

**TOWN OF NEW DURHAM
BOARD OF SELECTMEN
January 10, 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
David Bickford, resident
Greg Anthes, resident
Janis Anthes, resident
Ken Raymond, resident
Ellen Phillips
Debby Greer, resident
Laura Spector-Morgan, Town Counsel
Paul Raslavicus, resident – via Zoom
Gary Smith, resident
Stephanie King, resident
Terry Jarvis, resident – via Zoom
Fred Quimby, resident
Linda Callaway, resident – via Zoom
Mike Gelinas, resident
Cathy Orlowicz, resident
David Swenson, resident – via Zoom

CALL TO ORDER

Chair DeCoff called the meeting to order at 6:00PM.

Roll Call & Pledge Allegiance

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

Public Input

Ken Raymond, resident, stated he received a letter from another Town citizen regarding termination of the Town Administrator; he asked if there is anything in the letter that is truthful. Chair DeCoff stated there is nothing false. Mr. Raymond stated is concerned about a comment made at the January 3 meeting and stated here are many people who attend by video and don't know a lot of the details of what's going on but there are many who do. Mr. Raymond stated if the "why" is legitimate in this instance, and actions that were taken were legal, the Town Administrator would not be present now. He stated he is concerned about the comment indicating it is a business decision to "take the Town in a new direction"; he stated its obvious the business decision was not made by the Board as a Board and was not legal. Mr. Raymond stated this process was very flawed and illegal; he stated a motion was made to accept the letter that was presented to the Town Administrator but the Board never met to create the letter so it can't be accepted.

Janis Anthes, resident, stated she researched the Board of Selectmen operational guidelines and outlined the responsibility of the Town Administrator which includes keeping the Board informed of their duties and to ensure the Board complies with laws and statutes. She stated the action being considered seems to be retribution for Town Administrator Zoltko keeping the Town informed of vital information they need to act on. Ms. Anthes stated at the end of the last meeting there was discussion whether Town Administrator Zoltko has the right to request a public hearing; she stated per the guidelines the meetings can be held in public session if requested otherwise are held in nonpublic session. She stated individual Board members may not use Town letterhead without the consent and authority of the Board members and the initial letter was not put on official letterhead, but Selectman Uyeno did sign, which is against the guidelines. Ms. Anthes stated members who have a legal question which is not of an urgent or emergency nature are expected to discuss with the other Board members during a nonpublic session, prior to contacting the Town Attorney and this did not happen in this case; she stated she doesn't believe this was of an urgent matter. Ms. Anthes asked if the entire Board was in on making this decision to move the Town in a different direction and she stated the Town residents should know the details of a different direction.

Town Counsel, Laura Spector-Morgan, joined the meeting at 6:11PM.

Greg Anthes, resident, stated he has seen more residents present at recent meetings than in a long time and they are there to support Town Administrator Zoltko; he stated there is support for her throughout the community and other municipalities as well; he asked that this be stopped, and they can keep Town Administrator Zoltko.

Paul Raslavicus, resident, referenced the Board guidelines and RSA 91:A; he stated there has been a tremendous amount of information being distributed by one party and doesn't know why this is being allowed to take place in a public forum.

Mr. Raymond stated in light of these concerns and recent discussions, asked the Board to drop the issue of termination and issue a public apology to Town Administrator Zoltko; he stated it is a huge mistake to continue in this direction.

Stephanie King, resident, stated from her position of being on the School Board, it has been a pleasure to work with Town Administrator Zoltko and she has worked hard to build good relationships and bridges throughout the community.

Gary Smith, resident, asked why they are trying to terminate the Town Administrator; he asked if there is anything she has done wrong or any public record of that; he stated it doesn't seem right, particularly with the way it was handled.

Chair DeCoff closed public input.

Selectman Veisel 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; and (l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.* Selectman Veisel 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 6:16PM.

The Board reentered public session at

The meeting was adjourned at

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary