

# Adopted

## Town of New Boston Selectmen's Meeting June 3, 2019

<b><u>PRESENT:</u></b>	Joe Constance	Selectman
	Karen Scott	Selectman
	Christine Quirk	Selectman
	Peter Flynn	Town Administrator

Transfer Station Manager Gerry Cornett, Police Chief James Brace, David Litwinovich, Bill McFadden and Kaleb Jacob of the public were present for all or part of the meeting.

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

**Consent Agenda-**The Selectmen signed the consent agenda. Christine moved to approve the consent agenda including appointment confirmation of George St. John to the Road Committee and provisional appointment of Lee Jenkins for groundskeeping, and to authorize the Town Administrator to approve various Eversource/Asplundh cuts over the summer along power lines on town property right of ways. Karen seconded the motion. All were in favor. 3-0

Discussion follow-up:

The form noted above is the same form residents get from Eversource/Asplundh. Police Chief James Brace was present and noted there is a troublesome tree on Police Department property. Peter will meet with him tomorrow to discuss.

### **B. PUBLIC FORUM:**

Joe 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. Anyone with a comment is asked to state their 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. If there is any need for extended dialogue a request to be added to the agenda and supporting documentation should be sent to Peter beforehand.

Kaleb Jacob of Fraser Drive was present and asked when the Road Committee would be meeting. The Selectmen noted the next scheduled meeting is June 11 at 4:30 and Road Committee meetings are expected to occur once a month on the second or fourth Tuesday during the daytime. Kaleb also submitted three 91As to the Town Administrator to give to the Fire Chief. Kaleb noted he has contacted the Fire Department to answer the simple questions contained in the 91As with no response and the necessity to ask for this information in this manner is unreasonable.

Seeing no further Public Comment, Joe closed the first session of public comment.

### **C. APPOINTMENTS:**

#### **Item 1: Police Chief James Brace-**

**Continued Discussion-Proposed Noise Ordinance:** Police Chief James Brace was present to follow up on the proposed Noise Ordinance.

Joe and Karen noted they each plan to meet with him to discuss before the next Selectmen's meeting.

Jim explained the ordinance in detail. He noted the violations/instances listed in the ordinance except for the refrigerator truck (included as foreseeable) are based on complaints the Police Department has received in the past (based on real complaints). This ordinance is a direct response to the citizens of New Boston whose complaints are well based and well founded. This is not more government, it is less government, giving more local control, as the current procedure is to make a criminal arrest, charge them and take the person to court. The ordinance states tickets would not be issued until after a warning has been given to the person causing noise and they refuse to cease. Most instances will be driven by citizen complaints, not initiated by Police. An ordinance ticket of \$100 would be payable at the Town Clerk's office. Education is always the first course of action. If the ordinance is passed and the noise persists the Police would take further action with a citation. The problem would be solved, and the complainant would feel the town responded to their complaint. Examples of appropriate (celebrating the memory of a deceased resident at 6:00 PM after notifying neighbors, canon at midnight celebrating New Year's Eve) and inappropriate (celebrating a sports team win at 10:00 PM/midnight on a weeknight) situations were discussed.

Karen asked who would determine which situation is appropriate. Jim said the residents who call the Police Department determine if it is appropriate. Karen suggested the ordinance be presented to voters as a Warrant Article.

Jim noted social media is focusing on canons and fourth of July noise. If the ordinance is not passed he will refer residents to the Selectmen. Residents currently call the Police, and this is being brought to the Selectmen to advocate for them. The reasonableness standard cannot be defined. Noise happens, and this is an appropriate way to manage it.

Joe noted it is up to residents and is reasonable to be a good neighbor and if an ordinance is passed it will include rational limits and be fair.

**Request for Officer Permanent Appointment:** In April the Selectmen moved to authorize Police Department staff adjustments to classify two regular part time officer positions to one regular full-time position and to reclassify one regular part time position to one part time per diem position. Jim now requests moving Tyler Ruggiero from regular part time patrolman to regular full-time patrolman effective June 30, 2019. He has served for one year as a patrolman and while he was appointed part time he performs the same duties as a full-time officer, performing well and demonstrating willingness and ability to serve the citizens of New Boston without complaints filed against him or disciplinary actions and is deserving of this promotion.

Christine moved to appoint Tyler Ruggiero to regular full-time patrolman as of June 30, 2019. Karen seconded the motion. All were in favor. 3-0

#### **D. OLD BUSINESS:**

**Item 2: Approval of Public and Non-Public Minutes of May 20, 2019:** The Selectmen reviewed the Public minutes of May 20, 2019. Karen moved the Public minutes of May 20, 2019 be accepted as presented. Christine seconded the motion. All were in favor. 3-0.

#### **E. NEW BUSINESS:**

**Item 3: General Discussion Re: Line Striping Bids:** Bids were opened at 4:00 PM today. One bidder was interested who has been used in the past with good result. The bid is within budget. This was advertised two to three weeks ago in The Messenger and an internet Listserve page for Highway Departments and directly to potential bidders. Joe requested more details about the audience of these advertisements and details of the work needed. He noted drivers have contacted him about difficulty finding the median on Bedford Road, especially at night, and this project is important. The Union Leader is not typically used in the first instance for advertising as it is expensive. Joe asked for more clarification and more details as discussed. There was a consensus that this issue will should be revisited in the consent agenda at the next Selectmen's meeting as companies are very busy and the work on the striping needs to be scheduled.

#### **F. OTHER BUSINESS:**

##### **Item 4: Town Administrators Report:**

- Expenditure and Revenue Reports (First Report from 2019 Budget): The only concern is the Highway Department due to material purchases during mud season.
- Update on Record Retention Committee: The detail of the next agenda is included in the Selectmen's information. The next meeting is June 19. The Selectmen commended Committee Chairman Cathy Strausbaugh and member Laura Bernard for their work on the Committee.

**Item 5: Selectmen's Reports:** None.

#### **G. PUBLIC FORUM:**

Transfer Station Manager Gerry Cornett was present and reported NH the Beautiful approved the grant request for NBCS recycling truck upfit. The final acceptance is waiting on School Board approval. The Selectmen thanked Gerry for his work obtaining the truck.

Kaleb Jacob of Fraser Drive was present and asked if Bedford Road had been topcoated. The Selectmen noted it may have been delayed due to the default budget or has worn off. This will be confirmed.

**Item 8: Possible Non-Public Session per RSA 91-A:3, II(a)(c)-Personnel:** Christine moved to enter Non-Public at session at 6:35PM per RSA 91-A: II(a) at 6:26PM. Karen seconded the

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motion. All were in favor, 3-0. Poll Vote: Joe-yes, Christine-yes, and Karen-yes. Board then entered non-public session.

**Move to exit Non-Public Session:** Joe made a motion to exit Non-Public Session at 6:51PM Karen seconded the motion. All were in favor. 3-0.

Christine moved to seal the minutes for five years. Karen seconded the motion. All were in favor. 3-0

Christine moved to hire Justin Moran as a Part Time Per Diem Police Officer for the New Boston Police Department. Karen Seconded and the Board voted 3-0 in favor.

ADJOURNMENT: Joe made a motion to adjourn the meeting at 6:54PM. With Christine seconding the motion. All were in favor. 3-0

*Prepared by Maralyn Segien*

**Next Scheduled Meeting: Town Hall Conference Room on June 17, 2019 (6:00 PM)  
7 Meetinghouse Hill Road- New Boston, NH 03070  
Phone: (603) 487-5504-[www.newboston.gov](http://www.newboston.gov)**