surety company authorized to do business in the state.

All depository accounts of the Town must be held in the name of the Town. All income payable to the Town and all revenue received by the Town shall be forwarded to the Town Treasurer.

### **VI. INVESTMENT INSTRUMENTS**

The treasurer shall deposit all such moneys in participation units in the public deposit investment pool established pursuant to RSA 383:22 **Section 6:45 Public Deposit Investment Pool** or in federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, except that funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:

- (a) United States government obligations;
- (b) United States government agency obligations; or
- (c) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

Whenever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in the public deposit investment pool established pursuant to RSA 383:22 **Section 6:45** or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations.

## VII. SAFEKEEPING AND COLLATERALIZATION

~~In accordance with RSA 41:29 V, the Town Treasurer shall ensure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally assured bank shall have such funds, at the time of deposit or investment, secured by collateral having a market value at least equal to 102% of the amount deposited or invested in each case. Such collateral shall be held by a third party custodian and segregated for the exclusive benefit of the town. Collateral is marked to market at least weekly and daily when appropriate. Collateral maturity should coincide with the investment maturity. Collateral shall be delivered upon the Town Treasurer's direction.~~

~~Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 386:57 shall be eligible to be pledged as collateral.~~

In accordance with RSA Section 41:29 V, the treasurer shall insure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA Section 383-B:3-301(e) shall be eligible to be pledged as collateral. As an alternative to the option of collateralization for excess funds provided above, the town treasurer may also invest public funds in interest-bearing deposits which meet all of the following conditions:

- (1) The funds are initially invested through a federally insured bank authorized to accept deposits under RSA Section 6:8, I and I-a, selected by the treasurer.
- (2) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the treasurer.
- (3) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance.
- (4) The selected bank acts as custodian with respect to each such deposit for the account of the treasurer.
- (5) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial institutions equal to or greater than the amount of the funds initially invested through the selected bank by the treasurer.

The banking institution shall provide the Town Treasurer with at least quarterly reports of the Town's collateral position. In addition, collateral agreements shall comply with provisions set forth in the Financial Institutes Reform, Recovery and Enforcement Act of 1989 (FIRREA), which require that the collateral agreement be:

- 1) In writing;
- 2) Approved by the Board of Directors of the depository or its loan committee;
- 3) Lists no specific pledged securities; and
- 4) Has been, continuously, from the time of its execution, an official record of the depository institution.

# TOWN OF DURHAM INVESTMENT POLICY

## VIII. POLICY REVIEW

This policy shall be reviewed at least annually by the Council, or its designee, with changes made as warranted, followed by re-adoption by the governing body.

The Council reserves the right to implement changes to this policy without prior notice if it is deemed in the Town's best interest.

Adopted by the Durham Town Council on May 3, 2010

Reviewed and Re-Adopted by the Durham Town Council on May 16, 2011.

Reviewed and Re-Adopted by the Durham Town Council on June 4, 2012.

Reviewed and Re-Adopted by the Durham Town Council on June 17, 2013.

Reviewed and Re-Adopted by the Durham Town Council on May 19, 2014.

Reviewed and Re-Adopted by the Durham Town Council on November 16, 2015.

Reviewed and Re-Adopted by the Durham Town Council on March 20, 2017.

Reviewed and Re-Adopted by the Durham Town Council on March 5, 2018.

Reviewed and Re-Adopted by the Durham Town Council on March 4, 2019.

Reviewed and Re-Adopted by the Durham Town Council on March 2, 2020.

Reviewed and Re-Adopted by the Durham Town Council on March 15, 2021.

Reviewed and Re-Adopted by the Durham Town Council on March 21, 2022.

Reviewed and Re-Adopted by the Durham Town Council on March 20, 2023.

Reviewed and Re-Adopted by the Durham Town Council on April 1, 2024.

**Revised** and Re-Adopted by the Durham Town Council on May 19, 2025.

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Todd I. Selig  
Town Administrator

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Date



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AGENDA ITEM: **#8C & 8D** *TS*  
DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** Richard Reine, Public Works Director

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AWARD THE EMERGENCY GENERATOR PROJECT TO CDS UNLIMITED OF BENNINGTON, NH FOR A TOTAL PRICE NOT TO EXCEED \$738,700, SUBJECT TO AVAILABLE FUNDING, AND AUTHORIZE THE ADMINISTRATOR TO SIGN ASSOCIATED DOCUMENTS?

AND

SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AWARD THE CONSTRUCTION PHASE ENGINEERING SERVICES FOR THE EMERGENCY GENERATOR PROJECT TO UNDERWOOD ENGINEERS OF PORTSMOUTH, NH FOR A TOTAL PRICE NOT TO EXCEED \$118,100, SUBJECT TO AVAILABLE FUNDING, AND AUTHORIZE THE ADMINISTRATOR TO SIGN ASSOCIATED DOCUMENTS?

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

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

**PRESENTED BY:** Richard Reine, Public Works Director

### **AGENDA DESCRIPTION:**

This request is for approval to award a contract in an amount not to exceed \$738,700.00 to CDS Unlimited of Bennington, New Hampshire which will allow the Town to construct water facility electrical power system improvements to three water pump stations, as well as the Durham Public Works and Police Station Facilities using portions of the Congressionally Directed Spending (CDS) grant and separate non-water capital funding. These Facilities are all critical emergency operations locations during storm events and power outages. The request also includes a contract award to Underwood Engineers in an amount not to exceed \$118,100 for Construction Administration and Resident Project Representative (RPR) services during the Project's construction phase. This includes contract administration, construction observation, geotechnical testing, start up, warranty assistance and record drawings.

### **INTRODUCTION AND BACKGROUND:**

The Town has been awarded congressionally directed spending (CDS) sponsored through the office of Senator Shaheen for emergency generators to be administered through FEMA's Pre-Disaster Mitigation Grant process. Through Resolution #2023-07, the Town Council authorized the acceptance and expenditure of a Fiscal Year 2022 Legislative Pre-Disaster Mitigation (LPDM) Grant. This followed Durham Public Work's successful application for a fiscal year 2022 Congressionally Directed Spending request through Senator Shaheen's office. The Town and University have included supplemental funding in each of their capital budgets, with the cost of water system improvements allocated on a 2/3 (UNH) 1/3 (Town) share. Over the last several years, Durham Public Works worked closely with the Federal Emergency Management Agency (FEMA) and the NH Homeland Security and Emergency Management (HSEM) Department to demonstrate the project met the rigorous Benefit/Cost Analysis criteria. Following successful completion of that phase, the Town and Underwood Engineers finalized design, specifications and bid documents, dated February 17, 2025, and advertised bids for installation of generators at the following locations:

- Lee Well Site – 110 kW LP Generator
- Spruce Hole Well Site – 85 kW LP Generator
- Lamprey River Raw Water Pump Station – 150 kW LP Generator
- Durham Police Department – 65 kW Natural Gas Generator
- Durham Public Works – 45 kW Natural Gas Generator

The project schedule below was developed to allow for required lead times for generator shop drawing review and approval and equipment fabrication. Completion times are specified in the "Notice to Proceed" and incorporated into the contract document as follows:

**180 Calendar days** for Shop Drawings and Fabrication  
**270 Calendar days** for Substantial Completion

### 300 Calendar days for Final Completion

On March 19<sup>th</sup>, 2025, bids were received and opened for the “UNH/Durham Water System and Town Emergency Generator Improvements”. A total of four bids were received ranging from a low of \$738,700 (CDS Unlimited) to a high bid of \$1,089,800 (HAWSCO) as detailed below. Bid proposals received were favorable and reflected a competitive bidding process with two close groupings of lower and higher totals.

				CDS UNLIMITED LLC 279 Bible Hill Road Bennington, NH 03442		GEMINI ELECTRIC, INC. 8 Priscilla Lane Auburn, NH 03032-3723		APEX CONSTRUCTION, INC. 361 Route 108, Unit 1 Somersworth, NH 03878		HAWSCO 54 Sawyer Avenue Adkinson, NH 03811	
ITEM NO.	DESCRIPTION	BID QUANT.	UNITS	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST
<b>SCHEDULE 1 - PUMP STATIONS</b>											
1.1	LEE WELL PUMP STATION - Furnish and install a complete standby generator system at Lee Well Pump Station including 100 kW Propane Generator, ATS, electrical improvements, concrete pad preparation for propane tank(s), housekeeping pad modifications, and related site work.	1	LS	\$126,900.00	\$126,900.00	\$115,300.00	\$115,300.00	\$210,000.00	\$210,000.00	\$200,928.00	\$200,928.00
1.2	SPRUCE HOLE PUMP STATION - Furnish and install a complete standby generator system at Spruce Hole Pump Station including 85 kW Propane Generator, ATS, electrical improvements, concrete pad preparation for Propane tank(s), and related site work.	1	LS	\$116,500.00	\$116,500.00	\$108,900.00	\$108,900.00	\$176,200.00	\$176,200.00	\$172,008.00	\$172,008.00
1.3	LAMPREY RIVER PUMP STATION - Furnish and install a complete standby generator system at Lamprey River Pump Station including 85 kW Propane Generator, ATS, electrical improvements, concrete pad preparation for Propane tank(s) and related site work.	1	LS	\$172,500.00	\$172,500.00	\$153,100.00	\$153,100.00	\$248,600.00	\$248,600.00	\$233,208.00	\$233,208.00
<b>SCHEDULE 2 - TOWN FACILITIES</b>											
2.1	DURHAM POLICE DEPARTMENT - Furnish and install a complete standby generator system at Durham Police Department including 65 kW Natural Gas Generator, ATS, electrical improvements, concrete pad modifications and related site work.	1	LS	\$111,900.00	\$111,900.00	\$148,900.00	\$148,900.00	\$161,300.00	\$161,300.00	\$205,608.00	\$205,608.00
2.2	DURHAM PUBLIC WORKS - Furnish and install a complete standby generator system at Durham Public Works including 45 kW Natural Gas Generator, ATS, electrical improvements, concrete pad and related site work.	1	LS	\$100,900.00	\$100,900.00	\$116,750.00	\$116,750.00	\$125,500.00	\$125,500.00	\$168,048.00	\$168,048.00
<b>SCHEDULE 3 - COMMON ITEMS</b>											
3.1	UTILITY ALLOWANCE	1	Allow	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
3.2	CONTINGENCY ALLOWANCE	1	Allow	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
3.3	SCADA ALLOWANCE	1	Allow	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
<b>TOTAL BID</b>					<b>\$738,700.00</b>		<b>\$752,950.00</b>		<b>\$1,031,600.00</b>		<b>\$1,089,800.00</b>

Prepared By:   
 Meredith B. Levesque

Checked By:   
 Benjamin T. Dreyer, PE (NH, ME)

The qualifications provided by CDS Unlimited were reviewed and references contacted which indicate they have satisfactorily completed recent projects of a similar size and scope. Based on review of this information, Durham Public Works recommends an



award to CDS Unlimited in the amount of \$738,700. The Award incorporates the contract date and durations noted above, based on a fabrication lead-time letter from the generator manufacturer. This will align the contract dates with the period of performance specified in the FEMA Grant Agreement and pending extension.

With regard to the recommended construction phase engineering services award, Underwood Engineers has been awarded a 5 year on-call Engineering Services contract following a qualifications-based selection process in January 2024. During this effort, the Department's Statement of Qualifications Request indicated that Durham Public Works was interested in retaining the services of professional engineering consultants to assist the Town with various future public works infrastructure projects including survey, design, permitting and construction period engineering services for roadway, bridge/culvert, stormwater BMP, living shoreline and coastal restoration, water and sewer utilities, and traffic engineering. The services of the consultant teams include all aspects of project development including planning, design, permitting, sustainability, bid and proposal development, engineering review and analysis, preparing grant applications, feasibility reports, preliminary design reports, survey, cost/benefit analysis, peer review, public outreach, geotechnical and stormwater analysis, GIS support, and field asset inspections. Several consultant teams responded to this request and following qualitative ranking and interviews were awarded 5 Year on-call Engineering Service Agreements, including Underwood Engineers. Durham Public Works recommends the award of the Construction Phase Engineering Services contract, as detailed above, to Underwood Engineers in an amount not to exceed \$118,100.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

Funding sources for both motions: Total Request for Const + Const. Admin = \$856,800

PROJECT	ACCOUNT	BUDGETED	EXPENDED/ ENCUMBERED TO DATE	REQUESTED	BALANCE
FEMA Pre-Disaster Mitigation Grant	07-2399-801-36-000	\$427,612.49	\$0	\$427,612.49	\$0
Shared Water Sys Improvements Town/UNH	07-2528-221-36-000	\$400,000.00	\$0	\$393,187.51	\$6,812.49

Facility Infrastructure Improvements	07-2577-801- 36-000	\$36,000.00	\$0	\$36,000.00	\$0
<b>TOTAL REQUESTED</b>				\$856,800	\$6,812.49

**SUGGESTED ACTION OR RECOMMENDATIONS:****MOTION #1:**

*The Durham Town Council Does Hereby, Upon Recommendation of the Administrator, Award The Emergency Generator Project to CDS Unlimited of Bennington, NH For a Total Price Not To Exceed \$738,700.00, Subject to Available Funding, and Authorizes the Administrator to Sign Associated Documents.*

**MOTION #2:**

*The Durham Town Council Does Hereby, Upon Recommendation of the Administrator, Award The Construction Phase Engineering Services for the Emergency Generator Project to Underwood Engineers of Portsmouth, NH For a Total Price Not To Exceed \$118,100.00, Subject to Available Funding, and Authorizes the Administrator to Sign Associated Documents.*



## TOWN OF DURHAM

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

AGENDA ITEM: **#8E** *TS*  
DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** Karen Edwards, Administrative Assistant

**AGENDA ITEM:** SHALL THE TOWN COUNCIL RESCHEDULE THE COUNCIL MEETING OF JANUARY 19, 2026 TO JANUARY 12, 2026 DUE TO THE MARTIN LUTHER KING JR. CIVIL RIGHTS DAY HOLIDAY?

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

**PRESENTED BY:** Todd Selig, Administrator

**AGENDA DESCRIPTION:**

The Town Council Resolution #2025-04 that was approved on March 17, 2025 established the Town Council meeting dates from April 7, 2025 to March 16, 2026. The January meeting which was approved through that Resolution was January 19, 2026. However, it has since been realized that that day is the Martin Luther King Jr. Civil Rights Holiday, and the Town Hall will be closed. Therefore, the Council will need to reschedule that meeting date.

The best date for this rescheduled meeting would be January 12, 2026. Holding the meeting on January 26 would cause there to be back-to-back meetings with February 2, 2026.

**LEGAL AUTHORITY:**

Section 3.7 (C) of the Durham Town Charter states that "Regular meetings shall be held on such day or days of each month at such time as the Council shall by ordinance or resolution direct."

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council hereby reschedules the Council meeting of January 19, 2026 to January 12, 2026.*



## TOWN OF DURHAM

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AGENDA ITEM: **#9**

DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** David Marcouillier

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE AGRICULTURAL COMMISSION CHAIR, APPOINT DAVID MARCOUILLIER, 7 FAIRCHILD DRIVE, TO FILL AN UNEXPIRED ALTERNATE MEMBERSHIP POSITION ON THE AGRICULTURAL COMMISSION WITH A TERM EXPIRATION OF APRIL 2028?

**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 David Marcouillier, requesting appointment as an alternate member to the Agricultural Commission. His appointment will fill the last vacancy on the Agricultural Commission.

Mr. Marcouillier has attended one meeting of the Agricultural Commission and has spoken with Chair, Theresa Walker. Attached for the Council's information is Chair Walker's endorsement of Mr. Marcouillier's appointment.

Mr. Marcouillier has been invited to attend Monday night's meeting.

**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 Agricultural Commission Chair, appoints David Marcouillier, 7 Fairchild Drive, to fill an unexpired Alternate Membership position on the Agricultural Commission with a term expiration of April 2028.*



## Town of Durham

8 Newmarket Road  
Durham, NH 03824-2898

Tel: 603/868-5571

Fax 603/868-1858

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

### Application for Board Appointment

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

New appointment/regular member ☐

New appointment/alternate member ☒

Reappointment/regular member ☐

Reappointment/alternate member ☐

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

Applicant has:

☒ ATTENDED A MEETING

☒ SPOKEN WITH CHAIR/V CHAIR

☐ BEEN RECOMMENDED FOR MEMBERSHIP

Name: David Marcovillier

Date: May 13, 2025

Address: 7 Fairchild Dr, Durham

E-Mail Address: davidmarcovillier@hotmail.com

Telephone: 603-205-2914

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

1. Agriculture

2.

3.

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

(Over)

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

I am a hobby gardener with particular interests and experience in food production, preservation, and fermentation. I believe strongly in the power of community organization and cooperation and I believe that I can make positive contributions to the mission of the Commission.

Please provide brief background information about yourself:

I am a UNH graduate ('99), long-time Seacoast resident, a voracious hobbyist, and a public servant by trade (17 years of service, so far, with the U.S. Department of State). I look forward to serving the community to bolster increased food independence.

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

Name: Matthew Edwards

Telephone: 201-988-2660

Name: Curtis Register

Telephone: 919-525-4383

Name: Harley Jones

Telephone: 207-766-8565

♦♦♦♦♦♦♦♦♦♦♦♦♦♦♦♦

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

**From:** [Theresa Walker](#)  
**To:** [Karen Edwards](#)  
**Subject:** Re: David Marcouillier  
**Date:** Tuesday, May 13, 2025 12:50:35 PM

---

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

Hi - I've met David and he joined our Ag Comm meeting last night. I think he's a wonderful fit for the Commission and highly recommended his appointment. Thank you. - Theresa

On May 13, 2025, at 12:32 PM, Karen Edwards <[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)> wrote:

Theresa,

David Marcouillier has submitted an application to fill the alternate opening on the Agricultural Commission. Have you spoken with him? Would you recommend his appointment?

Karen

*Karen Edwards*

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





## TOWN OF DURHAM

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AGENDA ITEM: **#10A**  
DATE: **May 19, 2025**

### COUNCIL COMMUNICATION

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

**AGENDA ITEM:** RECEIVE ANNUAL REPORT FROM THE ZONING BOARD OF  
ADJUSTMENT – MICAH WARNOCK, CHAIR

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

**PRESENTED BY:** Micah Warnock, Chair, ZBA

**AGENDA DESCRIPTION:**

Section 11.1 (I) of the Durham Town Charter used to require that the Town Council meet annually with all Chairpersons of standing Town committees to review significant actions taken by the committees, projects currently under discussion, and anticipated activities for the coming year. At the March 10, 2020 Town Election, Charter amendment (Article 16 on the ballot) was adopted which amended the language within this section to now read:

- I. *On an annual basis, Chairs of the Town of Durham committees will be provided the opportunity to present to the Town Council any significant actions or projects taken by their respective committee. This report can be in the form of a written summary or a formal presentation. No action is required if there is nothing of significance to report, although the Town Council can ask for a presentation if there is interest.*

Micah Warnock has been invited to attend Monday night's Town Council meeting to provide a brief update to Council members regarding the ZBA's current activities.

**LEGAL AUTHORITY:**

Section 11.1 (I) of the Durham Town Charter.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action required. Receive presentation from ZBA Chair, Micah Warnock, and hold question and answer session if desired.



## TOWN OF DURHAM

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AGENDA ITEM: **#10B**  
DATE: **May 19, 2025**

### COUNCIL COMMUNICATION

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

**AGENDA ITEM:** RECEIVE ANNUAL REPORT FROM THE HISTORIC DISTRICT  
COMMISSION/HERITAGE COMMISSION –LARRY BRICKNER-WOOD,  
CHAIR

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

**PRESENTED BY:** Larry Brickner-Wood, Chair, HDC/HC

**AGENDA DESCRIPTION:**

Section 11.1 (I) of the Durham Town Charter used to require that the Town Council meet annually with all Chairpersons of standing Town committees to review significant actions taken by the committees, projects currently under discussion, and anticipated activities for the coming year. At the March 10, 2020 Town Election, Charter amendment (Article 16 on the ballot) was adopted which amended the language within this section to now read:

- I. *On an annual basis, Chairs of the Town of Durham committees will be provided the opportunity to present to the Town Council any significant actions or projects taken by their respective committee. This report can be in the form of a written summary or a formal presentation. No action is required if there is nothing of significance to report, although the Town Council can ask for a presentation if there is interest.*

Larry Brickner-Wood has been invited to attend Monday night's Town Council meeting to provide a brief update to Council members regarding the commission's current activities.

**LEGAL AUTHORITY:**

Section 11.1 (I) of the Durham Town Charter.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action required. Receive presentation from HDC/HC Chair, Larry Brickner-Wood, and hold question and answer session if desired.



## TOWN OF DURHAM

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AGENDA ITEM: **#12A**

DATE: May 19, 2025

### COUNCIL COMMUNICATION

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

**AGENDA ITEM:** PUBLIC HEARING AND POSSIBLE ADOPTION OF RESOLUTION #2025-11 AUTHORIZING THE ISSUANCE OF LONG-TERM BONDS OR NOTES NOT TO EXCEED FOURTEEN MILLION, THREE HUNDRED AND THIRTY-SEVEN THOUSAND AND THREE HUNDRED DOLLARS (\$14,337,300) FOR THE PURPOSE OF BONDING 2014-2025 CAPITAL PROJECTS AND EQUIPMENT PURCHASES.

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

**PRESENTED BY:** Gail Jablonski, Business Manager  
Todd I. Selig, Administrator

**AGENDA DESCRIPTION:**

The following are items requested to be bonded listed by budget year, as well as the status of each project.

*2014 Capital Fund Budget* – Resolution 2013-28 passed December 16, 2013

Project Description	Amount Budgeted for Bonding	Project Status	Amount Requested
WWTP Phase III	\$230,000	Engineering Ongoing	\$57,300

**2019 Capital Fund Budget** – Resolution 2018-23 passed December 12, 2018

<b>Project Description</b>	<b>Amount Budgeted for Bonding</b>	<b>Project Status</b>	<b>Amount Requested</b>
Fire Station Upgrades	\$320,000	Ongoing	\$143,000

**2021 Capital Fund Budget** – Resolution 2020-21 passed December 22, 2020

<b>Project Description</b>	<b>Amount Budgeted for Bonding</b>	<b>Project Status</b>	<b>Amount Requested</b>
GIS Program	\$100,000	Ongoing	\$33,300
Wagon Hill Farmhouse Design	\$43,000	Completed	\$24,000

**2022 Capital Fund Budget** – Resolution 2021-15 passed December 20, 2021

<b>Project Description</b>	<b>Amount Budgeted for Bonding</b>	<b>Project Status</b>	<b>Amount Requested</b>
Roadway Sweeper Replacement	\$245,000	Purchased	\$4,900
GIS Program	\$100,000	Ongoing	\$25,000
Oyster River Dam	\$1,600,000	Ongoing	\$125,000

**2023 Capital Fund Budget** – Resolution 2022-28 passed December 19, 2022

<b>Project Description</b>	<b>Amount Budgeted for Bonding</b>	<b>Project Status</b>	<b>Amount Requested</b>
Replace 2001 Fire Rescue 1	\$950,000	Ordered	\$950,000
WW Collection System Upgrades	\$65,000	Ongoing	\$17,500
WWTP Major Components	\$2,700,000	Ongoing	\$2,000,000
Wagon Hill Farmhouse Restoration	\$437,500	Ongoing	\$437,500
Madbury Road Complete Streets	\$600,000	Ongoing	\$600,000

Madbury Road Water Line	\$1,775,000	Ongoing	\$1,775,000
Madbury Road Sewer Line	\$1,175,000	Ongoing	\$1,025,000

**2024 Capital Fund Budget** – Resolution 2023-30 passed December 4, 2023

Project Description	Amount Budgeted for Bonding	Project Status	Amount Requested
Dump Truck Replacement	\$259,000	Ordered	\$259,000
Pickup Truck With Plow Replacement	\$71,000	Purchased	\$53,500
Replace VenTek Parking Kiosks	\$120,000	Ongoing	\$110,000
Sidewalk Improvement Program	\$91,000	Completed	\$91,000
Madbury Road Complete Streets	\$2,286,000	Ongoing	\$2,286,000
Madbury Road Water Line	\$1,980,000	Ongoing	\$1,980,000

**2025 Capital Fund Budget** – Resolution 2024-26 passed December 16, 2024

Project Description	Amount Budgeted for Bonding	Project Status	Amount Requested
Madbury Road Complete Streets	\$2,120,900	Ongoing	\$2,120,900
Madbury Road Water Line	\$710,000	Ongoing	\$219,400

Attached for the Council’s information and consideration is a draft resolution authorizing the issuance of long-term debt not to exceed Fourteen Million, Three Hundred and Thirty-Seven Thousand and Three Hundred dollars (\$14,337,300).

At the meeting of May 5, 2025 the Town Council scheduled a Public Hearing on this item for the meeting of Monday, May 19, 2025. A Public Hearing notice was published in *Foster’s/Seacoast Online* on Thursday, May 8, 2025. 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:**

Section 5.12 of the Durham Town Charter enables the Town Council to approve the issuance of bonds or notes for less than \$2,300,000 per issue after holding a duly advertised public hearing and further stipulates that for the purposes of borrowing, the Town of Durham shall have all the powers and duties vested with a city. NH RSA 33:9 authorizes the issuance of bonds by a city, by resolution of the Council, **passed by at least 2/3 of all Council members.**

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

The total amount of bonding will be distributed as follows:

General Fund	\$7,153,100
Water Fund	\$3,974,400
Wastewater Fund	\$3,099,800
Parking Fund	\$ 110,000

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council hereby OPENS the Public Hearing on Resolution #2025-11 authorizing the issuance of long-term bonds or notes not to exceed Fourteen Million, Three Hundred and Thirty-Seven Thousand and Three Hundred dollars (\$14,337,300) for the purpose of bonding 2014-2025 Capital projects and equipment purchases.*

**MOTION #2:**

*The Durham Town Council hereby CLOSES the Public Hearing on Resolution #2025-11 authorizing the issuance of long-term bonds or notes not to exceed Fourteen Million, Three Hundred and Thirty-Seven Thousand and Three Hundred dollars (\$14,337,300) for the purpose of bonding 2014-2025 Capital projects and equipment purchases.*

**MOTION #3:**

*The Durham Town Council hereby ADOPTS Resolution #2025-11 authorizing the issuance of long-term bonds or notes not to exceed Fourteen Million, Three Hundred and Thirty-Seven Thousand and Three Hundred dollars (\$14,337,300) for the purpose of bonding 2014-2025 Capital projects and equipment purchases.*

## **RESOLUTION #2025-11 OF DURHAM, NEW HAMPSHIRE**

**AUTHORIZING THE ISSUANCE OF LONG-TERM BONDS OR NOTES NOT TO EXCEED FOURTEEN MILLION, THREE HUNDRED AND THIRTY-SEVEN THOUSAND, AND THREE HUNDRED DOLLARS (\$14,337,300) FOR THE PURPOSE OF BONDING 2014-2025 CAPITAL PROJECTS AND EQUIPMENT PURCHASES**

**WHEREAS**, the Durham Town Council approved Resolution 2018-23 on December 12, 2018 approving the Capital Fund Budget for 2019 with \$4,731,818 to be funded in revenues from bonds, notes and other forms of long-term debt; and

**WHEREAS**, the Durham Town Council approved Resolution 2020-21 on December 22, 2020 approving the Capital Fund Budget for 2021 with \$5,147,200 to be funded in revenues from bonds, notes and other forms of long-term debt; and

**WHEREAS**, the Durham Town Council approved Resolution 2021-15 on December 20, 2021 approving the Capital Fund Budget for 2022 with \$3,630,500 to be funded in revenues from bonds, notes and other forms of long-term debt; and

**WHEREAS**, the Durham Town Council approved Resolution 2022-28 on December 19, 2022 approving the Capital Fund Budget for 2023 with \$9,437,500 to be funded in revenues from bonds, notes and other forms of long-term debt; and

**WHEREAS**, the Durham Town Council approved Resolution 2023-30 on December 4, 2023 approving the Capital Fund Budget for 2024 with \$8,010,169 to be funded in revenues from bonds, notes and other forms of long-term debt; and

**WHEREAS**, the Durham Town Council approved Resolution 2024-26 on December 16, 2024 approving the Capital Fund Budget for 2025 with \$3,745,900 to be funded in revenues from bonds, notes and other forms of long-term debt; and

**WHEREAS**, in 2024 the Durham Fire Department Administrative Offices were renovated the amount of **\$143,000** is requested to be bonded; and

**WHEREAS**, the Town has been working on the implementation of a GIS (Geographic Information System), the amount of **\$58,300** is requested to be bonded; and

**WHEREAS**, the Public Works Department has been making improvements and repairs to the Wagon Hill Farmhouse, the amount of **\$461,500** is requested to be bonded; and

**WHEREAS**, The Public Works Department purchased a Roadway Sweeper in 2023 and an additional amount of **\$4,900** is requested to be bonded; and

**WHEREAS**, the Town has hired Vanasse Hangen Brustlin, Inc. to prepare documents relating to the removal of the Mill Pond Dam, the amount of **\$125,000** is requested to be bonded; and

**WHEREAS**, on October 16, 2023 the Durham Town Council authorized the purchase of a custom heavy rescue truck from Marion Body Works and the truck is anticipated to be delivered in the summer of 2025, the total amount of **\$950,000** is requested to be bonded; and

**WHEREAS**, the Durham Town Council approved Phase I of the Madbury Complete Streets project in 2023, the amount of **\$600,000** is requested to be bonded; and

**WHEREAS**, the Durham Town Council approved Phase II of the Madbury Complete Streets project in 2024, the amount of **\$2,286,000** is requested to be bonded; and

**WHEREAS**, the Durham Town Council approved Phase III of the Madbury Complete Streets project in 2025, the amount of **\$2,120,900** is requested to be bonded; and

**WHEREAS**, on June 20, 2024, the Durham Town Council awarded the purchase of an International Dump Truck with a Swap Loader Body for the Public Works Department, the amount of **\$259,000** is requested to be bonded; and

**WHEREAS**, in July of 2024, the Public Works Department purchased a replacement pickup truck with plow, the amount of **\$53,500** is requested to be bonded; and

**WHEREAS**, Continental Paving completed the 2024 sidewalk program, the amount of **\$91,000** is requested to be bonded; and

**WHEREAS**, the Durham Town Council approved Phase I of the replacement of the Madbury Road waterline as part of the Madbury Complete Streets project in 2023, the amount of **\$1,775,000** is requested to be bonded; and



**WHEREAS**, the Durham Town Council approved Phase II of the replacement of the Madbury Road waterline as part of the Madbury Complete Streets project in 2024, the amount of **\$1,980,000** is requested to be bonded; and

**WHEREAS**, the Durham Town Council approved Phase III of the replacement of the Madbury Road waterline as part of the Madbury Complete Streets project in 2025, the amount of **\$219,400** is requested to be bonded; and

**WHEREAS**, the Public Works Department has been working with engineering firms on Wastewater Treatment Plant permits, the amount of **\$57,300** is requested to be bonded; and

**WHEREAS**, the Public Works Department has been working with engineering firms on design plans for sewer collection system repairs, the amount of **\$17,500** is requested to be bonded; and

**WHEREAS**, on February 5, 2024 the Town Council approved contracts for construction and construction inspection and design to Apex Construction and Environmental Partner Groups for the WWTP Major Components Rehabilitation and Replacement Project, the amount of **\$2,000,000** is requested to be bonded; and

**WHEREAS**, the Durham Town Council approved the replacement of the Madbury Road sewer line as part of the Madbury Complete Streets project in 2023, the amount of **\$1,025,000** is requested to be bonded; and

**WHEREAS**, on October 17, 2024, the Durham Town Council awarded the purchase and installation of Flowbird CWT Parking Kiosks, the amount of **\$110,000** is requested to be bonded; and

**WHEREAS**, Section 5.12 of the Durham Town Charter enables the Town Council to approve the issuance of bonds or notes for less than \$2,300,000 after holding a duly advertised public hearing and further stipulates that for the purposes of borrowing, the Town of Durham shall have all the powers and duties vested with a city; and

**WHEREAS**, on Monday, May 19, 2025, the Town Council held a duly advertised and posted Public Hearing on Resolution #2025-11; and

**WHEREAS**, NH RSA 33:9 authorizes the issuance of bonds by a city, by resolution of the Council, passed by at least 2/3 of all Council members,

**NOW, THEREFORE, BE IT RESOLVED**, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire hereby approves **Resolution #2025-11** and authorizes the Treasurer to issue bonds or notes pursuant to the Municipal Finance Act, RSA 33, in an amount not to exceed Fourteen Million, Three Hundred and Thirty-Seven Thousand and Three Hundred Dollars (\$14,337,300) for the purpose of financing 2014-2025 Capital Projects and Equipment Purchases.

**PASSED AND ADOPTED** this 19th day of May, 2025 by a **Two-Thirds (2/3)** vote of the Durham Town Council with \_\_affirmative votes, \_\_negative votes , and abstentions.

---

Joe Friedman, Chair  
Durham Town Council

**ATTEST:**

---

Rachel Deane, Town Clerk-Tax Collector



## TOWN OF DURHAM

8 Newmarket Road

Durham, NH 03824

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[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

AGENDA ITEM: **#12B**

DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** Town Council (initiated Zoning Amendment), Planning Board and Durham Housing Task Force

**AGENDA ITEM:** PUBLIC HEARING AND POSSIBLE ADOPTION OF ORDINANCE #2025-06 AMENDING CHAPTER 175, "ZONING," ARTICLE II, "DEFINITIONS," ARTICLE XII, "BASE ZONING DISTRICTS," SECTION 175-42, "CENTRAL BUSINESS DISTRICT, ARTICLE XII.1, "USE AND DIMENSIONAL STANDARDS," SECTION 175-53, "TABLE OF LAND USES," AND SECTION 175-54, "TABLE OF DIMENSIONS," AND THE ZONING MAP OF THE TOWN CODE TO CREATE TWO NEW CENTRAL BUSINESS ZONING DISTRICTS.

**CC PREPARED BY:** Michael Behrendt, Town Planner

**PRESENTED BY:** Michael Behrendt, Town Planner

#### **AGENDA DESCRIPTION:**

**Earlier presentations.** On March 3, Sally Tobias, Planning Board Vice Chair and Chair of the Durham Housing Task Force, presented four initiatives to the Town Council that were proposed by the task force to strengthen the downtown and enhance housing opportunities. The initiatives encompassed three zoning amendments (the one discussed herein plus removing the three-story height limit in a section of the CBD and allowing multi-unit residential in PO, CH, and C), and a proposal related to RSA 79E. The three zoning proposals were presented again to the Town Council on March 17 at which time the Town Council voted to formally initiate all three amendments. The Town Council adopted a new resolution for RSA 79E on April 21.

The Planning Board held a public hearing on this CB-1 and CB-2 proposal on April 23 and then voted unanimously (6-0) to support the amendment. *Note that the board added one item to the Town Council proposal: limiting development in the CB-2 zone to four floors.* In the

current Central Business District and the proposed CB-1, the height limit under this ordinance would not change: it would continue to allow a fifth story by conditional use. But in the new CB-2 there would no longer be an allowance for a fifth story by conditional use. Lowering the height makes sense for CB-2, as part of its purpose is to be a transitional zone to the residential neighborhoods. This change is incorporated into the amendment before the Town Council now. (There is a proposed change in the three-story height limit in part of the Central Business District but that is a different amendment.) The Planning Board is holding public hearings on the two other zoning amendments on May 14.

We presented information about this proposal on March 3 and March 17. Some background is presented here again.

**Mixed use with residential.** The proposal is to allow this use by right in most of the Central Business District. Mixed use with residential is the key use for projects in the Central Business District (commercial on the first floor and residential mainly above). However, the use is allowed by conditional use, which can discourage developers from applying due to the uncertainty of the process.

There is concern about allowing this use by right in the Mill Plaza site due to the potential for developing high density student housing next to the Faculty Road neighborhood. In order to avoid this possibility, the proposal is to separate the Central Business District into Central Business-1, which would encompass all of the district except for Mill Plaza, where the use would be allowed by right, and Central Business-2, including Mill Plaza and a portion of nearby UNH land, where it would remain a conditional use. *(See the map included in the Proposed Amendment.)*

**CB-1 and CB-2.** The only change to CB-1 from the current Central Business District, other than the name change, would be to allow Mixed Use with Residential by right. The only change to CB-2 from the current Central Business District, other than the name change, would be limiting buildings to four stories. I have conveyed to the owners of Mill Plaza and the UNH Campus Architect about this proposed change and letters were sent to all property owners in the Central Business District about the Planning Board public hearing (required per state law for certain zoning amendments) but did not receive comments from any property owners.

The proposed Central Business-2 also serves as a transition from the traditional downtown character of Central Business-1. Given the difference in character between Mill Plaza and the rest of the current Central Business District, the creation of separate districts will also allow for the CB-2 to be specially tailored in the future for the Mill Plaza site if desired. Changing the zoning of UNH property will have no impact since UNH is exempt from zoning.

Council Chair Friedman proposed extending the new Central Business-2 District along the northerly side of Mill Road. The Town Council endorsed his presenting this proposal to the Planning Board on the public hearing on April 23, which he did. After some discussion the Planning Board decided to table the suggestion for possible consideration another time.

At the meeting of May 5, 2025 the Town Council scheduled a Public Hearing on this item for the meeting of Monday, May 19, 2025. A Public Hearing notice was published in *Foster's/Seacoast Online* on Thursday, May 8, 2025. 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:**

RSA 674:16, RSA 675:2, and Section 175-14 of the Durham Zoning Ordinance.

**LEGAL OPINION:**

The Town Attorney stated that she would be comfortable defending the map of the proposed new Central Business District – 2 as presented. Otherwise, the changes are typical amendments made to zoning.

**FINANCIAL DETAILS:**

It is expected that this change will result in more development in the Central Business District (CB-1) for mixed-use with residential including the creation of new taxable value.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council does hereby OPEN the Public Hearing on Ordinance #2025-06 Amending Chapter 175, "Zoning," Article II, "Definitions," Article XII, "Base Zoning Districts," Section 175-42, "Central Business District, Article XII.1, "Use and Dimensional Standards," Section 175-53, "Table of Land Uses," and Section 175-54, "Table of Dimensions," and the Zoning Map of the Town Code to create two new Central Business Zoning Districts.*

**MOTION #2:**

*The Durham Town Council does hereby CLOSE the Public Hearing on Ordinance #2025-06 Amending Chapter 175, "Zoning," Article II, "Definitions," Article XII, "Base Zoning Districts," Section 175-42, "Central Business District, Article XII.1, "Use and Dimensional Standards," Section 175-53, "Table of Land Uses," and Section 175-54, "Table of Dimensions," and the Zoning Map of the Town Code to create two new Central Business Zoning Districts.*

**MOTION #3:**

*The Durham Town Council does hereby ADOPT Ordinance #2025-06 Amending Chapter 175, "Zoning," Article II, "Definitions," Article XII, "Base Zoning Districts," Section 175-42, "Central Business District, Article XII.1, "Use and Dimensional Standards," Section 175-53, "Table of Land Uses," and Section 175-54, "Table of Dimensions," and the Zoning Map of the Town Code to create two new Central Business Zoning Districts.*

## **ORDINANCE #2025-06 OF DURHAM, NEW HAMPSHIRE**

**AMENDING CHAPTER 175, "ZONING," ARTICLE II, "DEFINITIONS," ARTICLE XII, "BASE ZONING DISTRICTS," SECTION 175-42, "CENTRAL BUSINESS DISTRICT, ARTICLE XII.1, "USE AND DIMENSIONAL STANDARDS," SECTION 175-53, "TABLE OF LAND USES," AND SECTION 175-54, "TABLE OF DIMENSIONS," AND THE ZONING MAP OF THE TOWN CODE TO CREATE TWO NEW CENTRAL BUSINESS ZONING DISTRICTS.**

**WHEREAS**, it is desirable for the use Mixed-Use with Residential to be allowed by right rather than by conditional use in most of the Central Business District because it is the primary type of development appropriate in the Central Business District and the conditional use process can be cumbersome; and

**WHEREAS**, it is desirable to maintain Mixed-Use with Residential as a conditional use at Mill Plaza because of reasonable concerns from the adjacent residential neighborhood about allowing large multi-unit housing with less ability to manage the design for projects allowed by right; and

**WHEREAS**, separating the Central Business District into a Central Business-1 District and a Central Business-2 District will allow the Town to adjust zoning as appropriate for two very different sections – the main district and Mill Plaza which is not a typical downtown style site; and

**WHEREAS**, the Durham Downtown Zoning Subcommittee and the Durham Housing Task Force developed this proposed zoning amendment for the purpose of strengthening the downtown and enhancing housing opportunities; and

**WHEREAS**, the chair of the Housing Task Force presented this zoning amendment along with three other initiatives to the Town Council on March 3 and March 17, 2025; and

**WHEREAS**, the Town Council voted to initiate this zoning amendment; and

**WHEREAS**, the Planning Board held a public hearing on this amendment and notified the owners of all land within the Central Business District of the proposal, and voted unanimously to support the amendment; and

**WHEREAS**, on May 19, 2025, the Town Council held a duly noticed public hearing on this amendment and enthusiastically supports it as offering a significant boost to much needed new development in the downtown.

**NOW, THEREFORE BE IT RESOLVED** that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby adopt **Ordinance #2025-06** amending Chapter 175, "Zoning," Article II, "Definitions," Article XII, "Base Zoning Districts," Section 175-42, "Central Business District, Article XII.1, "Use and Dimensional Standards," Section 175-53, "Table of Land Uses," and Section 175-54, "Table of Dimensions," and the Zoning Map of the Town Code to create two new Central Business Zoning Districts.

---

*Proposed new text is shown like this*

~~Existing text proposed to be deleted is shown like this.~~

Throughout the ordinance change "Central Business District" to "Central Business Districts," or "Central Business District(s)" as appropriate, and change grammar accordingly with the change from a singular Central Business District to plural Central Business Districts. In the Table of Contents under Article XII Base Zoning Districts change "Central Business District (CB)" to "Central Business Districts (CB-1 and CB-2)."

❖ Change the definition for "Commercial Core" in **Article II Definitions** to read:

***COMMERCIAL CORE** – The Commercial Core includes six zoning districts: the Central Business-1 District (CB-1), the Central Business-2 District (CB-2), the Church Hill District (CH), the Coe's Corner District (CC), the Courthouse District (C), and the Professional Office District (PO).*

## **ARTICLE XII BASE ZONING DISTRICTS**

**175-42. ~~Central Business District (CB)~~—Central Business-1 District (CB-1) and Central Business-2 District (CB-2)**

- A. Central Business-1 District (CB-1) and Central Business-2 District (CB-2)**  
Central Business-1 District and Central Business-2 District are two separate zoning districts. However, all of the provisions in this ordinance referred to as "Central Business District(s)" apply to both Central Business-1 District and Central Business-2 District except where otherwise stated.*
- B. Purpose of the Central Business District.** The purpose of the Central Business District is to maintain the mixed-use, pedestrian-oriented character of the downtown area while accommodating new development, redevelopment, and enlargement of existing buildings in a manner that maintains and enhances the small town character of the downtown.*



Downtown Durham should be an attractive and vibrant community and commercial center where desirable residential, retail, office, and other nonresidential growth can occur in a clean, safe, pedestrian-friendly environment. The Central Business District is intended to accommodate a range of uses in a manner that encourages fuller utilization of the limited area of Downtown through denser building construction and modified parking requirements. *The Central Business District is separated into two zoning districts, Central Business-1 District and Central Business-2 District for the purpose of treating aspects of Central Business-2 District that vary from the character of Central Business-1 District differently, in particular the presence of large parking lots on the two sites in CB-2 and the specific character of a shopping plaza on one site and university buildings on the other. Central Business-2 District also functions as a transition zone between the traditional downtown commercial character of Central Business-1 District and the residential neighborhoods situated to the south.*

**C. Development Standards in the Central Business District** In addition to the dimensional standards, development in the Central Business District shall conform to the following additional requirements:

1. Building Setback – Along the westerly side of Madbury Road from Main Street to Pettee Brook Lane, the front wall of the principal building shall be located no closer than 15 feet to, and no farther than 20 feet from, the front property line. Along the westerly side of Madbury Road from Pettee Brook Lane to Garrison Avenue, the front wall of the principal building shall be located no closer than 20 feet to, and no farther than 30 feet from, the front property line. For corner lots, this requirement shall apply to all frontages abutting a public street. Up to 50 percent of the front façade may be recessed beyond the maximum setback distance if the space between the front wall and the front property line is used as pedestrian area in accordance with paragraph 4. below. The expansion or modification of an existing building shall be exempt from this requirement if the Planning Board finds that conformance with this requirement would not be consistent with the character of the existing building.
2. Pedestrian Area – The area directly in front of the front wall of the building and extending to the front property line shall be maintained as a pedestrian area and shall be improved with appropriate amenities to link the building with the sidewalk and to encourage pedestrian and/or customer use of this space. For corner lots, this provision shall apply only to the frontage on the street with a greater amount of pedestrian traffic.
3. Front Entrance – The front wall of the principal building shall contain a front door providing access to the building for tenants, customers, or other users of the building, unless the Planning Board determines that placement of the front door on another façade is a practical approach and the design of the front façade will engage the street in an effective and attractive manner. If the front wall of the building is located behind the front property line, a paved sidewalk or other appropriate pedestrian way shall be provided from the sidewalk to the front door. This provision shall not be interpreted to prevent the creation of other entrances to the building. For corner lots, this provision shall apply only to the frontage on the street with a greater amount of pedestrian traffic.
4. Storage and Service Areas – All storage and service areas and facilities including dumpsters shall be located to the side or rear of the principal building and shall not be

visible from a public street. Dumpsters and storage areas shall be screened or landscaped in accordance with the provisions of Article XXII and Chapter 118, Article 3, Section 118-18 of the Solid Waste Ordinance.

5. Minimum Building Height – All new principal buildings or additions to existing principal buildings that increase the building footprint by more than 20 percent, shall have a minimum of 2 usable stories or a height equivalent of 2 stories above adjacent grade at the front wall of the building.
6. Maximum number of stories – The maximum number of permitted stories is 4 except as restricted in sections 8 and 9 below. However, the maximum number of permitted stories in the remainder of the district outside of the area covered in sections 8 and 9 below, may be increased to 5 stories subject to all of the following provisions. *This allowance for a fifth story applies in the Central Business-1 District, but not in the Central Business-2 District:*
  - a. Adding a story is permitted by conditional use.
  - b. The provisions regarding percentage of office/retail use apply.
  - c. The additional fifth story must be set back from the first floor as follows:
    - i. by at least 10 feet where any side of the building faces a public street;
    - ii. by at least 20 feet where any side of the building faces Main Street; and
    - iii. by at least 25 feet where any side of the building faces an adjacent lot (not separated by a street) situated in the section of the Central Business District that is restricted to 3 stories (Section 175-42 B. 8. and 9., or as those subsections may be renumbered in the future).The setback in i. and ii., above, also applies where they may be any intervening street or road that has never been built but which appears on an approved plat or other Town plan.
  - d. The Planning Board must determine that the additional story will not have an adverse impact upon the streetscape, giving particular consideration to scale and mass (See Architectural Regulations for guidance).
  - e. Building height. When an additional story is incorporated under this section the maximum building height is 60 feet.
7. Required office/retail uses for a mixed-use with residential building
  - a. One-story building: A mixed-use with residential use is not allowed in a one-story building.
  - b. Two-story building: The entire first floor must be office/retail.
  - c. Three- or four- story building: The entire first floor must be office/retail. Alternatively, office/retail uses may be located anywhere on the first, second, third, and fourth floors provided: 1) the amount of office/retail equals or exceeds the square footage of the first floor and 2) where the building fronts on a public road, the first floor of the portion of the building facing the road must be office/retail to a depth of at least 50 feet.
  - d. Five-story building: The entire first floor must be office/retail. Also, 1 additional floor (any floor) or an area equal to the square footage of the 1/5 story must be

office/retail. *(See subsection 6., above. A fifth story is not allowed in the Central Business-2 District.)*

- e. For a building where there are distinct sections with a different number of stories and for sites where there are multiple buildings, the required minimum overall office/retail gross square footage is determined by the sum of the minimum office/retail area required by each distinct section, or by each separate building, using the required office retail space specified above. For these sites, the disposition of office/retail and residential space on the site is flexible provided the minimum overall amount of office/retail required is included and the Planning Board determines that the configuration of the building and its uses meets the intent of this subsection 7.
  - f. Outdoor public use areas. Outdoor space on the subject property that is dedicated in perpetuity to public use may be used to meet the office/retail square footage requirement on a one-to-one basis provided that: a) the Planning Board determines that the design, location, management, and other aspects of the space will add a significant public amenity to the project; and b) the outdoor space may be used to meet a maximum of 50 percent of the overall required office/retail square footage.
8. Maximum Height of Mixed-Use Buildings, Section of Main Street – No building in the Central Business District on any lot with frontage along either side of Main Street, from and including Tax Map 109, Lot 104 (A-E) to the easterly boundary of the district, shall exceed 3 stories. This provision specifically includes the following properties: Tax Map 109, Lot 104 (A-E); Tax Map 109, Lot 106; Tax Map 109, Lot 107; Tax Map 109, Lot 108; Tax Map 109, Lot 109; Tax Map 109, Lot 110; Tax Map 108, Lot 18; Tax Map 108, Lot 19; Tax Map 109, Lot 3; Tax Map 109, Lot 2; Tax Map 109, Lot 1; Tax Map 108, Lot 17; Tax Map 108, Lot 16; Tax Map 108, Lot 15; Tax Map 108, Lot 14; and Tax Map 108, Lot 13.
  9. Maximum Height of Mixed-Use Buildings, Madbury Road – No building in the Central Business District on any lot with frontage along Madbury Road shall exceed 3 stories. This provision specifically includes the following properties: Tax Map 2, Lot 12-0; Tax Map 106, Lot 48; Tax Map 106, Lot 49; Tax Map 106, Lot 44; Tax Map 108, Lot 19; Tax Map 106, Lot 40; Tax Map 106, Lot 39; Tax Map 106, Lot 66; and Tax Map 108, Lot 20.
  10. Number of bedrooms – There shall be a maximum of 2 bedrooms in any dwelling unit within a mixed use with residential building or development.

**PASSED AND ADOPTED** by the Town Council of the Town of Durham, New Hampshire this \_\_\_\_\_ day of **May, 2025** by \_\_\_\_\_ affirmative votes, \_\_\_\_\_ negative votes, and \_\_\_\_\_ abstentions.

\_\_\_\_\_  
Joe Friedman, Chair  
Durham Town Council

***ATTEST:***

\_\_\_\_\_  
Rachel Deane, Town Clerk-Tax Collector

175-53 TABLE OF USES (only relevant pages)

CATEGORY OF USES	RESIDENTIAL ZONES				COMMERCIAL CORE ZONES					RESEARCH-INDUSTRY ZONES			
	Rural (R)	Residence A (RA)	Residence B (RB)	Residence C (RC)	Central Business <del>(CB)</del> -(CB-1 and CB-2) See Note 4	Professional Office (PO)	Church Hill (CH)	Courthouse (C)	Coe' s Corner (CC)	Office Research - Route 108 (OR)	Mixed Use and Office Research (MUDOR)	Office Research Light Industry (ORLI)	Durham Business Park (DBP)
<b>I. NATURAL RESOURCE USES</b>													
Principal Uses													
Conservation activities	P	P	P	P	P	P	P	P	P	P	P	P	P
Excavation and/or mining	CU	X	X	X	X	X	X	X	X	X	X	X	X
<b>II. AGRICULTURAL USES</b>													
(See Article XX.1)													
Principal Uses													
Agricultural Sales, Commercial	P	SE	SE	P	P	P	P	P	P	P	P	P	P
Aquaculture	P	X	X	SE	X	X	X	X	P	P	P	P	P
Bees, keeping of	P	X	X	SE	P <sup>3</sup>	P	P	P	P	P	P	P	P
Crop Cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P
Farmers' Market	SE	X	X	SE	P	P	P	P	P	P	P	P	P
Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P
Fur-bearing animals, keeping of	P <sup>2</sup>	X	X	X	X	X	X	X	X	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>
Goats and sheep, keeping of	P <sup>2</sup>	X	X	SE <sup>2</sup>	X	X	X	X	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>

[illegible]

## Notes

1. For the use “Mixed use with residential (office/retail down, multi-unit residential up),” see the definition. The layout of uses within the building or lot may also be specified by zone in Article XII, including some flexibility allowed by conditional use in the Central Business District under Development Standards
2. The use is permitted only on lots of 3 acres or greater. Roosters are permitted only in the Rural District.
3. In the Central Business District the use is permitted only on rooftops.
- 4. All uses under Central Business District (CB) apply to both Central Business-1 District (CB-1) and Central Business-2 District (CB-2) except where otherwise noted.*
- 5. Mixed use with residential is P in CB-1 and CU in CB-2*

# 175-54. TABLE OF DIMENSIONS.

Table 175-54, Table of Dimensions shows the dimensional requirements that apply to buildings and structures in the various zones.

**TABLE 175-54 TABLE OF DIMENSIONS**

STANDARD	ZONING DISTRICTS													
	Residence A (RA)	Residence B (RB)	Residence C (RC)	Rural (R)	Central Business <del>(CB)</del> (CB-1 and CB-2)	Professional Office (PO)	Church Hill (CH)	Courthouse (C)	Coe' s Corner (CC)	OR-Route 108 (OR)	Mixed Use and Office Res. (MUDOR)	Office, Research Light Ind. (ORLI.)	Durham Business Park (DBP)	Attainable Housing Overlay District (AHOD)
<b>Minimum Lot Size in Square Feet</b> - Single-Family Residence (that is not part of a Conservation Subdivision) - Multi-unit Housing - Allowed Nonresidential Use - Any Other Allowed Use	20,000	40,000	150,000	150,000	NA	10,000	5,000	5,000	30,000	40,000	40,000	150,000	40,000	NA
	NA	NA	NA	NA	5,000	10,000	5,000	5,000	30,000	80,000	40,000	150,000	40,000	5,000
	20,000	40,000	150,000	150,000	5,000	10,000	5,000	5,000	30,000	80,000	40,000	150,000	40,000	5,000
	20,000	40,000	150,000	150,000	5,000	10,000	5,000	5,000	30,000	80,000	40,000	150,000	40,000	5,000
<b>Minimum Lot Area Per Dwelling Unit<sup>3</sup> in Square Feet</b>	20,000	40,000	150,000 <sup>2</sup>	150,000 <sup>2</sup>	NA	3,000	4,200	4,200	4,200	4,200	40,000	150,000	20,000	4,200 (The density bonus under footnote 3 does not apply in the AHOD)
<b>Minimum Usable Area Per Dwelling Unit in a Conservation Subdivision<sup>3</sup> in Square Feet</b>	20,000	40,000	150,000	150,000	1,200	3,000	4,200	4,200	4,200	4,200	40,000	150,000	NA	NA



STANDARD	ZONING DISTRICTS													Attainable Housing Overlay District (AHOD)
	Residence A (RA)	Residence B (RB)	Residence C (RC)	Rural (R)	Central Business <del>(CB)</del> (CB-1 and CB-2)	Professional Office (PO)	Church Hill (CH)	Courthouse (C)	Coe' s Corner (CC)	OR-Route 108 (OR)	Mixed Use and Office Res. (MUDOR)	Office, Research Light Ind. (ORLI.)	Durham Business Park (DBP)	
Minimum Lot Frontage in Feet - Minor Street - Collector Street - Arterial Street	100	150	300	300	50	100	50	50	100	50 100 200	100 100 200	150	150	50
Minimum Front Setback in Feet - Minor Street <sup>1</sup> - Collector Street - Arterial Street	30 30 40	30 30 40	30 30 40	30 30 40	None – except per Note 5	30 30 50	15 15 15	15 15 15	30 30 50	50 50 See Note 6	30 30 100	30 30 50	30 30 50	50 50 50
Maximum Front Setback in Feet	NA	NA	NA	NA	See Note 5	NA	NA	25	NA	NA	NA	NA	NA	NA
Minimum Side Setback <sup>4</sup> in Feet	10	20	50	50	NA	15	5	10	15	25	20	20	20	25
Minimum Rear Setback <sup>4</sup> in Feet	20	30	50	50	NA	20	15	15	20	25	20	20	20	25
Minimum Shoreland Shore frontage in Feet	200	200	200	200										See underlying zone
Maximum Permitted Building Height in Feet	30	30	30	30	30	30	30	30	30	50	40	40	40	NA – See AHOD ordinance
Maximum Permitted Building Height in Feet by Special Exception in the Four Residential Zones and by Conditional Use in Other Zones.	35	35	35	35	60 See Note 7	35	35	35	35	75	50	50	50	NA – See AHOD ordinance
Maximum Impervious Surface Ratio	33%	30%	20%	20%	100%	50%	80%	80%	30%	50 %	50%	50%	50%	50%

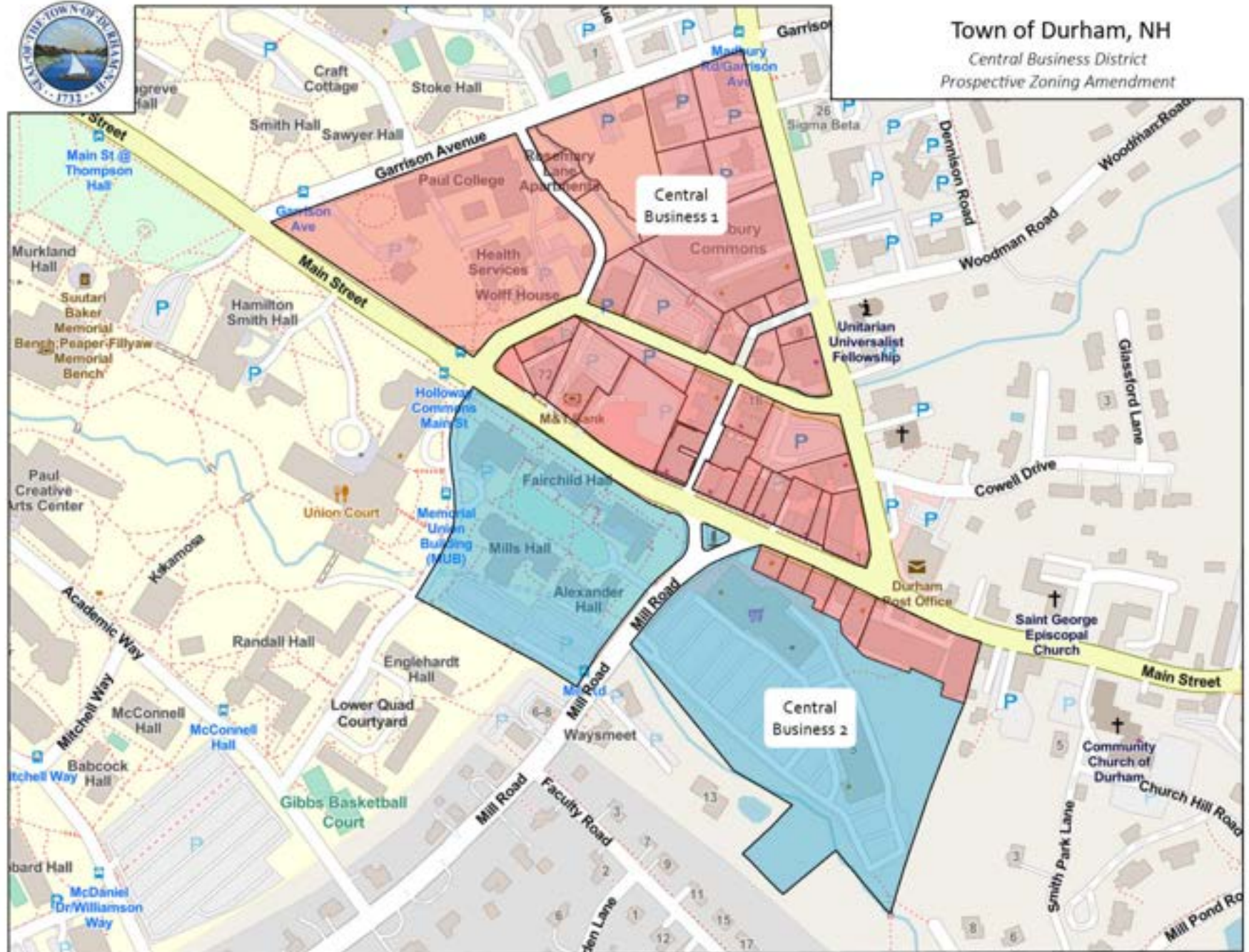
## **CHANGES TO THE ZONING MAP**

- Rezone all of the existing Central Business District, except for the Mill Plaza lot, Map 109, Lot 3 and the Main Street island, Map 109, Lot 103, from Central Business District (CB) to a new zone - Central Business-1 District (CB-1).
- Rezone the Mill Plaza lot, Map 109, Lot 3 from Central Business District (CB) to a new zone - Central Business-2 District (CB-2).
- Rezone the small parcel on the island between Main Street and Mill Road, Map 109, Lot 103, owned by the Town of Durham, from Central Business District (CB) to a new zone – Central Business-2 District (CB-2).
- Rezone this parcel of land owned by the University of New Hampshire from Residence A (RA) to a new zone - Central Business-2 District (CB-2): land bound on the easterly side by the westerly right of way of Mill Road, on the northerly side by the southerly right of way of Main Street, on the westerly side by the centerline of the Quad Way right of way, and on the southerly side by a line commencing at the intersection of the westerly right of way of Mill Road and the easterly corner of Map 109, Lot 102, thence extending in a westerly direction along the northerly side lot line of Map 109, Lot 102, thence extending in a straight line to the centerline of the Quad Way right of way.



## Town of Durham, NH

Central Business District  
Prospective Zoning Amendment





## TOWN OF DURHAM

8 Newmarket Road  
Durham, NH 03824  
Tel: 603-868-5571  
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AGENDA ITEM: **#12C** *TS*

DATE: May 5, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** Durham Town Council

**AGENDA ITEM:** CONTINUED DISCUSSION REGARDING THE DEVELOPMENT OF  
TOWN COUNCIL GOALS FOR FY 2025/26

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

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

**AGENDA DESCRIPTION:**

At the April 7, 2025 Town Council meeting, Council members began discussing the process for the development of goals for the upcoming year. At the April 21 Town Council meeting, the Council was presented with a draft document including the Administrator and Council members' suggestions for changes to the goals. At the May 5 Town Council meeting there was additional discussion on a working draft of goals that Administrator Selig had created based on suggestions 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 work toward adopting a final list of Council goals for FY 2025/26.

## **2025/26 Town Council Goals**

Working Draft

4/24/25

### **Mission**

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

### **Core Values**

Excellence, Honesty, Integrity, Justice, Resilience, Respect, Transparency

### **Goal 1 - Facilitate optimal functioning of Town government through continuous improvement, new efficiencies, waste reduction, and inter-agency collaboration.**

- A. Advance key DPW infrastructure projects and create a publicly accessible progress tracker, updated quarterly.

Timeline: Long-Term | Priority: High

Note: DPW does not routinely track every project in detail so this would represent a new initiative that would require ongoing care and feeding, so to speak. Only major projects tracked in such detail (i.e., Madbury Rd. Complete Streets). We question the utility for the public. Prefer to provide narrative updates as relevant for specific projects as part of Friday Updates, Council goal updates, etc.

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Finalize the 2025–2030 Climate Action Plan using the UNH Sustainability Fellow program, ensuring reduction strategies to achieve a 42.8% carbon reduction by 2030 are integrated into long-term planning, and actively engage committees and departments in implementation.

Timeline: Short-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Improve accuracy of the greenhouse gas (GHG) inventory by tracking electric vehicle registrations and heat pump installations, in collaboration with the Town Clerk and Assessor Offices.

Timeline: Short-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- D. Increase outreach to fill vacant alternate and regular positions on Town boards, committees, and at the polls, ensuring a sufficient and diverse volunteer pool through targeted social media and community engagement.

Timeline: Short-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- E. Develop and implement a communications plan to expand public awareness of Town services, amenities, and programs.

Timeline: Long-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- F. Continuously assess cybersecurity risks and address vulnerabilities, with a focus on enhancing security at the Wastewater Facility and implementing multifactor authentication for Town employees.

Timeline: Long-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- G. Ensure Councilors use municipal email accounts, and expand availability to Chairs of boards, committees, and commissions.

Timeline: Short-Term | Priority: Low

Note: Should municipal email be required or optional for these individuals?

Quarterly Progress: Q1: Q2: Q3: Q4:

- H. Make Town board, committee, and commission vacancy lists easily accessible to the public, and provide quarterly updates to encourage civic engagement.

Timeline: Short-Term | Priority: Low

Note: Combine with Goal 1-D. A running tally of vacancies currently exists.

Quarterly Progress: Q1: Q2: Q3: Q4:

- I. Organize and promote informal “town hall” meetings or office hours with individual Councilors on a rotating basis to foster relationships with residents and business owners.

Timeline: Long-Term | Priority: Medium

Note: Clarify Councilor roles, attendance, and desired follow-up.

Quarterly Progress: Q1: Q2: Q3: Q4:

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

- A. Align long-range capital improvement planning (CIP) with the 2024 Durham Multi-hazard Climate Mitigation Plan and the 2023 Climate Adaptation Chapter of the Master Plan.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Update long-term feasibility planning with UNH for the future Durham Fire Station capital project (Waterworks Road or B-Lot, as determined), and raise awareness of improvements needed for MacGregor Memorial EMS buildings.

Timeline: Long-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Maintain Durham Police Department national accreditation through CALEA, with cyclical evaluation completion by August 2025 and ongoing compliance thereafter.

Timeline: Short-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

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

- A. The Council and Administrator together will strive to hold the municipal tax rate at the 2025 level plus inflation (CPI-U for Boston-Cambridge-Newton, MA-NH) or less, continuing efforts to control spending, enhance revenues, broaden the tax base, and explore innovative ways to stabilize or reduce the municipal tax rate, while accounting for potential increases in expenses, personnel costs, equipment needs, and the recent use of fund balance for property tax relief.

Timeline: Short-Term | Priority: Medium

Note: Councilor Friedrichs recommends replacing "municipal tax rate" with "municipal taxes levied."

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Continue to thoughtfully develop and adopt ordinance and policy changes that increase availability of a full range of housing options for families and employees, encourage downtown business development, grow the tax base, and apply smart growth principles while considering the future of 66 Main St. and the Pettee Brook parking lots.

Timeline: Short-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Establish a business development committee or working group to help increase connection and collaboration between the Town and local businesses to help foster a supportive and beneficial atmosphere to increase the desirability and profitability of downtown Durham.

Timeline: Short-Term | Priority: Medium

Comment: Consider instead engaging more actively with the Durham Business Association through active Councilor participation. DBA is working to reinvigorate its efforts/activities.

Quarterly Progress: Q1: Q2: Q3: Q4:

- D. Enhance communication with and support of downtown businesses through collaboration on nationally recognized initiatives intended to drive the public to Durham's small businesses (e.g., Small Business Saturday).

Timeline: Short-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- E. Work toward continued progress with UNH on The Edge at West End project, including the development and adoption of a Planned Unit Development (PUD) Zoning Overlay District, evaluation of infrastructure needs for economic expansion, and exploration of public-public-private opportunities and mixed-use housing.

Timeline: Short-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- F. Continue to evaluate opportunities for including federally owned properties in Durham (US Post Office and US Fish & Wildlife) as part of other local development projects.

Timeline: Long-Term | Priority: Low

Quarterly Progress: Q1: Q2: Q3: Q4:

- G. Respond to federal or state economic restrictions that impact the Town, acting swiftly to protect essential operations and community services. The Council may issue statements or resolutions as needed.

Timeline: As Needed | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:



- H. Pursue long-term environmental and economic sustainability and resiliency by updating Town ordinances, such as those on wetlands and shoreline, EV infrastructure, and lighting.

Timeline: Long-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

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

- A. Work toward continued Town-wide reductions in solid waste generation per resident through full implementation of a volume-based collection system.

Timeline: Short-Term | Priority: High

Comment: We expect to launch this in the next 12 months.

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Support public and active transportation alternatives to the automobile and continue taking steps to address downtown multi-modal options.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Investigate and develop a public-share bike system with local partners, assessing feasibility and funding, and develop a plan of action by April 2026.

Timeline: Long-Term | Priority: Medium

Comment: The Durham market does not support external providers without subsidy; current support is for the UNH Cat Trax program. This item is integrated already with Goal 4-B.

Quarterly Progress: Q1: Q2: Q3: Q4:

- D. Encourage local and residential food production and protect existing farming businesses and infrastructure through supportive policies, ordinance development, and expansion of community gardens.

Timeline: Long-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- E. Explore and develop the concept of a town garden (shared land area rented to residents), building on the success of Wagon Hill Farm and The Meadows, with a plan by April 2026.

Timeline: Long-Term | Priority: Low

Note: Recommend the Community Garden for All partnership approach v. land rental. Potentially incorporate into Goal 4-D.

Quarterly Progress: Q1: Q2: Q3: Q4:

**Goal 5 - Pursue long-term social resiliency and quality of life in Durham intended to strengthen the community in a welcoming and inclusive manner by supporting the needs of residents, families, and other identified stakeholders by offering a wide array of active and passive parks & recreation and library opportunities, programming, events, facilities, and publicly facing educational information celebrating the rich tapestry of Durham history.**

- A. Make all Town operations inclusive of non-binary options.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Support the recreational, educational, and social needs of residents through Parks & Recreation, Durham Public Library, and social programming for all ages.

Timeline: Long-Term | Priority: Medium

Note: Recommend increasing priority to High.

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Defend Durham as a welcoming and inclusive community by upholding the mission of the Human Rights Commission.

Timeline: Ongoing | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- D. Ask the Durham Public Library to collect quantitative data about programming and operations, with clarification from the Council on which data are most useful for ongoing evaluation.

Timeline: Long-Term | Priority: Low

Note: The Library would like clarity on what data the Council seeks, as much is already tracked.

Quarterly Progress: Q1: Q2: Q3: Q4:

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

- A. Encourage the UNH administration to engage and work with Durham's Administrator in decision making and planning that impacts UNH, the Town, local businesses, and residents.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Encourage UNH to actively advertise and solicit Durham resident awareness of and participation in athletic, cultural, social, health/fitness, recreation, and educational opportunities on campus.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Endeavor to establish Durham as an epicenter of off-campus volunteerism and research by UNH students, faculty, and staff.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- D. Review ongoing changes to federal/state laws and policies in partnership with UNH, ensuring the safety of families, students, and employees of both entities, and forcefully communicate responses and expressions of concern as needed.

Timeline: As Needed | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

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

- A. Encourage all Town committees, boards, commissions, and departments to:
- i. Develop programming and action steps to prompt widespread community involvement in implementing Durham's Climate Action Plan  
Note: Covered already in Goal 1-B;
  - ii. Support the development of a full range of housing types (workforce, seniors, missing middle) to enable more of Durham's workforce to live in town  
Note: Covered already in Goal 3-B;

- iii. Promote an expanded and vibrant downtown business mix **Note:**  
Covered already in Goals 3-B, 3-C, and 3-D;
- iv. Adopt a complete streets approach to transportation planning;
- v. Update the Zoning Map Pictograph to current zoning and add more definition to boundaries and identifiable reference features.

Timeline: Long-Term | Priority: High

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Highlight and reward the contributions of community leaders and officials serving on local committees through meetings and social media to increase the attractiveness of civic participation, while respecting those who prefer not to be recognized.

Timeline: Long-Term | Priority: Medium

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Host a town awards ceremony by April 2026 to honor community leaders, elected officials, and student groups who have elevated Durham.

Timeline: Long-Term | Priority: Low

**Note:** Appointed/elected member contributions currently recognized annually via Council Resolution. Employee milestones currently recognized. Who will track/coordinate/spearhead this new initiative?

Quarterly Progress: Q1: Q2: Q3: Q4:

## **Goal 8 - Lead efforts to promote inter-municipality awareness and collaboration on issues of mutual interest and concern.**

- A. ~~Charge the Human Rights Council with supervisory efforts to protect residents from unlawful searches and seizures.~~ **Request the Human Rights Commission monitor federal and state policies that could result in unlawful searches and seizures and help recommend local responses in conjunction with relevant Town departments and the Council.**

Timeline: Long-Term | Priority: High

**Comment:** The Human Rights Commission is advisory only and has no authority. Suggest re-write similar to above.

Quarterly Progress: Q1: Q2: Q3: Q4:

- B. Consider establishing a blanket statement of non-compliance with Immigration and Customs Enforcement for the Town and Police Department.

Timeline: As Needed | Priority: High

Comment: This is similar to the sanctuary city initiative the Town Council chose not to pursue in 2018.

Quarterly Progress: Q1: Q2: Q3: Q4:

- C. Establish working relationships with adjacent municipal officials to foster a timely and collaborative regional network.

Timeline: Long-Term | Priority: Low

Comment: Current approach is adequate; who would coordinate new initiative?

Quarterly Progress: Q1: Q2: Q3: Q4:

- D. Establish a reporting procedure to notify the Town Council within 24 hours of Federal Agents operating or attempting to operate within Durham.

Timeline: As Needed | Priority: High

Note: This presumes Durham would be aware of such activity.

Quarterly Progress: Q1: Q2: Q3: Q4:

- E. Reject state attempts to undermine local authority and control through vocal, visible, collaborative opposition and passive non-compliance.

Timeline: As Needed | Priority: High

Note: Would recommend dropping passive non-compliance part of goal.

Quarterly Progress: Q1: Q2: Q3: Q4:

**Note: The numerical order of the goals does not imply priority.**



## TOWN OF DURHAM

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Durham, NH 03824  
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**AGENDA ITEM: #13**  
**DATE: May 19, 2025**

### **COUNCIL COMMUNICATION**

**INITIATED BY:** Durham Town Council

**AGENDA ITEM:** **APPROVE THE TOWN COUNCIL MEETING MINUTES FOR MAY 5, 2025.**

**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 May 5, 2025. 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 May 5, 2025. (as presented/as amended).*



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AGENDA ITEM: **#14** *TS*  
DATE: May 19, 2025

### COUNCIL COMMUNICATION

**INITIATED BY:** Luke Vincent, Manager of I.T.

**AGENDA ITEM:** DISCUSSION WITH LUKE VINCENT, MANAGER OF I.T.,  
ABOUT PURCHASING TABLETS FOR COUNCILORS TO USE  
FOR EMAIL.

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

**PRESENTED BY:** Luke Vincent, Manager of I.T.

**AGENDA DESCRIPTION:**

As follows Durham IT's recommended proposal to pilot the use of organization-issued iPads for conducting official Council activities, including reviewing materials, accessing Council-related email, and participating in virtual or hybrid meetings. This optional program would enhance security, provide consistent access to resources, and support compliance with public governance standards (i.e. RSA 91:A), while ultimately leaving the choice of participation to individual Council members.

The proposal originates from the desire to provide each Councilor with a dedicated Town email account and address. Some Council members have encountered issues when trying to use personal devices for Town business. These problems stemmed from conflicting accounts or the challenges associated with managing multiple accounts on a single device. For example, a Council member may already have a personal email or cloud storage account set up on their device, which can interfere with or complicate access to their official Town account. This confusion can lead to missed communications, errors in document management, and general frustration when switching between personal and official accounts. By issuing a dedicated, organization-controlled device, we can eliminate these conflicts and streamline access to the tools and resources required for official work.

Council members primarily access Council materials and communications using personal devices. While this approach is convenient it presents several challenges

due to the significant variance in personal devices. Each Council member uses a different type of device with its own operating system, versioning, and security settings. Some devices are not regularly updated, or do not meet the minimum security standards needed to safely handle Council data. This lack of uniformity creates gaps in security, as the IT department cannot ensure that all devices are adequately protected from risks like malware, data theft, or unauthorized access. Such discrepancies increase the likelihood of a security breach and have the potential to leave sensitive information at risk.

In addition to security concerns, this variability makes it difficult for our IT team to provide consistent support. Different devices often require different troubleshooting approaches, and the IT department may not have the ability to control or manage all the configurations of personal devices. If a Council member experiences a technical issue or requires assistance, the process of diagnosing and fixing the problem can become time-consuming and complex. With a standardized device like the iPad, all Council members would have the same setup, making IT support more efficient and reducing delays in resolving issues. Having a uniform device also ensures that every member has secure, reliable access to the same resources, such as email, documents, and virtual meetings, with less discrepancies or compatibility issues.

By offering organization-issued iPads as an option, we can provide Council members with devices that are fully managed through our existing mobile device management (MDM) system. This enables the IT team to enforce security features such as encryption, password requirements, and the ability to remotely lock or wipe devices if necessary. These safeguards are designed to protect sensitive Council materials and maintain a secure environment for official business.

The iPads would also be pre-configured with access to our Office 365 environment, including email, cloud storage (OneDrive), SharePoint, and Zoom for remote meetings. This would ensure that all Council members who choose this option have secure, reliable access to the tools and materials they need without additional setup or troubleshooting.

As a public body, it is essential to maintain clear boundaries between personal and official communications. Providing the option of organization-issued devices would help mitigate any issues related to public records requests, legal inquiries, or audits, by ensuring that Council-related data is contained within a secure, managed environment.

While offering these devices comes with an initial cost, the long-term benefits of improved security, reduced IT support needs, and enhanced compliance with governance standards can justify this investment.



In terms of cost, the estimated pricing for each device is as follows:

- **iPad Air (13-inch, Wi-Fi, 256GB)**
- **Magic Keyboard for iPad Air**
- **2 yrs AppleCare+ w/ Accidental Damage**

**Total per device: \$1317**

Council members who choose to use the iPads would be fully supported by our IT team, and training will be provided to ensure a smooth transition. However, should any Council members prefer to continue using their personal devices, they are welcome to do so, though it is important to note that using personal devices may come with all the aforementioned challenges.

This proposal is presented for discussion and consideration. The IT department is available to provide further details or answer any questions you may have.

Suggested action(s) if proposal is of interest to the Council:

- Ask IT Dept. through Administrator to poll the Council members on who would be willing to participate in a pilot town-issued device program
- Based on response, ask Administrator to authorize IT department to purchase hardware and software to support the pilot program.
- Schedule a six month check-in with the Council and Administrator to discuss merits of the program moving forward.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

If of interest, we will need to prioritize this initiative against other planned purchases for 2025, with residual full build-out of program for 2026.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action required. Hold question and answer session if desired.