

**TOWN OF NEW DURHAM  
BOARD OF SELECTMEN  
January 3, 2023, 6:00PM  
New Durham Community Room, New Durham, NH 03855**

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*DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.*

**PRESENT**

Marc DeCoff, Select Board Chair  
Dorothy Veisel, Select Board Member  
Ron Uyeno, Select Board Member

**ALSO PRESENT**

Nicole Zoltko, Town Administrator  
Greg Anthes, resident  
Janis Anthes, resident  
Fred Quimby, resident  
David Bickford, resident  
Shawn Bernier, Police Chief  
Kelly Bisson, resident  
Mark McFadden, resident  
Thomas Baker, resident  
Gary & Donna Smith, residents  
Brian Lacey, resident  
Walter & Nancy Ahlin, residents  
Kevin Ruel, resident  
Linda Callaway, resident  
Arthur & Charlis Krulewitz, residents  
Royal Smith, resident  
Sharon ???, resident  
Sean O'Shea, resident  
Heather Reed, resident  
Cathy Orlowicz, resident  
Doug Gilman, resident  
John Allard, resident  
Edward Malone Sr., resident  
Edward Malone, Jr., resident  
Tom Meyer, resident  
Heather & Eric Sanborn, residents

Kathleen Blaney, Human Resources Coordinator  
Jim Allard, resident  
Mike Gelinis, resident  
Julia Gayner, resident  
Bob Bickford, resident  
Paul & Janet Berlind, resident  
Len Brown, resident  
Mark Sullivan, resident  
Sandy & Ray Barlow, residents  
Stephen Mocknight, resident  
Angela Prout, resident  
Emerson Zoltko  
Deb O'Neill, resident  
Scott Woodward, resident  
Jack Kaiser, resident  
Bruce & Cathryn Long, residents  
Robert ????, resident  
Lydia Petzak, resident

### **CALL TO ORDER**

Chair DeCoff reopened the meeting which was continued from December 20, 2022, to order at 6:01PM.

### **Roll Call & Pledge Allegiance**

Roll call was taken for Board members present. The Pledge of Allegiance was said by those present.

### **Agenda Review**

Selectmen Uyeno added Non Public session to the Agenda.

### **Public Input**

Janis Anthes, resident, stated she has followed the Board of Selectmen meetings closely for many years; she stated she is impressed with Town Administrator Zoltko's honesty and transparency in bringing vital information to the Board; she outlined the positive changes Town Administrator Zoltko has brought to the Town over the last 2 years including issues related to personnel the school board, other agencies and committees. Ms. Anthes stated she doesn't believe Town Administrator Zoltko should be terminated and suggested review of the contract with Town Counsel.

Rick Goodrich, resident, questioned a letter being submitted which essentially fires the Town Administrator; he asked Selectman Uyeno why he is attempting to terminate Town Administrator Zoltko. Chair DeCoff stated this is public input only and no answers are required.

Selectman Uyeno stated no letter was sent.

Kelly Bisson, resident, stated she has been an officer of Copple Crown Village District and worked with Town Administrator Zoltko who has been helpful and professional over the last couple years. Ms. Bisson stated she doesn't believe terminating Town Administrator Zoltko is in the best interest of the Town.

Greg Anthes, resident, stated he has a copy of the letter Mr. Uyeno sent to Town Administrator Zoltko; he stated Mr. Uyeno is also on record saying he wants to terminate the Town Administrator. Mr. Anthes stated at the December 20 meeting, Chair DeCoff indicated the letter was not proper and did not come from the Board of Selectmen; a motion was made to accept the letter with Chair DeCoff voting "no". He stated Selectman Veisel and Selectmen Uyeno need to stop trying to fire the Town Administrator as it would not be in the best interest of the Town or Town employees.

Linda Callaway, resident, stated she is also the Town Moderator and has had interactions with Town Administrator Zoltko in that avenue; she stated Town Administrator Zoltko has worked hard to upgrade the systems throughout Town Hall and improve the process. She stated she believes the residents should know more about what is going on before another Town Administrator is lost. Ms. Callaway stated there needs to be some stability in Town Hall, noting there have been many good employees lost.

Scott Woodward, resident, stated he is a fairly new resident but having been a Board of Selectman in another town, he advised the Board be sure they follow proper procedures to ensure stability.

Chair DeCoff closed public input.

Selectman Veisel stated this is going to be a very fiscally challenging year coming up; she stated some hard and unfortunate cuts have been made over the last couple years and sometimes difficult decisions have to be made to keep things going. She stated there is an important bond hearing scheduled for Thursday, January 5 for \$8.5 million for a much needed public safety facility and encouraged everyone to attend and remain informed. Selectmen Veisel stated they are trying to look outside the box and be creative in decision making; she stated there is no hidden agenda or personality retribution going on.

Selectman Uyeno stated the letter being sent may have been a misstep his part but encouraged people to ask questions and get involved. He stated he spoke with New Hampshire Municipal Association and it was confirmed there should not be any recesses or continuations of meetings without 24 hour notice.

### **Appointments/Announcements**

#### ***Contracts Discussion***

Selectman Uyeno distributed contracts for review by the Board; he stated he has gone through various Town contracts and was advised by Town Counsel that the "ladder mill" process does not apply; he stated the position being reviewed is an appointed position, at will and there was no

illegal action. Selectman Uyeno stated he does not plan to take any actions tonight but will continue reviewing the contracts for further discussion.

**Selectman Uyeno motioned to enter non-public session pursuant to RSA 91:A-3 II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.***

**(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.***

**(d) *Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.***

**(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.*** Chair DeCoff seconded the motion. Roll Call Vote: Selectman Veisel -aye; Selectman Uyeno -aye; Chair DeCoff-aye. Motion passed, 3-0-0.

The Board entered non-public session at 6:30PM.

The Board reentered public session at 7:47PM.

**Chair DeCoff made a motion to seal the minutes of the non-public meeting of January 3, 2023. Selectman Veisel seconded the motion. Roll Call Vote: Selectman Veisel -aye; Selectman Uyeno -aye; Chair DeCoff-aye. Motion passed, 3-0-0.**

**Selectman Uyeno motioned to schedule a Without Cause Termination Hearing on January 10, 2023, regarding the Town Administrator position. Selectman Veisel seconded the motion. Discussion:** Selectman Uyeno stated the purpose will be for a business decision to move the Town in a new direction. **Roll Call Vote: Selectman Veisel -aye; Selectman Uyeno -aye; Chair DeCoff-no. Motion passed, 2-1-0.**

**Chair DeCoff motioned to adjourn. Selectman Veisel seconded the motion. Motion passed unanimously.**

The meeting was adjourned at 7:50PM.

Respectfully Submitted,

*Jennifer Riel*

Jennifer Riel, Recording Secretary