

TOWN OF NEW BOSTON
New Boston Select Board Meeting

May 22, 2023

APPROVED

1 In attendance at New Boston Town Hall: Donna Mombourquette, and William McFadden
2 Staff present: Paul Branscombe, Town Administrator
3

4 **A. CALL TO ORDER:** A meeting of the Board of Selectmen was called to order by Chair
5 Donna Mombourquette at 6:00PM beginning with the Pledge of Allegiance.
6

7 **Requests for Non-Public**, per RSA 91-A:3, II(l)
8

9 **Donna Mombourquette moved to enter into Non-Public per RSA 91-A: 3, II(l) at**
10 **6:01pm. Seconded by Bill McFadden.**

11 **Roll Call Vote: Donna Mombourquette – aye; and William McFadden – aye; 2-0-0**
12 **motion carried unanimously.**
13

14 *Kary Jencks entered the meeting at 7:02pm.*
15

16 **Donna Mombourquette moved to exit Non-Public session at 6:33pm. Seconded by**
17 **William McFadden.**

18 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
19 **McFadden – aye; 3-0-0 motion carried unanimously.**
20

21 *The Board resumed its regular session at 6:35pm.*
22

23 Donna Mombourquette explained that during Non-Public Session, the Board discussed naming
24 Zane Merva as a Planning Board alternate member. The Board received Town Counsel's opinion
25 on this matter.
26

27 Kary Jencks stated that she would like to discuss a streamlined process for applications to Town
28 boards/committees. The Board would like to make sure that each board/committee provides a
29 recommendation for applicants that come before the Select Board. She suggested a documented
30 system to make sure there is oversight for this process.
31

32 **Donna Mombourquette moved to allow Zane Merva to be sworn in as an alternate**
33 **to the Planning Board, as he was previously appointed by the Select Board.**

34 **Seconded by Kary Jencks.**

35 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
36 **McFadden – aye; 3-0-0 motion carried unanimously.**
37

38 Peter Hogan noted that the Select Board directly ignored the recommendation of the Planning
39 Board on this matter.
40

41 Donna Mombourquette stated that the Board also discussed Facebook posts made by Ashley
42 McQuade during Non-Public Session. Those posts were not related to Planning Board or Town
43 business matters. Per RSA 673:13, removal of a board member is only allowed if that board
44 member displays inefficiency, neglect of duty, or malfeasance in office. This matter does not

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45 meet those requirements. Ashley McQuade is not required to recuse herself from matters unless
46 meeting the definitions in RSA 673:13. Donna Mombourquette stated that free speech is allowed
47 by any board/committee member in Town. It is not for the Select Board to decide this matter
48 based on a police report filed by a citizen. That is a civil matter over which the Board has no
49 jurisdiction.

50
51 Bill McFadden stated that this was an unfortunate situation. Legally, the Board has no
52 jurisdiction to make a remediation on this item or remove the board member in question. He does
53 find what occurred to be inappropriate.

54
55 Kary Jencks reminded all Town officials, and board/committee members that there are basic
56 rules of conduct when interacting with townspeople. She suggested that people stay off
57 Facebook. The current Select Board is committed to running meetings with decorum and would
58 like the public to feel comfortable coming before it, knowing that it will also be met with
59 decorum.

60
61 Donna Mombourquette stated that the Board does not regulate free speech in the public sector.
62 She noted that social media can conflate private opinions with public standing. This matter put
63 the Board in a difficult position.

64
65 **Donna Mombourquette moved that all issues related to the Facebook posts and**
66 **related matters in this case, are civil matters and shall not be further discussed, nor**
67 **public comment be allowed after this evening, due to the lack of Select Board**
68 **jurisdiction over these matters. This is done with legal representation from two**
69 **municipal attorneys. Seconded by William McFadden.**

70 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
71 **McFadden – aye; 3-0-0 motion carried unanimously.**

72
73 **Consent Agenda-** The Selectmen reviewed the May 22, 2023 consent agenda.

74
75 **Kary Jencks moved to approve the May 22, 2023 consent agenda items including**
76 **payroll, Accounts Payable and other signed official documents. Seconded by**
77 **William McFadden.**

78 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
79 **McFadden – aye; 3-0-0 motion carried unanimously.**

80
81 **1st PUBLIC COMMENT:**

82 Donna Mombourquette stated that this is a business meeting of the New Boston Select Board.
83 Comments and feedback are welcomed but because this is not a public forum or public hearing,
84 comments will be on the agenda items only. Dialogue or answering of questions will not be part
85 of the meeting. Should you have an issue you wish to discuss, please communicate with the
86 Town Administrator who may resolve your issue or potentially schedule your appearance before
87 the Board at a later date. The Board appreciates your understanding and cooperation.

88

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89 Jody Vaillancourt, 52 Fieldstone Drive, asked if members of the public were going to be allowed
90 to speak to agenda items #2 and #3 this evening. Donna Mombourquette stated that she agreed
91 with the opinions of two other Board members that agenda items #2 and #3 should be allowed to
92 proceed, as Town Administrator Branscombe allowed them to be placed onto the agenda.

93
94 Jody Vaillancourt read a brief statement: “Pertaining to agenda items #2 and #3, I am aware of
95 specifics regarding these agenda items based on my attendance at the Planning Board meeting on
96 May 9, 2023. Information that was discussed in a previous Non-Public Session of the Select
97 Board was shared publicly at this meeting. Regarding item #2, I find the complaint about social
98 media posts interesting, as the constituent who is complaining has been guilty of offensive and
99 unprofessional posts herself while she was seated on the Select Board. I truly hope the Board
100 does not seriously consider any action regarding this complaint. It would set a dangerous
101 precedent, as past seated and currently seated officials post on social media as well. I am also
102 interested to see if current Board member McFadden recuses himself from this discussion, as the
103 agenda item has been brought forward by his spouse. Regarding item #3, again I am aware of
104 specific information discussed during Non-Public Session of the Select Board as a result of the
105 Chair of the Planning Board’s comments during Public Session at their May 9, 2023 meeting.
106 While I certainly cannot speak to his intent, I can definitely understand how Ashley [McQuade]
107 would have felt incredibly uncomfortable by Kaleb [Jacob] being seen leaving the meeting and
108 then reappearing to open the door for Ashley [McQuade] over an hour later and confronting her
109 at the conclusion of the April 11, 2023 Planning Board meeting. The fact that Karen [Scott]
110 publicly stated to Peter [Hogan], the Chair, when asked what the reason for her attendance and
111 her reply was ‘because someone has been talking shit about the NBTA’ speaks to intent, IMHO
112 [in my humble opinion.] Intimidation of an appointed board member should not be tolerated in
113 New Boston ever. The fact that the Chair of the Planning Board publicly admonished this woman
114 for reaching out to the Police Chief when she felt uncomfortable or unsafe is inexcusable. I am
115 hopeful that the Select Board is considering the legal ramifications of the discussion had by the
116 Planning Board at the May 9, 2023 meeting. In addition to discussing nonpublic information in
117 public session, the Chair of the Board made several slanderous remarks toward another member
118 of the Board. The last comment I would like to make is to point out what I consider to be an
119 inappropriate participation in this same discussion by a Town employee. The Town employee is
120 advisory only to the Board. The fact that this employee was allowed to publicly chastise a
121 member of the Board for her social media posts is inappropriate and unacceptable. I respectfully
122 request that the Select Board address these actions that took place at the Planning Board meeting
123 and ensure that this type of behavior never happens again at a New Boston committee or board
124 meeting. Thank you for your time.”

125
126 Amy Jacob, 22 Fraser Drive, and spouse of Kaleb Jacob, stated that, unless someone has
127 watched the surveillance video and read the complete police report, that person should reserve
128 their opinions. She has done both. She has also been married to Kaleb Jacob for over 20 years
129 and has never found him to be aggressive or confrontational. To date, the person who filed the
130 police report could have watched the surveillance video and read the entire report but has yet to
131 apologize to Kaleb Jacob for the incorrect and inaccurate statements she has made. Amy Jacob
132 stated that she is concerned for the Board, as there were statements made in email by Donna

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133 Mombourquette which alluded to Kaleb Jacob already being guilty, before having seen the full
134 police report. These emails never mentioned “alleged behavior,” or “behavior that rose to a
135 concern,” instead they spoke of guilt and the removal of Kaleb Jacob from all future public
136 meetings. While she understands protecting women, what was alleged to occur in this case, did
137 not happen. The fact that there was no curiosity expressed or interest to protect the innocent is
138 disturbing. This could be seen as a civil liberties violation. Even after reading the police report
139 from Chief Brace, Kaleb Jacob was still being named as a guilty party, even though the events in
140 question did not happen.

141
142 Kary Jencks stated that she believes it is important that the surveillance cameras have been
143 installed in Town Hall. She suggested a policy and procedure be put in place, if a situation arises,
144 in order to review this video prior to complaints being filed. As the surveillance video tool is
145 now available, it should be utilized in the proper manner to ensure viewing prior to complaints
146 being filed.

147
148 Donna Mombourquette stated that the Board would not litigate this issue in this meeting. She
149 cautioned people that this is not a hearing board and that there are differing viewpoints and
150 opinions on this matter.

151
152 Meghan Tewksbury, 17 Wright Drive, stated that she was disappointed at a previous Planning
153 Board meeting, regarding the behavior of that Board. She often sees Facebook posts related to
154 concerning matters, where the public response is to contact the Police Department. It is the
155 Police Department's job to ensure public safety. At the Planning Board meeting that evening, the
156 opposite message was given by the Chair. He instead suggested removing the board member in
157 question because she decided to engage the Police Department because she felt unsafe. One
158 cannot decide for someone else if that person feels unsafe. The Planning Board Chair publicly
159 sent a message to the community that evening that was inappropriate. The Chair is entitled to
160 believe what he wants about the incident but the public stance he put forth could be seen as
161 dangerous to women. Planned confrontations after meetings are not acceptable or normal. The
162 Select Board could show that this sort of backlash will not be tolerated.

163
164 Ashley McQuade, Chestnut Hill Road, stated that she filed the police report based on
165 conversations with Town Administrator Branscombe the day after the Planning Board meeting.
166 She did not see the surveillance footage or receive the full police report until last week. That is
167 irrelevant. She felt as she did at the time and decided to file a police report. To say what occurred
168 did not happen is inaccurate.

169
170 Peter Hogan stated that he has no large issues with the banter that Ashley McQuade has with
171 others on Facebook. His issue is the fact that the police report she submitted is exaggerated. He
172 noted that he and Kary Jencks were in Town Hall when the alleged incident took place, and no
173 one came to them with any concerns that evening. If someone had come to him, he would have
174 been able to control the issue. He stated that he was appalled by Kary Jencks’ suggestion that
175 surveillance footage should be reviewed to make sure that it matches the police report. Kary
176 Jencks stated that that is not what she was trying to imply. Peter Hogan stated that he read

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177 Ashley McQuade's police report and then read the report from Chief Brace, which shows an
178 issue with Ashley McQuade's credibility. He stated that he is sure he can work out work this out
179 with Ashley McQuade on the Planning Board. The Planning Board deals with differing opinions
180 all the time but now there is an issue with the Planning Board's credibility through this matter.

181
182 Peter Hogan stated that he does not understand why the Select Board appointed Zane Merva as
183 an alternate. The Planning Board made clear what its recommendation on this item was. The
184 process was only broken down through Donna Mombourquette. He stated that he felt the Select
185 Board was trying to design mayhem into this process. He stated that the Town boards are
186 supposed to work together. When Donna Mombourquette rolls her eyes and sighs during
187 meetings, it sends a message to everyone. This is disrespectful and condescending. He noted that
188 confrontation can be common during meetings and, if the Select Board took more public
189 comment during its meetings, maybe it would notice this. Members of the public are not allowed
190 to have dissenting opinions during Select Board meetings. The Planning Board hears all sides
191 and rules based on ordinances. He suggested that the Select Board try to do the same.

192
193 Joyce Arivella, 37 Riverside Drive, stated that she was incredulous that people say others should
194 be kind and not intimidate people, but once those same people are behind the keyboards they rip
195 people apart. These people continue to attack others but somehow that's okay.

196
197 Karen Hogan, 39 Scobie Road, asked Kary Jencks about her comments regarding reviewing the
198 surveillance video before filing police reports. Kary Jencks stated that she is at the heart of this
199 incident and other items leading up to this incident. This initially came about as an attack on her
200 and her family. She originally made a comment on Facebook and then left the discussion. She
201 did not ask anyone to defend her and did not know that mayhem would ensue. She cannot have
202 an opinion on the incident that occurred after the Planning Board meeting. Her previous
203 statement was that surveillance video is a new tool for Town Hall and she would like the Policy
204 Committee to consider how best to utilize the video properly. She wants everyone to feel safe
205 and heard if an uncomfortable situation occurs.

206
207 Karen Hogan stated that she has a good deal of experience in policies and utilizing surveillance
208 video. To utilize this video based on opinions and thoughts will undermine the Board and the
209 trust with the public. An investigation cannot be conducted without a formal complaint. Kary
210 Jencks stated that this is why she believes the procedure should be reviewed by the Policy
211 Committee. Karen Hogan agreed.

212
213 Peter Hogan stated that Chief Brace's report and the surveillance video were available to be used
214 to determine if the charge against Kaleb Jacob was correct. These showed that the original police
215 report was exaggerated and false. Donna Mombourquette stated that the Board was not going to
216 litigate the police report during this meeting.

217
218 Peter Hogan asked Kary Jencks if she believed that the number of cars at Town Hall during the
219 Planning Board meeting in question were here for a potential altercation with her. Kary Jencks
220 stated that she cannot comment on that question. Peter Hogan stated that, as the Planning Board

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221 Chair/a person, he categorically denies the assertion that he does not feel women's safety is
222 important. He would defend women, and any woman on the Planning Board can testify to that.
223 No one should ever feel the need to intimidate anyone, including Ashley McQuade. Donna
224 Mombourquette stated that the Board would be closing the public comment session at this time.
225 Peter Hogan stated that the Board needs to thoroughly vet this subject. He noted that the Board is
226 trying to bury this situation but that it will not go away. Donna Mombourquette suggested that
227 Peter Hogan feel free to talk to Town Counsel about this issue. Peter Hogan asked who puts
228 forward the questions to Town Counsel. Donna Mombourquette stated that Peter Hogan can
229 reach out to Town Counsel directly. The Board will continue to use the guidance of municipal
230 attorneys regarding its role in this matter.

231
232 Seeing no additional public comment, Donna Mombourquette closed the first session.

233
234 **APPOINTMENTS**

235 **Item 1:** New Boston Baseball Program Representatives-Request for Acceptance of Donation

236
237 Ryan Tewksbury, Baseball Director for the Town, stated that some of the coaches have allocated
238 funding for an electronic scoreboard to be placed at the Old Coach fields. This is proposed to be
239 donated to the Town, contingent on the Recreation Department approving a plan to install it.

240
241 In response to a question from Kary Jencks, Ryan Tewksbury stated that the scoreboard is not
242 solar. The labor and materials to install the scoreboard are also to be donated.

243
244 Bill McFadden noted that, once installed, the cost to the Town will be through the electric bill
245 and replacing bulbs in the future.

246
247 **Donna Mombourquette moved to accept the electronic scoreboard donation, with**
248 **the understanding that all labor and materials have been donated; the cost of**
249 **power, light replacements, etc., will be covered by the Recreation Commission**
250 **and/or coaches via donation. Seconded by Bill McFadden.**

251 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
252 **McFadden – aye; 3-0-0 motion carried unanimously.**

253
254 **Item 2:** Karen Scott-Discussion of Planning Board member Ashley McQuade’s Facebook posts
255 against members of the public and the New Boston Taxpayers Association

256
257 Karen Scott, 110 Dane Rd and Secretary of the NBTA, read a statement and included additional
258 comments:

259 “So, the purpose of my request to appear before the Board is to discuss in person and to get
260 further information regarding my initial complaint dated April 23rd against Ashley McQuade and
261 her inappropriate social media behavior towards the NBTA and its members, other citizens of
262 New Boston, and a variety of other people posting on New Boston related sites. As I have stated
263 in my previous correspondence, I am a firm believer in the United States Constitutional Rights,
264 including a person’s freedom of speech. However, when you are a Town employee, whether that

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265 be paid or volunteer position, there has been, and I would presume still is, a certain level of
266 professional standards and decorum that should be followed.

267

268 I filed my complaint on April 23rd. I received a response from Paul [Branscombe] on April 25th
269 that the Board had reviewed my complaint and found nothing in the social media posts that have
270 anything to do with the business of the Planning Board. When I asked for copies of the written
271 Select Board responses, I only received Donna's [Mombourquette] response and most of the
272 email reply was redacted. While I understand that Jenn Brown had terminated her seat at this
273 time, I received no reply from Kary [Jencks]. So, as I stated in my email dated April 30th, I have
274 a few questions that have yet to be answered.

275

276 1) Donna's [Mombourquette] initial email reply was heavily redacted. If this was a reply to my
277 initial complaint, how would this paragraph not be relevant to the question at hand? Is it common
278 practice for Select Board members to address multiple topics under the guise of one email and
279 within the same paragraphs?"

280

281 Donna Mombourquette stated that this is the case. Karen Scott stated that she does not believe
282 this for a second. Donna Mombourquette stated that she can go to court then.

283

284 "2) I am curious why there was no response from Kary [Jencks], and I question as to whether
285 this is common practice that only the Chair answers citizen complaints? As I stated, I trust that
286 each Select Board member gets equal notice and input into citizen concerns. So, has it been or is
287 it currently common practice for only the Chair to address citizen concerns?"

288

289 Donna Mombourquette noted that the Chair was answering an email from Town Administrator
290 Branscombe, not from Karen Scott directly. Karen Scott stated that Donna Mombourquette
291 should either make herself available to answer questions or not. Donna Mombourquette stated
292 that Karen Scott can always come before the Board to ask the questions. Kary Jencks stated that
293 she has no recollection of the email in question. This may be because she was new on the Board
294 at that time. Karen Scott stated that the emails have been going on since April 23rd and she has
295 yet to receive a response. Donna Mombourquette stated that the response was just publicly
296 stated, and a motion was taken to that effect.

297

298 Karen Scott continued with her statement, "Now, relative to Ashley McQuade and her social
299 media posts and now at this point, her public conversations, I take issue with many things she
300 has stated, and continues to state. I presume you were handed copies of the social media posts
301 against a variety of people on various social media forums."

302

303 Karen Scott asked if the Board has read these items. Donna Mombourquette stated that she has
304 but has also read them within the context surrounding them. Kary Jencks and Bill McFadden
305 stated that they read the copies. Karen Scott stated that we may have all had our moments on
306 social media that have not represented our finest moments, however, not as a Town
307 representative. Karen Scott stated that, contrary to Megan Tewksbury's comment, before and

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308 after she was a Select Board member she may have posted these types of comments on social
309 media, but not while she was a member.

310

311 Karen Scott continued with her statement, “At the last Planning Board meeting, there was a
312 conversation outlining concerns for Ashley’s [McQuade] behavior and how it effects the
313 integrity and confidence that people will perceive of the New Boston Planning Board, how they
314 might be affected when coming before the Board with their own plans that need approval.
315 Ashley’s [McQuade] comment to this conversation was ‘I understand that, but I also specifically
316 don’t name call or say and do anything unprofessional. I am definitely direct. Um...but I also
317 don’t do anything because I am well aware of it being printed and shown. So, anything I posted I
318 stand by and that’s why I don’t think that it’s unprofessional to call out the things that have been
319 happening in Town.’ I would say that calling a pastor, who recently moved to Town, a bigot, for
320 not following her open religious philosophies, name calling and truly unprofessional. I might be
321 old school, but I wouldn’t be alive today had I ever said anything like that about a person of the
322 cloth – my father would have hung me out to dry. Ashley’s [McQuade] Easter post stated...
323 ‘Several NBTA members who are upset their candidate lost have begun openly harassing our
324 newly elected Select Board member and plan to attend meetings demanding her resignation.’
325 This is a bold-faced lie. Not one NBTA board member made a post asking for this type of
326 behavior to occur. Yet, because she presented it as fact, the world was upside down and went on
327 the attack of a group of people who had nothing to do with this.

328

329 Donna Mombourquette asked if Matthew Crow is the administration of the NBTA Facebook
330 page. Karen Scott stated that he is not. Ashley McQuade stated that he is. Donna Mombourquette
331 stated that it shows up that way and she has seen this herself. Karen Scott stated that the NBTA
332 Facebook page has nothing to do with the NBTA, as anyone can join it. Many people are on the
333 page that are not members of the NBTA. Matt Crow has nothing to do with the actual NBTA.
334 Ashley McQuade stated that he has been an admin and moderator since April 2018. Karen Scott
335 asked if the Board is taking public comment at this time.

336

337 Karen Scott continued with her statement, “She furthered the inaccurate post by posting after the
338 meeting... ‘Not a voice was raised because Kary [Jencks] had a room full of supporters and a
339 police officer was present. Apparently, they only like to raise their voices when they’re the only
340 ones in the room.’ Seriously, perhaps Ashley [McQuade] should actually attend the variety of
341 Town meetings that the NBTA members are part of or attend on a regular basis. We have been
342 very vocal for years. Up until the current Chair stopped all dialogue at the Selectmen’s meetings,
343 we had a very good rapport with many of the previous Select Board members and could come in
344 and have adult conversations, ask questions, and provide insight to many topics. I have never
345 known any NBTA member to shy away from conversation just because members with opposite
346 viewpoints were present. I would agree with her that it’s ok to speak of factual things happening,
347 not ‘I thinks,’ not ‘hearsay,’ not ‘my opinions,’ not ‘assumptions without facts and
348 confirmations.’ That is inappropriate.

349

350 Lastly, if Ashley McQuade wants to accuse people of harassment, she should probably only
351 speak of factual content and not make up her own assumptions without facts. At the May 9th

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352 Planning Board meeting, my initial complaint as well as an incident that occurred between her
353 and Kaleb Jacob at the April 11th Planning Board meeting, was discussed. Ashley [McQuade]
354 specifically makes the following statement: ‘Kaleb [Jacob] & Karen [Scott] attended the meeting
355 and when asked what their business was, Karen [Scott] said “That I (Ashley) was talking shit
356 about the NBTA, so obviously that is an intimidation tactic to show up. They left 20 minutes into
357 the meeting & when I was walking out by myself, Kaleb [Jacob] was waiting in the lobby and
358 demanded to know who I was and why I was posting about him on-line, so I filed a police
359 report.’ Further into the conversation, Ashley [McQuade] is having a debate with board members
360 as to what I stated as to why I was there. She states, ‘It proves intent as to why they were here.’ I
361 do not remember the exact wording as to what Kaleb [Jacob] stated as to why he was there.
362 However, I do know that I stated, ‘I was there because someone from the board was talking shit
363 about the NBTA, I didn’t know who she was and wanted to see who it is.’ Peter [Hogan] asked,
364 ‘From this board?’ and I stated ‘Yes.’ He asked who, I stated ‘Ashley McQuade.’ I had no idea
365 who she was, and this is why I went to the meeting. Second, Kaleb [Jacob] left about 28 minutes
366 after the meeting started at around 7:01pm. (She states later that Kaleb [Jacob] left around
367 6:20pm – the meeting didn’t start until 18:35 or so.) I left the meeting at 7:15pm as I had another
368 meeting to attend. Facts matter – on all fronts. What I find interesting about Ashley’s [McQuade]
369 comments is that she kept trying to outline what I said. However, Ashley [McQuade] was not in
370 the room and the conversation was not caught on the live stream. So, how does she even know
371 what was said? Her comments are pure speculation. Obviously, someone who was at the meeting
372 told her I was asked why I was there, but they too, got it wrong. Bottom line – First and
373 foremost, I would request that Ashley McQuade stop spreading lies, false accusations, and
374 inaccurate depictions of things that she continuously reports to be truths. Secondly, as a member
375 of two different town committees/boards (Planning Board and Economic Development
376 Committee) I would respectfully request her removal from said boards as a direct violation of the
377 Town’s policies governing town employee behavior.’

378
379 Karen Scott stated that it is disgraceful that the Board already made up its mind regarding
380 removal of Ashley McQuade from the boards/committees without first hearing from the public,
381 as there were already two agenda items on this topic. There is a Town policy that should be
382 followed.

383
384 Karen Scott stated that, regarding reviewing the surveillance video before filing the police report,
385 the surveillance video was reviewed, and nothing was seen in it. The video did not match the
386 statement made by Ashley McQuade. Is it possible that Ashley McQuade felt intimidated?
387 Possibly, but this was not seen on the video. Karen Scott stated that she finds it concerning that
388 the Board appears to be protecting one person whose police report does not match the
389 surveillance video. Chief Brace’s report details what did happen that evening, yet the Board
390 continues to allow Kaleb Jacob to look like the aggressor in this situation. That is inappropriate.
391 She is okay if the Select Board decides to keep Ashley McQuade on the Planning Board, if that
392 must legally be done, but it is up to the Board to own up to the inaccurate representation that has
393 been made of a fellow citizen.
394

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395 Donna Mombourquette stated that the Board will act as one Board and there will be no public
396 comments made regarding this case. Karen Scott asked how the Board can allow Ashley
397 McQuade's implications to stand. Donna Mombourquette stated that this is a civil matter. Karen
398 Scott suggested that the surveillance video be posted. Donna Mombourquette stated that the
399 surveillance video will not be posted and may not even exist at this point.

400
401 Peter Hogan requested that the statements made by Donna Mombourquette and Ashley McQuade
402 regarding the NBTA Facebook moderator be placed into the record. Donna Mombourquette
403 noted that Ashley McQuade was out of order in making those comments. Peter Hogan stated that
404 Donna Mombourquette agreed with Ashley McQuade's comments.

405
406 **Item 3: Kaleb Jacob-Complaint Regarding Planning Board Member**

407
408 Donna Mombourquette Stated that she understands Mr. Jacob's concern regarding his reputation,
409 but she believes the Police Department has determined that there was no wrongdoing on his part.

410
411 Kaleb Jacob read the following statement: "I am here before the Select Board to inquire about
412 the status of my complaint against a Planning Board member dated April 28. I am passing out an
413 information packet with this statement, my original complaint, a public Facebook post, and an e-
414 mail to the Town Administrator describing our interaction on the evening of April 11, after the
415 Planning Board meeting at Town Hall. I am also providing additional information which you
416 may or may not already know. The Planning Board member in question made additional
417 statements at the May 9th Planning Board meeting where she used my name several times in this
418 public session. Here are some of the statements that came from that meeting from the Town Hall
419 Streams video. 'Kaleb was waiting in the lobby and demanding to know who I was and why I
420 was posting about him online, so I filed a police report.' 'It was completely ridiculous behavior
421 from an adult man. He has seen me at countless Town events and never approached me and he
422 knew exactly who I was because he showed up at the meeting.' I have never interacted with her
423 at other Town meetings. the Planning Board meeting on April 11 was the first time I was sure
424 who she was as she was identified by a name badge on her desk. Prior to that, I was never certain
425 who she was. She stated that I was standing 'very close to me in the foyer.' Even the police
426 report made note that I was relaxed, leaning against the counter, legs crossed, hands on my hips.
427 She chose her distance from me. She said that I was there to intimidate her based on a statement
428 that another member of the audience made, something she was not present to even hear. I did not
429 arrive, nor leave with the person she referenced. Over the years, I have attended several Planning
430 Board meetings without business before the Board. 'It's clearly intimidation and harassment so I
431 filed the police report. He had no business before the Board.' The last part of this statement is
432 significant, and you will hear it later in my statement. At the end of the interaction, she said, 'he
433 said do you know who I am, she said yes, and he said good and walked to his car.' This is not
434 accurate. The witness even heard me ask if she knew who I was when I first made contact with
435 her in the hallway and heard my parting words as being, 'I just wanted to make the introduction.'
436 One of the most difficult parts of this meeting is when one of the female Planning Board member
437 said that she was uncomfortable with it being okay with someone 'getting up in someone's face
438 and, as a woman, she would be very intimidated if someone came into her space and started

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439 talking in an aggressive way.’ The Board Chair said to this person, ‘you just painted the picture
440 of a person up in her face based on her word would make you uncomfortable and would be
441 horribly wrong.’ He continues, ‘so she is painting the person who allegedly confronted her as
442 intimidating and whatnot and the Chief sees it as not true.’ It is hard to take to have a public
443 official be able to make a false accusation then see how uncomfortable a third party is about the
444 object of the issue, being me. The last thing I want is to make anyone feel uncomfortable. It was
445 never my intent, and to experience how orchestrated this was, which includes the Chair of the
446 Select Board, has convinced me that this was a hit job on me personally and that facts do not
447 matter. Perceptions will always cause a third person to wonder what really happened. Being free
448 to say such things about another person keeps the odor on the target.

449
450 The video of the May 9th Planning Board meeting is here, scroll to 50 minutes 17 seconds in. *QR*
451 *code included*. Based on the video footage of the May 9th Planning Board meeting and the
452 footage in the lobby compared to her statements and especially the police report she filed against
453 me, I believe that any reasonable person would suspect her testimony as being untruthful. For
454 that reason, and what became an unfounded personal attack against me for whatever reason she
455 may have had, I object to her representing New Boston's citizens at any level and I ask that she
456 be relieved of her position on the Planning Board, the Economic Development Committee, and
457 any other boards or committees that she may be on. Allowing her to make such false statements
458 about another resident projects an image that the Town of New Boston condones the
459 mistreatment of its citizens because of their opinions or affiliations.

460
461 I am also asking why the chair of the Select Board attempted to file this complaint with the
462 Police Department against me on her behalf on the evening of April 11, before she knew what
463 actually happened. It is apparent that when this did not have traction after the review of the
464 video, nearly 48 hours later, she filed this complaint on her own. Why did the Chair pass
465 judgment so early on when only one side of the story was given to her, apparently directly from
466 the alleged victim herself immediately after I left Town Office that night? Where did the
467 principle of innocent until proven guilty go in this Town? Probably right out the window with the
468 First Amendment, freedom of speech, which has evaporated from these Select Board meetings.
469 The Select Board Chair went as far as suggesting that I was bullying a public official and
470 classified this as a physical confrontation. The Chair suggested that I not be allowed to attend
471 public meetings if I have no official business before the board. Where did this mentality come
472 from? She even suggested that I may also subject another Select Board member with ‘physical
473 confrontation.’ I have had words put in my mouth before, but for a person in a position of such
474 power in this Town to speculate like this is reckless and all of us should be concerned about it.
475 What kind of a picture does it paint when a second Town official, being the Chair of the Select
476 Board, uses language like this to describe me well before the video was viewed?

477
478 From the police report: the alleged victim reported Kaleb only stayed at the meeting a short time,
479 leaving about 30 minutes in, and then waited in the foyer nearly 1 1/2 hours until she was alone
480 and leaving. The video and the police report completely refutes this statement. She said that
481 besides, one witness, we were alone in the foyer. There were as many as five in that small area
482 and according to the video no one looked in our direction, which suggests that there were no

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483 raised voices or commotion. It simply did not occur. A witness situated 6' from both her and I
484 said that the last thing I said to her was, 'I just wanted to introduce myself.' The following
485 statements are from a police report and communication from the Select Board Chair, but these
486 were omitted in a 91-a Right To Know Request that I submitted to the Town.

487 *I am sorry to have called you... didn't realize you would be sleeping. I know you and I have had*
488 *conversations about FB posts by members of committees, elected officials. The unfortunate*
489 *'suppression of free speech' as one assumes these positions is understood and Ashley and I have*
490 *conversed about this. I have revealed reviewed multiple posts and do not see anything that would*
491 *rise to the level of Mr. Jacob's reaction. It was inappropriate. Is this what people should expect*
492 *from him if he has an issue with their FB dialogue that he initiates? Will Kary be met with the*
493 *same physical confrontation which was 'threatened' to occur at the previous SB meeting?*
494

495 At 1220 hours, she added: *It may be helpful if he meets with both the chief and you, Paul, so the*
496 *information re: his behavior is completely understood. No official should be going to a meeting*
497 *anticipating that he/she will be confronted. The reason for the cameras are to help deter this*
498 *behavior yet Mr. Jacob engaged in this behavior anyway. He should be warned or not allowed to*
499 *attend meetings for the near future. He can observe them, write to you or anyone else and not be*
500 *present. Sitting in the room with no business before a committee, commission or board is not*
501 *required. If he has specific business before these entities of course he should be allowed to*
502 *participate. Consequences for such behavior is warranted in my opinion. Bullying of public*
503 *officials must be curtailed.*
504

505 Omitting such information on an official 91-a request is a violation of law. Barring a citizen from
506 a public meeting just because they have no official business in such meeting. Think about that.
507

508 The photo below shows a still shot of my interaction with the alleged victim. The QR code is a
509 link to the entire video *QR code included*. In conclusion, I am asking the Select Board to review
510 the material provided so you have a full understanding of what actually occurred on the evening
511 of April 11. This was an attempt to clear the air with someone that had been very publicly vocal
512 against me. As I have done many times, I have been able to find common ground with people
513 that I don't agree with. Not doing that in my opinion fosters more discontent, which sadly I have
514 seen in this town firsthand. I have also made friends out of people I disagree with and come to a
515 mutual respect and understanding with some others. That is no secret about me in this
516 community. This exercise, or incident, has really given me a wakeup call. It is no longer okay to
517 reach out to people that disagree with you. Whatever fog has covered our country over the last
518 several years has arrived in New Boston and it is not healthy.
519

520 Donna Mombourquette stated that she is not sure why her comments to Town Administrator
521 Branscombe are underlined. At that time, she was responding to a call from someone who was
522 very upset and had not yet seen the surveillance video. She has learned she cannot offer a written
523 opinion on this matter. She apologized to Kaleb Jacob if she said anything out of line. She was
524 speaking about an incident as it was characterized to her from a very upset person. What was
525 written was how she felt in that moment. She never suggested that the individual file a police
526 report, though other people did.

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527

528 Kaleb Jacob read a social media post against himself made by Ashley McQuade. He explained
529 that the reason he was at the meeting after he originally left was because he had to jump his
530 wife's car. He stated that he is okay with decorum on the Board and members not offering an
531 opinion, but the surveillance video raises a question. He believes this was a hit job on him.
532 Donna Mombourquette stated that there is no sound on the video. Kaleb Jacob stated that
533 someone standing 6' away did not hear anything between himself and the person who filed the
534 police report. He has learned his lesson and he will not try to work out his differences with
535 people anymore. There are always three sides to each story period to jump to judgment on either
536 side can cause pain. He stated that he apologized for any pain he has caused Kary Jencks. Donna
537 Mombourquette apologized to Kaleb Jacob for any disparaging remarks she may have made
538 about him in public. She stated that he has always offered great perspectives on issues. This is an
539 unfortunate situation and can only be resolved between himself and the other individual.

540

541 Bill McFadden noted that the Board has no legal standing to take action on this matter. He stated
542 that he believes the issue to be disrespectful and not right. He suggested that all board,
543 committee, staff, volunteers of the town be better.

544

545 **Item 4:** Chief Fraitzl, Chief Plourde and Asst Chief Dubreuil: 2024 Fire Station Planning and
546 Yukon Disposal

547

548 Chief Fraitzl stated that the intention is to dispose of the existing Yukon using municibid.com.

549

550 **Donna Mombourquette moved to approve of the disposal of the Yukon by the Fire**
551 **Department. Seconded by Bill McFadden.**

552

553 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
554 **McFadden – aye; 3-0-0 motion carried unanimously.**

554

555 Chief Fraitzl stated that the Fire Department would like to move forward with another attempt at
556 a new Fire station. The Department would like to see a group formed to review options for this.
557 Donna Mombourquette explained that the Select Board got involved because the Fire Station is a
558 Town asset. For the Fire Wards to take the lead on this item without significant Select Board
559 involvement would be strange. Having a group co-led by members of the Department, Select
560 Board, and community members is a good idea. Bill McFadden volunteered to be the
561 representative from the Select Board.

562

563 **New Business**

564 **Item 5:** Health Insurance Cost Sharing Proposal

565

566 Jennifer Allocca noted that HealthTrust, the Town's medical and dental provider, is proposing to
567 increase its rates. The Board reviewed these rates.

568

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569 Bill McFadden stated that he believes these are significant increases. He asked if the Town saw a
570 lot of claims last year. Town Administrator Branscombe stated that there were several that
571 contributed to this.

572

573 Bill McFadden asked if the Town shopped around for an insurance provider. Town
574 Administrator Branscombe stated that there are only three potential providers, SchoolCare
575 Interlocal Trust, and HealthTrust. The Town could also go into the brokerage market for
576 insurance. He stated that it would not be wise for the Town to consider moving to a different
577 insurance provider during this default budget. Bill McFadden asked if the Town went out to bid
578 for this item with the three providers. Jennifer Allocca stated that the Town previously moved
579 from SchoolCare to HealthTrust. The Town did not bid this item out as it was previously with
580 SchoolCare.

581

582 Kary Jencks asked Chief Brace for his feedback on this item. Chief Brace explained that he was
583 part of the committee in 2014. When the Town switched from SchoolCare it established caps that
584 the Town would pay for employee plans. The caps have not changed in five years. When the
585 Town switched to Health Trust two years ago, the Town lowered this line item by approximately
586 \$75,000. He noted that in FY22 the Town already added seven new employees into the insurance
587 plan, which was a huge cost driver.

588

589 **Bill McFadden moved to cap the change to \$25,000 for the Town's cost for employee**
590 **health care; anything above that number will come back to the Board for review.**

591

592 The Board agreed to table this item to later in the meeting when actual numbers would be
593 available.

594

595 **Old Business**

596 **Item 6:** Approval of Public Meeting Minutes of May 8, 2023

597

598 **Kary Jencks moved to approve the meeting minutes of May 8, 2023, as amended.**

599 **Seconded by Bill McFadden.**

600 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**

601 **McFadden – aye; 3-0-0 motion carried unanimously.**

602

603 **Item 7:** Ethics Policy - Third Read

604

605 The Board agreed to table items 7 & 8 in order to review the drafts and potentially combine them
606 into one document. Kary Jencks also suggested running these documents by the Personnel Policy
607 Committee.

608

609 **Item 8:** Conflict of Interest Policy - Third Read

610

611 This item was tabled along with item #7.

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612
613 **Item 9: Town Business With Elected Officials Policy - Second Read**

614
615 The Board reviewed the proposed draft policy.

616
617 Kary Jencks asked if this document has been run by the Personnel Policy Committee. Town
618 Administrator Branscombe explained that Town policies are being reviewed by himself and
619 Jennifer Allocca for the Board to then review and adopt/readopt. The Board is in the process of
620 reviewing and updating all of the Town policies. There is no formal committee to review these
621 policies. Bill McFadden agreed that it might not be a bad idea to have a second set of eyes
622 review these policies, prior to the Board's approval. Town Administrator Branscombe noted that
623 the draft documents are run by Town Counsel.

624
625 Kary Jencks asked if draft language for these policies could come from the NHMA. Donna
626 Mombourquette stated that the NHMA does not involve itself with town policy and procedure.
627 Kary Jencks stated that she would like to see the RSA information attached for these documents.

628
629 **Item 5: Health Insurance Cost Sharing Proposal**

630 *The Board retook this item at this time.*

631
632 Jennifer Allocca explained that the cap paid for by the Town is currently up to \$820 for a single-
633 person's plan, \$1,480 for a two-person plan, and \$1,880 for a family plan. The request is to
634 increase these cap amounts to \$958, \$1,728, and \$2,188 accordingly. This accounts for an
635 approximate 16% increase across the board.

636
637 **Bill McFadden moved that the Town of New Boston increase its contribution to**
638 **employees' medical plans, as presented, for an overall value in FY23 to be capped at**
639 **\$25,000; if this amount fluctuates over \$25,000, this will come back for the Board**
640 **for review. Seconded by Donna Mombourquette.**

641 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
642 **McFadden – aye; 3-0-0 motion carried unanimously.**

643
644 **Internal Reports**

645 **Item 10: Financial Reports Expenses and Revenues**

646
647 The Board reviewed the financial reports. Town Administrator Branscombe noted that he is
648 recommending moving the Health Agencies item out of the Welfare line. Jennifer Allocca stated
649 that she will send out the budgets and actuals to the Departments Heads.

650
651 **Item 11: Town Administrator Report**

652
653 Town Administrator Branscombe stated that the Safety Committee met on May 11th. Members of
654 the Committee conducted inspections of the Fire Station and the Wason Building. Chief Fraitzl
655 and David Woodbury were notified of the findings respectively.

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656

657 Town Administrator Branscombe stated that he, the Chair of the Economic Development
658 Committee, and Michael Palmer met with Guy Tino, owner of the Northeast Café, and invited
659 him and Louis Lanzillotti to the next Committee meeting on May 18th.

660

661 **Item 12: Health Officer Report**

662

663 Town Administrator Branscombe stated that the Spring Conference of the New Hampshire
664 Health Officer's Association will be held on Wednesday the 24th at the offices of DHHS in
665 Concord.

666

667 In response to a question from Bill McFadden, Town Administrator Branscombe stated that, in
668 the last year, he has seen an increase in welfare assistance applications from 5 to 17.

669

670 **Item 13: Department Manager Reports: Transfer Station, Recreation, Fire, Highway,
671 Community Development, Police, Building**

672

673 There was discussion regarding glass aggregate systems. Bill McFadden noted that this could be
674 a lucrative consideration for the Town.

675

676 **Item 14: Select Board Reports: Donna Mombourquette, Kary Jencks, William McFadden**

677

678 Bill McFadden stated that he attended the Solid Waste Advisory Committee Meeting on May 8th.
679 There was discussion regarding the Clear Trash Bag ordinance, which will take effect on May
680 30th. He noted that the Town will also likely want to reorganize Town Wide Clean Up Day next
681 year to make it more successful.

682

683 **2nd PUBLIC COMMENT:**

684

685 Donna Mombourquette stated that this is a business meeting of the New Boston Select Board.
686 Comments and feedback are welcomed but because this is not a public forum or public hearing,
687 comments will be on the agenda items only. Dialogue or answering of questions will not be part
688 of the meeting. Should you have an issue you wish to discuss, please communicate with the
689 Town Administrator who may resolve your issue or potentially schedule your appearance before
690 the Board at a later date. The Board appreciates your understanding and cooperation.

690

691 Peter Hogan stated that the Select Board is unable to represent the people who vote for its
692 members because no one in the public is able to understand anything about the meeting other
693 than the agenda item title. He asked why the public does not have access to the meeting packet
694 so that it can review items and comment on them during meetings. He asked if it is by design that
695 the Board does not allow comments or questions during topics in the meeting. He stated that he
696 believes this practice changed within the last couple of years because there used to be hyperlinks
697 on the Town's website for the public to access the meeting materials. It would be helpful to
698 allow members of the public to research and provide assistance on certain topics.

699

TOWN OF NEW BOSTON
New Boston Select Board Meeting

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700 Donna Mombourquette stated that she has not seen Peter Hogan at a Select Board meeting
701 recently, but the Board decided to run business meetings instead of holding public
702 hearings/forums, as not much business was getting done prior to that.

703
704 Peter Hogan stated that it is healthy to hear both sides of items, especially as the current Board
705 seems divided, with half of the Town voting for one of its members and half of the Town voting
706 for another one of its members. It would be good for the Board to get the pulse of the Town.

707
708 Donna Mombourquette explained that the Town has a full-time Town Administrator so that
709 items can be discussed directly with him. If a member of the public still wants to address
710 something with the Board, that person can do so by asking for an agenda item or during public
711 comment. Peter Hogan noted that it is difficult for the public to comment on agenda items as
712 there is no subject matter discussed by the Board during these items. The Board simply addresses
713 each item as a response.

714
715 Kary Jencks asked if the public has access to the meeting documents, such as the budget
716 discussed earlier. Town Administrator Branscombe stated that these will be placed on the
717 website tomorrow. Bill McFadden asked why the public has to wait to access these documents
718 until after the meeting. Donna Mombourquette stated that some documents can be accessed prior
719 to meetings, but items that require action by the Board are delayed.

720
721 Palani Tellez-Giron, 42 Dougherty Lane, noted that it was mentioned earlier that Matt Crow is
722 an administrator of the NBTA Facebook page, but he is not. He recently looked this information
723 up. He stated that he appreciates that the Board follows the Bill of Rights and the Constitution.
724 These were made to limit the government's power, and thus limit this Board. He stated that he
725 has been a resident in Town for two years and is heartbroken by the divisiveness he sees. He
726 suggested that people not engage in social media, as it will rarely change someone else's mind.
727 Regarding RSA 641:4 False Reports to Law Enforcement, he would recommend any public
728 official and/or citizen refrain from this. He would like to help bring the Town together and for
729 the unhelpful banter to stop.

730
731 Susan Carr, 101 Leach Hill Road, stated that she agrees with Kary Jencks' suggestion to use the
732 surveillance video as a complimentary tool to the reporting system.

733
734 Ashley McQuade, 216 Chestnut Hill Road, stated that in Mr. Jacob's comment to the police, he
735 explained that he knew who she was because she was identified by Peter Hogan during a special
736 Planning Board meeting. Thus, he did know who she was prior to the Planning Board meeting in
737 question. When she filed the police report, she acknowledged the presence of the surveillance
738 video. She reported on how she was feeling at the time and may have amended this later. She
739 feels her report is being picked apart.

740
741 Palani Tellez-Giron stated that, as a board member of the NBTA, he would never condone
742 violence or aggressive behavior from the group. He stated that he knows Kaleb Jacob personally
743 and does not believe Mr. Jacob planned anything to do with violence.

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744
745 Donna Mombourquette stated that this is the last time the Board will speak of this issue. This is a
746 civil matter moving forward. She thanked Ashley McQuade for sitting through this meeting and
747 noted that it was likely very painful for her to do so. She stated that no one can get inside
748 someone else's head and people should be respectful of all sides.

749
750 Karen Scott stated that Ashley McQuade mentioned filing her police report and stating that she
751 had not seen the surveillance video at that time. She stated that filing a police report accusing
752 someone of something should have evidence. While Ashley McQuade may have felt intimidated,
753 there is a lack of details within the police report and the facts shown in the video make it
754 difficult to believe the report. She noted that Donna Mombourquette apologized to Ashley
755 McQuade but had no words for Kaleb Jacob. Donna Mombourquette corrected Karen Scott that
756 she, in fact, apologized earlier in the meeting to Kaleb Jacob.

757
758 Seeing no additional public comment, Donna Mombourquette closed the second session.

759
760 **Request for Non-Public per RSA 91-A: 3, II(a) and (b)**

761
762 **Donna Mombourquette moved to enter into Non-Public per RSA 91-A: 3, II(a) and**
763 **(b) at 9:25pm. Seconded by Kary Jencks.**

764 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
765 **McFadden – aye; 3-0-0 motion carried unanimously.**

766
767 **Donna Mombourquette moved to exit Non-Public session at 9:45pm. Seconded by**
768 **Kary Jencks.**

769 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
770 **McFadden – aye; 3-0-0 motion carried unanimously.**

771
772 **Kary Jencks moved to appoint Michael Nelson as a full-time Police Officer for the**
773 **New Boston Police Department at a date to be determined by the Chief. Seconded**
774 **by Donna Mombourquette.**

775 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
776 **McFadden – aye; 3-0-0 motion carried unanimously.**

777
778 **Donna Mombourquette moved to seal the Non-Public meeting minutes for each of**
779 **the Non-Public sessions held during this meeting for five years. Seconded by Bill**
780 **McFadden.**

781 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
782 **McFadden – aye; 3-0-0 motion carried unanimously.**

783
784 Bill McFadden asked that a brief description of future non-public sessions be added to agendas.
785 Town Administrator Branscombe stated that he would add the name of presenters, when
786 possible, to the agenda notice items for non-public sessions.

787

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788 **ADJOURNMENT**

789

790 **Bill McFadden moved to adjourn the meeting at 9:49pm. Seconded by Donna**
791 **Mombourquette.**

792 **Roll Call Vote: Kary Jencks – aye; Donna Mombourquette – aye; and William**
793 **McFadden – aye; 3-0-0 motion carried unanimously.**

794

795 Respectfully submitted,

796 Kristan Patenaude

797

798

Next Scheduled Meeting: June 12, 2023