



# 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, SEPTEMBER 9, 2024

DURHAM TOWN HALL - COUNCIL CHAMBERS

7:00 PM

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

- I. Call to Order
- II. Town Council grants permission for fewer than a majority of Councilors to participate remotely
- III. Roll Call of Members. Those members participating remotely state why it is not reasonably practical for them to attend the meeting in-person
- IV. Approval of Agenda
- V. Special Announcements
- VI. Public Comments (\*) - **Please state your name and address before speaking**
- VII. Report from the UNH Student Senate External Affairs Chair or Designee
- VIII. **Unanimous Consent Agenda** (*Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote*)
  - A. Shall The Town Council schedule a Special Meeting Date on December 9, 2024 for the Purpose of Deliberating the Proposed FY 2025 Operating, Capital, and Special Fund Budgets and the 2025-2034 Capital Improvement Plan, and schedule a Public Hearing on the Proposed FY 2025 Budget and 2025-2034 Capital Improvement Plan for Monday, November 18, 2024?
  - B. Shall the Town Council cancel the Council meeting of September 16, 2024?
  - C. Shall the Town Council, Upon Recommendation of the Administrator, authorize waiving the requirement to follow a formal bidding process for purchases over \$30,000 per Section 5 of the Town of Durham Purchasing Policy, dated, April 15, 2024, and approve Chislett's Boating and Design, LLC, 35 Industrial Park Drive, Dover New Hampshire, as a single source supplier for the purchase of a Maritime 1890 skiff 18' rescue boat with dive door, motor, accessories, and trailer?

- D. Shall the Town Council unseal the Nonpublic Session minutes from the year 2000 dated February 21, April 3, May 15 and May 22, and from the year 2001 dated March 26?
- E. Shall the Town Council Approve a Special Event Permit Application Submitted by Molly Flagg to Close Jenkins Court for a Block Party to be Held on Saturday, October 5, 2024, from 12:00 – 6:00 p.m.?

**IX. Committee Appointments**

- A. Shall the Town Council, Upon Recommendation of the Parks & Recreation Committee Chair, Appoint Alternate Erin Guyotte, 14 Old Landing Road, to fill an unexpired Regular Membership on the Parks & Recreation Committee with a term expiration of April 2026?
- B. Shall the Town Council, Upon Recommendation of the Planning Board Chair, Appoint Regular Member Tom DeCapo, 315 Durham Point Road, to fill an unexpired Alternate Membership on the Planning Board with a term expiration of April 2027?

**X. Presentation Items**

Receive report on Parks & Recreation Committee activities and projects – Cathy Leach, Chair

**XI. Unfinished Business**

**XII. Approval of Minutes – June 24, 2024 & August 12, 2024**

**XIII. Councilor and Town Administrator Roundtable**

**XIV. New Business**

- A. Discussion and possible Adoption of Resolution #2024-18 to Amend Resolution #2007-14 “Creating the Energy Committee Steering Committee” (Later Renamed Durham Energy Committee) to Establish 3-Year Terms for Members.
- B. Discussion and possible Adoption of Resolution #2024-19 Amending Resolution #2001-13 “Renaming the Recycling Committee to the Integrated Waste Management Advisory Committee” to Establish 3-Year Terms for Members.
- C. Discussion of possible questions for President Chilton to be addressed at a subsequent meeting.

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

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

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

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



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AGENDA ITEM: **#8A** TS

DATE: September 9, 2024

### COUNCIL COMMUNICATION

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

**AGENDA ITEM:** SHALL THE TOWN COUNCIL SCHEDULE A SPECIAL MEETING DATE ON DECEMBER 9, 2024 FOR THE PURPOSE OF DELIBERATING THE PROPOSED FY 2025 OPERATING, CAPITAL, AND SPECIAL FUND BUDGETS AND THE 2025-2034 CAPITAL IMPROVEMENT PLAN, AND SCHEDULE A PUBLIC HEARING ON THE PROPOSED FY 2025 BUDGET AND 2025-2034 CAPITAL IMPROVEMENT PLAN FOR MONDAY, NOVEMBER 18, 2024?

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

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

**AGENDA DESCRIPTION:**

The proposed FY 2025 Operating Budgets and 2025-2034 Capital Improvement Plan are in the development phase and will be ready for presentation to the Town Council for the meeting on Monday, November 5, 2024, with a proposed Public Hearing on November 18, 2024.

Historically, the Town Council has held meetings on Monday evenings as needed throughout the months of November and December, excluding holidays, until the budget and CIP have been adopted. The third Monday in the month of November is Veteran's Day and the Town Hall will be closed. Therefore, the only additional Monday night available is December 9.

**LEGAL AUTHORITY:**

**Section 5.3 "Budget hearings" of the Durham Town Charter:**

"The Town Council shall hold in convenient places as many public hearings on the budget as it deems necessary, but at least one (1) public hearing on the budget shall be held at least fourteen (14) days before its final adoption by the Council at such

time and place, convenient to the public, as the Council shall direct. Notice of such public hearing, together with a copy of the budget as submitted, shall be posted in two (2) public places and published once at least one (1) week in advance by the Town Clerk.”

**Section 5.4 “Final date for budget adoption” of the Durham Town Charter:**

“The budget shall be adopted not later than the last workday of the preceding fiscal year....Failure by the Council to adopt a budget by the deadline established in this section will establish the budget as recommended by the Administrator as the adopted budget.”

**Section 5.8 “Capital Improvement Plan” of the Durham Town Charter:**

“A. The Town Administrator, after consultation with the Planning Board, shall prepare and submit to the Council a capital improvements plan at least one (1) month prior to the final date for submission of the budget. The capital improvements program shall include:

1. A clear summary of its contents.
2. A list of all capital improvements, including major replacements, which are proposed to be undertaken during the next six (6) fiscal years, including but not limited to equipment, sewer and water mains or facilities, roads, sidewalks, bicycle paths or lanes, public open spaces and recreation facilities, new police and/or fire stations and other new public facilities and major items of equipment, with appropriate supporting information as to the necessity for such improvements.
3. Cost estimates methods of financing and a recommended time schedule for each such improvement.
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

B. The capital improvements plan shall be based on a period of not less than six (6) years and shall include reference to or be influenced by, where appropriate, the Town Master/Comprehensive Plan.

C. The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council does hereby set Monday, December 9, 2024, as a Budget Work Session in addition to its regular meeting dates, to deliberate, discuss, and take action on the proposed FY 2025 Operating, Capital, and Special Fund Budgets and 2025-2034 Capital Improvement Plan.*

**MOTION #2:**

*The Durham Town Council does hereby schedule a Public Hearing for the proposed FY 2025 Operating, Capital, and Special Fund Budgets and the 2025-2034 Capital Improvement Plan for Monday, November 18, 2024, in accordance with Section 5.3 "Budget Hearings" of the Durham Town Charter.*



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

DATE: September 9, 2024

### COUNCIL COMMUNICATION

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

**AGENDA ITEM:** SHALL THE TOWN COUNCIL CANCEL THE TOWN COUNCIL MEETING OF SEPTEMBER 16, 2024?

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

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

**AGENDA DESCRIPTION:**

Due to the fact that there is no pending business for the September 16, 2024 Town Council meeting, it is recommended that the meeting be cancelled.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby cancel the Town Council meeting for September 16, 2024.*



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AGENDA ITEM: **#8C TS**

DATE: September 9, 2024

### COUNCIL COMMUNICATION

**INITIATED BY:** Randall S. Trull, Assistant Fire Chief

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, AUTHORIZE WAIVING THE REQUIREMENT TO FOLLOW A FORMAL BIDDING PROCESS FOR PURCHASES OVER \$30,000 PER SECTION 5 OF THE TOWN OF DURHAM PURCHASING POLICY, DATED, APRIL 15, 2024, AND APPROVE CHISLETT'S BOATING AND DESIGN, LLC, 35 INDUSTRIAL PARK DRIVE, DOVER NEW HAMPSHIRE, AS A SINGLE SOURCE SUPPLIER FOR THE PURCHASE OF A MARITIME 1890 SKIFF 18' RESCUE BOAT WITH DIVE DOOR, MOTOR, ACCESSORIES, AND TRAILER?

**CC PREPARED BY:** David F. Emanuel, Fire Chief  
Randall S. Trull, Assistant Fire Chief  
Kelley Fowler, Administrative Assistant

**PRESENTED BY:** David F. Emanuel, Fire Chief  
Randall S. Trull, Assistant Fire Chief

**AGENDA DESCRIPTION:**

In accordance with the Town of Durham Approved 2022 Capital Improvements Program, the Town Council previously approved the purchase of a water rescue craft with outboard motor and trailer, to support search and rescue operations in the Oyster River, Great Bay, and Little Bay.

The department established a water rescue boat committee comprised of Assistant Chief Trull, Firefighters Hunt and Rosselli, and Call Firefighter Russell Smith. The group was tasked with investigating the needs of our community, service response area, organizational resources, previous response history, and mutual aid partner assets regarding performing water rescues and the requirements of a water rescue boat.

After researching and evaluating multiple viable options, the committee recommended the Maritime 1890 skiff with a dive door, as the best and safest option for the Durham Fire

Department. A quote for this boat and additional equipment was obtained from Chislett's Boating and Design LLC, 35 Industrial Park Drive, Dover NH 03820. Chislett's Boating and Design, LLC, is the single source supplier for this type of boat and is known for their specific expertise in customizing this type of rescue boat. The total cost after a 10% discount is \$53,956.80, which is below the approved CIP amount.

**LEGAL AUTHORITY:**

**Article 4.23** of the Administrative Code states that the Town Council, on recommendation from the Town Administrator, may waive any of the above purchasing requirements in cases where it is deemed inadvisable to solicit bids because of a single source of supply or because of the need of standardization of the materials, supplies, equipment or services or for other stated reasons which the Town Council deems to be in the interest of the Town.

**Article 5.13** of the Administrative Code of the Town of Durham states the Administrative Code shall establish purchasing and contract procedure, including the assignment of all responsibility for purchasing to the Administrator or his designee and the combination purchasing of similar articles by different departments. The Council shall establish dollar limits for purchases and contracts which must be by competitive bid and shall establish the bidding procedures. No competitive bids shall be required when purchasing through the State of New Hampshire or at State of New Hampshire bid prices. **Requirements for bids may be waived in specific instances by a two-thirds vote of the Council.** The Council shall establish dollar amounts for purchases and contracts over which no purchases shall be made or contracts entered into without the affirmative vote of a majority of the Council. If the Council has voted to make a purchase or enter into a contract, the Administrator shall carry out the vote of the Council and enter into such transaction on behalf of the town.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

\$55,000 was approved in the FY22 Capital Improvement Plan, Account (#07-2215-701-36-000), for purchase of a water rescue craft, motor, and trailer. The quote from Chislett's Boating and Design LLC is \$53,956.80.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby, upon recommendation of the Administrator, authorize waiving the requirement to follow a formal bidding process for purchases over \$30,000 per Section 5 of the Town of Durham Purchasing Policy, dated, April 15, 2024, and approves Chislett's Boating and Design, LLC, 35 Industrial Park Drive, Dover New Hampshire, as a single source supplier for the purchase of a Maritime 1890 skiff 18' rescue boat with dive door, motor, accessories, and trailer.*





35 Industrial Park Dr  
Dover, NH 03820  
Phone: 603-605-1023  
[achislett@chislettsboating.com](mailto:achislett@chislettsboating.com)

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8/27/2024

To Whom It May Concern:

Chislett's Boating and Design, makers of Maritime Boats, is the sole supplier for the commercial and/or government use boats. These models are not available through an alternative vendor.

For any additional information or questions please contact the sales department.

Best Regards,

Abbie Chislett  
Sales Manager  
Chislett's Boating and Design, LLC

Chislett's Boating and Design LLC  
 35 Industrial Park Dr  
 NH 03820

# QUOTE

Date	Quote #
8/13/2024	134

Name / Address
Durham Fire Department 51 College Rd. Durham, NH 03824 Contact: Matt Hunt

Ship To

Item	Description	Qty	U/M	Rate	Total
M1890	Maritime 1890 Skiff w/Standard Features HIN#: TBD	1	ea	31,266.00	31,266.00
DF115ATLW-1...	Suzuki DF115ATLW Engine, Rigging and Installation Serial#: TBD	1	ea	13,204.00	13,204.00
TM189B	Maritime 189 Galvanized Bunk Trailer, Single Torsion Axle, LED Lights, Stainless Tiedown Straps..VIN#:- TBD	1	ea	4,029.00	4,029.00
88000	Ritchie Compass - Flush Mount	1	ea	342.00	342.00
88001	Electric Horn - Flush Mount	1	ea	107.00	107.00
5801	Upgrade, Dual battery and wiring (Return 58000)	1	ea	310.00	310.00
Misc Item (CBD)	Dive Door- Starboard side	1	ea	7,500.00	7,500.00
SIMGO9TH	Simrad GO9 Chart Plotter with Through Hull Transducer.	1	ea	2,078.00	2,078.00
VHFS	Simrad RS20 VHF Radio, N2K Networked, S/S Antenna Mount and Quick Change Antenna	1	ea	1,116.00	1,116.00
Discount	SUBTOTAL				59,952.00
	Discount- 10%			-5,995.20	-5,995.20
	Items for further discussion:  Install pad eyes and line inside console for extra life jacket storage- price not included in quote Install or Motorola Radio-price not included in quote  Quote is Valid for 90 Days				

<b>Total</b>	\$53,956.80
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Phone #	E-mail	Web Site
603-605-1023	achislett@chislettsboating.com	



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AGENDA ITEM: **#8D**

DATE: September 9, 2024

### COUNCIL COMMUNICATION

**INITIATED BY:** Administrator Todd Selig

**AGENDA ITEM:** SHALL THE TOWN COUNCIL UNSEAL THE NONPUBLIC SESSION MINUTES FROM THE YEAR 2000 DATED FEBRUARY 21, APRIL 3, MAY 15 AND MAY 22, AND FROM THE YEAR 2001 DATED MARCH 26?

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

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

**AGENDA DESCRIPTION:**

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

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

*date of any subsequent decision, if any, to make the minutes or decisions available for public disclosure. Minutes related to a discussion held in nonpublic session under subparagraph II(d) shall be made available to the public as soon as practicable after the transaction has closed or the public body has decided not to proceed with the transaction.*

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

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

This statute was revised in 2023 to contain the last highlighted section. The Town of Durham has sealed nonpublic minutes dating back to 2000. Throughout this year, these minutes will be brought to the Council to determine if they should remain sealed or be unsealed for public viewing. Although the Council reviewed nonpublic minutes from 2000 & 2001 earlier in the year, additional nonpublic minutes from those years have been found. At this meeting these additional nonpublic minutes from the years 2000 & 2001 will be reviewed. The Administrator has reviewed the minutes from the meetings listed and has determined there is no longer a valid reason to keep the minutes sealed.

**LEGAL AUTHORITY:**

RSA 91 A:3

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

*The Durham Town Council does unseal the Nonpublic Session minutes from the year 2000 dated February 21, April 3, May 15 and May 22, and from the year 2001 dated March 26.*



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AGENDA ITEM: **#8E**

DATE: September 9, 2024

## COUNCIL COMMUNICATION

**INITIATED BY:** Molly Flagg

**AGENDA ITEM:** SHALL THE TOWN COUNCIL APPROVE A SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY MOLLY FLAGG TO CLOSE JENKINS COURT FOR A BLOCK PARTY TO BE HELD ON SATURDAY, OCTOBER 5, 2024, FROM 12:00 – 6:00 P.M.?

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

**PRESENTED BY:** Molly Flagg

**AGENDA DESCRIPTION:**

Attached is a special event/road closure permit application submitted by Molly Flagg requesting that Jenkins Court be closed from 12:00 p.m. to 6:00 p.m. on Saturday, October 5, 2024, for a block party.

The application has been reviewed by all departments; however, the Public Works Department is asking for more information from the applicant on how they intend to block off Jenkins Court and any signage they are going to use. As of Thursday afternoon, Administrative Assistant, Karen Edwards, had left a message for the applicant but had not heard back from her. This item is on the agenda pending receiving the additional information needed in time for the meeting on Monday evening.

**LEGAL AUTHORITY:**

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

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Town Council Approves a Special Event Permit Application Submitted by Molly Flagg to Close Jenkins Court for a block party to be held on Saturday, October 5, 2024, from 12:00 – 6:00 p.m.*



# TOWN OF DURHAM

TEL: (603) 868-5578

FAX: (603) 868-8063

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

## PERMIT APPLICATION

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

Special Event \_\_\_\_\_  
Road Closure Request  \_\_\_\_\_  
Use of Town Property \_\_\_\_\_

LOCATION WHERE EVENT WILL OCCUR: Jenkins Ct

DAY & DATE OF EVENT: Saturday October 5<sup>th</sup> TIME(S) OF EVENT: 12-6pm

NAME OF APPLICANT/ORGANIZATION: Molly Flagg / Good Planet Apparel / Adele Weckesser / WUNH 91.3FM

NAME OF EVENT: Good Planet Apparel Block Party

PERSONAL CONTACT FOR THIS EVENT: Molly Flagg

ADDRESS: 13 Jenkins Ct

TELEPHONE NO.: DAY: 603 828 1946 EVENING: \_\_\_\_\_

EMAIL: goodplanetapparel@gmail.com

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

We want to close down Jenkins Ct from 12-6 (event from 2-6, 12-2 reserved for set up) for a block party. We're planning live, family friendly music, free popcorn and cotton candy, local small business vendors including businesses in Jenkins Ct, and we're open to suggestions.

ANTICIPATED NUMBER OF PARTICIPANTS: 200-250 (throughout)

ANTICIPATED NUMBER OF VEHICLES: 5-10, used only for setup/breakdown purposes

CERTIFICATE OF INSURANCE INFORMATION

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

Insurance Carrier: State Farm  
Policy Number and Expiration Date: 94BM48025

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

Molly Flagg \_\_\_\_\_ 8/30/24  
Printed Name and Signature of Event Coordinator/applicant Date

Molly Flagg \_\_\_\_\_ 8/30/24  
Printed Name and Signature of Principal/Owner/Authorizing Authority Date

\*\*\*\*\*  
**FOR OFFICIAL USE ONLY**

Reviewed by DPW   
Comments:

Reviewed by PD  See Attached  
Comments:

Reviewed by FD  See Attached  
Comments:

Reviewed by P&R  See Attached  
Comments:

Approved:  \_\_\_\_\_  
Todd I. Selig, Administrator Date

## Karen Edwards

---

**From:** John Baker  
**Sent:** Thursday, September 5, 2024 9:51 AM  
**To:** Karen Edwards  
**Subject:** P&R -- FW: Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

**From:** Rachel Gasowski <[rgasowski@ci.durham.nh.us](mailto:rgasowski@ci.durham.nh.us)>  
**Sent:** Thursday, September 5, 2024 9:15 AM  
**To:** John Baker <[jbaker@ci.durham.nh.us](mailto:jbaker@ci.durham.nh.us)>; David Holmstock <[dholmstock@ci.durham.nh.us](mailto:dholmstock@ci.durham.nh.us)>; David Emanuel <[david.emanuel@unh.edu](mailto:david.emanuel@unh.edu)>; Richard Reine <[rreine@ci.durham.nh.us](mailto:rreine@ci.durham.nh.us)>  
**Cc:** Aimee Routhier <[Aimee.Routhier@unh.edu](mailto:Aimee.Routhier@unh.edu)>; Kelley Fowler <[Kelley.Fowler@unh.edu](mailto:Kelley.Fowler@unh.edu)>; Shannon Shaw <[sshaw@ci.durham.nh.us](mailto:sshaw@ci.durham.nh.us)>; Samuel Hewitt <[shewitt@ci.durham.nh.us](mailto:shewitt@ci.durham.nh.us)>  
**Subject:** Re: Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

OK with P&R.

Rachel

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

**From:** John Baker <[jbaker@ci.durham.nh.us](mailto:jbaker@ci.durham.nh.us)>  
**Date:** Wednesday, September 4, 2024 at 2:39 PM  
**To:** David Holmstock <[dholmstock@ci.durham.nh.us](mailto:dholmstock@ci.durham.nh.us)>, David Emanuel <[david.emanuel@unh.edu](mailto:david.emanuel@unh.edu)>, Richard Reine <[rreine@ci.durham.nh.us](mailto:rreine@ci.durham.nh.us)>, Rachel Gasowski <[rgasowski@ci.durham.nh.us](mailto:rgasowski@ci.durham.nh.us)>  
**Cc:** Aimee Routhier <[Aimee.Routhier@unh.edu](mailto:Aimee.Routhier@unh.edu)>, Kelley Fowler <[Kelley.Fowler@unh.edu](mailto:Kelley.Fowler@unh.edu)>, Shannon Shaw <[sshaw@ci.durham.nh.us](mailto:sshaw@ci.durham.nh.us)>, Samuel Hewitt <[shewitt@ci.durham.nh.us](mailto:shewitt@ci.durham.nh.us)>  
**Subject:** Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

Good afternoon,  
Durham Public Works just received a Special Event Permit application from Molly Flagg (Good Planet Apparel) and Abbie Weckesser (WUNH 91.3FM) for Oct. 5<sup>th</sup>, 2024. Please see attached application and business card from Good Planet Apparel.  
The application is requesting a closure of Jenkins Court from 12-6pm for a block party featuring family friendly music, free popcorn and cotton candy, local small business vendors including businesses in Jenkins Court, and other suggestions.

Shannon Shaw and I mentioned to Molly when she stopped in that this may be somewhat hard to get reviewed by the Sept. 9 Town Council meeting.  
I spoke with Karen Edwards, who mentioned that the Sept. 16 Town Council meeting may not happen. Karen said that she could get this on the Sept. 9 meeting agenda if it is reviewed by tomorrow morning at 10am.

Thank you for your review.



## Karen Edwards

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**From:** John Baker  
**Sent:** Thursday, September 5, 2024 9:52 AM  
**To:** Karen Edwards  
**Subject:** Fire -- FW: Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

**From:** David Emanuel <David.Emanuel@unh.edu>  
**Sent:** Wednesday, September 4, 2024 4:08 PM  
**To:** John Baker <jbaker@ci.durham.nh.us>; David Holmstock <dholmstock@ci.durham.nh.us>; Richard Reine <rreine@ci.durham.nh.us>; Rachel Gasowski <rgasowski@ci.durham.nh.us>  
**Cc:** Aimee Routhier <Aimee.Routhier@unh.edu>; Kelley Fowler <Kelley.Fowler@unh.edu>; Shannon Shaw <sshaw@ci.durham.nh.us>; Samuel Hewitt <shewitt@ci.durham.nh.us>; David Emanuel <david.emanuel@unh.edu>; Brendan O'Sullivan <brendan.osullivan.dfd@unh.edu>; Randall Trull <randall.trull@unh.edu>; Robert Atwater <Robert.Atwater@unh.edu>  
**Subject:** Re: Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

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John,  
The fire department supports the permit application with the condition that emergency access must be provided to the buildings serviced by Jenkins Court in the event of an emergency.

Jenkins Court is designated as a town fire lane in Article 01 of the Town's Fire Prevention Code

### **Article 01: Fire Prevention Code**

#### Town Fire Lanes

c. *Jenkins Court (entire width) at 14 Jenkins Court where the sidewalk extension narrows the road way.*

<https://www.ci.durham.nh.us/municipalcode/article-01-fire-prevention-code>

Thank you for your consideration.

DE

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



## Karen Edwards

---

**From:** John Baker  
**Sent:** Thursday, September 5, 2024 9:51 AM  
**To:** Karen Edwards  
**Subject:** Police -- FW: Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

**From:** David Holmstock <dholmstock@ci.durham.nh.us>  
**Sent:** Thursday, September 5, 2024 8:44 AM  
**To:** John Baker <jbaker@ci.durham.nh.us>; David Emanuel <david.emanuel@unh.edu>; Richard Reine <rreine@ci.durham.nh.us>; Rachel Gasowski <rgasowski@ci.durham.nh.us>  
**Cc:** Aimee Routhier <Aimee.Routhier@unh.edu>; Kelley Fowler <Kelley.Fowler@unh.edu>; Shannon Shaw <sshaw@ci.durham.nh.us>; Samuel Hewitt <shewitt@ci.durham.nh.us>; David Holmstock <dholmstock@ci.durham.nh.us>  
**Subject:** RE: Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

The police department supports the permit if appropriate signs, cones and barriers are in place prior to the start of the event. I see no reason to have a police detail for the event.

Respectfully,

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

**From:** John Baker <jbaker@ci.durham.nh.us>  
**Sent:** Wednesday, September 4, 2024 2:40 PM  
**To:** David Holmstock <dholmstock@ci.durham.nh.us>; David Emanuel <david.emanuel@unh.edu>; Richard Reine <rreine@ci.durham.nh.us>; Rachel Gasowski <rgasowski@ci.durham.nh.us>  
**Cc:** Aimee Routhier <Aimee.Routhier@unh.edu>; Kelley Fowler <Kelley.Fowler@unh.edu>; Shannon Shaw <sshaw@ci.durham.nh.us>; Samuel Hewitt <shewitt@ci.durham.nh.us>  
**Subject:** Special Event Permit Application - Oct 5th, 2024 - Jenkins Court Closure 12-6pm

Good afternoon,  
Durham Public Works just received a Special Event Permit application from Molly Flagg (Good Planet Apparel) and Abbie Weckesser (WUNH 91.3FM) for Oct. 5<sup>th</sup>, 2024. Please see attached application and business card from Good Planet Apparel.  
The application is requesting a closure of Jenkins Court from 12-6pm for a block party featuring family friendly music, free popcorn and cotton candy, local small business vendors including businesses in Jenkins Court, and other suggestions.

Shannon Shaw and I mentioned to Molly when she stopped in that this may be somewhat hard to get reviewed by the Sept. 9 Town Council meeting.



## TOWN OF DURHAM

8 Newmarket Road

Durham, NH 03824

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AGENDA ITEM: **#9A**

DATE: September 9, 2024

### COUNCIL COMMUNICATION

**INITIATED BY:** Erin Guyotte

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE PARKS & RECREATION COMMITTEE CHAIR, APPOINT ALTERNATE ERIN GUYOTTE, 14 OLD LANDING ROAD, TO FILL AN UNEXPIRED REGULAR MEMBERSHIP ON THE PARKS & RECREATION COMMITTEE WITH A TERM EXPIRATION OF APRIL 2026?

**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 email request submitted by Erin Guyotte, requesting appointment from alternate member of the Parks & Recreation Committee to regular membership. This appointment will fill the recently vacated regular membership opening on the Parks & Recreation Committee left by Genevieve Brown's resignation. This will also add a second alternate membership vacancy on the Parks & Recreation Committee.

Attached for the Council's information is Chair Cathy Leach's endorsement of Ms. Guyotte's appointment to regular membership. Ms. Guyotte will not be attending Monday night's Council 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 Parks & Recreation Committee Chair, appoint Alternate Erin Guyotte, 14 Old Landing Road, to fill an unexpired Regular Membership on the Parks & Recreation Committee with a term expiration of April 2026.*

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

From: Genevieve Brown <genbbrown@gmail.com>

To: Cathy Leach <leachfam@comcast.net>

Date: 08/25/2024 12:03 PM EDT

Subject: Re: Parks & Rec Meeting 7/23

Hello Cathy,

Unfortunately, I do not foresee being able to make the Tuesday meeting series. For this reason I believe it might be best that I resign to make room for someone who is able to make time and meaningful contributions.

Thank you for understanding. I wish you and the committee the best of luck. I am grateful to have been part of such a wonderful group of dedicated people. Please let me know if I can be of assistance for special projects in the future.

Sincerely,

Gen

**From:** [Erin Guyotte](#)  
**To:** [Karen Edwards](#)  
**Cc:** [CATHY LEACH](#)  
**Subject:** Durham Rec Committee  
**Date:** Monday, August 26, 2024 11:45:51 AM

---

You don't often get email from ering257@gmail.com. [Learn why this is important](#)

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Good Morning Karen

I am interested in the newly opened Regular member for this committee. I am currently an alternate.

Please let me know if there is anything I need to do for this.

Thank you  
Erin Guyotte

## Karen Edwards

---

**From:** Cathy Leach <leachfam@comcast.net>  
**Sent:** Monday, August 26, 2024 8:54 PM  
**To:** Karen Edwards  
**Subject:** Re: FW: Durham Rec Committee

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 Karen -

I wholeheartedly recommend that Erin become a regular member of the Parks & Recreation Committee. She has been a contributing member for the last year plus.

Thank you.

Cathy Leach

On 08/26/2024 12:25 PM EDT Karen Edwards <kedwards@ci.durham.nh.us> wrote:

Cathy,

Erin has contacted me to become a regular member of the Parks & Rec Committee. Please email me a recommendation for her appointment. This will be before the Town Council at their September 9 meeting.

Karen

*Karen Edwards*

Administrative Assistant

Administrator's Office

Town of Durham

8 Newmarket Road

Durham, NH 03824

(603) 868-5571

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

## **PARKS AND RECREATION COMMITTEE**

Cathy Leach, <b>Chair</b>	14 Fairchild Dr.	3 Yrs	4/26
Al Howland, <b>Vice Chair</b>	32 Ffrost Drive	3 Yrs	4/25
Erin Guyotte	14 Old Landing Road	3 Yrs	4/26
Matthew Swiesz	17 Sumac Lane	3 Yrs	4/27
Brian Keegan	112 Madbury Road	3 Yrs	4/25
Tracy Schroeder	18 Bagdad Road	3 Yrs	4/27
Myrta Janosz, <b>Alt.</b>	23 Durham Pt. Rd.	3 Yrs	4/26
<b>VACANT, Alt.</b>		3 Yrs	4/25
<b>VACANT, Alt.</b>		3 Yrs	4/27
Joe Friedman, <b>Cncl Rep</b>	24 Woodman Road	1 Yr	3/25





## TOWN OF DURHAM

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AGENDA ITEM: **#9B**

DATE: September 9, 2024

### COUNCIL COMMUNICATION

**INITIATED BY:** Tom DeCapo

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE PLANNING BOARD CHAIR, APPOINT REGULAR MEMBER TOM DECAPO, 315 DURHAM POINT ROAD, TO FILL AN UNEXPIRED ALTERNATE MEMBERSHIP ON THE PLANNING BOARD WITH A TERM EXPIRATION OF APRIL 2027?

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

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

**AGENDA DESCRIPTION:**

Attached for the Council's information and consideration is an email request submitted by Tom DeCapo, requesting appointment from regular member of the Planning Board to alternate membership. This appointment will fill the one of the four alternate member vacancies on the Planning Board. This will also create one regular member vacancy on the Planning Board.

Attached for the Council's information is Chair Paul Rasmussen's endorsement of Mr. DeCapo's appointment to alternate membership. Mr. DeCapo will not be attending Monday night's Council 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 Planning Board Chair, appoint Regular Member Tom DeCapo, 315 Durham Point Road, to fill an unexpired Alternate Membership on the Planning Board with a term expiration of April 2027.*

**From:** Tom DeCapo <tdc.decapo@gmail.com>

**Sent:** Wednesday, August 28, 2024 12:05 PM

**To:** paul rasmussen (pnrasmus@gmail.com) <pnrasmus@gmail.com>; Michael Behrendt <mbehrendt@ci.durham.nh.us>

**Subject:** Alternate member

---

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Dear Paul and Michael,

As I have mentioned to Paul, with my youngest daughter now off to college out of state, my wife and I are hoping to do much more extended travel going forward. I had hoped that I would be able to contribute

meaningfully to the work of the planning board nevertheless. The experience of the past 2 months or so has called that into question and I do not feel it is fair of me to pop in and out while others are working diligently to advance goals they are passionate about. Nor is it a good use of my time to dig deep into a topic if I do not have the time to shepherd it through to execution.

For these reasons, I believe it is best that I step back to an alternate role, if you will have me, and to contribute what I can, when I can. If you or the board as a whole feel it is more appropriate that I simply step down, please say so and no hard feelings on my part.

Unfortunately I will not be able to attend tonight's meeting as I am not in town.

Best Regards,

Tom.

**From:** [paul.rasmussen](#)  
**To:** [Karen Edwards](#)  
**Subject:** Re: Recommendation for Tom DeCapo  
**Date:** Wednesday, September 4, 2024 3:04:05 PM

---

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To Council Members,  
Tom DeCapo provides wonderful participation and ideas to Planning Board discussions. I will be pleased to keep Tom on in whatever capacity his time allows.  
Please approve his request to become an alternate member.

Paul Rasmussen  
Planning Board chair

On Wed, Sep 4, 2024, 09:56 Karen Edwards <[kedwards@ci.durham.nh.us](mailto:kedwards@ci.durham.nh.us)> wrote:

Paul,

Please email me a recommendation for Tom DeCapo to move from regular to alternate membership on the Planning Board.

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

## **PLANNING BOARD**

Paul Rasmussen, <b>Chair</b>	3 Yrs	4/26	Council
Sally Tobias, <b>v. Chair</b>	3 Yrs	4/26	Council
Peyton McManus, <b>Sec.</b>	3 Yrs	4/25	Council
Richard Kelley	3 Yrs	4/25	Council
Robert Sullivan,	3 Yrs	4/27	Council
<b>VACANT</b>	3 Yrs	4/27	Council
Erika Naumann Gaillat, <b>Alt.</b>	3 Yrs	4/25	Council
Tom DeCapo, <b>Alt.</b>	3 Yrs	4/27	Council
<b>VACANT, Alt.</b>	3 Yrs.	4/26	Council
<b>VACANT, Alt.</b>	3 Yrs	4/26	Council
<b>VACANT, Alt.</b>	3 Yrs	4/25	Council
Emily Friedrichs, <b>Cncl Rep</b>	1 Yr	3/25	Council
Heather Grant, <b>Alt Cncl Rep</b>	1 Yr	3/25	Council



# TOWN OF DURHAM

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AGENDA ITEM: **#10**

DATE: **September 9, 2024**

## COUNCIL COMMUNICATION

**INITIATED BY:** Todd Selig, Administrator

**AGENDA ITEM:** RECEIVE ANNUAL REPORT FROM THE PARKS & RECREATION COMMITTEE – CATHY LEACH, CHAIR

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

**PRESENTED BY:** Cathy Leach, Chair, Parks & Recreation Committee

### **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.*

Cathy Leach has been invited to attend Monday night's Town Council meeting to provide a brief update to Council members regarding the Parks & Recreation Committee'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 Parks & Recreation Committee Chair, Cathy Leach, and hold question and answer session if desired.



## TOWN OF DURHAM

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**AGENDA ITEM: #12**  
**DATE: September 9, 2024**

### **COUNCIL COMMUNICATION**

**INITIATED BY:** Durham Town Council

**AGENDA ITEM:** APPROVE THE TOWN COUNCIL MEETING MINUTES FOR JUNE 24 AND AUGUST 12, 2024.

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

**PRESENTED BY:** Todd Selig, Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's review and approval are the minutes for the meetings held on June 24 and August 12, 2024. Please call or email Karen Edwards with any grammatical/spelling changes prior to the meeting. Discussion at Monday evening's meeting should be limited only to substantive changes.

**LEGAL AUTHORITY:**

RSA 91-A:2 (II) specifies what must be contained in minutes of public meetings:

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

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council does hereby approve the Town Council meeting minutes for June 24, 2024 (as presented/as amended).*

**MOTION #2:**

*The Durham Town Council does hereby approve the Town Council meeting minutes for August 12, 2024 (as presented/as amended).*





## TOWN OF DURHAM

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AGENDA ITEM: **#14A** TS

DATE: **September 9, 2024**

### COUNCIL COMMUNICATION

**INITIATED BY:** Joe Friedman, Councilor

**AGENDA ITEM:** DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION #2024-18 TO AMEND RESOLUTION #2007-14 "CREATING THE ENERGY COMMITTEE STEERING COMMITTEE" (LATER RENAMED DURHAM ENERGY COMMITTEE) TO ESTABLISH 3-YEAR TERMS FOR MEMBERS.

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

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

**AGENDA DESCRIPTION:**

On April 23, 2007, the Town Council adopted Resolution #2007-14 creating an Energy Steering Committee. Membership on this committee is as follows:

As many as eleven (11) members consisting of eight (8) community members appointed by the Town Council, one representative of the Town Council designated by the Town Council, one representative from the Durham Planning Board designated by the Board, and one representative from the University of New Hampshire appointed by the President of the University of New Hampshire.

The membership was amended from 9 members to 11 members by Res. #2022-01 dated Feb 7, 2022. However, no terms were ever set for the community members of the Energy Committee. The goal with this Resolution is to bring this Committee in-line with other town Committees, as specified in the Town Charter Section 11.4, and set 3-year terms for the current Energy Committee members, with the longer terms being assigned to the newest members.

Energy Committee members have been notified of this change and the term expirations being proposed for each of the community members as contained in the Resolution language.

**LEGAL AUTHORITY:**

Town Charter Section 11.4: "The terms of office of all members of appointed boards shall begin on May 1 and end on April 30. If an appointee receives an appointment subsequent to May 1 of the year in which the term of office originally commenced, the term to which the person was appointed will end on April 30 in the year that it was scheduled to end."

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby Adopt Resolution #2024-18 to Amend Resolution #2007-14 "Creating the Energy Committee Steering Committee" (Later Renamed Durham Energy Committee) to Establish 3-Year Terms for Members.*

## **RESOLUTION #2024-18 OF DURHAM, NEW HAMPSHIRE**

### **AMENDING RESOLUTION #2007-14 “CREATING THE ENERGY COMMITTEE STEERING COMMITTEE” (LATER RENAMED DURHAM ENERGY COMMITTEE) TO ESTABLISH 3-YEAR TERMS FOR MEMBERS.**

**WHEREAS**, since the March 13, 2007 Town Election when Durham residents voted in favor to adopt the New Hampshire Climate Change Resolution and subsequently appointed members to first an Energy Steering Committee and later the Durham Energy Committee, many changes have occurred relative to the committee’s membership; and

**WHEREAS**, in 2022 the Durham Energy Committee requested that the Durham Town Council increase the committee’s membership by adding two additional citizen members, which increased its total membership from nine (9) to eleven (11); and

**WHEREAS**, the Council would like to bring the Durham Energy Committee in line with other Town Committees, as specified in the Town Charter Section 11.4, and establish 3-Year Terms for members; and

**WHEREAS**, below is a chronicle of the Durham Energy Committee’s creation and its membership history since the March 13, 2007 Town Election.

#### **Council Meeting**

<b><u>Date</u></b>	<b><u>Action</u></b>
March 13, 2007 Town Election	Residents adopted the NH Climate Change Resolution by a margin of 1447 in favor and 254 against. The resolution asked the Town Council to consider appointment of a voluntary energy committee to recommend local steps to save energy and reduce emissions.

- April 23, 2007 Resolution 2007-14 was adopted by the Council creating the Energy Steering Committee to include eight (8) members: 5 citizen reps, 1 Council rep., 1 UNH rep., and 1 DPW rep.
- May 21, 2007 Council appointed 4 citizens to the Energy Steering Committee (with 1 citizen vacancy remaining), 1 Council rep., 1 UNH rep., and 1 DPW rep.
- June 4, 2007 Council voted to expand the membership of the Energy Steering Committee from eight to nine (9) and appointed two citizens (1 to fill the remaining vacancy and 1 new appointment).
- October 1, 2007 Council endorsed the proposed Mission Statement developed by the Energy Steering Committee and established the committee as a standing committee of the town to be renamed the “Durham Energy Committee” (DEC).
- May 2, 2011 Resolution #2011-12 was adopted by the Council amending the membership of the DEC to replace one community member with a Planning Board representative.
- September 12, 2011 Resolution #2011-17 was adopted by the Council replacing the Public Works Director representative position with a community member and increasing the total membership to be as many as nine (9) members.
- February 7, 2022 Resolution #2022-01 was adopted by the Council to increase the Durham Energy Committee membership from nine (9) members to eleven (11) members.

**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 #2024-18** amending Resolution #2007-14 to establish 3-Year Terms for the members of the Energy Committee as indicated below.

<b><u>Member</u></b>	<b><u>Term Expiration</u></b>
Matthias Dean Carpentier	4/26
Ti Crossman	4/25
Charles Forcey	4/27
Steve Holmgren	4/26
Michael Klein	4/25

Michal Konopko	4/27
John Lannamann	4/25
Michael Lehrman	4/26

**PASSED AND ADOPTED** this 9<sup>th</sup> day of September, 2024 by a majority vote of the Durham Town Council with \_\_\_\_\_ affirmative votes, negative votes, and \_\_\_\_\_ abstentions.

---

Sally Needell, Chair  
Durham Town Council

***ATTEST:***

---

Rachel Deane, Town Clerk-Tax Collector



## TOWN OF DURHAM

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AGENDA ITEM: **#14B** TS

DATE: **September 9, 2024**

### COUNCIL COMMUNICATION

**INITIATED BY:** Joe Friedman, Councilor

**AGENDA ITEM:** DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION #2024-19 AMENDING RESOLUTION #2001-13 "RENAMING THE RECYCLING COMMITTEE TO THE INTEGRATED WASTE MANAGEMENT ADVISORY COMMITTEE" TO ESTABLISH 3-YEAR TERMS FOR MEMBERS.

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

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

**AGENDA DESCRIPTION:**

On April 18 1988, the Town Council voted to form a citizens committee, known as the "Recycling Task Force" for the purpose of studying the options of recycling. The committee drew its initial membership from the League of Women Voters which had been studying the problems of waste management for many years and had indicated to the Council its willingness to assist in establishing a recycling program for Durham. Six citizens volunteered to work on the Task Force, in addition to the three League members, to form a nine-member committee.

On January 9, 1989, the Town Council voted to have an advisory committee, referred to as the "Recycling Advisory Committee" to the Town administration composed of the people serving on the Recycling Task Force to continue until the committee itself felt it is not further needed.

On June 18, 2001, the Durham Town Council voted to rename the Recycling Advisory Committee to the "Integrated Waste Management Advisory Committee" (IWMAC). This committee would consist of not more than seven (7) members as follows: Six (6) regular members and one (1) Council representative who shall serve a one-year term. However, no terms were ever set for the regular members of this new Integrated Waste Management Advisory Committee.

Re: Terms for the IWMAC

The goal with this Resolution is to bring this Committee in-line with other town Committees, as specified in the Town Charter Section 11.4, and set 3-year terms for the current regular members, with the longer terms being assigned to the newest members.

IWMAC members have been notified of this change and the term expirations being proposed for each of the community members as contained in the Resolution language.

**LEGAL AUTHORITY:**

Town Charter Section 11.4: "The terms of office of all members of appointed boards shall begin on May 1 and end on April 30. If an appointee receives an appointment subsequent to May 1 of the year in which the term of office originally commenced, the term to which the person was appointed will end on April 30 in the year that it was scheduled to end."

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby Adopt Resolution #2024-19 Amending Resolution #2001-13 "Renaming the Recycling Committee to the Integrated Waste Management Advisory Committee" to Establish 3-Year Terms for Members.*

## **RESOLUTION #2024-19 OF DURHAM, NEW HAMPSHIRE**

### **AMENDING RESOLUTION #2001-13 “RENAMING THE RECYCLING COMMITTEE TO THE INTEGRATED WASTE MANAGEMENT ADVISORY COMMITTEE” TO ESTABLISH 3-YEAR TERMS FOR MEMBERS.**

**WHEREAS**, on April 18, 1988, the Town Council voted to form a citizens’ committee, known as the “Recycling Task Force” for the purpose of studying the options of recycling. The committee drew its initial membership from the League of Women Voters which had been studying the problems of waste management for many years and had indicated to the Council its willingness to assist in establishing a recycling program for Durham. Six citizens volunteered to work on the Task Force, in addition to the three League members, to form a nine-member committee

**WHEREAS**, on January 9, 1989, the Town Council voted to have an advisory committee, referred to as the “Recycling Advisory Committee” to the Town administration composed of the people serving on the Recycling Task Force to continue until the committee itself felt it is not further needed.

**WHEREAS**, at the June 4, 2001 Town Council meeting the Recycling Committee discussed its future goals with the Council and requested that the Town Council rename the committee to the “Integrated Waste Management Advisory Committee” comprised of the same membership (9 citizen members and 1 Council representative); and

**WHEREAS**, on June 18, 2001, the Durham Town Council voted to rename the Recycling Advisory Committee to the “Integrated Waste Management Advisory Committee: This committee shall consist of not more than seven (7) members as follows: Six (6) regular members and one (1) Council representative who shall serve a one-year term. In addition, there shall be one (1) alternate member; and

**WHEREAS**, the Council would like to bring the Integrated Waste Management Advisory Committee in line with other Town Committees, as specified in the Town Charter Section 11.4, and establish 3-Year Terms for members;



**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 #2024-19** amending Resolution #2001-13 to establish 3-Year Terms for the members of the Integrated Waste Management Advisory Committee as indicated below.

<u>Member</u>	<u>Term Expiration</u>
Nell Neil	4/25
Julie Kelley	4/25
Naomi Kornhauser	4/26
Mike Pazdon	4/27
Janet Perkins-Howland	4/27
Susan Richman, Alt.	4/26
VACANT	4/25

**PASSED AND ADOPTED** this 9<sup>th</sup> day of September, 2024 by a majority vote of the Durham Town Council with \_\_\_\_\_ affirmative votes, negative votes, and \_\_\_\_\_ abstentions.

\_\_\_\_\_  
Sally Needell, Chair  
Durham Town Council

**ATTEST:**

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



## TOWN OF DURHAM

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Durham, NH 03824  
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AGENDA ITEM: **#14C** TS

DATE: **September 9, 2024**

### COUNCIL COMMUNICATION

**INITIATED BY:** Town Council

**AGENDA ITEM:** DISCUSSION OF POSSIBLE QUESTIONS FOR PRESIDENT CHILTON  
TO BE ADDRESSED AT A SUBSEQUENT MEETING

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

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

**AGENDA DESCRIPTION:**

At the August 12, 2024 Town Council meeting, the new UNH President, Elizabeth S. Chilton, was introduced to the Council along with her Chief of Staff, Thomas Cronin. Individual Councilors had specific questions to pose to President Chilton, and it was decided that it would be best to discuss those questions among the Council as a whole, at a later meeting prior to having President Chilton return. In this way, the Council could decide what questions as a group it wanted to ask. Administrative Assistant, Karen Edwards, asked the Council members for questions they would like to discuss, and below are the ones she received.

**James Bubar:**

- What can Durham do to improve the students' quality of experiences at UNH?
- What will UNH do to improve the quality of life for year-round residents of Durham?
- Are you aware of the quantity of support that Durham receives from UNH's Capstone projects? And our appreciation of those students who are making a positive contribution to the community?

Em Friedrichs:

- Many Durham residents were extremely upset by UNH's decision to permanently close the art museum without advance notice to the Town or community. Public facilities like this have an important draw for visitors and residents and thus impact the Town economically. The wider UNH/Durham community also felt that with advance notice, private funding could have been located to save the museum. How could UNH have handled this differently?
- Will UNH commit to a concerted effort in the future to keep the Town (confidentially via the Administrator as appropriate) appraised of any decisions UNH is considering that may significantly impact public services or the Town economically?
- Given the community concern about military grade weapons in Durham on May 1st, what will you do to ensure that such weapons are not brought on campus again?
- How will you keep the Durham community involved in UNH's efforts to improve free speech protections and de-escalation in light of the recent TC resolution?

Eric Lund

- What plans/initiatives is UNH pursuing to help graduate students, staff, and junior faculty find affordable housing in Durham? I am especially interested in options where living without a car would be feasible, as this is essential for most international graduate students (who would not be bringing cars with them) and helpful for everyone else (since not having a car represents a cost savings of about \$1000 per month that would be available to spend on rent or mortgage).
- What plans/initiatives is UNH pursuing to encourage faculty, staff, and students to patronize downtown Durham businesses?

Curtis Register:

- Facilities upgrades/expansion plans for FD and Macgregor.
- Would like advocacy support or at least touch points for brainstorming when Concord works to create laws that overreach their authority (housing, freedom of speech, education, etc.)
- Collaboration between town parks and recreation and the University's facilities departments for potentially using UNH spaces to host activities and events as well as mutually beneficial fund-raising opportunities.
- Future of Durham train depot and ideas on how to safeguard and expand access.
- What concerns or consternations does UNH have with the town and how can we help alleviate?

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action required. Discuss questions and decide on a master list to forward to President Chilton.