

LONG RANGE PLANNING COMMITTEE MEETING

**Monday, November 1, 2021
8:00 a.m. – Rye Town Hall**

***Members Present: Steve Carter, Kathryn Garcia, Rob Wright and Katy Sherman
Ad Hoc Members: Dominique Winebaum and Patricia Losik (attending as an alternate)***

Others Present: Planning Administrator Kim Reed and Julie LaBranche (by telephone)

I. Call to Order

Chair Carter called the meeting to order at 8:00 a.m.

II. Venue

Planning Administrator Kim Reed noted that they called a meeting because some residents have said that they can't wear a mask, due to medical reasons, but wish to attend the visioning session. Those residents reached out to the Select Board. The Select Board has asked if there is anything that can be done to accommodate them. She continued that she has reached out to the superintendent of the schools because the visioning session is being held at the junior high. They have said that CDC Guidelines and the School Board rules require mandatory masks. People cannot enter the junior high without wearing a mask. One of the Selectman reached out to Rye Congregational Church (RCC) to see if the Committee could use the hall at the church. The Select Board has agreed to pay the \$75.00 fee for the church. She told the Select Board that she would bring this to the Committee for a decision.

Options:

- 1) Leave the session at the junior high. For people who cannot wear a mask, there will be one table with a computer. A person will be sitting at the table running a Zoom for those people, who will be attending remotely. Anyone who attends in person will be required to wear a mask.
- 2) Cancel the visioning session altogether and reschedule it for a later date; perhaps, January or February.
- 3) Move the visioning session to the church and change all the literature pertaining to the place of the event. Masks will be encouraged but not required.

Referring to the option of keeping it at the junior high and setting up Zoom, Julie LaBranche noted that the idea was that people would be sitting at a table and wouldn't be moving around. They would stay in the same groups throughout the entire session. It would not be all that different for the people attending by Zoom.

Chair Carter stated that his choice would be to just move the visioning session to the church, so everyone would have the same experience. The change in location could be handled by a sign out in front of the junior high and the library. Perhaps, the sign in front of the public safety building could be used.

Member Garcia commented that her first choice is to have the Zoom table at the school. She worries about changing the venue in terms of that word not getting out. Having said that, she agrees with Steve that there's probably a way to remediate that. Her first choice is option 1, but she could see having it at the church also.

Ad Hoc Member Losik stated that her first choice is to change the venue to the Rye Congregational Church. She feels they should be seen as a committee to facilitate the broadest group and the broadest need. RCC being an option will do that. She is concerned about the Zoom option. She's concerned about the time constraint of ninety minutes, especially if there is an issue with Zoom. The other thing with Zoom is while it will work for a public session at a table on its own, when everyone is participating concurrently, she's concerned about their access to the beginning and the end when there is discussion by moderators, etc., and is not the discussion portion. The communication has to be contemporaneous. If there's a breakdown in that communication, it fouls the time.

Member Wright stated that he shares the concerns about Zoom in any case. That's why he voted to have the event in person to begin with. There are limitations to what Zoom can do. By nature, this is a highly interactive process. He's also concerned about losing participation if it's moved. He does not want to cancel the date at all, as that would be losing momentum. His vote is to change it to RCC, but focus heavily on how this will be communicated so participation is not lost.

Ad Hoc Member Winebaum noted that she's in favor of option 1. The Committee has already changed the venue to some extent three times. This would be the fourth time some aspect of the venue would change. The first time was a two-hour session and it's now ninety minutes. Her take has always been in favor of a hybrid forum. She commented that she is just back from Switzerland and the guidelines are much stricter. People going to a restaurant need to be vaccinated and must show proof. People who are not vaccinated must demonstrate that they are negative for Covid. She would be concerned that people without masks would not be vaccinated because no one would know. Personally, the level of comfort is going to go down by going to RCC. The Zoom platform would allow for people who do not want to wear masks and for people who don't feel comfortable attending. There may be a capacity limit, so that could expand the limit.

Member Sherman stated that she's worried that if it's held at the church, there will be a lot of people who won't wear masks. She's personally not comfortable with a big group of people inside without masks. That's why she would like to keep it at the school. She asked what the concerns are with Zoom.

Member Wright explained that he does not have a technical concern with Zoom. It's a pretty good way to have people on the call interact. One concern is if it gets beyond the number in the

Zoom call of the analogous tables, it will be proportionally unrepresentative of the rest of the groups. From a process perspective, it's probably not going to be as valid a sample. It might limit conversation if there's a lot of people in that particular group. By definition, it would be self-selecting. Also, it is not glitch less and there's always someone who cannot figure out how to use it. He hears the concern about people getting together and not being masked. He understands health concerns. He just thinks that tele anything does not convey contact with human nature very well.

Ad Hoc Member Winebaum commented that when people register, if they know how many people will be attending in person versus Zoom, they can anticipate if there will be a need for more tables for the Zoom platform.

Ms. LaBranche noted that about 25 people have registered so far. She pointed out that by keeping it at the junior high, they may have to open up Zoom as an option when people register. The main problem with moving it to the church is readvertising the location, notifying everyone and getting the word out. Each option poses its own set of problems and has challenges. With Zoom, the laptop will have to be placed on a table, so people can hear the presentation. Whoever is monitoring the Zoom platform at that table will have to type in the notes so people on the call will be able to see what is being done. She commented there's a way to structure it.

Planning Administrator Reed noted that two people will be needed at the Zoom table. One person will man Zoom and another person to write down the flip chart. One person can't do both, as it is just too much.

Ad Hoc Member Winebaum pointed out that in the chat room people can write down their comments.

Ms. LaBranche stated that only the person running the computer can see the chat comments. In order to truly have an interactive experience, the comments can't be into a chat function because no one else will see it, unless the person manning Zoom calls out the comments.

Planning Administrator Reed commented that she has found that people misuse the chat and it can't really be controlled.

Ad Hoc Member Losik noted that RSA 91-A:2, III comes in to play. It's not an emergency, but one or more members of the meeting body wish to participate remotely. She thinks the Committee needs to consider that each part of the meeting must be audible or "otherwise discernable" to the public at the location of the meeting. If the Committee wants to do the hybrid option, there should be a careful discussion about how this will roll forward and how this standard will be met, so there's never a question about everyone's access. The foundation of a public meeting is that everybody has access to the same information contemporaneously. She pointed out that there may be a possibility that it will lengthen the meeting.

Chair Carter stated that the people who don't want to wear masks, but want to attend, will be happy with the Zoom option. To Pat's point, the Committee has to meet all the criteria for the

meeting for them to at least have the same experience. That is the concern that he has. People might feel that they want to attend the meeting and not go through Zoom.

Member Wright stated that he is thinking strongly against the hybrid option because it does yield very different experiences for the remote participants versus the in-person participants. Technically, everyone has equal access because they can get on Zoom and then be seeing the same thing. They could also choose to come in person. So, technically, there's access. However, the box hasn't been checked for contemporaneous, simultaneous, same information. He doesn't think with the constraints of technology that this can be done.

Speaking to Member Wright, Ms. LaBranche asked what he thinks would be missing from a hybrid experience. Someone would be typing up notes that would be going on a flip chart, so everyone on Zoom will be able to see what's being said. They can offer their comments to the facilitator or through the microphone on the laptop. She is not sure how the experience would be different.

Member Wright stated that there was a comment about use of chat. Private chat yields some discussion around the subject, which may or may not be pertinent. It may not be valuable to the group and may be just some snarky asides. However, no one will know that so it defeats the goal of inclusion and open public forum. That can't be fixed because no one will see them, except for the two people involved in the private chat. The second piece is that it raises different hurdles for different groups. They're being treated disparately even though the Committee is trying to accommodate them all. He thinks it's very important to the life of the community that all voices be heard. A single forum and a single venue are the most egalitarian way of handling this. He is fairly neutral on whether or not to shut off the people who won't wear masks or whether they shut off the people who say they are concerned about people not wearing masks. He just thinks everyone should be doing one thing.

Chair Carter pointed out that if it's said that masks are suggested, some people will be wearing masks and some won't be. He's not sure how people are going to feel about this, if the session is held at the church.

Ad Hoc Member Winebaum stated that she has watched a lot of the planning board meetings on Zoom. Members of the public value Zoom. There is so much to gain. If people have a question, there's chat. This is how people operate now.

Referring to Member Wright's comments, Member Garcia commented that the facilitator could read the chat.

Member Wright commented that he is not sure that the facilitator can see what's in private chat.

Ms. LaBranche stated that the private chat can be shut off. The whole format of having it at the junior high is for the facilitator of each table to go around one by one. People on the Zoom call won't have a whole different set of rules. They will have to follow the rules that are in effective for all tables. The facilitator will go around, one by one, and call on each person to speak.

Planning Administrator Reed pointed out that if they go with Zoom, it's just going to need more manpower. She continued that they may get a disproportionate number if there are more people on Zoom. People who have left for the winter will be able to join Zoom. This will open it up to a higher number. She asked if this will change things, as there will be one table for Zoom that might have more people.

Member Wright commented that this is exactly his concern. The goal is to get as many people as possible, so the concern is not that there would be more people; however, if there's a differentiated approach to the meeting, there will be a self-selected skewed result out of the two classes of people who are coming together. He believes it fails the RSA.

Ms. LaBranche asked how they would advertise if it changes to the Congregational Church.

Planning Administrator Reed stated that she has spoken with the Police Chief and it can be posted on the digital sign in front of the safety building. The signs that were handed out at the last meeting would just need tape or something to change the venue. The notices that went out will have to be redone with the changed venue. They can also do a press release and post it on the Town's website.

Ms. LaBranche commented that they are eight days away from the event. If the mask requirement is dropped, there are many people who are already registered who may drop out. A lot of work has gone into coordinating and organizing this event.

Ad Hoc Member Losik asked if they could focus on who might be able to help facilitate Zoom, if the event stays at the junior high. She commented that she agrees with the point about the planning board meetings on Zoom, but that is not a hybrid method. She thinks they have a little bit of constrained technology. Hybrid methods that she has participated in recently have video set up so when someone is participating via Zoom, they can still see the full room. She sees a possible limitation if it's orchestrated from one person's computer; the Zoom facilitator's computer. They will have to be sure the computer is set up to have the greatest view that can be obtained by the Zoom participants. She would like to understand if someone would be available. If the event is going to be left at the junior high, it's really important that this be solved.

Planning Administrator Reed noted that they will need someone computer savvy, who will be able to run Zoom and man the table.

Member Wright commented that there is a fourth option which is to hold the meeting as advertised and as discussed and voted on. Unfortunately, that will mean that some people won't participate.

Planning Administrator Reed noted that she has been told by the Select Board that she must provide the other three options.

Member Wright commented that he needs a point of clarification on the balance of power and separation of power in the Town of Rye. He does not believe this body reports to the Select Board.

Note: *Planning Administrator Reed left the meeting to find the Town Administrator to answer Member Wright's question.*

Member Sherman pointed out that if it's at the junior high, people who don't want to wear masks won't come. If it's done at the church, people who want to wear masks all the time won't come.

Member Wright commented that they also have the potential to lose people who get to the junior high and haven't heard there's a change in venue. He doesn't think that's an insignificant concern.

Chair Carter pointed out that they could address that problem by having someone stationed at the junior high to direct people to the church.

Ms. LaBranche stated that if it's decided to change the event to the Congregational Church, she will be sending out an email to everyone who has registered via Event Bright announcing the change of venue. She thinks they should put up a sign in front of the junior high and have someone stationed there to answer questions and direct people.

Member Garcia commented that she wonders if they can separate people from masked and unmasked.

Ad Hoc Member Winebaum pointed out that they are going to be using the same restrooms. It's going to be hard.

Member Wright commented that it could be done, but he's not sure it serves any functional purpose.

Ms. LaBranche stated there has been a huge uptick in the number of Covid cases in the State. She understands the whole concept of keeping meetings open as much as possible; however, it's two people out of twenty-five. She thinks they'll lose a lot of people if they take it to a non-mask requirement.

Note: *Town Administrator Becky Bergeron joined the meeting.*

Speaking to Ms. Bergeron, Member Wright noted that they are meeting to discuss the venue for the visioning session. The three points that were put forward were to keep at the junior high with a Zoom option being available. Option 2 was to cancel and reschedule for the future. Option 3 was to change the venue to the Rye Congregational Church, where masks would be encouraged but not required. His question is whether there is a fourth option which would simply be to hold the meeting as planned and proposed with the requirements in place to satisfy the S.A.U. for masking. Kim said that she was told by the Select Board that the Committee must come up with some method to accommodate people who do not choose to wear masks. He asked if this sub-committee of the planning board, which is elected separately from a select board, is subordinate to the select board's decisions, as a matter of law.

Town Administrator Bergeron replied that she would say “no” because the planning board is elected and the sub-committee is selected by the planning board. The Select Board’s position is that they don’t want to disenfranchise anyone from participating. In order to do accommodate everyone, the church was suggested as an option. She continued that when she had spoken with Kim, it was indicated that it would be difficult to have a visioning session via Zoom. Logistically, it’s a hands-on, roundtable, interactive discussion. Participating via Zoom was going to be difficult at best. Also, technology is challenging. To get the same level of participation via Zoom, she is not sure that’s going to be able to be achieved. It seemed as though the church could accommodate those who want to wear masks and those who do not.

Member Wright noted that the Committee has had a robust discussion. The one common denominator that has come out is that any choice is going to limit participation by one group or another. Each choice might impact participation.

Member Sherman pointed out that if it’s at the church without a mask mandate, people who are worried about their health may not go. If it’s held at the junior high, the people who refuse to wear a mask are excluded.

Town Administrator Bergeron agreed there would be unintended consequences for either path that is chosen. However, at the church, specific areas could be specified for individuals who want to wear masks and for the ones that don’t. They can be separated, so social distancing will be achieved and no cross contamination can be achieved.

Ad Hoc Member Winebaum pointed out that Chief Walsh stated that what matters is the number of hospitalizations in N.H. The Committee needs to know where N.H. stands right now in terms of the Covid rate.

Ms. LaBranche clarified that if the event were to stay at the junior high, only the people who didn’t want to wear a mask would be on Zoom. There is a way to organize it so they have the same experience as the other people with their comments being captured.

Town Administrator Bergeron asked if the school is set up to accommodate a Zoom function.

Planning Administrator Reed commented it’s not. What the Committee has been discussing is that one person would be running a table via Zoom.

Ms. LaBranche noted that the people via Zoom could be at a table with other people, so their part of a group discussion.

Member Sherman commented that she thought anyone on Zoom would be at their own separate table.

Ms. LaBranche replied there are only going to be two or three people on the Zoom call. She asked why they wouldn’t join another table.

Planning Administrator Reed asked if she is saying that there would be a computer for Zoom at one table with other people who are sitting at the table in person.

Ms. LaBranche confirmed.

Member Wright stated that as he listens to Julie speaking through a speaker on a phone, he is reminded how challenging Zoom will be. There's an RSA that guides public meetings. He feels that anything that is not homogenization in its treatment of all participants has the potential of running a foul of that. He also believes that it's going to be difficult to understand, whether it's a little or a lot. Once this is advertised that this will be available via Zoom as well as in person, it will be opening it to more people. He's increasingly not in favor of trying any hybridizing approach. He's on the fence to simply decide to have it the way it is. If someone is not willing to participate according to the rules of the S.A.U., they aren't obligated to come. Or, they can switch the venue which will accommodate some people but may diminish the numbers without any practicable effect on health and safety.

Chair Carter asked if the event should be postponed, given that the infection rate in N.H. is one of the five highest states in the country. He can't visualize how this would work successfully or satisfactorily in a place where someone is moving around a laptop. He is not sure they can have this fixed in eight days. He personally has concerns about the church. He would go with masks or no masks; however, he worries about other people who have health issues. He asked the group their thoughts on postponing.

Member Garcia commented that they could be at the same crossroads at that point, if they postpone.

Chair Carter stated that they have to work out what the Zoom component would look like, so they are comfortable with offering that option. Right now, they are just taking a leap of faith that it's going to work.

Member Wright stated that with the limited resources and time, he doesn't think it can be done. His fear is that it will be a bad experience and it will cast appall on the Committee's efforts. He is very concerned about the law and the process, and being effective.

Referring to RSA 91-A:2, Ad Hoc Member Losik noted that it states; *"each part of the meeting must be audible or otherwise discernable to the public at the location of the meeting"*. She continued that they have the beginning of the meeting with opening remarks, the breakout sessions at tables, and closing remarks. She hasn't heard anything that indicates that there will be an open question and answer section with the whole group. Julie has suggested that even without several cameras, it's possible to do this with one computer. Julie has suggested options and indicated that she could be the person managing the computer. The key is having someone, Julie or someone else, who is totally up to speed, can take the worry off the group and handle Zoom competently. If it is Julie, will that be fine during that segmented portion?

Chair Carter stated that he thinks they should keep it at the junior high and take Julie's word that a Zoom option can be done. He thinks it will create a huge mess by not allowing people in

without masks. That will create a whole other unhappiness around town. Assuming that Zoom can be done, that would be a better option than the church. He continued that people who don't want to wear a mask can still attend by Zoom. It's probably not going to be more than four or five people and that is certainly doable on Zoom. He thinks this option will be safer for everybody.

Member Sherman suggested livestreaming at the school, along with Zoom.

Ms. LaBranche pointed out that livestream is not a requirement under the RSA. There are a lot of towns that don't have livestreaming capabilities.

Chair Carter noted that livestreaming may solve the opening and closing part of the session. When they get to the tables, they would use the Zoom. However, they would be able to see the opening and the closing. He doesn't think there's any harm in livestreaming the whole meeting.

Ad Hoc Member Winebaum stated that the meeting should be recorded like many other meetings in town.

Ad Hoc Member Losik pointed out it's the base of the public record.

Chair Carter asked the Committee their decision on the venue.

Motion by Katy Sherman to keep the visioning session at the Rye Junior High with the Zoom component and Livestream. Seconded by Kathryn Garcia. All in favor.

- **Next meeting scheduled for Tuesday, November 2nd, 1:00 p.m.**

Adjournment

Motion by Steve Carter to adjourn at 9:15 a.m. Seconded by Rob Wright. All in favor.

Respectfully Submitted,
Dyana F. Ledger