

Town of New Boston
Board of Selectmen
Minutes of October 23, 2000

A regular meeting of the Board of Selectmen was called to order by Gordon Carlstrom at 7:04 PM.

PRESENT: Gordon Carlstrom Chairman
Mark Anderson Selectman
David Delorey Selectman
Burton Reynolds Town Administrator

PUBLIC COMMENT: None

APPOINTMENT:

7:00 PM Greg Begin New Police Chief Swearing-In
Greg Begin was present to be sworn in as New Boston's new Police Chief by Town Clerk, Irene Baudreau. Also present were his wife, Beth and their two children. After reading the Police Code of Ethics, Greg's son removed his Captain's badge and his daughter pinned on the New Boston Police Chief badge.

MINUTES:

Dave made a motion to accept the minutes of the October 2nd meeting as corrected. Mark seconded the motion. All in favor.

OLD BUSINESS:

- 1) **Planning Issues** - Waldorf Estates issue will be covered under new business, item one. The Planning board is updating the regulations and there was a presentation on non-point- source pollution. The sub-committees are working on upcoming warrant articles.
- 2) **CIP Bottom Line** - CIP issues will be discussed at Thursday night's meeting. Kim DiPietro suggested that the committee adhere to scheduled meetings on November 1st and 8th and present to the Finance Committee on November 16th. CIP preliminary report is tentatively planned for November 13th, 2000. The Deliberative Session will be held the first week of February, 2001. March 13, 2001 will be the voting by ballot and January 29, 2000 is the last day to post the warrant and budget. Bond hearings will be held January 16, 2001. Petitioned warrant articles will be January 9, 2001.
- 3) **Ed Lee** - Contrary to a statement made by the chair of the Road Committee in the board's meeting of October 11, 2000, payment of \$8,000 for the relocation of Clark Hill Road has not yet been received. This was because the Town did not ask for payment as stipulated in Ed Lee's letter of agreement dated May 19, 1998. Burton will write a letter requesting the funds as promised. There will be a special meeting following the budget season to address issues with future road projects with Brian Dorwart.

NEW BUSINESS:

- 1) Assistance from Bill Drescher** - Burton spoke with Bill in regards to legal assistance in general, and more specifically with the Waldorf Estates issue. Bill agreed to serve as special counsel for the town in this matter and in other instances where the board may deem it necessary or desirable.

After a brief discussion regarding the Foistner et. Al. issues, Dave made the following comprehensive motion:

"I move that the board of selectmen retain legal counsel, Bill Drescher, to obtain a written and defendable legal response to the 78 page document dated October 19, 2000, received by the board of selectmen, from Joseph A. Foistner et al. of 3 Foxberry Drive, New Boston, New Hampshire, and also charge legal counsel with the three additional and separate tasks:

First: determination of official duties is to prepare a supportable action plan to thoroughly address any and all of the criminal and/or tortuous allegations made towards any and all, past and present, New Boston public officials detailed in the Foistner document, and make a reasonable effort to determine and classify which alleged acts were undertaken by persons in their official capacity in the service of the town of New Boston or undertaken as private citizens.

Second: in terms of absence of facts, prepare a detailed written opinion regarding any and all of Foistner's allegations made against public officials of the Town of New Boston that appear to be false, unsupportable, malicious, scurrilous, reckless, defamable, etc. If such are found, then offer a detailed opinion of actions the town can take to insure the good reputation of the Town of New Boston public officials that discharge their duties properly.

Third: to assist the Planning Board in it's efforts to obtain a detailed legal opinion regarding the legal status of Waldorf Estates and particularly include the issue raised by Foistner regarding the requirements of New Hampshire RSA 674:39, that is Foistner alleges that the new subdivision application and new plans for the Waldorf Estates project is not required.

Dave gave a detailed explanation of the above motion and subsequently the motion was seconded by Mark, and passed unanimously.

- 2) Town Clerk Hours** - A proposal has been made to change the hours on Mondays. Instead of being open from 8am-4pm and 6pm-8pm, the new hours would be 8am-6pm. The selectmen agreed that a compromise of 9am-7pm would be better for the citizens of the town.

- 3) **Placing Items on the Agenda** - A memo from Burton dated 10/13/00 addressed his view of the guidelines for selectmen placing items on the agenda. It was agreed the items should be placed on the agenda according to the board's written rules of procedure. If an item is placed on the agenda by a board member, the item should be identified as such. The agenda closes on the previous Thursday at noon prior to each regular Monday evening board meeting and written information for all agenda items should be provided to each board member by the close of business on Friday. Updates on previously discussed agenda items shall be in the selectmen's "read" folder to keep the board informed about active town issues that do not require additional discussion or action by the board.
- 4) **3rd Qtr. Budget Review** - There is \$1,200,000 dollars in the NHPID account. The town will be paying Goffstown one million dollars in November for school tuition. Tax bills will be sent out promptly in November. Bookkeeping will be over-expended by the end of the year. The welfare budget and different areas of personnel administration will cover the excess. The sprinkler system is scheduled to be installed in Town Hall in November 2000. The Highway Department has \$80,000 in Block Grant money, which will be carried over to year 2001 for the Meetinghouse Hill Road project. Paving expenses are assigned to previous grant money. Dave suggested upgrading Tucker Mill Road with the surplus money available instead of funding it with a warrant article.

OTHER:

- 1) Don Wheeler has a rock crusher at his gravel pit for a few days and came in to notify the town.
- 2) Burton sent a letter to the Forestry Committee to arrange a site walk on Friday, November 3, 2000. The purpose of the meeting is to discuss the winter sand option. The selectmen requested a 7:30am meeting.
- 3) Norton Anti-Virus has been installed on the computers in Town Hall.
- 4) Nic Strong hurt her back and will be out for a couple of days.
- 5) Alternates to Finance - Fred Hayes and Scott Belanger submitted applications as alternates to the finance committee. The committee needs as many as possible.
- 6) Brian Dorwart submitted an application for the Road Committee.

Mark made a motion to approve the applications of Fred Hayes and Scott Belanger as alternates to the Finance Committee and to approve the application of Brian Dorwart to the Road Committee. Dave seconded the motion, the motion passed unanimously.

- 7) The Salary Survey book that Burton has been waiting for has arrived.

PUBLIC COMMENT:

Willard Dodge commented that there has been an overabundance of non-public sessions over the past few years. He feels that the Foistner situation is public knowledge and that the public is entitled to hear the accusations.

Brent Armstrong supports Willard's opinion regarding non-public sessions. He feels the information should be discussed during open session unless a lawsuit has been filed against the town.

A motion was made by Gordon to enter non-public session at 8:45 PM, according to RSA 91-A: 3 Section I, Paragraph (a) for the purpose of employee evaluations. Mark seconded the motion. Board members were polled individually and voted in favor. The Board exited non-public session at 10:09 PM.

Mark made a motion to adjourn the meeting at 10:10 PM. Dave seconded the motion. All members were in favor.

Cindy Romano