



TOWN OF DURHAM

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

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

AGENDA

DURHAM TOWN COUNCIL

MONDAY, MARCH 2, 2026

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 - Adoption of Resolution #2026-03 Recognizing Outgoing Elected Officials for their Service to the Town of Durham
- VI. Approval of Minutes - February 16, 2026
- VII. Report from the UNH Student Senate External Affairs Chair or Designee
- VIII. Public Comments (*) - **Please state your name and address before speaking**
- IX. Unanimous Consent Agenda (*Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote*)
 - A. Shall the Town Council Pass on **First Reading, Ordinance #2026-02**, Amending Chapter 132, "Tax Exemptions and Credits", Section 132-4 "Service-Connected Total Disability Veteran Tax Credit" of the Durham Town Code to Increase the Veteran Tax Credit Threshold for Veterans Who Are Totally and Permanently Disabled to \$4,500 and Schedule a Public Hearing for Monday, March 23, 2026?
 - B. Shall the Town Council, Upon Recommendation of the Administrator Award the Construction Contracts for the Madbury Road Complete Streets Phase 4A and 4B Roadway, Drainage, Streetscape Project to G.W. Brooks and Sons, Inc. of Freedom, NH for a Total Price Not to Exceed \$2,450,534, Subject to Available Funding?

- C. Shall the Town Council, Upon Recommendation of the Administrator Award the Paving Contracts for the Madbury Road Complete Streets Phase 4A and 4B Roadway, Drainage, Streetscape Project to Continental Paving Inc. of Londonderry, NH for a Total Price Not to Exceed \$444,382, Subject to Available Funding?
- D. Shall the Town Council, Upon Recommendation of the Administrator Approve the Construction Inspection, Design and Administration Contracts for the Madbury Road Complete Streets Roadway, Drainage, Streetscape Project Phases 4A and 4B with VHB Engineers of Bedford, NH in the amount Not to Exceed \$244,034, Subject to Available Funding?
- E. Shall the Town Council, Upon Recommendation of the Administrator, Award the 2026 Road and Sidewalk Program to Continental Paving Inc. of Londonderry, NH in an Amount Not to EXCEED \$846,000 and Authorize the Administrator to Sign the Associated Contract?
- F. Shall the Town Council, Upon Recommendation of the Administrator Authorize the Purchase of Two New 2027 HV 507 SFA 6-Wheel International dump trucks with Cummins L9 Diesel Engines from Allegiance Trucks of Manchester, NH in the Amount of \$224,230?
- G. Shall the Town Council, Upon Recommendation of the Administrator Authorize the Purchase of Two New 2026 Conventional Stainless Steel Dump Body, Material Spreader, Front and Wing Plows, and Cirus Freedom Sander Control from Viking Cives of Lewiston, ME in the Amount of \$217,110?

X. Committee Appointments

Shall the Town Council, upon Recommendation of the Conservation Commission Chair, appoint Julian Smith, 3 Chesley Drive, to an unexpired alternate membership position on the Conservation Commission with a term expiration of 4/27?

XI. Presentation Items

XII. New Business

- A. **First Reading on Ordinance #2026-03** Amending Chapter 175, "Zoning," the Zoning Map of the Durham Town Code to re-zone Map 108, Lot 27, 10 Cowell Drive from Residence A (RA) to Church Hill (CH) Zone, and scheduling a Public Hearing for Monday, March 23, 2026.
- B. Discussion of the Possibility of amending the Zoning Ordinance to increase the Maximum Height of buildings to 5 stories and other changes in the Westerly portion of the Central Business-1 Zoning District.

XIII. Unfinished Business

XIV. Councilor and Town Administrator Roundtable

XV. Nonpublic Session (if required)

XVI. Adjourn (NLT 10:30 PM)

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



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AGENDA ITEM: **#5**
DATE: March 2, 2026

COUNCIL COMMUNICATION

INITIATED BY: Durham Town Council

AGENDA ITEM: SHALL THE DURHAM TOWN COUNCIL ADOPT RESOLUTION #2026-03 RECOGNIZING OUTGOING ELECTED OFFICIALS FOR THEIR SERVICES TO THE TOWN OF DURHAM?

PREPARED BY: Karen Edwards, Administrative Assistant

PRESENTED BY: Durham Town Council

AGENDA DESCRIPTION:

Attached is Resolution #2026-03 recognizing the services of Durham's elected officials whose terms will expire March 2026.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby adopt Resolution #2026-03 recognizing the elected officials listed below for their dedicated services and hard work on behalf of the Town.

<u>Elected Office</u>	<u>Name</u>	<u>Term</u>
Durham Town Council:	Wayne Burton Emily Friedrichs Sally Needell Carden Welsh	Mar 2023 – Mar 2026 Mar 2023 – Mar 2026 Mar 2020 – Mar 2026 Sept 2025 – Mar 2026

RESOLUTION #2026-03 OF DURHAM, NEW HAMPSHIRE

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire, does hereby adopt **Resolution #2026-03** expressing its appreciation to and recognizing the following Durham elected officials for their dedication, hard work, and commitment on behalf of the Town of Durham.

<u>Elected Office</u>	<u>Name</u>	<u>Term</u>
Durham Town Council:	Wayne Burton	Mar 2023 - Mar 2026
	Emily Friedrichs	Mar 2023 - Mar 2026
	Sally Needell	Mar 2020 - Mar 2026
	Carden Welsh	Sept. 2025 - Mar 2026

PASSED AND ADOPTED on this 2nd day of March, 2026 by a majority vote of the Durham Town Council with _____ voting in favor, _____ opposing, and _____ abstaining.

Joe Friedman, Chair
Durham Town Council

ATTEST:

Rachel Deane, Town Clerk-Tax Collector



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AGENDA ITEM: **#6**
DATE: March 2, 2026

COUNCIL COMMUNICATION

INITIATED BY: Durham Town Council

AGENDA ITEM: APPROVE THE TOWN COUNCIL MEETING MINUTES FOR
FEBRUARY 16, 2026.

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 February 16, 2026. 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 February 16, 2026. (as presented/as amended)



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AGENDA ITEM: **#9A**

DATE: **March 2, 2026**

COUNCIL COMMUNICATION

INITIATED BY: Darcy Freer, Assessor

AGENDA ITEM: SHALL THE TOWN COUNCIL PASS ON FIRST READING, ORDINANCE #2026-02 AMENDING CHAPTER 132, "TAX EXEMPTIONS AND CREDITS", SECTION 132-4 "SERVICE-CONNECTED TOTAL DISABILITY VETERAN TAX CREDIT" OF THE DURHAM TOWN CODE TO INCREASE THE VETERAN TAX CREDIT THRESHOLD FOR VETERANS WHO ARE TOTALLY AND PERMANENTLY DISABLED TO \$4,500 AND SCHEDULE A PUBLIC HEARING FOR MONDAY, MARCH 23, 2026?

CC PREPARED BY: Darcy Freer, Assessor

CC PRESENTED BY: Darcy Freer, Assessor

AGENDA DESCRIPTION:

The Town of Durham last updated the Veterans Tax Credit for Veterans who are totally and permanently disabled on August 12, 2024. This increase was to be phased in over the 2025 and 2026 tax years increasing the tax credit from \$2,500 to \$3,500 for April 1, 2025, and from \$3,500 to \$4,000 for April 1, 2026.

The urgency of increasing this tax credit again is due to the passage of recent legislation by state legislators. The legislative action that was passed removes the requirement that municipalities were under to combine the \$500 Optional Veterans' Tax Credit with the Service-Connected Total and Permanent Disabled Veterans' Tax Credit. This legislation now bars municipalities from combining them both on a disabled veterans property tax bill. The recommendation to increase the Service-Connected Total and Permanent Disabled Veterans' Tax Credit from \$4,000 to \$4,500

is intended to make up for the loss of the Optional Veterans Tax Credit for eligible and approved disabled veterans.

It should be noted that without this increase these veterans will see a decrease in their total tax credit for the 2026 tax year. The increase to the Service-Connected Total Disability Credit will have an effective date of April 1, 2026.

LEGAL AUTHORITY:

RSA 72:35 Tax Credit for Service-Connected Total Disability. -

I. Any person who has been honorably discharged or an officer honorably separated from the military service of the United States and who has total and permanent service-connected disability, or who is a double amputee or paraplegic because of service-connected injury, or the surviving spouse of such a person, shall receive a standard yearly tax credit in the amount of \$700 of property taxes on the person's residential property.

I-a. The optional tax credit for service-connected permanent and total disability, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$701 up to \$5,000. The optional tax credit for service-connected permanent and total disability shall replace the tax credits pursuant to RSA 72:28, 72:28-b, 72:28-c, and 72:36-a in its entirety and shall not be in addition thereto.

I-b. Either the standard tax credit for service-connected total disability or the optional tax credit for service-connected total disability shall be subtracted each year from the property tax on the person's residential property.

II. The standard or optional tax credit under this section may be applied only to property which is occupied as the principal place of abode by the disabled person or the surviving spouse. The tax credit may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode.

III. (a) Any person applying for the standard or optional tax credit under this section shall furnish to the assessors or selectmen certification from the United States Department of Veterans' Affairs that the applicant is rated totally and permanently disabled from service connection. The assessors or selectmen shall accept such certification as conclusive on the question of disability unless they have specific contrary evidence and the applicant, or the applicant's representative, has had a reasonable opportunity to review and rebut that evidence. The applicant shall also be afforded a reasonable opportunity to submit additional evidence on the question of disability.

(b) Any decision to deny an application shall identify the evidence upon which the decision relied and shall be made within the time period provided by law.

(c) Any tax credit shall be divided evenly among the number of tax payments required annually by the town or city so that a portion of the tax credit shall apply to each tax payment to be made.

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

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

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

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

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

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

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

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

No additional monies will need to be appropriated to cover the increase in the Service-Connected Total and Permanent Disabled Veterans' Tax Credit, because as of April 1, 2026 the additional \$500 is being offset by the loss of the Optional Veterans' Tax Credit for these veterans.

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby Pass on First Reading, Ordinance #2026-02, Amending Chapter 132, "Tax Exemptions and Credits", Section 132-4 "Service-Connected Total Disability Veteran Tax Credit" of the Durham Town Code to Increase the Veteran Tax Credit Threshold for Veterans Who Are Totally and Permanently Disabled to \$4,500 and schedules a Public Hearing for Monday, March 23, 2026.

ORDINANCE #2026-02 OF DURHAM, NEW HAMPSHIRE

ORDINANCE #2026- 02, AMENDING CHAPTER 132, “TAX EXEMPTIONS AND CREDITS”, SECTION 132-4 “SERVICE-CONNECTED TOTAL DISABILITY VETERAN TAX CREDIT” OF THE DURHAM TOWN CODE TO INCREASE THE VETERAN TAX CREDIT THRESHOLD FOR VETERANS WHO ARE TOTALLY AND PERMANENTLY DISABLED TO \$4,500.

WHEREAS, on July 8, 2002 the Durham Town Council adopted Ordinance #2002-04, creating a new Chapter 132 within the Durham Town Code entitled “Tax Exemptions and Credits” that codified all of the Town’s existing adopted property tax exemptions. Ordinance #2002-04 also adopted and codified the optional Veterans’ Tax Credit and Surviving Spouse Veterans’ Tax Credit, as well as codified and increased the income amounts and asset limits for the disabled and elderly exemptions; and

WHEREAS, on March 3, 2008, the Durham Town Council adopted Ordinance #2008-03 increasing the tax credit amounts for the optional Veterans, Surviving Spouse, and Service-Connected Total Disability tax credits; and

WHEREAS, on August 16, 2021, the Durham Town Council adopted Ordinance #2021-03 increasing the tax credit amounts for the Service-Connected Total Disability tax credit; and

WHEREAS, on August 12, 2024, the Durham Town Council adopted Ordinance #2024-06 increasing the tax credit amounts for the Service-Connected Total Disability tax credit; and

WHEREAS, State legislation has been passed that would bar the Town from combining the Optional Veterans’ Tax Credit of \$500 with the Service-Connected Total Disability Veteran tax credit; and

WHEREAS, the Town Assessor believes that raising the amount to \$4,500 for April 1, 2026, would appropriately reflect any loss in credit due to State legislative changes.

NOW, THEREFORE BE IT RESOLVED, that the Town of Durham, through the Durham Town Council, the governing body of the Town of Durham, New Hampshire, hereby adopts **Ordinance #2026-02** and does hereby amend Chapter 132, Section 132-4 Service-Connected Total Disability Tax Credit, of the Durham Town Code by increasing the tax credit amount as indicated below. Wording to be deleted is annotated with **strikeout** type. New wording is annotated with underscoring.

132-4. Service-Connected Total Disability Tax Credit

- A. Any person who has been honorably discharged or an officer honorably separated from the military service of the United States and who has total and permanent service-connected disability, or who is a double amputee or paraplegic because of service-connected injury, or the surviving spouse of such a person, shall receive a standard yearly tax credit in the amount of \$700 of property taxes on the person's residential property.
- B. The optional tax credit for service-connected permanent and total disability is hereby adopted and shall be ~~3,500.00~~ 4,500 in Durham effective April 1, 2026. ~~and shall be \$4,000 in Durham effective April 1, 2026~~. The optional tax credit for service-connected permanent and total disability shall replace the standard tax credit in its entirety and shall not be in addition thereto.
- C. The optional tax credit for service-connected disability shall be subtracted each year from the property tax on the person's residential property.
- D. The optional tax credit in this section may be applied only to property which is occupied as the principal place of abode by the disabled person or the surviving spouse. The tax credit may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the Principal place of abode.
- E. Applications for this credit shall be made in the following manner.
 - (1) Any person applying for the optional tax credit under this section shall furnish to the assessors, certification from the United States Department of Veterans' Affairs that the applicant is rated totally and permanently disabled from service connection. The assessors shall accept such certification as conclusive on the question of disability unless they have specific contrary evidence and the applicant, or the applicant's representative, has had a reasonable opportunity to review and rebut that evidence. The applicant shall also be afforded a reasonable opportunity to submit additional evidence on the question of disability.
 - (2) Any decision to deny an application shall identify the evidence upon which the decision relied and shall be made within the time period provided by law.

- (3) Any tax credit shall be divided evenly among the number of tax payments required annually by the town or city so that a portion of the tax credit shall apply to each tax payment to be made.

PASSED AND ADOPTED this ___ day of _____ by a majority 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



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AGENDA ITEM: **#9B, 9C & 9D**

DATE: March 2, 2026

COUNCIL COMMUNICATION

INITIATED BY: Richard Reine, Director of Public Works

AGENDA ITEM: 1. SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR AWARD THE CONSTRUCTION CONTRACTS FOR THE MADBURY ROAD COMPLETE STREETS PHASE 4A AND 4B ROADWAY, DRAINAGE, STREETSCAPE PROJECT TO G.W. BROOKS AND SONS, INC. OF FREEDOM, NH FOR A TOTAL PRICE NOT TO EXCEED \$2,450,534, SUBJECT TO AVAILABLE FUNDING?

AND

2 SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR AWARD THE PAVING CONTRACTS FOR THE MADBURY ROAD COMPLETE STREETS PHASE 4A AND 4B ROADWAY, DRAINAGE, STREETSCAPE PROJECT TO CONTINENTAL PAVING INC. OF LONDONDERRY, NH FOR A TOTAL PRICE NOT TO EXCEED \$444,382, SUBJECT TO AVAILABLE FUNDING?

AND

3. SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR APPROVE THE CONSTRUCTION INSPECTION, DESIGN AND ADMINISTRATION CONTRACTS FOR THE MADBURY ROAD COMPLETE STREETS ROADWAY, DRAINAGE, STREETSCAPE PROJECT PHASES 4A AND 4B WITH VHB ENGINEERS OF BEDFORD, NH IN THE AMOUNT NOT TO EXCEED \$244,034, SUBJECT TO AVAILABLE FUNDING?

PREPARED BY: Richard Reine, Director of Public Works

CC: Todd Selig, Administrator
Gail Jablonski, Business Manager
April Talon, Town Engineer
Sam Hewitt, Assistant Director of Public Works

PRESENTED BY: Richard Reine, Director of Public Works

AGENDA DESCRIPTION:

The purpose of this Council Communication is to request the Town Council’s approval to award the Construction, Roadway Paving and Engineering Services Contracts for the Madbury Road Complete Streets Project. The Phase 4A and 4B Roadway project limits extend from the Phase 3 segment of the project at the intersection of Edgewood Road at Madbury Road to just past Emerson Road and Madbury Road, where the project will connect to the NHDOT roundabout project located at the intersection of U.S. Route 4 and Madbury Road.

PROJECT BACKGROUND AND ROADWAY CONDITION

Madbury Road was transferred to Town ownership from the State of New Hampshire when U.S. Route 4 was upgraded. The roadway was last paved in 2009 at which time it received an overlay treatment. The entire project limits of all phases include the main corridor, which is approximately 8,200 feet in length, connecting Main Street in downtown Durham with U.S. Route 4 and Pendexter Road. The roadway is well traveled with abutting homes and residential neighborhoods. The roadway serves as a major corridor in Durham with annual average daily traffic (AADT) of approximately 7,000 vehicles per day (VPD), based on NHDOT traffic data. Madbury Road provides pedestrian, cyclist, multi-modal and transit access to the public and UNH students, along with middle school and high school aged walkers, bicyclists, and users of micromobility devices attending the Oyster River Middle and High Schools, located just a few blocks away on Coe Drive.



Photo showing intersection of Main Street and Madbury Road in foreground with Madbury Road extending North.

Currently, the first phases of the Complete Streets Improvements between Main Street and Garrison Avenue have reached substantial completion. Phase 3 between Garrison Avenue and Edgewood Road, currently under contract with G.W. Brooks, will continue

in the spring of 2026 to complete the construction of the remaining improvements, including tree planting, traffic calming elements and top course paving.

The remaining segment of Madbury Road north of Edgewood Road is in a state of advanced deterioration, characterized by widespread pavement raveling, delamination, trench patching, longitudinal and alligator cracking, rutting, settlement, and failure of the underlying roadway base. Roadway and sidewalk conditions have been further compromised by the installation of a water main along the corridor, necessitated by a history of water main breaks and deteriorated pipe materials. A temporary pavement patch was installed along the watermain trench during construction at a substantially reduced cost, recognizing that a permanent patch would be demolished during the Phase 4A and 4B construction phase. This would have resulted in a costly investment with minimal short-term benefit. The existing stormwater drainage system is undersized and exhibits significant structural deterioration of both drainage structures and conveyance piping. The Phase 4A and 4B Madbury Road Complete Streets Roadway, Drainage, Streetscape Project includes reconstruction of the roadway and stormwater collection system using both conventional and low impact development (LID) stormwater treatment methods and can be viewed at the Project's Informational Story Map located [HERE](#).

During prior project phases, sidewalks and curb ramps have received construction upgrades to meet ADA accessibility standards. In the Phase 4A and 4B project segments, sidewalk connectivity remains inadequate in certain sections. In many areas, the curb reveal is minimal or absent, creating an uncomfortable and potentially hazardous environment for pedestrians and cyclists. While traffic-calming and pedestrian-safety measures have been installed and, in some cases, later removed along the corridor, additional and more effective improvements are needed to support safety and to accommodate continued growth in multimodal transportation use.

The Madbury Road Complete Streets Project has sought to address these deficiencies. The Complete Streets design approach guided the project team to develop improvements that prioritize safe use and mobility for people of all ages and abilities, regardless of whether they are traveling as drivers, pedestrians, bicyclists, users of micromobility devices, or public transportation riders.

In addition, and as noted earlier, the project team continues to work closely with the New Hampshire Department of Transportation (NHDOT) to ensure coordination between the Madbury Road Complete Streets Project and the NHDOT's U.S. Route 4 at Madbury Road Intersection Improvement Project #42523 pictured below and scheduled for construction to begin currently in 2028.

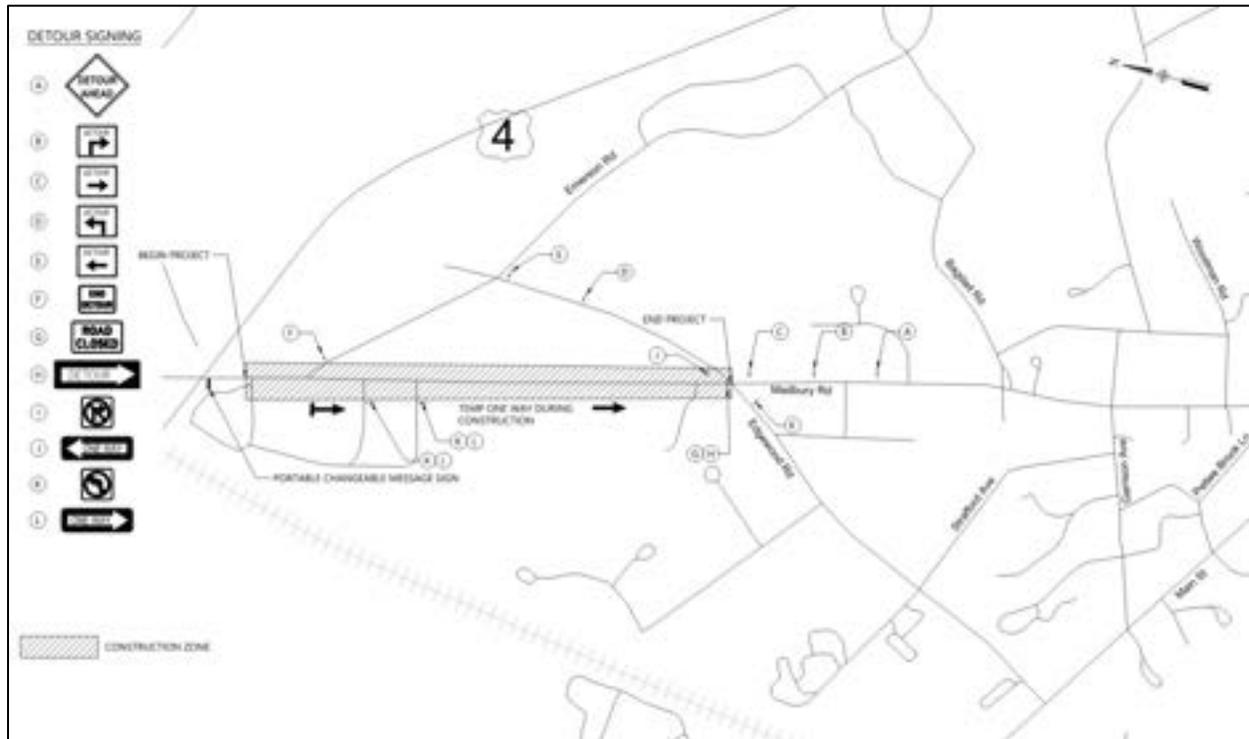


The Phase 5 segment continues the extension of the multi-use pathway along the western side of Madbury Road, with widths varying from 8 to 10 feet. This segment is funded through the State and Federal Transportation Alternatives Program (TAP). The Town’s multi-use TAP project has performed well in the evaluation process. In January, Governor Ayotte recommended that 17 TAP projects be included in the 2027–2036 Ten-Year Transportation Improvement Plan, including Durham’s Madbury Road Multi-Use Path, with a proposed funding amount of \$1,819,955. Upon legislative approval of the Ten-Year Plan, construction funding could become available as early as 2027/2028. The final plan is anticipated to be adopted in the summer of 2026. In the event the Town was unsuccessful in obtaining funding or funding availability was delayed to a later year in the 10-year plan, the project would construct a conventional 5-foot wide permanent, or temporary sidewalk to serve in the interim.

The project also includes the addition of a left turn lane at Emerson Road and traffic calming median refuge islands. Installation of standard cobra head lighting for the corridor is also included at key locations, along with streetscape improvements, landscaping and hardscape additions. If project funding allows decorative lighting within median islands may be included. Upon Town Council approval and execution of contracts by the Administrator, project contractors G.W. Brooks and Continental Paving are prepared to commence construction of the improvements in late spring, as weather and conditions allow, with binder course paving by Continental Paving to follow. Excerpts of the construction plans are shown below for your reference.

During construction, access to the roadway segment between U.S. Route 4 and Edgewood Road will be maintained in a southbound direction for residents of Madbury Road and adjacent connecting roadways, as well as for service vehicles, including school buses and delivery services. Northbound traffic will be redirected using

designated detours along Emerson Road and Edgewood Road as shown in the graphic below.



Detour Plan for construction between U.S Route 4 and Edgewood Road

AWARD SUMMARY

The project design and construction improvements for these final phases of the Madbury Road Complete Streets Program have been separated into multiple independent and distinct project phases identified as Phases 4A, 4B and 5, with capital funding programmed for each. The phases include the following components:

- roadway, sidewalk, and multi-use path reconstruction
- streetscape, lighting, traffic calming and Complete Streets improvements
- stormwater and drainage system reconstruction

The Phase 2 Roadway, Drainage, Streetscape Project, which spans approximately 1,540 feet between Main Street and Garrison Avenue was bid and awarded by the Town Council to G.W. Brooks and Sons. G.W Brooks has performed exceptionally well during this and subsequent project phases and has maintained their competitive unit cost pricing for the upcoming Phase 4A and 4B contracts consistent with prior phases.

In addition, the Town has awarded previous paving phases of the Madbury Road Complete Streets Project to Continental Paving, rather than including this work in the G.W. Brooks contract. This approach allowed the Town to leverage highly favorable

unit pricing through its existing paving contract, resulting in substantial cost savings while maintaining consistent, high-quality paving along this critical corridor. Continental Paving has provided roadway and sidewalk paving services to the Town of Durham for over 15 years and has consistently delivered outstanding performance, competitive pricing, and superior workmanship. Unlike many regional paving contractors, Continental owns and operates its own asphalt plants, equipment, and workforce, minimizing reliance on subcontractors, reducing the risk of delays, and ensuring greater quality control over materials and construction.

The Town and its consultant, VHB, conducted a comprehensive cost analysis for the project, including a detailed review of unit prices and quantities and a comparison with recent bid results from similar projects, to ensure that public funds are expended prudently. Despite continued escalation in construction costs industrywide, the unit pricing submitted by G.W. Brooks and Continental Paving remains substantially more competitive than that of many other contractors.

Given the high volume of construction activity in the region, contractors have been increasingly selective in pursuing work, and municipalities are frequently encountering no bids or single bids with significantly inflated pricing, sometimes from firms with limited qualifications or references. In response, Durham Public Works has implemented a strategy, when feasible, to retain high-quality contractors offering competitive pricing who are familiar with both the project and the Town's standards and expectations. This approach promotes continuity, reduces risk, and serves the Town's best interests.

All contractors recommended for the 2026 work have performed exceptionally during earlier phases of the Madbury Road Complete Streets Project, and the negotiated cost proposals for the upcoming phase are well below the engineer's estimate of probable cost.

Based on the contracts developed with each of the contractors and the Department's and VHB's review of the materials submitted, the Public Works Department recommends the Council award construction contracts to: G.W. Brooks and Sons, Inc in a total amount not to exceed \$2,450,534; and Continental Paving, Inc. in a total amount not to exceed \$444,382.

Regarding Engineering Services during construction, VHB Engineers and their subconsultants were selected to provide engineering design, permitting and construction inspection/contract administration services following a qualifications-based selection process which began when Durham Public Works advertised a Request for Qualifications (RFQ) in 2021. Several firms were interviewed in March of 2021 by a panel comprised of Town Council Chair at the time, Katherine Marple, Public Works Director, Rich Reine and Town Engineer April Talon. Following these interviews, the panel reached consensus that VHB was the most advantageous firm to enter into scope and fee negotiations with. VHB was awarded a contract and continues to provide

professional engineering services for the Madbury Road Complete Streets Project. Following receipt of construction bids and finalization of project scope and timeline, Durham Public Works requested VHB provide a fee and scope proposal for continued construction inspection, design, and contract administration. Durham Public Works recommends the Town Council award the Construction Inspection, Design and Administration Contract for the Madbury Road Complete Streets Phase 4A and 4B Roadway, Drainage and Streetscape Project to VHB Engineers of Bedford, NH in the Amount of \$244,034.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

Construction Contract Amount Phase 4A- G. W. Brooks & Son Inc.	\$1,139,339
Construction Contract Amount Phase 4B- G.W. Brooks & Sons Inc.	\$1,311,195
Construction Contract Amount Phase 4A – Continental Paving Inc.	\$ 206,315
Construction Contract Amount Phase 4B – Continental Paving Inc.	\$ 238,067
Const. Inspection, Design and Admin Contract Amount 4A – VHB Inc.	\$ 159,075
Const. Inspection, Design and Admin Contract Amount 4B – VHB Inc.	\$ 84,959

ACCOUNT	TITLE	BUDGETED	EXPENSED/ ENCUMBERED TO DATE	REQUESTED	BALANCE
07-2694-801	Madbury Road Phase 4A – Edgewood to Emerson	\$1,374,020	\$4,375	\$ 1,139,339 (Brooks) \$ 53,731 (Continental) \$159,075 (VHB 4A) TOTAL: \$1,352,145	\$17,500
07-2695-801	Madbury Road Phase 4B – Emerson to Route 4	\$1,530,400	\$4,375	\$ 1,311,195 (Brooks) \$112,371 (Continental) \$84,959 (VHB 4B) TOTAL: \$1,508,525	\$17,500
07-2492-221	Madbury Road Waterline Replacement	\$1,980,000	\$1,701,720	\$152,584 (Continental 4A) \$125,696 (Continental 4B) TOTAL: \$278,280	\$0

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION #1:

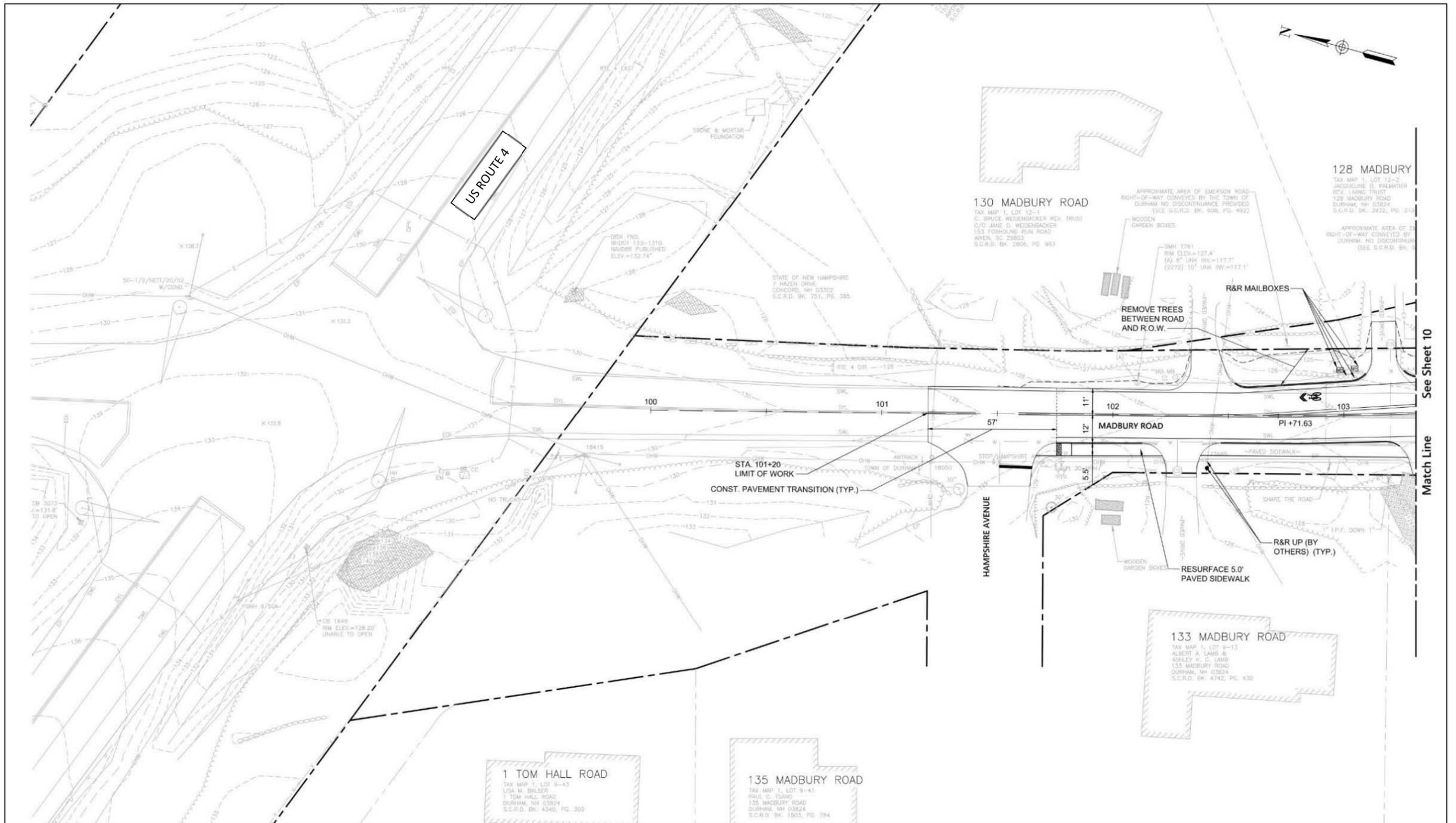
The Durham Town Council Does Hereby, Upon Recommendation of the Administrator, Award the Construction Contracts for the Phase 4A and 4B Madbury Road Complete Streets Roadway, Drainage and Streetscape Project to G.W. Brooks and Sons, Inc. for a Total Price Not to Exceed \$2,450,534, Subject to Available Funding and Authorizes the Administrator to Sign Associated Documents.

MOTION #2:

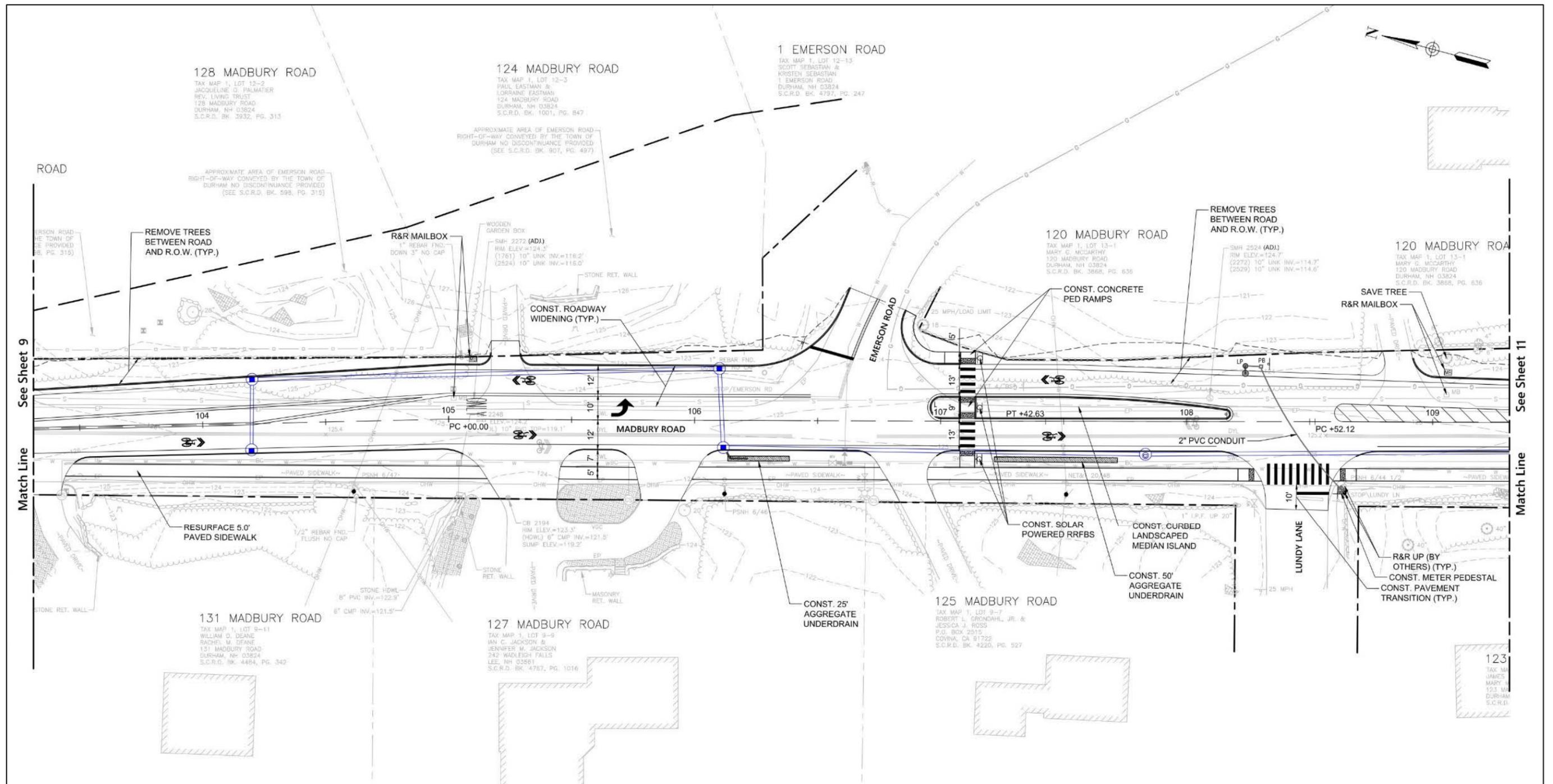
The Durham Town Council Does Hereby, Upon Recommendation of the Administrator, Award the Paving Contract for the Madbury Road Complete Streets Phase 4A and 4B Roadway, Drainage, Streetscape Project to Continental Paving, Inc. of Londonderry, NH for a Total Price Not to Exceed \$444,382, Subject to Available Funding and Authorizes the Administrator to Sign Associated Documents.

MOTION #3

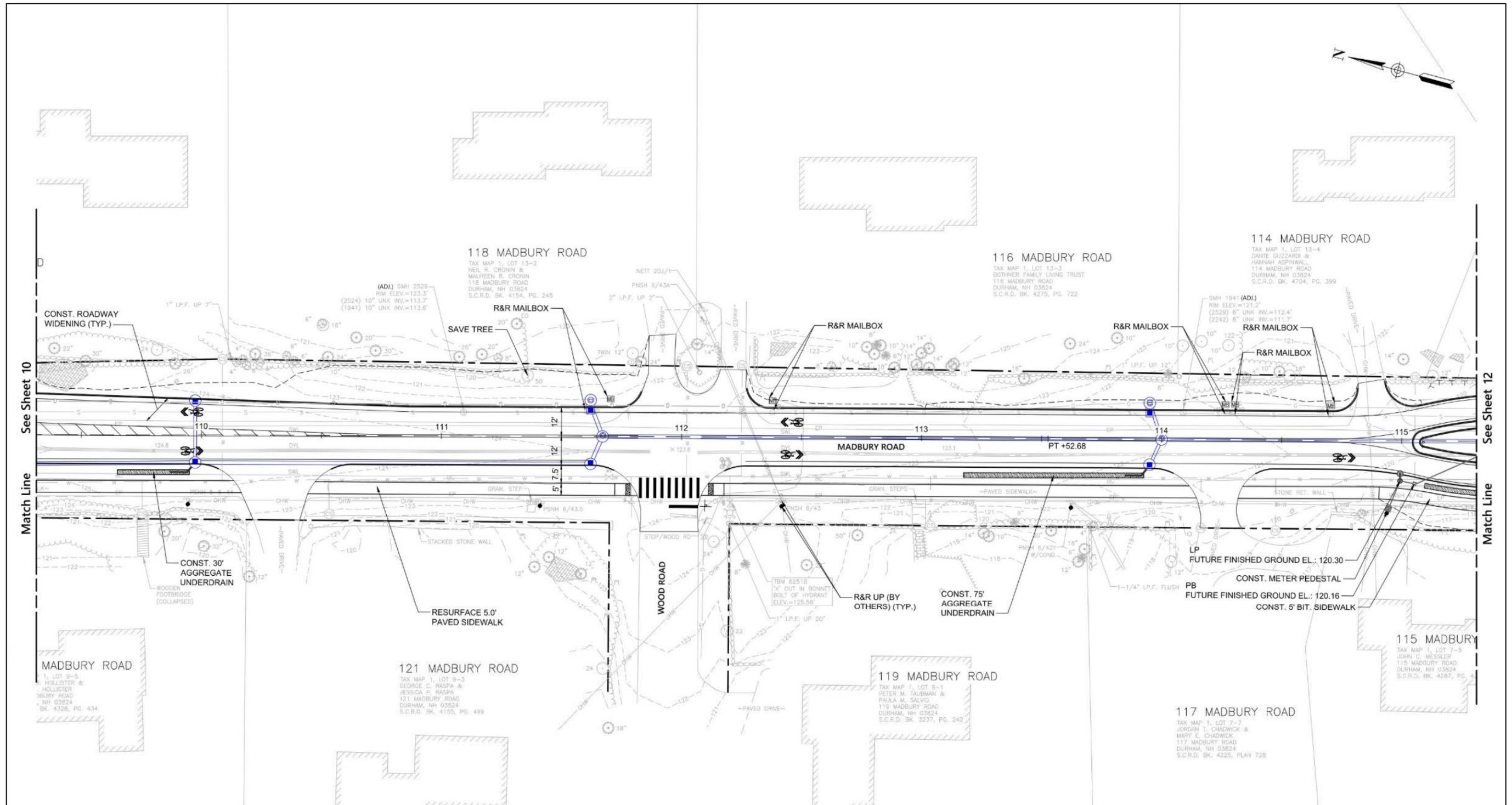
The Durham Town Council Does Hereby, Upon Recommendation of the Administrator, Award the Construction Inspection, Design and Administration Contract for the Phase 4A and 4B Madbury Road Complete Streets Roadway, Drainage, Streetscape and Water Utility Project to VHB Engineers of Bedford, NH for a Total Price Not to Exceed \$244,034, Subject to Available Funding and Authorizes the Administrator to Sign Associated Documents.



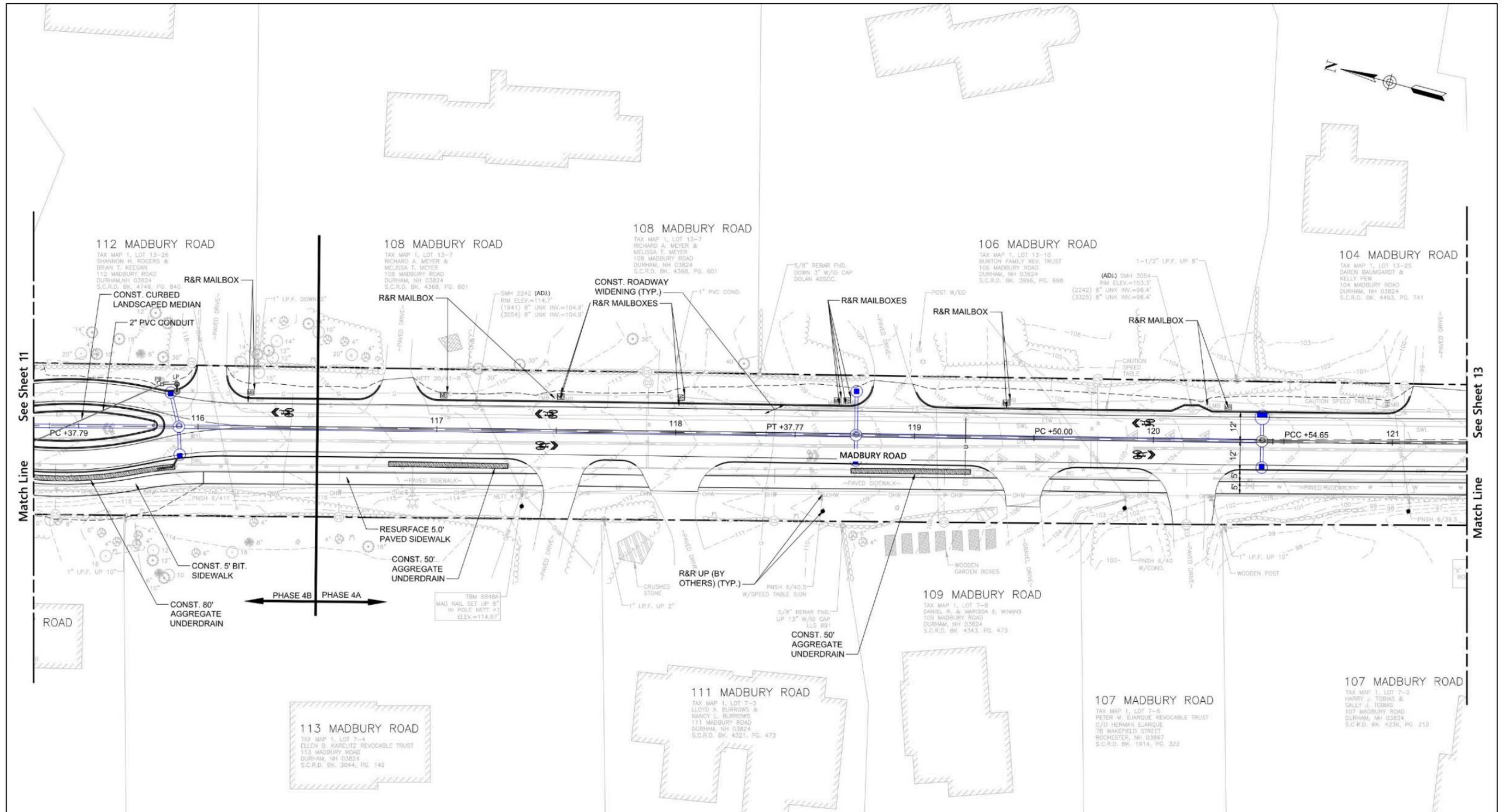
At the north end of the project the improvements begin at Hampshire Avenue and include the addition of a left turn lane into Emerson Road, and Madbury Road will be shifted east to provide room for the planned paved multi-use path and landscaped amenity belt.



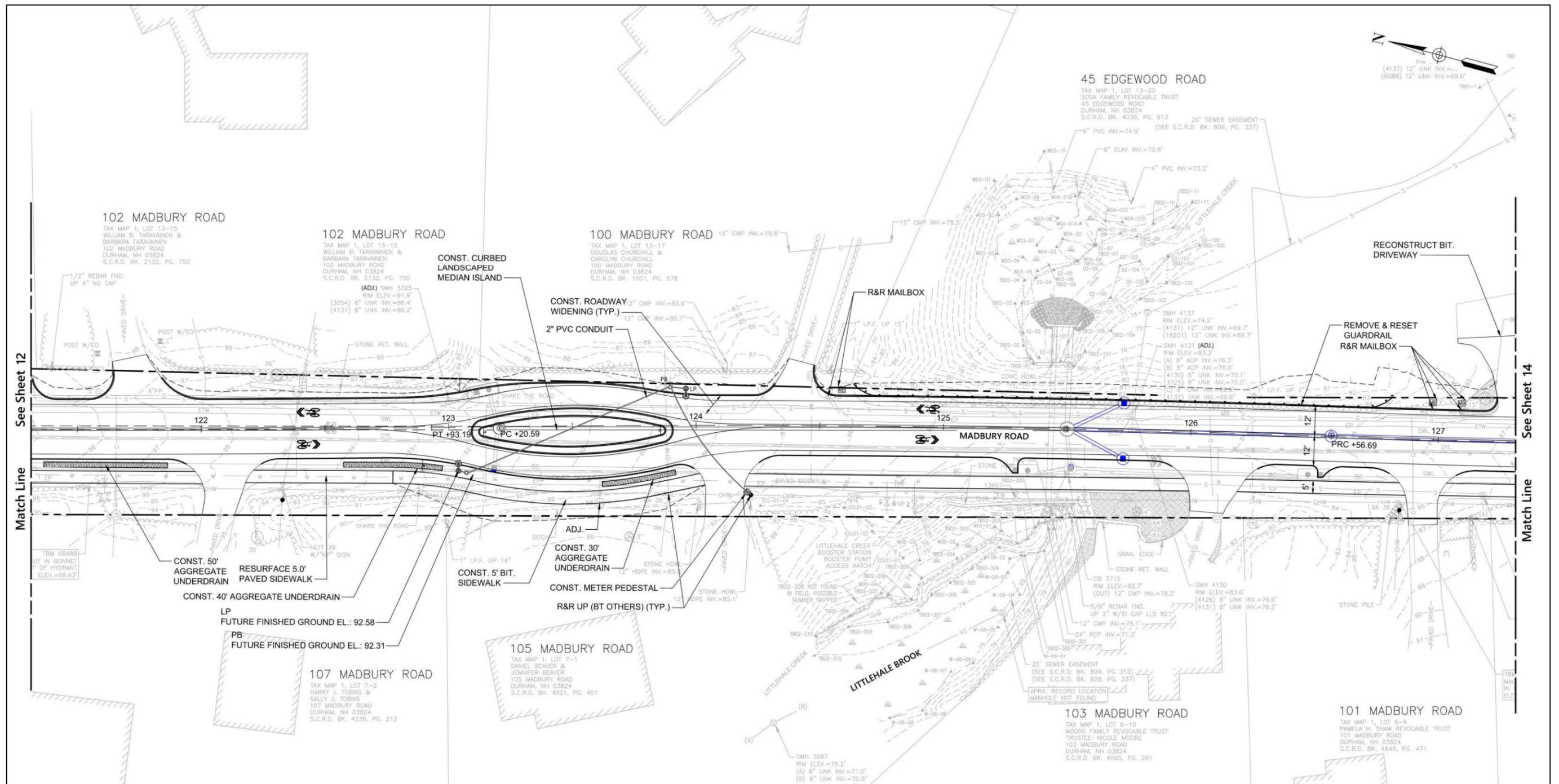
Location near Emerson Road with addition of traffic island with pedestrian refuge and landscape area. Also begin construction of new roadway drainage system.



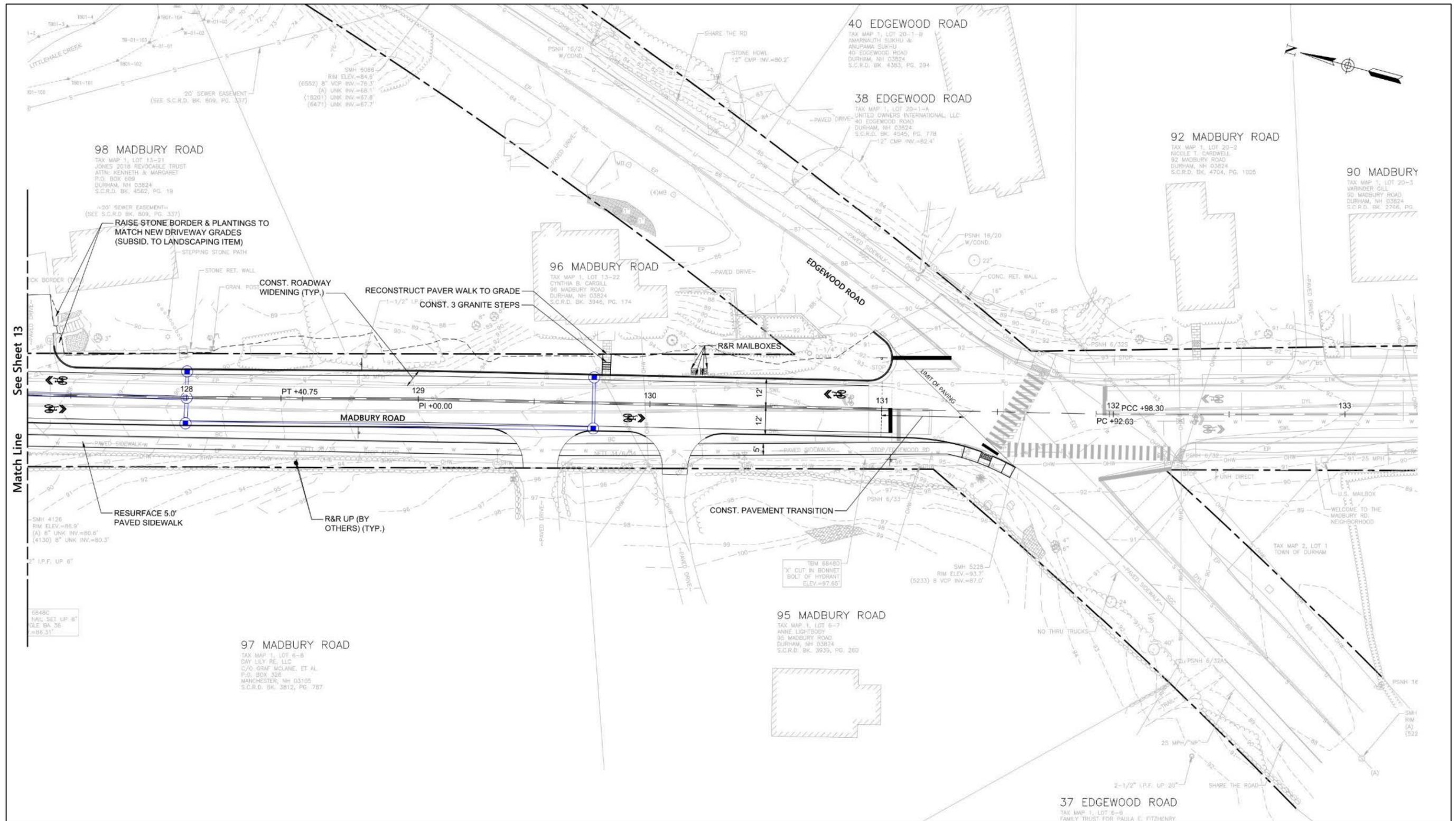
Location near Wood Road including introduction of traffic calming island to the south.



Divide between Phases 4-A and 4-B shown. Continue to rehabilitate 5' sidewalk along the west side in the position of the planned multiuse path. Amenity belt will include subsurface stormwater collection underdrains.



Traffic calming median island shown just north of the Littlehale Brook crossing.



Southern end of Phase 4-A at Edgewood Road.



TOWN OF DURHAM

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

AGENDA ITEM: **#9E** *JF*
DATE: **March 2, 2026**

COUNCIL COMMUNICATION

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

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AWARD THE 2026 ROAD AND SIDEWALK PROGRAM TO CONTINENTAL PAVING INC. OF LONDONDERRY, NH IN AN AMOUNT NOT TO EXCEED \$846,000 AND AUTHORIZE THE ADMINISTRATOR TO SIGN THE ASSOCIATED CONTRACT?

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

CC: Todd Selig, Administrator
Gail Jablonski, Business Manager

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

AGENDA DESCRIPTION:

Durham Public Works has developed the fiscal year 2026 Road and Sidewalk Program, as included in the approved 2026 Capital Plan. In addition, the Department has developed the corresponding contract with Continental Paving, including the scope of work as depicted in the attached Exhibit A.

The program consists of:

1) a shim and overlay treatment of approximately 2,100 lineal feet of Laurel Lane. Laurel Lane's last treatment occurred in 2006 and is currently in poor condition as shown in the photo below, having a Pavement Condition Index (PCI) ranging between 41-55 out of a possible 100, depending on the area assessed.



Laurel Lane will receive a shim and overlay treatment with full depth patching in selected areas.

2) a full reclamation and paving of approximately 1,020 lineal feet of Noble K. Peterson Road is planned, extending from Bagdad Road south to the cul-de-sac. Noble K. Peterson Road has deteriorated rapidly over the last several years with substantial transverse and centerline longitudinal cracking and alligator cracking, indicating base failure with a PCI below 55. Noble K. Peterson Road received its last treatment in 1999. The photo below depicts this condition.



Noble K. Peterson Road to receive a full reclamation and pave. Last treatment occurred in 1999.

3) A shim and overlay paving treatment is planned for Langley Road extending 3,020 lineal feet east of Durham Point Road. Langley Road received its last treatment in 2008 and has several roadway distresses. A reclamation and pave would be the optimum treatment, however given the low average daily traffic on this roadway and budget constraints, a more affordable treatment option has been selected which will address the roadway distresses in the short to mid-term. Please reference the photo below.



Langley Road to receive a shim and overlay treatment.

4) A shim and overlay treatment is planned for the approximately 3,414 lineal feet of Morgan Way, Williams Way and Tirrell Place. Each of these roads are in poor condition having received their last treatment in 2008. Selective full depth patching will be necessary in areas showing signs of significant base failure.



Williams Way with extensive transverse and longitudinal cracking in areas.

6) Wiswall Road will receive a reclamation and pave treatment in selected areas from the bridge, westerly to House number 64 and from House number 20, westerly to the bridge. The roadway was last paved in 2012/2013 and the balance of Wiswall Road is in good condition requiring only pavement preservation crack sealing in 2026.



Two sections of Wiswall Road, totaling approximately 2,400 feet, will receive reclamation and pave treatments while the remaining balance will be crack sealed for pavement preservation.

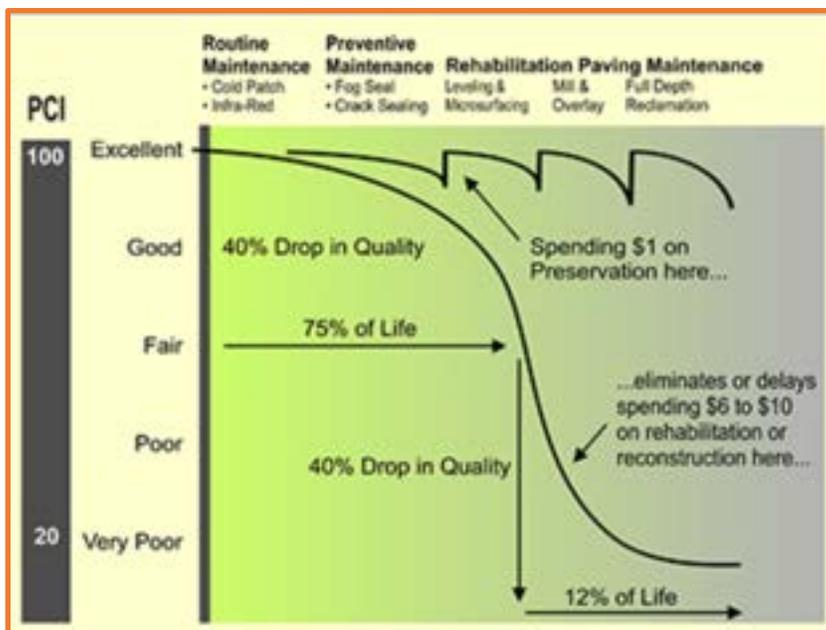
BACKGROUND

The 2026 Road Program includes the rehabilitation of approximately 2.23 miles of roadway along with the replacement of roadway cross culverts performed by Durham Public Works team members where needed. In addition, the 2026 Road Program includes crack sealing preliminarily planned on Willey Road, Ffrost Drive, Cutts Drive, Wiswall Road, Woodridge Road, Meserve Road, Barlett Road, Moharinet Road and Hemlock Way.. This pavement preservation approach allows roadways exhibiting distresses, such as full depth cracks to be filled to prevent further water infiltration into the roadway base materials. This treatment will extend the longevity of the roadway's service life prior to full paving occurring in the future.

The 2026 sidewalk portion of this year's program also contains the reconstruction of 497 lineal feet of concrete sidewalk on Main Street between Madbury Road and 20 Main Street and replacement of bituminous asphalt sidewalk on Pettee Brook Lane between Main Street and Rosemary Lane with concrete sidewalk and ADA accessible ramps. In addition, and as budgets allow, targeted concrete panel and curb ramp repairs will take place in the downtown area, primarily on Main Street and Pettee Brook Lane, where concrete has deteriorated to the point of ADA non-compliance and causing trip and fall hazards.

Consistent with prior years, the Town of Durham has included planned pavement improvements for roadways owned and maintained within the University of New Hampshire (UNH) campus as a part of this proposed contract award. The total is included within this requested authorization. These roadways include portions of Quad Way, South Drive, Leavitt Lane and an approximately 100,000 square foot section of A-lot. Each road is proposed to receive a mill and overlay treatment. The value of this work is contained within the Town's Capital Improvement Plan (CIP) and is funded by the University and estimated at a cost of \$275,000. Please note, the UNH and Town work scopes described herein are subject to change to ensure the overall budgets are not exceeded.

The Road Program’s goals include making the necessary investments in roadway maintenance to achieve and maintain an overall Pavement Condition Index (PCI) of 80 across the roadway system. A PCI of 80 or higher is generally classified as *very good* and is considered a best management practice (BMP) because it minimizes long-term costs by emphasizing proactive maintenance rather than costly reconstruction. Maintaining this PCI level helps prevent roadways from deteriorating into the *fair* or *poor* categories, which are typically 5 to 10 times more expensive to repair as illustrated in the graph below. Achieving and sustaining this goal for the Town requires a consistent annual investment of more than \$700,000.



Work is scheduled to commence in a mid-summer timeframe, as weather and conditions allow. Durham Public Works will schedule neighborhood project meetings on roadways receiving reclaim and overlay treatments where construction activities are expected to be more impactful. These meetings are hosted by the Director, Assistant Director, Town Engineer, Project Engineer and Project Contractor. Construction activities for the balance of the 2026 Road Program scope will be noticed using Friday updates and social media.

Continental has provided roadway and sidewalk paving services to the Town of Durham for the past 15 years and has consistently performed in an outstanding manner while providing extremely competitive pricing and the highest level of workmanship, project coordination and materials. Unlike many paving contractors in the region, Continental owns and operates their own asphalt plants, equipment, and personnel to perform the majority of the project scope. This eliminates the reliance on subcontractors, which would have the potential to cause delays and introduce lesser quality paving

materials. Continental has agreed to hold their competitive 2025 base price of \$86.43 per ton for hot mix asphalt in place for this contract. Notwithstanding this very competitive price, Durham Public Works verified the current pricing being awarded on recent projects and contracts in the region and once again found this offer to be extremely favorable for the Town.

The latest contract awards in the region indicate pricing has escalated again for this upcoming construction season, as compared to the \$86.43 per ton base price being offered to Durham Public Works. After contacting some New Hampshire cities and towns in the seacoast region and beyond, bid tabulations indicate that recent bid pricing is ranging from \$97/ton to as high as \$120/ton for wearing and binder course hot mix asphalt pavement in place, in most cases for significantly higher tonnages.

Public Works Staff, the Business Office and the Administrator recommend awarding the 2026 Road and Sidewalk Program contract to Continental Paving Inc. of Londonderry, NH in an amount not to exceed \$846,000, inclusive of both Town and UNH Roadways and Town sidewalks.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

ACCOUNT	TITLE	BUDGETED	EXPENSED/ ENCUMBERED TO DATE	BALANCE	REQUESTED
07-2681- 801-36-000	2026 Road Program	\$ 516,000	\$0	\$ 516,000	\$ 516,000
07-2682- 801-36-000	2026 Sidewalk Program	\$ 55,000	\$0	\$ 55,000	\$ 55,000
07-2683- 801-36-000	2026 UNH Road Program	\$ 275,000	\$0	\$ 275,000	\$ 275,000
TOTAL					\$846,000

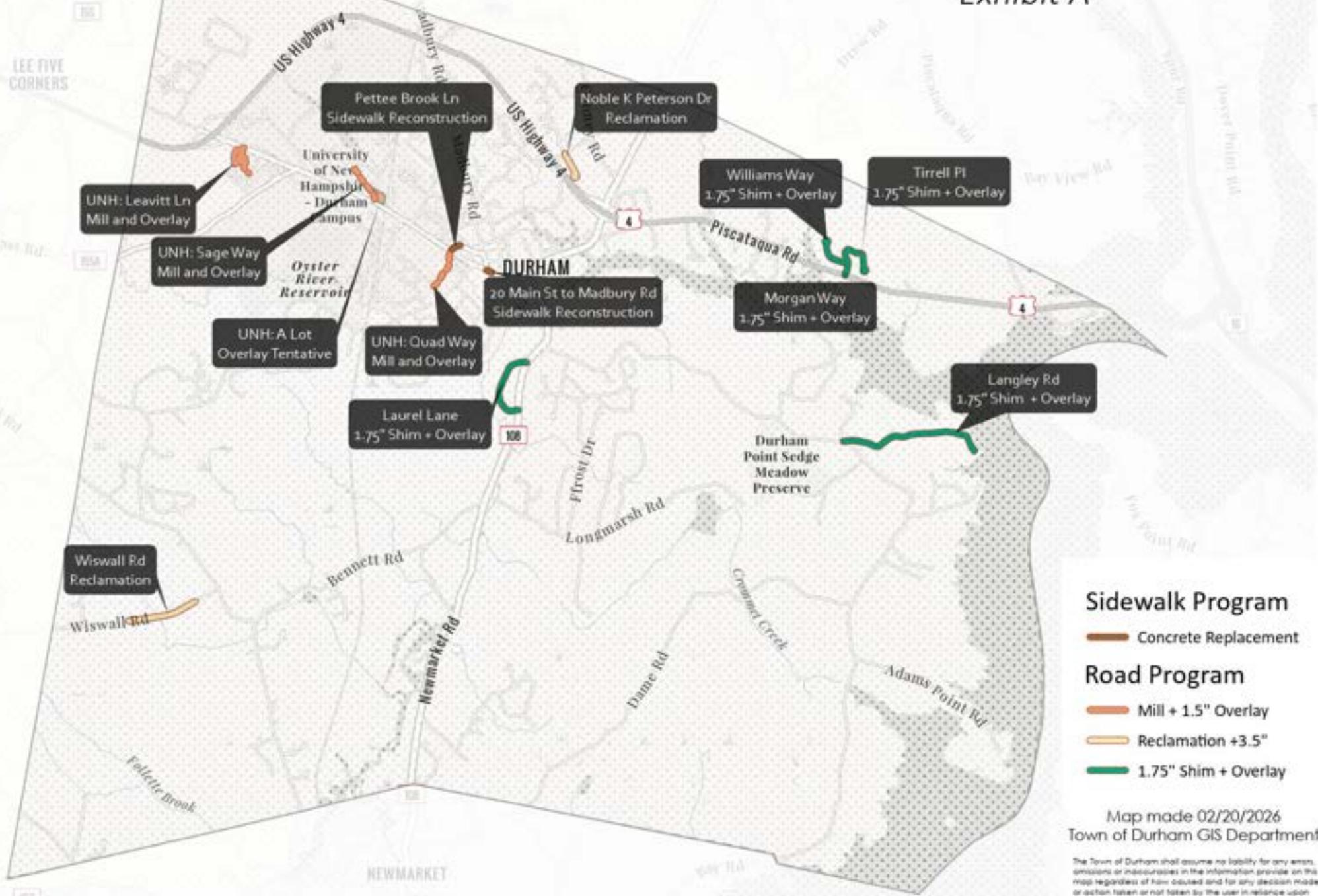
SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby, upon recommendation from the Administrator, Award the 2026 Road and Sidewalk Program to Continental Paving Inc. of Londonderry, NH in an Amount Not to EXCEED \$846,000 and Authorize the Administrator to Sign the Associated Contract.



Durham Public Works 2026 Road and Sidewalk Program Overview Exhibit A



Map made 02/20/2026
Town of Durham GIS Department

The Town of Durham shall assume no liability for any errors, omissions or inaccuracies in the information provided on this map, regardless of how advised and for any decision made or action taken or not taken by the user in reliance upon any information of data furnished hereunder.



TOWN OF DURHAM

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AGENDA ITEM: #9F & 9G *JF*
DATE: March 2, 2026

COUNCIL COMMUNICATION

INITIATED BY: Durham Public Works

AGENDA ITEM: 1. SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AUTHORIZE THE PURCHASE OF TWO NEW 2027 HV 507 SFA 6-WHEEL INTERNATIONAL DUMP TRUCKS WITH CUMMINS L9 DIESEL ENGINES FROM ALLEGIANCE TRUCKS OF MANCHESTER, NH IN THE AMOUNT OF \$224,230?

AND

2. SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AUTHORIZE THE PURCHASE OF TWO NEW 2026 CONVENTIONAL STAINLESS STEEL DUMP BODY, MATERIAL SPREADER, FRONT AND WING PLOWS, AND CIRUS FREEDOM SANDER CONTROL FROM VIKING CIVES OF LEWISTON, ME IN THE AMOUNT OF \$217,110?

PREPARED BY: Richard Reine, Director of Public Works

CC: Todd Selig, Administrator
Gail Jablonski, Business Manager
Samuel Hewitt, Assistant Public Works Director
Shane Bickford, Operations Manager

PRESENTED BY: Richard Reine, Director of Public Works

AGENDA DESCRIPTION:

The 2025 and 2026 Fiscal Year Capital Improvements Budget includes monies for the purchase of a new 6-Wheel Dump Truck in the amounts of \$240,000 and \$237,900, respectively, for use as front-line pieces of equipment in the Durham Public Works Highway Division. These new International Trucks will replace the existing 2014 and 2015 International 6-Wheel Dump Trucks for a total cost of \$441,330. The 2015 model dump truck will remain in the Durham Public Works fleet and will serve as the back-up vehicle. The purchase price is inclusive of \$25,000 in trade-in value for the current back-up vehicle, a 2013 Peterbilt 6-Wheel Dump Truck and the 2014 International Dump Truck (what would have been the back-up if a purchase had been completed in 2025).

These vehicles would require significant investments in the emission system, electrical system, braking system, transmission, and suspension components in the near future. Further, original equipment manufacturer components are becoming more difficult to source as manufacturers are discontinuing the production of certain parts. These vehicles are operated daily during the Spring and Fall seasons and are integral emergency response vehicles during all winter weather events.

The Department has successfully utilized a reserve or “back-up” vehicle to supplement its 6-Wheel Dump Truck fleet for the last four years, beginning with the procurement of the 2022 International 6-Wheel Dump Truck in 2022. This strategy has effectively mitigated operational challenges and ensured continuity of services when a front-line vehicle experiences a mechanical failure and is out of service, most notably during emergency winter storm and water main break responses. The spare truck is critical for maintaining this level of service, especially considering the staffing structure of the Snow and Ice Control Team, which includes the Department’s only full-time mechanic. In the event of mechanical breakdown, the mechanic’s dedicated snow route becomes vacant during the repair response effectively decreasing the active 6-wheel plow truck routes by 33 percent (2 of 6 trucks) .



2013 Peterbilt to be Traded-in.



2014 International to be Traded-In.



2015 International to be Retained
as Back-up Vehicle.

In 2022, Durham Public Works procured a 6-Wheel Dump Truck that included a Swap Loader system. This vehicle has provided the Department with flexibility and capabilities over the last three years that were previously unseen. This includes the ability to optimize the use of the single cab and chassis with multiple bodies, including a dump body, deicing and abrasive material spreader, and a tanker for winter brine treatment operations. In addition, the versatility to quickly convert in minutes between a sander and dump body provides maximum flexibility of the vehicle during emergency excavation or other material hauling activities during the winter months. The acquisition of a second swap loader system in 2024 provides redundancy to the current setup while also providing the Department with the functions of a conventional truck build. The requested funding from 2025 and 2026 will allow for the procurement of two conventional truck builds.

SPECIFICATIONS AND EV ANALYSIS:

The specifications for this new truck were developed based on discussions with fleet management and operations staff. Minor snow/ice equipment hydraulic control system modifications, when compared to the existing truck fleet, were suggested to increase its functionality and reduce maintenance. Equipment procurement options were evaluated based on the vehicle's power plant, the dealer's repair and service availability, cost, convenience, after-sales reputation, and responsiveness.

The Department continues to explore the incorporation of a battery-electric (BE) equivalent of a traditionally powered vehicle into its fleet of trucks. BE technology has continued to progress in recent years, with manufacturers enhancing the design and performance of class 8 versions of battery electric vehicles for commerce activities. The Department noted that many of the available class 8 chassis for commerce, including one built by International, boast between 300-500 kWh of available power and can operate for nearly 300 miles depending on the configuration and operating climate off a

single charge. However, trucks built for vocational and public service functions such as snow/ice control and material hauling are still evolving. A challenge for these manufacturers continues to lie in the development of an energy management system that will allow class 8 snow/ice control vehicles to operate during long-duration severe weather events in extremely cold temperatures with significantly shorter periods of down-time between charges while under a heavy payload. In addition to significant range loss during cold temperatures, factors such as frictional resistance of the plow blades, the continuous need for high torque, and proven hydraulic system integration limit the viability of BE trucks as replacements for diesel trucks for the purpose of snow fighting at this time.

Further, the Department has noted that BE advancements in the vocational space are advancing with the Kenworth T880E released earlier this year for material hauling functions.

This equipment was competitively procured from Allegiance Trucks and Viking Cives and will be available for shipping from the factory during the summer of 2026. This procurement will utilize both the Sourcewell contract, formerly National Joint Powers Alliance (NJPA), and the State of NH Contract (Bid #3101-26) won by International on January 16th, 2026, which assures the Town of the most competitive price. NJPA, is a governmental agency operating under the legislative authority of Minnesota Statute 123A.21. This statute was created in 1977 and revised in 1995 to allow participating governmental and municipal agencies to reduce the cost of purchased goods by leveraging their combined purchasing power. Sourcewell offers competitively solicited purchasing contracts for products and equipment to member organizations. The use of State/Government contracts is consistent with the requirements of the Durham Purchasing Policy as noted below.

The competitiveness of this purchase has been confirmed with the solicitation of similarly specified conventional body systems and plow packages quoted by Donovan Equipment Company of Londonderry, NH at \$301,600.00, HP Fairfield of Hopkinton NH quoted at \$264,344, and Allied Equipment, LLC. of Hartland, ME quoted at 322,000.

The purchase price of the truck cabs and chassis from Allegiance Trucks is inclusive of \$19,730 in extended warranty coverage for the following components:

- 7-year / unlimited miles - Allison Transmission
- 5-year / 100k miles - Truck Coverage (excludes engine/transmission)
- 7-year / 150k miles - Engine / Aftertreatment System

Durham Public Works respectfully requests the Town Council's approval of this recommendation.

LEGAL AUTHORITY:

Section 5 and 6 of the Town’s Purchasing Policy states, “Every Town purchase or contract of greater than thirty thousand (\$30,000) dollars in amount, with the exception of the valid exceptions noted in Section 7 of these Policies, shall be made only after the receipt of publicly invited sealed competitive bids on uniform specifications.” The Policy also states “Purchases made through existing State of New Hampshire or other State/Government Contracts, Strafford County or Oyster River School District contracts shall be deemed to meet the competitive pricing requirements of the preceding purchasing procedures. Nothing herein shall be construed to prevent joint bidding and contracting by the Town and other public jurisdictions, and in fact, such joint procurement programs are encouraged” .

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

First Motion Authorizing Purchase of International Dump Truck

PROJECT	ACCOUNT	BUDGETED	EXPENDED/ ENCUMBERED TO DATE	REQUESTED	BALANCE
HV507 SFA 6-Wheel International Dump Truck					
Dump Truck Replacement	07-2506-801-36-000	\$240,000 (to be bonded)	\$0	\$107,115	\$132,855
Dump Truck Replacement	07-2603-801-36-000	\$237,900 (to be bonded)	\$0	\$117,115	\$120,785

If Motion #1 below is approved, then purchase of Conventional Body with Snow/Ice Accessories:

PROJECT	ACCOUNT	BUDGETED	EXPENDED/ ENCUMBERED TO DATE	REQUESTED	BALANCE
Conventional Body with Snow/Ice Accessories					
Dump Truck Replacement (accessories)	07-2506-801-36-000	See motion 1 matrix above	\$107,115	\$108,550	\$24,335
Dump Truck Replacement (accessories)	07-2603-801-36-000	See motion 1 matrix above	\$117,115	\$108,550	\$12,235

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION #1 - (HV507 SFA 6-Wheel International Dump Truck)

The Durham Town Council does hereby, upon recommendation of the Administrator, Authorize the Purchase of Two New 2027 HV 507 SFA 6-Wheel International dump trucks with Cummins L9 Diesel Engines from Allegiance Trucks of Manchester, NH in the Amount of \$224,230.

MOTION #2 - (Conventional Stainless Steel Dump Body, Material Spreader, Front and Wing Plows, and Cirus Freedom Sander Control)

The Durham Town Council does hereby, upon recommendation of the Administrator, Authorize the Purchase of Two New 2026 Conventional Stainless Steel Dump Body, Material Spreader, Front and Wing Plows, and Cirus Freedom Sander Control from Viking Cives of Lewiston, ME in the Amount of \$217,110.



TOWN OF DURHAM

8 Newmarket Road
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www.ci.durham.nh.us

AGENDA ITEM: **#10**

DATE: March 2, 2026

COUNCIL COMMUNICATION

INITIATED BY: Julian Smith

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE CONSERVATION COMMISSION CHAIR, APPOINT JULIAN SMITH, 3 CHESLEY DRIVE, TO AN UNEXPIRED ALTERNATE MEMBERSHIP POSITION ON THE CONSERVATION COMMISSION WITH A TERM EXPIRATION OF 4/27?

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 Julian Smith, requesting appointment as an alternate member to the Conservation Committee. His appointment will fill the vacancy left by Ben Phelps when he moved to a regular membership position.

Mr. Smith has attended a meeting of the Conservation Commission and has spoken with Chair, Dwight Trueblood. Attached for the Council's information is Chair Trueblood's endorsement of Mr. Smith's appointment.

Mr. Smith 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 Conservation Commission Chair, appoint Julian Smith, 3 Chesley Drive, to fill an unexpired alternate membership position on the Conservation Commission with a term expiration of 4/27.



Town of Durham

8 Newmarket Road
Durham, NH 03824-2898
Tel: 603/868-5571
Fax 603/868-1858
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: JULIAN SMITH Date: 2/19/2026

Address: 3 CHEFLEY DRIVE

E-Mail Address: WHALE ROCK@SMITH-FAMILY-COM

Telephone: 912 771 9119

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

- CONSERVATION COMMISSION
-
-

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)

BUT DON'T
THINK THIS
IS NECESSARY
FOR ME

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

I ATTENDED THE FIRST MEETINGS OF THE CONSERVATION COMMISSION IN 1965, SERVED ON THE COMCON ~~IN THE~~ FOR THREE OR FOUR YEARS AFTER I JOINED THE TOWN COUNCIL, AND OWN THREE

Please provide brief background information about yourself: PROPERTIES THAT WILL NOT BE DEVELOPED*

I WAS EDUCATED AT TVLANE AND COLUMBIA AND SPENT MORE THAN FORTY YEARS TEACHING WRITING COURSES AT GEORGETOWN, UNH, THE UNIVERSITY OF FLORIDA AND ELSEWHERE. I HAVE LIVED IN DURHAM FOR

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

Name: TODD SELIG Telephone: 603 868 5571

Name: VERONIQUE LUDINGTON Telephone: 603 479 8824

Name: JOSHUA MEYEROWITZ Telephone: 603 868 5090



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.

* BETWEEN 2005 AND 2015, I SERVED ON THE CONSERVATION COMMISSION EITHER AS A COUNCIL REP OR AS A PLANNING BOARD REP.

THE LATE JIM HARRIGAN AND I WERE ABUTTERS TO THE HIGHLAND HOUSE PROPERTY ON BENNETTS ROAD AND WERE INSTRUMENTAL IN HELPING TO ENCOURAGE INA THOMPSON TO GIVE THAT HUGE PROPERTY TO UNH, WHERE IT IS HELD IN CONSERVATION

Karen Edwards

From: DWIGHT TRUEBLOOD <dwright.trueblood@comcast.net>
Sent: Wednesday, February 25, 2026 3:37 PM
To: Karen Edwards
Subject: RE: Julian Smith

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.

Karen,

I have spoken with Julian and recommend him for the Conservation Commission.

Dwight

On 02/25/2026 8:19 AM EST Karen Edwards <kedwards@ci.durham.nh.us> wrote:

Dwight,

Have you spoken with Julian? Are you all set with recommending him for the Conservation Commission?

Karen

Karen Edwards

Administrative Assistant

Administrator's Office

Town of Durham

8 Newmarket Road

Durham, NH 03824

(603) 868-5571

www.ci.durham.nh.us

She/her/hers



TOWN OF DURHAM

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

AGENDA ITEM: **#12A**

DATE: **March 2, 2026**

COUNCIL COMMUNICATION

INITIATED BY: Planning Board

AGENDA ITEM: **FIRST READING ON ORDINANCE #2026-03 AMENDING CHAPTER 175, "ZONING," THE ZONING MAP OF THE DURHAM TOWN CODE TO RE-ZONE MAP 108, LOT 27, 10 COWELL DRIVE FROM RESIDENCE A (RA) TO CHURCH HILL (CH) ZONE, AND SCHEDULING A PUBLIC HEARING FOR MONDAY, MARCH 23, 2026.**

CC PREPARED BY: Michael Behrendt, Town Planner

PRESENTED BY: Michael Behrendt, Town Planner

AGENDA DESCRIPTION:

Following a public hearing on February 11, 2026 the Planning Board voted 6-1 (with Rob Sullivan voting against) to initiate this amendment to the zoning ordinance (also called a "rezoning" or "map amendment"). See the attached colored map showing the proposed change.

At the request of Jeff Berlin, owner of the subject lot, the Planning Board considered this proposed amendment, ultimately voting to initiate it.

Process. The process for a rezoning is the same as for a regular zoning amendment ("text amendment"). The Planning Board votes to initiate the amendment. The proposal then goes to the Town Council for consideration. If the Town Council then wishes to proceed it holds first reading and then a public hearing and then decides whether or not to adopt the change.

Viability. The subject lot contains .34 acres. There is a small single-family house with tenants on the lot . Given the size and adjacency/proximity to the Post Office, church, and downtown it is reasonable to accommodate a more intensive use. The Residence A District allows only single-family use. With the recent change in state law prohibiting the Town’s former 3-unrelated rule, there is no limit to the number of unrelated occupants that could live there, within one or more dwelling units, subject to fire standards.

Multi-Unit Residential. Church Hill does allow multi-unit residential. The density for Church Hill is 4,200 square feet per dwelling unit so a rezoning would allow three units by right. That seems to be a reasonable number of units for this site. The site plan regulations require one parking space per unit though the owner would likely prefer at least two. The site can handle six parking spaces.

Pros and cons. The argument in favor of the proposed rezoning is that Church Hill would allow for a transition between the intensive uses to the west and the single-family neighborhood (with some rental housing) to the east, and as such, a rezoning is fair to the property owner given the adverse effects of those adjacent uses from which the lot is not buffered. The argument against is that the current zoning allows for reasonable use (by increasing the number of bedrooms) and the concern that allowing a multi-unit dwelling here would constitute a damaging encroachment into the Cowell Drive neighborhood.

Minutes of public hearing. Several people spoke about the proposed rezoning at the Planning Board’s public hearing. Here are draft minutes of the hearing: https://www.ci.durham.nh.us/sites/default/files/fileattachments/planning_board/meeting/73841/021126.pdf. Here is the DCAT recording of the meeting. This item starts at 1 hour, 13 minutes, 29 seconds. <https://cloud.castus.tv/vod/durham/video/698d47211090c900028198cf?page=HOME>.

Not spot zoning. Should this lot be rezoned, the rezoning would not constitute spot zoning. One may argue in support of, or in opposition to, the proposal but the rezoning would be legal, even though only one lot is involved. The lot is contiguous to the Church Hill zone and there is good reason to rezone only this one lot, due to its particular nature as a buffer, and not any additional lots on Cowell Drive. Spot zoning, which involves treating a limited number of properties in a special or preferential manner, different from other properties that have similar characteristics, without justification, is illegal.

LEGAL AUTHORITY:

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

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby Pass on First Reading Ordinance #2026-03, Amending Chapter 175, "Zoning," the Zoning Map of the Durham Town Code to re-zone Map 108, Lot 27, 10 Cowell Drive from Residence A (RA) to Church Hill (CH) Zone, and schedules a Public Hearing for Monday, March 23, 2026.

ORDINANCE #2026-03 OF DURHAM, NEW HAMPSHIRE

AMENDING CHAPTER 175, "ZONING," THE ZONING MAP OF THE DURHAM TOWN CODE TO RE-ZONE MAP 108, LOT 27, 10 COWELL DRIVE FROM RESIDENCE A (RA) TO CHURCH HILL (CH) ZONE

WHEREAS, the lot at 10 Cowell Drive is surrounded on three sides by the Church Hill District; and

WHEREAS, the view from 10 Cowell Drive is open and exposed to significant commercial and institutional uses in close proximity, with the Central Business-1 District on the westerly side of Madbury Road, the Church of St. Thomas More opposite on Cowell Drive, and the Post Office adjacent to the west; and

WHEREAS, the Church Hill District allows multi-unit dwellings and is thus an appropriate buffer between these commercial and institutional uses to the west and the single-family neighborhood to the east in the Cowell Drive neighborhood; and

WHEREAS, under the current zoning, designation as Church Hill would allow for only three dwelling units, a number of units that would seem appropriate for this lot; and

WHEREAS, The Planning Board reviewed this proposal and following a public hearing found it to be a reasonable change to the zoning for this lot; and

WHEREAS, The Durham Town Council held a duly noticed Public Hearing on March 23, 2026;

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby adopt the amendment presented below.

- ❖ Amend the Town of Durham Zoning Map by changing the designation of the .34 acre +/- parcel of land at 10 Cowell Drive, identified as Map 108, Lot 27, from the Residence A (RA) District to the Church Hill (CH) District. The current owner of the parcel is 10 Cowell Drive, LLC, c/o Berlin Properties of New England.

PASSED AND ADOPTED by the Town Council of the Town of Durham, New Hampshire this _____ day of _____ by 2026, affirmative votes _____; negative votes _____; and _____ abstentions _____.

Joe Friedman, Chair
Durham Town Council

ATTEST:

Rachel Deane, Town Clerk-Tax Collector

10 Cowell Drive. Map 108. Lot 27. Residence A to Church Hill District?





TOWN OF DURHAM

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AGENDA ITEM: #12B
DATE: March 2, 2026

COUNCIL COMMUNICATION

INITIATED BY: Joe Friedman, Chair

AGENDA ITEM: **DISCUSSION OF THE POSSIBILITY OF AMENDING THE ZONING ORDINANCE TO INCREASE THE MAXIMUM HEIGHT OF BUILDINGS TO 5 STORIES AND OTHER CHANGES IN THE WESTERLY PORTION OF THE CENTRAL BUSINESS-1 ZONING DISTRICT.**

CC PREPARED BY: Karen Edwards, Administrative Assistant
Joe Friedman, Chair

PRESENTED BY: Joe Friedman, Chair

AGENDA DESCRIPTION:

On February 16, 2026 the Town Council voted to approve a change in the Zoning Ordinance whereby the maximum height of buildings in the Central Business-1 District is set at 4 Stories and 50 Feet. There can now be a discussion on whether there should be certain lots in the westerly portion (that area to the West of Jenkins Court) of CB-1 that the Council would like to increase to a maximum height of five stories, restoring what was previously in the Zoning Ordinance for that part of the CB-1. In addition, the discussion could include whether other changes in the CBD should be made such as the requirement for the depth of retail on the first floor, the requirement that there be a maximum number of 2 bedrooms per unit and whether the Table of Dimensions should be updated to reflect desired changes.

The discussion can also include the best ways to evaluate those changes and to determine if any other changes to the Downtown should be made. The Council may consider reviving the Economic Development Committee that was sunsetted on September 27, 2021, and whether any changes to the enabling Ordinance #2007-10 (as modified by Ordinance #2008-20) should be made. A copy of Agenda Item 12A from September 27, 2021 is included here for reference.

LEGAL AUTHORITY:

RSA 674:16, RSA 675:2, and Section 175-14 of the Durham Zoning Ordinance and Chapter 4 “Administrative Code”, Article IV, Section 4-18 of the Durham Town Code

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

No formal action required at this time. Hold discussion and make recommendations.

AGENDA ITEM: **# 12A**

DATE: September 27, 2021

COUNCIL COMMUNICATION

INITIATED BY: Todd Selig, Administrator

AGENDA ITEM: SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, “SUNSET” THE ECONOMIC DEVELOPMENT COMMITTEE WITH THE OPTION TO “REACTIVATE” THE COMMITTEE IN THE FUTURE IF NEEDED AND MAKE THE “DURHAM HOUSING SUBCOMMITTEE” OF THE EDC A TEMPORARY TASK FORCE COMMITTEE FOR A PERIOD OF ONE YEAR TO EXPIRE ON OCTOBER 1, 2022?

CC PREPARED BY: Jennie Berry, Administrative Assistant

PRESENTED BY: Todd Selig, Administrator

AGENDA DESCRIPTION:

On October 1, 2007, the Town Council adopted Ordinance #2007-10 amending Chapter 4 “Administrative Code”, Article IV, Section 4-18 of the Durham Town Code by adding the provisions for an Economic Development Committee; thereby making it a “standing” committee of the Town. On January 12, 2009, the Town Council adopted Ordinance #2008-20 to all for alternates on the EDC. The Committee currently consists of three (3) regular members, two (2) alternate members, one (1) Planning Board representative, and one (1) Town Council representative.

The EDC was charged with making recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.

Over the years, members of the EDC, with the assistance of two part-time EDC Directors, Mary Ellen Humphrey and most recently Christine Soutter, worked on various redevelopment projects, created two Tax Increment Finance Districts: Downtown TIF and Stone Quarry Drive TIF (which was later discontinued on July 16, 2018), participated in the Master Plan visioning and development process, including

Re: "Sunsetting" the Durham Economic Development Committee and Making the Durham Housing Subcommittee a Temporary Task Force Committee for One Year

the Economic Development and Downtown and Commercial Core chapters, worked with the Durham Energy Committee to encourage energy efficiency and renewable energy development at the residential, business, and municipal levels, and assisted with the purchase of the 1.18-acre lot located at 66 Main Street from the University of New Hampshire for a sum of \$2,045,000.

On August 31, 2021, Christine Soutter left employment with the town. At this time, there are no plans to seek a replacement Economic Development Director. With the successful purchase of 66 Main Street, and little anticipated development plans projected for the immediate future, the Administrator recommends that the Council formally "sunset" the Economic Development Committee. The Committee will remain included within Chapter 4 "Administrative Code", Article IV, Section 4-18 of the Durham Town Code should the Council desire to "reactivate" the committee again in the future if needed.

In addition, on May 19, 2020, the EDC created a subcommittee; the "Durham Housing Subcommittee" that was charged with collecting data on the Durham housing market and presenting this information to the EDC. The Administrator recommends that this subcommittee be continued to function as a temporary task force committee for another year, at which time task force members will provide the Town Council with their recommendations regarding workforce and affordable housing. Upon receiving these recommendations, the Council will determine whether to sunset the housing task force or continue it for a longer duration, to be determined at that time.

Councilors Sally Tobias and Al Howland are in favor of the Administrator's recommendations.

LEGAL AUTHORITY:

Durham Town Charter.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION 1:

The Durham Town Council does hereby, upon recommendation of the Administrator, MOVE to formally "sunset" the Economic Development Committee at this time, with the understanding that the committee will still remain within

Re: "Sunsetting" the Durham Economic Development Committee and Making the Durham Housing Subcommittee a Temporary Task Force Committee for One Year

Chapter 4 "Administrative Code", Article IV, Section 4-18 of the Durham Town Code in the event the Council desires to "reactivate" the committee again in the future, if needed. Further, the Durham Town Council extends its sincere appreciation and heartfelt thank you to all members that served on the EDC over the past fourteen (14) years for their dedicated efforts and service to the Town of Durham.

MOTION 2:

The Durham Town Council does hereby, upon recommendation of the Administrator, MOVE to make the "Durham Housing Subcommittee" a temporary task force committee for a period of one year until October 1, 2022. Prior to October 1, 2022, task force members will provide the Town Council with their recommendations regarding workforce and affordable housing in Durham. Upon receiving these recommendations, the Council will determine whether to sunset the housing task force or continue it for a longer duration, to be determined at that time.

XI. New Business

- A. Shall the Town Council formally “sunset” the Economic Development Committee with the option to “reactivate” the Committee in the future if needed and make the “Durham Housing Subcommittee” of the EDC a temporary Task Force Committee for a period of one year to expire on October 1, 2022?

Administer Selig explained the reasoning behind this proposal, which is simply because there is not very much for the committee to work on at this time. Councilor Tobias seconded that idea, noting her experience on the Economic Development Committee.

Councilor Howland noted that he liked the slight pressure a deadline would have on the Task Force.

Administrator Selig noted that this does not mean that the Town was not interested in future economic development projects.

Councilor Tobias MOVED to APPROVE sunsetting the Economic Development Committee, which was SECONDED by Councilor Needell and PASSED 9-0: Councilor Tobias--Yes; Councilor Howland--Yes; Councilor Waters--Yes; Councilor Hotchkiss--Yes; Councilor Marple--Yes; Councilor Burton--Yes; Councilor Lawson--Yes; Councilor Needell--Yes; Councilor Welsh--Yes

Councilor Howland MOVED to APPROVE making the Housing Subcommittee a temporary task force committee, which was SECONDED by Councilor Tobias and PASSED 9-0: Councilor Tobias--Yes; Councilor Howland--Yes; Councilor Waters--Yes; Councilor Hotchkiss--Yes; Councilor Marple--Yes; Councilor Burton--Yes; Councilor Lawson--Yes; Councilor Needell--Yes; Councilor Welsh--Yes

- B. Discussion regarding the creation and hiring of an Assistant Parks & Recreation Director as of January 1, 2022

Councilor Howland opened the conversation by speaking to the incredible number of programs Parks & Recreation Director Rachel Gasowski had developed, as well as her incredible work during COVID. He noted that Rachel was the sole employee of the department, meaning she not only handles programming but also administrative tasks. He explained that he brought forward this idea early in the budget process to give the Council plenty of time to consider the issue.

Ms. Gasowski spoke about her time in the position and the work she’s done over the past six years.

Councilor Burton commended Ms. Gasowski for her work and voiced his support for the proposal.

Councilor Needell stated that the staffing comparison with other towns was a helpful eye opener to the Town’s need for more staffing in this department.



TOWN OF DURHAM
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ORDINANCE #2007-10 OF DURHAM, NEW HAMPSHIRE

AN ORDINANCE AMENDING CHAPTER 4, "ADMINISTRATIVE CODE", ARTICLE IV, SECTION 4-18 OF THE DURHAM TOWN CODE BY ADDING THE PROVISIONS FOR AN ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, in May 2004, the Town Council reconstituted an Economic Development Committee as a town working committee and in June 2004 gave the Committee four (4) specific charges; and

WHEREAS, the Economic Development Committee brought forward to the Town Council at their May 1, 2006, the work that had been done on the four (4) original charges for acceptance by the Town Council; and

WHEREAS, the Economic Development Committee also brought forward a 2006 Action Plan for endorsement by the Town Council at their May 1, 2006 meeting; and

WHEREAS, the Town Council accepted the work done by the Economic Development Committee on the four (4) original charges and endorsed the 2006 Action Plan at their May 1, 2006 meeting; and

WHEREAS, Chapter 8 (Tax Stabilization) of the Master Plan 2000, calls for the town to institutionalize the Economic Development Committee with full recognition by the Town Council and regular terms; and

WHEREAS, the Economic Development Committee, a working committee in the Town of Durham, NH, discussed draft changes to the Administrative Code at their August 2, 2007 meeting; and

WHEREAS, the Economic Development Committee voted to forward these changes to the Town Council for a public hearing,

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire hereby adopts Ordinance #2007-10 and does hereby amend Chapter 4, "Administrative Code", Article IV, Section 4-18 of the Durham Town Code by including the provisions for an Economic Development Committee. Wording to be omitted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

Article IV
BOARDS, COMMISSIONS AND SUBCOMMITTEES

4-18. Boards, commissions, and subcommittees.

A. There shall be the following non-elected boards and commissions in the Town of Durham, duly appointed by the Town Council:

1. The Planning Board.
2. The Conservation Commission.
3. The Parks and Recreation Committee.
4. The Historic District Commission.
5. The Cemetery Committee.
6. The Zoning Board of Adjustment.
7. The Joint Town/University Advisory Committee.
8. The Heritage Commission

a. Membership.

The members of the Heritage Commission shall be those persons currently serving on the Historic District Commission.

b. Powers and Duties.

The members of the Heritage Commission shall have the powers and duties set forth in RSA 674:44-b.

9. Economic Development Committee

a. Membership.

The Committee shall consist of six (6) members as follows: Three citizens shall be appointed for three (3) years, such terms to be staggered. The Planning Board shall appoint one representative and the Town Council shall appoint two representatives to the Economic Development Committee annually at their first meeting.

b. Powers and Duties.

The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.

- B. There shall also be subcommittees in the Town of Durham which shall make recommendations to the Town Council as the need arises.

PASSED AND ADOPTED by the Town Council of the Town of Durham, New Hampshire this 1st day of October, 2007 by Seven (7) affirmative votes, Zero (0) negative votes and Zero (0) abstentions.



Neil Niman, Chairman
Durham Town Council

ATTEST:



Lorrie Pitt, Town Clerk-Tax Collector



TOWN OF DURHAM
15 NEWMARKET ROAD
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ORDINANCE #2008-20 OF DURHAM, NEW HAMPSHIRE

AN ORDINANCE AMENDING CHAPTER 4, "ADMINISTRATIVE CODE", ARTICLE IV, SECTION 4-18 OF THE DURHAM TOWN CODE BY AMENDING THE PROVISIONS TO ALLOW FOR ALTERNATES ON THE ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, on October 1, 2007, the Town Council established the Economic Development Committee; and

WHEREAS, the Economic Development Committee has been working for several months promoting economic development and tax stabilization; and

WHEREAS, on certain occasions the Economic Development Committee canceled scheduled meetings due to a lack of quorum; and

WHEREAS, the Economic Development Committee has discussed adding alternates to help meet the quorum requirements for meetings; and

WHEREAS, the Economic Development Committee voted to forward the amendment below to the Town Council for a public hearing,

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire hereby adopts Ordinance #2008-20 and does hereby amend Chapter 4, "Administrative Code", Article IV, Section 4-18 of the Durham Town Code by including the provisions for alternates on the Economic Development Committee. Wording to be omitted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

Article IV

BOARDS, COMMISSIONS AND SUBCOMMITTEES

4-18. Boards, commissions, and subcommittees.

- A. There shall be the following non-elected boards and commissions in the Town of Durham, duly appointed by the Town Council:
1. The Planning Board.
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 4. The Historic District Commission.

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6. The Zoning Board of Adjustment.
7. The Joint Town/University Advisory Committee.
8. The Heritage Commission

a. Membership.

The members of the Heritage Commission shall be those persons currently serving on the Historic District Commission.

b. Powers and Duties.

The members of the Heritage Commission shall have the powers and duties set forth in RSA 674:44-b.

9. Economic Development Committee

a. Membership.

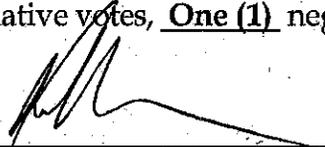
The Committee shall consist of six (6) members as follows: Three citizens shall be appointed for three (3) years, such terms to be staggered. The Planning Board shall appoint one representative and the Town Council shall appoint two representatives to the Economic Development Committee annually at their first meeting. **In addition, there shall be two (2) citizen alternates appointed for three (3) year terms.**

b. Powers and Duties.

The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.

- B. There shall also be subcommittees in the Town of Durham which shall make recommendations to the Town Council as the need arises.

PASSED AND ADOPTED by the Town Council of the Town of Durham this 12th day of January, 2009 by Eight (8) affirmative votes, One (1) negative vote, and Zero (0) abstentions.


Neil Niman, Chairman
Durham Town Council

ATTEST:


Lorrie Pitt, Town Clerk-Tax Collector