

# Town of Boscawen

## Select Board

### Final Minutes

Thursday, February 4, 2021 at 6:00pm

In attendance: Ed Cherian, Lorrie Carey, Paul Dickey, Alan Hardy, Kellee Easler, Katie Phelps, Tama Tillman, Gary Tillman, Dean Hollins, Tim Kenney, Kevin Wyman, Kearsten O'Brien, Barbara Randall, Mark Varney, Kate Merrill, Nicole Hoyt, Sarah Gerlack, Haley Dilts-Brown, Charlie Niebling, Bonny John, and Ed Maloof.

This meeting is being held under a Declaration of Emergency by the Governor and by the Board. Under RSA 91-A: 2, III (b) the requirement of a physical quorum is waived and this meeting is being held entirely remotely, and is being recorded.

**Chairman Cherian motioned to approve the consent agenda and authorize Town Administrator Hardy to use the signature stamp on behalf of the Select Board. Seconded by Selectwoman Carey. All in favor.**

#### New Business:

Finance Director Katie Phelps presented the Select Board with a \$100 donation from Gail and Fred Egounis for the Boscawen Roundabout project for acceptance.

**Chairman Cherian motioned to accept the \$100 donation from Gail and Fred Egounis for the Boscawen Roundabout project. Seconded by Selectman Dickey. All in favor.**

Town Administrator Hardy presented the Select Board with the three petitioned Warrant Articles from the Boscawen Congregational Church, the Boscawen Historical Society, and Community Action Program. He said that Penacook Community Center decided to not burden the town with a request this year which was a conscious decision on their part and would like to come back next year depending on how the year is going. Town Administrator Hardy said that the Community Action Program Warrant Article 12 language would not have passed DRA review. Finance Director Phelps did fix the Warrant Article to correct the language in the construction of the article. The Board needs to approve the updated language of the article.

**Selectman Dickey motioned to accept the corrected language for the Community Action Program warrant article. Seconded by Chairman Cherian. All in favor.**

Town Administrator Hardy said that all the petitioned Warrant Articles had the correct number of signatures and the other two were sufficient enough to meet the requirement, they are automatically placed on the Warrant and then on the MS-636. However, because they are special Warrant Articles it does require for the Select Board and the Advisory Budget Committee to take a position to either recommend or not recommend the articles. Currently the MS-636 in its draft form shows that those articles are not recommended by the Select Board. Chairman Cherian said that they determined as a Board to not recommend the non-profit requests on the warrant and to have the organizations petition the Select Board, the Advisory Budget Committee and ultimately Town Meeting. To be consistent with that vote, he felt as though if they turned around and supported the specific warrant articles it would not be consistent. Selectman Dickey agreed with Chairman

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Cherian. Selectwoman Carey said she is very conflicted with the situation because she feels each petitioned warrant article brings good to the community in their own ways. Town Administrator Hardy said one thing they continue to see is the guidance from the NH Municipal Association regarding private use of public money. He said in order to answer Selectwoman Carey's concerns the applicant must meet the requirement of the statute which, says there needs to be proof of a "quid pro quo." There must be a presentation by the applicant that shows or convinces those who are making the decision that there is a public benefit that is equal to, or greater than the public funds donated. Selectwoman Carey agreed with Town Administrator Hardy the way the articles are written simply says "contributing to the operating cost" which is not specific enough to show the public purpose. Town Administrator Hardy said the organizations could be invited to the Public Hearing on February 11, 2021 to present at the hearing to make a presentation that meets the quid pro quo standard.

**Chairman Cherian motioned to not recommend Warrant Articles 10, 11, and 12. Seconded by Selectman Dickey. All in favor.**

**Chairman Cherian motioned to approve the Warrant as presented. Seconded by Selectman Dickey. All in favor.**

**Chairman Cherian motioned to approve the MS-636 as presented. Seconded by Selectman Dickey. All in favor.**

Town Administrator Hardy presented the letter from the Penacook Boscawen Water Precinct regarding the water donation to the Boscawen Roundabout Project.

**Selectwoman Carey motioned to accept the \$84.00 donation of water from the Penacook Boscawen Water Precinct for the Roundabout Project. Seconded by Selectman Dickey. All in favor.**

**Discussion to re-open the office to walk-in business:** Chairman Cherian said that he does not feel they are ready to re-open the office yet but would like to try and make a decision within a couple weeks to see the current trends of COVID-19. Emergency Management Director Mark Varney said whenever the Select Board decides to open they need to have the wording in the protocol to be based off of the current situation with COVID-19. Selectman Dickey suggested a tentative opening date by appointment only of May 3, 2021. Town Clerk Nicole Hoyt agreed with stating that the opening will be dependent upon the current COVID-19 situation. Planning and Community Development Director Easler said she would like to meet with people in the meeting room. Her department does not meet with large groups typically. She said she is fine with when the Select Board decides to open if it is appointment only. The Select Board agreed to set a target date of May 3, 2021 dependent on the current trends of COVID- 19.

**Department Head Updates:** Fire Chief Tim Kenney updated the Select Board that the draft from Harriman has come back and they will need some direction from the Select Board on how to

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proceed. Chairman Cherian asked for the draft to be sent to the Select Board Members.

EMD Varney said that the COVID-19 numbers appear to be going down. They are opening the Concord vaccination site seven days a week twelve hours a day effective Monday. They are looking to make three lanes as long as the COVID-19 shot is available.

Boscawen Public Library Director Bonny John said the library is doing well and they have had a lot of patrons picking up books off of the cart in the entryway of the building.

**Chairman Cherian made a motion to go into nonpublic RSA 91-A:3, II(c). Selectwoman Carey seconded. All in favor.**

**Chairman Cherian made a motion to come out of nonpublic RSA 91-A:3, II(c). Seconded by Selectwoman Carey. All in favor.**

**Chairman Cherian made a motion to go into nonpublic RSA 91-A:3, II(d). Selectwoman Carey seconded. All in favor.**

**Chairman Cherian made a motion to come out of nonpublic RSA 91-A:3, II(d). Seconded by Selectwoman Carey. All in favor.**

**Chairman Cherian made a motion to go into nonpublic RSA 91-A:3, II(a). Selectman Dickey seconded. All in favor.**

**Chairman Cherian made a motion to come out of nonpublic RSA 91-A:3, II(a). Seconded by Selectwoman Carey. All in favor.**

**Chairman Cherian made a motion to go into nonpublic RSA 91-A:3, II(L). Selectwoman Carey seconded. All in favor.**

**Chairman Cherian made a motion to come out of nonpublic RSA 91-A:3, II(L). Seconded by Selectwoman Carey. All in favor.**

**Selectman Dickey motioned to seal the nonpublic RSA 91-A:3,II(c). Seconded by Selectwoman Carey. All in favor.**

**Motion made by Selectman Dickey to adjourn. Seconded by Selectwoman Carey. All in favor.**

Respectfully submitted by Kearsten O'Brien