



**BOARD OF SELECTMEN**  
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**MINUTES OF THE BOARD OF SELECTMEN**

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Monday, June 03, 2019 – 6:30 p.m. – Town Hall Conference Room

Members Present: Chester Deorocki, Chip Hussey, Rick Hussey, Jim Rolston, Steve Smith  
Also Present: Matthew Scruton - Town Administrator

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Chair Hussey opened the Board of Selectmen work session at 6:30 p.m. A roll call was taken; it was announced a quorum was present and the work session was being recorded.

1. Public Comment Section at Selectmen Meetings

Chair Hussey stated that the motion to add a public comment section to Board of Selectmen meetings was not finished at the meeting on Tuesday, May 28, 2019.

MOTION: C. Deorocki moved to add a public comment section to Board of Selectmen agendas.

Chair Hussey commented he didn't feel it was necessary for every meeting. It would be very necessary if there was a highly controversial well attended meeting. If only a few people were present, comments may not need to be limited. C. Deorocki suggested it be at the Chair's discretion.

Responding to a question from J. Rolston, M. Scruton stated the meeting was noticed and agenda published as a work session; other topics could be discussed. J. Rolston suggested formulating guidelines for public comments.

MOTION: C. Deorocki moved to add a public comment section to Board of Selectmen agendas. Second – J. Rolston

The Board reviewed guidelines from other towns. C. Deorocki liked Effingham's almost verbatim; it was close to perfect. There were six numbers of the guidelines. It was a great start; it could be tweaked, added to and subtracted, whatever. Whoever wrote that did a really good job. It pretty much mirrors the NHMA public comment guidelines. He felt that between the two pieces of paper, they should be able to come up with something pretty simple and straightforward that should be at the discretion of the Chair. It's a change at discretion--if there's a lot of people, if there's not a lot of people; whatever circumstances come up. This isn't the Ten Commandments.

J. Rolston stated that it was his understanding that "Item 1" in the procedures, Section 1.3: "Public comment may not exceed 20 minutes unless extended by vote of the board." He asked for clarification if that was one person or in total; the Board agreed it was in total, regardless of the number of speakers. "In total" was added to "Item 1". M. Scruton stated that the policy protects the Board's agenda by allocating 20 minutes. J. Rolston suggested individuals sign up before the meeting starts so the Board

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would know how many people wanted to speak. To be added as “Item 7”: Speakers must sign-in to indicate an intention to speak during public comment.

C. Deorocki: Once they finish their statement, are they done for the night? They can't get back in line, can't get up for the second thought? That's happened in the past with some of the 911's. The same person gets up and up and up. And it's okay, but this is....Chair Hussey agreed it takes a long time to get through. That would still be under public comment at the end of the meeting and the vote would have been done. C. Deorocki didn't see a reason to have it at the end as well; get it done in the beginning.

J. Rolston asked if this would preclude someone from speaking when the Board was discussing a subject. Chair Hussey saw this, more importantly, if there were a large audience. C. Deorocki agreed, adding that he has the right to recognize anybody at any time. So, absolutely; if someone wants to speak during the topic, yeah. S. Smith added this would be for off topic issues.

R. Hussey stated that public comment might confuse “Other Business”. C. Deorocki stated it wouldn't necessarily be agenda items. It's just some guidelines for structure especially we're going on live stream. S. Smith noted the New Hampshire guidelines include: “public comment time for public to speak not to question and answer session with a public body”. It's to bring something forward so the Board can know about it, not necessarily to decide anything at that time. C. Deorocki: It gives the public more of a forum, a designated time and slot; you have the attention of the Select Board. M. Scruton liked that point and added if they want to be on the agenda, they can ask to be included on the agenda. If they want to make a statement, the public comment section would be the appropriate place. The Board shouldn't feel they need to respond to anything. M. Scruton continued that public comment sections could be a spot of litigation when Board's start to restrict what the public is saying. If you allow this, you need to be willing to listen. Be aware this is where they're going to air their concerns and comments. If the Board tries to limit that, you may be putting the Town in a position of liability.

J. Rolston asked if it was possible for the guidelines to be added to the Town website. M. Scruton agreed it was possible. C. Deorocki added it was for the people not to take away from people. A lot of people know nothing about the procedure. If they know there's a spot they can come in and talk, maybe they'll get involved a little more, maybe not. I don't know. However, on the other side of the coin to him, it's better off to have a policy in place and not need it than need it and not have a policy in place, and have a heated battle in here that we don't really need—screaming and yelling. In his time here, they've been pretty lucky.

MOTION: C. Deorocki moved to add a public comment section to Board of Selectmen agendas. Second – J. Rolston; four in favor, one opposed (R. Hussey). MOTION CARRIED

Guidelines were established using the Town of Effingham's policy. Item 1: change to a total of 20 minutes. Add Item 7: from the NHMA guidelines--speaker must sign in to indicate an intention to speak during public comment. The Public Comment Section will be after “Appointments”. Item 3: Speakers will be limited to 3 minutes.

J. Rolston suggested a brief statement be made at the beginning of each meeting that personnel will not be discussed. M. Scruton stated that the Board needed to be careful when restricting personnel matters. Referring to the NHMA article, he continued that public comment sections can be used to speak about personnel matters and pending litigation. If someone wants to bring up personnel matters, they are legally allowed to present that complaint. C. Deorocki asked if the Board could request it in writing. M. Scruton responded that the ruling was against the town that tried to restrict personnel

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matters. Chair Hussey noted that speakers will have to sign in with the topic for discussion; individuals could be spoken to at that time and asked not to mention names of personnel. If they wished to talk to the Board privately, it could be done in a non-public at the next meeting.

M. Scruton advised the Board if they were going to offer a public comment section, they listen with an open ear as they have done in the past. He felt the Board was more accommodating to public comments than most towns; most towns don't allow the dialogue to occur during the meetings. Greenland's very pro-active in seeking community feedback, to the Board's credit; this just extends that even further.

MOTION: C. Deorocki moved to adopt the guidelines as proposed. Second – C. Deorocki; four in favor, one opposed (R. Hussey). MOTION CARRIED

### 2. Budget Concerns

J. Rolston stated that Bob Krasko, Budget Committee Chairman, had a valid point. J. Rolston didn't recall live streaming was defeated at the 2015 Town Meeting. Chair Hussey responded that it was defeated in 2015; however, it was discussed at a Board of Selectmen's meeting just before Budget Committee meetings and he told the Budget Committee the Board would be looking into it this year if there was money in the budget. C. Deorocki agreed, adding the prior Board said we don't need to put it to warrant article; we have the funds available, let's make it happen. And, that's what he did. So, if people have push back on it, what do you guys want to do? You want to put it on the next warrant article, whatever. Chair Hussey didn't see a problem. He felt a lot of people were afraid of it.

J. Rolston stated his main concern was the budget. Chair Hussey understood but felt it may be pretty much under control. By the next meeting they should have a good handle on what would have to be cut. M. Scruton added he has been working with the Finance Director; the Board will be receiving an update on the overall budget with her overview and recommendations. He felt they were on track due to reductions in other areas, despite the setbacks from snow plowing. It's a concern that we're over budget; he felt it could be made up in other areas.

J. Rolston questioned the tool situation. M. Scruton updated the Board on his discussion with Chair Hussey.

Returning to live streaming, R. Hussey questioned signing a contract. The contract length was one year; if the Board didn't like it at that time, they didn't have to renew. M. Scruton noted an agreement hadn't been signed; terms weren't available.

### ADJOURNMENT

MOTION: J. Rolston moved to adjourn at 7:00 p.m. Second – S. Smith; all in favor. MOTION CARRIED

### NEXT MEETING

Monday, June 10, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Administrative Assistant

Approved: 