

Approved

Town of New Boston Selectmen's Meeting March 14, 2022

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| <u>PRESENT:</u> | Donna Mombourquette | Selectman |
| | David Litwinovich | Selectman |
| | Jennifer Brown | Selectman |
| | Paul Branscombe | Town Administrator |

Assistant to the Town Administrator Laura Bernard, Karen Scott, Kaleb Jacob, Bill McFadden, Mary Koon, Transfer Station Manager Gerry Cornett, Bruce McKim, Susan Carr, Joyce Arivella, Mitch and Jackie Larochelle and one or more additional members of the public were present for all or part of the meeting.

Introduction of new Town Administrator, Paul Branscombe

Assistant to the Town Administrator Laura Bernard introduced the new Town Administrator Paul Branscombe who started working in town today. The town is very excited to have him. He was welcomed by all.

A. CALL TO ORDER: A regular meeting of the Board of Selectmen was called to order by Paul Branscombe at 6:00PM beginning with the Pledge of Allegiance.

Nomination of Select Board Officers: Paul called for nominations of Board officers. David nominated Donna as Chair of the Board. Jennifer seconded the motion. The motion carried. 3-0 Donna then took over the meeting. Jennifer nominated David as Vice-Chair of the Board. Donna seconded the motion. The motion carried. 3-0 David nominated Jennifer as Board Secretary of the Board. Donna seconded the motion. The motion carried. 3-0

Consent Agenda- The Selectmen reviewed the March 14, 2022 consent agenda. David moved to approve the March 14, 2022 consent agenda items including payroll, Accounts Payable and other signed official documents. Jennifer seconded the motion. All were in favor. 3-0

Donna read aloud a Commendation for Chief James Brace from the Select Board who would like to express appreciation for Chief James Brace and the significant contribution he has made to the Town of New Boston over his years of service and especially during the last 8 months while serving as Interim Town Administrator.

There was never a doubt that Chief Brace would serve in this role with distinction while handling two very different and demanding jobs. His tenure as our Interim Town Administrator included leading the effort for department budget development. Our highly skilled New Boston Department managers, as usual, created budgets that were trimmed yet met the needs of the departments and our citizens. Leadership of this effort is no small task while also performing a full-time public safety role with its own challenges.

He also acted on issues, without delay, to get things done at town hall...many items that had gone unaddressed for a very long time. His work with the Select Board continues to be outstanding - always prepared and able to answer questions. And this was evident at the Deliberative Session with his excellent presentation of the budget.

Needless to say, Chief, the Select Board and many you have worked closely with over the last 8 months and throughout your tenure in New Boston are grateful for your service and dedication to making this a great place to live and work.

Thank you, Chief, to you and your family for all that you continue to do for the Town of New Boston.

B. PUBLIC FORUM:

Donna noted the Board always welcomes public comment and feedback. There are two opportunities for public comment, one at the beginning of the meeting and then another at the end. Comments will be confined to issues on the agenda only. The Board asks that if you have issues or questions that need to be brought before the Board, please fill out a request to appear form and send it to the Town Administrator beforehand. Upon review of the request, you may be placed on a future meeting agenda. Anyone with a comment is asked to comment as per the rules for live meetings and state your name and address for the record and that comments be respectful and thoughtful. The Board will listen, but public comment is typically not back and forth.

Susan Carr of Leach Hill Road was present and welcomed the new Town Administrator on behalf of the community.

Joyce Arivella of Riverside Drive was present and asked about the new Public Comment rules as New Boston is a community of neighbors who have a right to speak at meetings on any issue that may not be on the agenda in a more relaxed atmosphere than the NH State House.

Bill McFadden of Dane Road was present and asked if the Board has discussed a radon problem at the Space Force Tracking Station that could affect the town. The Board asked him to contact the Town Administrator about this.

Karen Scott of Dane Road was present and asked the Town Administrator if there was a public meeting to change the rules of the Select Board meetings. He noted this is his first day of employment with the town and he is not currently aware if such a meeting occurred. Karen noted the rules are a public meeting is required to make such a change. Paul noted the Board Chair can change how the Select Board operates its meetings at any time. Karen noted she has information from the NH Municipal Association that public comments cannot be restricted and if there is a major change to Select Board meeting operation the public has a right to ask questions about it. Karen asked why the change was made. The Board thanked her for her comment.

Kaleb Jacob of Fraser Drive was present and noted he believes the change was made since the last Select Board meeting and the policy has not been adopted yet. He referred to the draft policy attached to tonight's Select Board agenda on the website that may be adopted tonight. He

is concerned it may limit free speech in this small town where communication has always been open with all Chairs. Sometimes it was heated but all were friends after. He prefers open dialog and feels it is important for the town. This is a limit of free speech that may be imposed on the town by the Chair, and it bothers him. He highlighted and discussed some sections of the draft policy as he is aware the NH Municipal Association has said some of the items cannot be restricted. He asked the Select Board to reconsider enacting the draft policy as he is concerned it will change the town. He also noted a Select Board candidate used the town seal in political advertising and is concerned that indicated town endorsement of that candidacy and that candidate won the election. Kaleb noted the candidate is probably a nice person but is in a business where she should know better than to use the town seal like that. The town website indicates the Select Board does not endorse candidates or fund candidate advertising but did not say if permission was given. He noted any mailers he prepares will now have the town seal on them as any town seal policy seems to be ineffective. The Board thanked him for his comment.

Mitch Larochelle of Bedford, NH asked if David respects the public's first amendment rights without any restrictions. The Board noted it is not answering questions.

Karen noted she has a question and Kaleb noted she can ask the question according to the document from NH Municipal Association.

Karen asked if an issue on Thornton Road discussed at the February 23, 2022 Select Board meeting has been resolved as she met with the resident, saw the damage and noted she would bring it up at tonight's meeting. The Board thanked her for her comment.

Seeing no further Public Comments, Donna closed the first session of public comment.

C. APPOINTMENTS:

None.

D. NEW BUSINESS:

Item 1: Introduction of new member of the Select Board: Donna introduced, welcomed and congratulated Jennifer as the new Selectman.

Item 2: Discussion of Select Board Meeting Policy: Donna noted this draft policy has been vetted by town counsel. Tonight's meeting is not a Public Hearing, it is a business meeting. The draft policy is presented to bring the Select Board meeting procedures back to the intent of the meetings. It will be implemented if it is approved. There are no guarantees of being heard, free speech is not being limited, anyone will still have opportunities to bring an issue before the Board according to a structure. There is caselaw regarding standards for rude, personal and slanderous remarks. The purpose of the policy is to define Select Board meetings as a business meeting of the Select Board open to the public. Public comments are proposed to be restricted to items on the agenda as recommended by municipal standards. The New Boston Board previously proceeded that way but has moved away from that procedure. The Board has a lot of work to do and bringing the meeting back to its intent of a business meeting of the Board and Town Administrator is what is intended to occur going forward. The Board reviewed the draft

policy. It will be incorporated into the Select Board procedures that the Board has been considering. The Board will continue reviewing the document for final disposition at the March 21, 2022 Board meeting.

Karen Scott of Dane Road was present and interrupted asking if the public can comment at this time. The Board noted she was out of order at this time.

E. OLD BUSINESS:

Item 3: Approval of: Non-Public Minutes of February 2, 2022, and Public and Non-Public Minutes of February 23, 2022: The Select Board reviewed the Non-Public minutes of February 2, 2022. David moved the Non-Public minutes of February 2, 2022 be accepted as presented. Donna seconded the motion. The motion carried. 2-0-1 The Select Board reviewed the Public minutes of February 23, 2022. David moved the Public minutes of February 23, 2022 be accepted as amended. Donna seconded the motion. The motion carried. 2-0-1 The Select Board reviewed the Non-Public minutes of February 23, 2022. David moved the Non-Public minutes of February 23, 2022 be accepted as presented. Donna seconded the motion. The motion carried. 2-0-1

F. OTHER BUSINESS:

Item 4: Town Administrators Report: Paul reported the following:

- He has been working for the town for only a few hours.
- He brought forward a list of policies and procedures communities should have in place. A Department Managers meeting is scheduled for tomorrow morning where they will be reviewed and subsequently addressed and enacted.
- He plans mandatory monthly Department Manager meetings on Tuesdays after the second Select Board meeting of the month along with monthly mandatory staff meetings for the town hall staff and Administrative Assistants from other town departments the same day to share information from Select Board meetings.
- Monthly Department reports will be shared with all Department Managers, distributed to the Board via e-mail and posted on the website for community information.

Item 5: Selectmen's Reports:

David reported the Planning Board will meet March 22, 2022 to review an outdoor event venue, a minor lot line adjustment and subdivision.

Donna reported ex-officio committee assignments will be considered at the March 23, 2022 Board meeting.

G. PUBLIC FORUM:

Donna noted the Board always welcomes public comment and feedback. There are two opportunities for public comment, one at the beginning of the meeting and then another at the end. Comments will be confined to issues on the agenda only. The Board asks that if you have issues or questions that need to be brought before the Board, please fill out a request to appear

form and send it to the Town Administrator beforehand. Upon review of the request, you may be placed on a future meeting agenda. Anyone with a comment is asked to comment as per the rules for live meetings and state your name and address for the record and that comments be respectful and thoughtful. The Board will listen, but public comment is typically not back and forth.

Kaleb Jacob of Fraser Drive was present and sincerely thanked the Select Board for allowing him to attend meetings for the past five years and speak his mind, bring things to their attention and have open dialogue. It means more to him than winning as his right to freedom of speech is the most important right in his opinion. He has been able to say things the Board doesn't like and hear things he doesn't like but all remained friends. He is sorry to see those days end. He is pleased to have a Town Administrator and was able to serve on the Town Administrator search committee noting a Town Administrator is needed and he wishes Paul luck in his new position.

Karen Scott of Dane Road was present and reviewed the draft Select Board meeting policy noting it restricts Public Comment to items only on the agenda and asked for clarification. She noted she prefers Public Comment be used to address things such as reporting on the unofficial Broadband Committee/group as Bill McFadden often does. She also referred to the NH Municipal Association guidance regarding political campaign attire worn in meetings and comments during meetings. She noted David has participated in many town meetings and is thin skinned for considering the draft Select Board meeting policy. The Board noted she is out of order. Karen noted the draft policy is meant to protect the new Select Board member. Karen noted she prefers being a resident as opposed to a Select Board member and noted the new member is not aware of what is involved in the position as she has never attended a meeting.

Seeing no further Public Comment, Donna closed the second session.

Item 6: Possible Request for Non-Public-Per RSA 91-A:3, II(b)(c): None.

ADJOURNMENT: Jennifer moved to adjourn the meeting at 6:31PM. David seconded the motion. All were in favor. 3-0

Prepared by Maralyn Segien

**Next Scheduled Meeting: Town Hall Conference Room March 21, 2022 (6:00 PM)
7 Meetinghouse Hill Road- New Boston, NH 03070
Phone: (603) 487-2500-www.newbostonnh.gov
Handicap Access available**