

# Adopted

## Town of New Boston Selectmen's Meeting November 2, 2020

**PRESENT:**

Joe Constance	Selectman
Karen Scott	Selectman via audio/conference call
David Litwinovich	Selectman via audio/conference call
Peter Flynn	Town Administrator

Police Chief James Brace, Fire Chief Dan MacDonald, Transfer Station Manager Gerry Cornett, and other members of the public were present for all or part of the meeting via town hall streams/audio/conference call.

This meeting is being conducted remotely consistent with Governor's Executive Order 2020-04 insuring compliance with RSA 91-A considering COVID-19 circumstances. Due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that the public can access this live meeting by viewing it via a "live-stream" link on the New Boston NH website. Please note that all votes that are taken during this meeting shall be done by roll call vote.

**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 reviewed the consent agenda including approval of appointment of Mark Debowski to the New Boston Road Committee and appointment of Matt Beaulieu to the New Boston Finance Committee. Approval was deferred pending Karen's review of the items.

### **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 call 603-848-5387 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. If there is any need for extended dialogue a request to be added to the agenda and supporting documentation should be sent to the Town Administrator beforehand. Seeing none, Joe closed the first session of public comment.

### **C. APPOINTMENTS:**

**Item 1: Fire Chief Dan MacDonald-Grant Acceptance Request:** Fire Chief Dan MacDonald was present to meet with the Selectmen to request grant acceptance of a \$9,000 grant that would

be used to update the Hazard Mitigation Plan in 2021 as required every five years. The grant would allow this to occur at no cost to the town. Hubbard Consulting has been preparing this and the Emergency Operations Plan several times in the past and is planned to be contracted again. It is a matching grant with the town portion covered by volunteer hours as every town department is consulted including the school district. The process involves 4-6 meetings that are expected to be held over Zoom during the pandemic. Dan sent an e-mail saying the expected cost is \$7,000 with the match covered by the federal government this year. Having these plans is very worthwhile as they qualify the town for grants that have saved over \$400,000 in property taxes. Joe moved to authorize Fire Chief Dan MacDonald to accept the NH Department of Safety Division of Homeland Security and Emergency Management grant in the amount of \$9,000 on behalf of the Town of New Boston to update the New Boston Hazard Mitigation Plan. Karen seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0 The Selectmen thanked Dan for his efforts.

**Item 2: Gerry Cornett Transfer Station Superintendent-Request for Staffing Budget Change:** Transfer Station Manager Gerry Cornett was present to meet with the Selectmen to update them on facility staffing. He noted that for several years the Selectmen have been considering the possibility of a third full time position at the facility to ensure adequate coverage. For the past four years the facility has been unable to be fully staffed due to employees departing or injuries. Coverage of licensed employees at the scale and for facility operation has been difficult requiring Gerry to work overtime, covering more hours than he should, working 45-50 per week. The overtime budget line is spent in 2020 and this pattern is noted in previous years as well. this could have been prevented with a third full time licensed position at the facility. Michael Depetrillo was recently hired and has been very helpful. Facility operations and employee coverage decreased when the pandemic began but the facility is now back to normal operating standards. A thirty-two-hour position has been posted for a while with no applications received. Gerry explained this in a memorandum to the Selectmen. Joe noted he is familiar with the issue of staffing v. volume of material from his time on the Solid Waste Advisory Committee. The impact of benefits to the budget was discussed. This impact would depend on the benefits the candidate selects according to the employee policy. There is money available to cover a full-time position for the rest of 2020 as the facility has been short staffed since March. There are currently two full time positions, one thirty-two-hour position and multiple eight-hour positions. Some positions are open and have been difficult to fill. If this request is approved, there will be three employees working Tuesday, four on Thursday (one for machinery and facility maintenance projects), two full time and three eight-hour employees on Saturdays. If this request is approved, 500 per diem hours (\$7,600) would be removed from the 2021 requested budget to partially fund the request. Part time hours would be rearranged with a twenty-four-hour position changing to twenty hours and the rest of the part time positions would be eight hours for coverage to prevent going into overtime. If approved, the requested 2021 Transfer Station budget will need to be revised by adding approximately \$5,000-25,000 for benefits although the requested position is already in the requested 2021 budget from March to December. Karen asked if there is enough money available in the budget to add this position from now until March 2021. Gerry said there is as the facility cut staff in March 2020 due to the pandemic and has been running shortstaffed since. Peter noted the town is currently operating under the default budget until December 31, 2020. January-March 2021 will be covered by the 2021 budget as approved in March 2021. He said this request will be worked into the 2021 Transfer Station budget request and someone hired in 2020 could be covered in the 2021 budget

without a problem. Karen moved to approve the additional full-time position with the elimination of the part time position and the per diem hours. David seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0

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

**Item 3: Second Reading-Thru-Trucking Policy Revision:** Police Chief James Brace was present to meet with the Selectmen to discuss proposed Thru-Trucking Policy revisions sent to Peter Thursday as a result of discussion at the October 19 Selectmen's meeting. Joe moved to accept the Thru-Trucking Policy revisions as presented and include the recommendations in the original No-Thru Trucking ordinance and waive the third reading. Karen seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0

#### **Note: Policy is attached for the record.**

**Item 4: Approval of Public and Non-Public Minutes of October 19, 2020:** The Selectmen reviewed the Public minutes of October 19, 2020. Karen moved the Public minutes of October 19, 2020 be accepted as amended. David seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0 The Selectmen reviewed the Non-Public minutes of October 19, 2020. There were items to discuss under non-public and approval of the Non-Public minutes was deferred.

**Item 5: Gerry Cornett-Continued Discussion Re: Revolving Account Proposal For The Transfer Station:** Transfer Station Manager Gerry Cornett was present to meet with the Selectmen to continue discussion of a proposal for a Transfer Station revolving account, similar to the Fire Department Ambulance Revolving Account, that would be used to cover the costs of replacing Transfer Station equipment that are used for services not a tax based item. This would be presented for approval in a Warrant Article in March. Joe noted seed money would not be needed in the Warrant Article to begin this account. Gerry noted if voters approve the Warrant Article, the requested budget would remain as is to pay for the bills in 2021 and any fees collected in 2021 would be added to the revolving account. This is expected to decrease the 2022 Transfer Station budget request by approximately \$40,000-50,000. Gerry is working on the financial controls and will submit them to Peter to be ready for the auditors in spring 2021. The Warrant Article will be drafted for NH DRA review and approval before voting in March. The Warrant Article and explanation that will be published for voters will be reviewed several times before voting in March as required according to SB2. Karen moved to approve the insertion of the Transfer Station Revolving Account Warrant Article in the 2021 Warrant. David seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0

Gerry also noted a bid has been confirmed for the Mack truck at \$15,000 as it stands at auction. He requested to put the old backhoe on auction tomorrow morning. Joe moved to put the old backhoe up for auction. Karen seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0

## **E. NEW BUSINESS:**

**Item 6: Holiday and Selectmen's Meeting Schedule for 2021:** Peter noted the last holiday on December 31, 2021 looks like an extra holiday but in 2021 the 2022 New Year's Day holiday is observed on New Year's Eve. This will cause one less holiday in 2022. Once approved town employees will be notified and the schedule will be posted. The Selectmen approved.

## **F. OTHER BUSINESS:**

### **Item 7: Town Administrators Report:**

- Highway Superintendent Position: This was advertised in the Concord Monitor last week. No further applications have been received. The Selectmen will discuss this at their November 16 meeting.
- Continued Road Paving Plans: Peter and Interim Road Agent Allen Brown are preparing this. There is money set aside in the 2021 budget for road paving and the decision of which roads to pave is needed. Some may be done in 2020 if possible. In 2021 the Highway Block Grant is available along with a request for \$225,000 from the fund balance. Using these funds will prevent any effect on taxes due to paving.
- Updated Year to Date Expenses and Revenues: Provided. Peter reported the expenses are well within the default budget. Revenues are very good with an increase in building department and motor vehicle registration revenues, exceeding projections. As expected, the Transfer Station did not earn projected revenues due to the pandemic.
- NH DRA notified the total tax rate is \$23.80 for 2020 (\$5.13 town portion), down from \$25.05(\$5.48 town) in 2019. This is due to revenues, expenses and the budget determined at voting in March. Fund balance was not used in 2020. If fund balance was used, the balance would fall below the amount the NH DRA recommends. Peter requested authorization from the Selectmen to meet with Tax Collector Ann Charbonneau November 3 to process tax bills as soon as possible. Karen moved to authorize Peter to meet with Tax Collector Ann Charbonneau November 3 to process tax bills as soon as possible. David seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0
- Peter reported Finance Committee budget books are ready to be picked up in preparation for the Committee meetings beginning November 5.

### **Item 8: Selectmen's Reports:**

Joe reported election staff has asked the Selectmen to arrive at the polls at 6:30 AM November 3 to receive their assignments for that day. The Selectmen need to have a quorum present at the polls the entire time.

David reported the CIP Committee concluded its meetings and forwarded the CIP Schedule to the Planning Board for review at the November 10 meeting.

## **G. 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 November 2, 2020

end. Anyone with a comment is asked to approach the podium 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. If there is any need for extended dialogue a request to be added to the agenda and supporting documentation should be sent to the Town Administrator beforehand. Seeing none, Joe closed the second session of public comment.

**Item 9: Non-Public-Per RSA 91-A:3, II:** Joe moved to enter Non-Public session per RSA 91-A:3II at 6:36 PM. David seconded the motion. All were in favor. 3-0 Poll Vote: David-yes, Joe-yes and Karen-yes. The Board then entered non-public session.

**Move to exit Non-Public Session:** Joe moved to exit Non-Public Session at 6:37 PM. Karen seconded the motion. All were in favor. 3-0 Poll Vote: David-yes, Joe-yes and Karen-yes.

Joe moved to seal the Non-Public Minutes for five years. Karen seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All voted in favor 3-0

Karen moved the Non-Public minutes October 19, 2020 be accepted as amended. David seconded the motion. Poll Vote: Joe-yes, David-yes, and Karen-yes. All were in favor. 3-0

**ADJOURNMENT:** Karen moved to adjourn the meeting at 6:38 PM. David seconded the motion. All were in favor. 3-0 Poll Vote: David-yes, Joe-yes and Karen-yes.

*Prepared by Maralyn Segien*

**Next Scheduled Meeting: Town Hall Conference Room on November 16, 2020 (6:00 PM)  
7 Meetinghouse Hill Road- New Boston, NH 03070  
Phone: (603) 487-2500-[www.newbostonnh.gov](http://www.newbostonnh.gov)**

## **TOWN OF NEW BOSTON NO THRU TRUCKING ORDINANCE**

Approved - November 15, 1999

Revised- September 16, 2019

Adopted - November 2, 2020

- A) No Thru-Trucking shall be allowed on the following Public Ways:
1. Bedford Road – (effective 4/29/96) Except transport to and from roads/developments intersecting with Bedford Road, pursuant to the New Boston Town Ordinance.
  2. Saunders Hill Road from Bunker Hill to the Weare line – effective 11/29/99.
  3. Mountain Road in New Boston.
  4. Depot Street – effective 11/24/86 and 4/5/93.
- B) Thru-Trucking shall mean use of trucks of 1-½ ton capacity or more that make no pick-ups or deliveries while upon said public way on Bedford Road in New Boston.
- C) Exceptions:
1. Emergency Vehicles as defined in RSA 259:28.
  2. Commercial vehicles servicing New Boston properties on Chestnut Hill Road.
  3. Exemptions to this ordinance may be granted by the Road Agent under certain circumstances. A Special Permitting process is required for any requested exemption
  4. Special Permits shall be considered under the following conditions:

On a time-limited basis, companies may request to utilize Bedford Road for deliveries on, or to, an intersecting the roadway, as well as any roadway within two miles of any New Boston Town border. The Town (via the Road Agent, Police Chief, or Selectmen) may review instances where trucking from a New Boston business to an outside jurisdiction would be permissible.

Initial submission of the Special Permit Application will be to the Road Agent who will either approve or deny the request. If approved, the application will be forwarded to the Police Chief to approve or deny. Should either the Road Agent or Police Chief deny the requested use, the applicant would have the right of appeal directly to the Board of Selectmen.

In deciding to issue the permit, the Road Agent would be responsible for roadway impact and the Police Chief would be responsible for roadway safety impact.

If both parties approve the Special Permit application, the business will be notified they can proceed their operational request.

PERMITS will be issued for the duration of the project OR a period not to exceed six-months. Should a project exceed the six-month period, a new Special Application shall be required for any period following the initial request. The Special Permit will describe the following:

- a. Company Name
- b. Physical address of business
- c. Contact person for the job
- d. Phone and Email address
- e. Job start and end date
- f. Scope of work to be performed
- g. Hours of normal operation
- h. Days of operation

A processing fee will be charged to the applicant for the time and resources allocated to reviewing the permit.

Should the Town discover a violation of the Special Permit, it shall be immediately revoked, a cease and desist order issued, and the matter scheduled for a review in front of the Board of Selectmen who would issue a final determination to stay the revocation or place the permit back in active status.

#### **PERMIT APPLICATION ATTACHED**

#### **D) Signage:**

1. Posting of signage indicating the above ordinance shall be located at the intersections of Bedford Road and, (a) Chestnut Hill Road, (b) Christie Road, (c) Bog Brook Road, (d) Wilson Hill Road and (e) Molly Stark Lane.
2. An additional 'no thru trucking sign' shall be also be located at the intersection of River Road and Byam Road.

#### **E) Penalties:**

1. Whoever violates any provision of the Ordinance shall be fined the following:
  - a. First Offense \$100.00 penalty.
  - b. Second & Subsequent Offenses \$250.00 penalty.

#### **F) Revised Effective Date:**

1. This Ordinance replaces one originally passed 4/29/96, revised in November of 1999 and revision of 2019. The newly revised ordinance was adopted on November 2, 2020.