



**Office of the Board of Selectmen  
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**NEWTON BOARD OF SELECTMEN**

**DATE: TUESDAY, August 15, 2017**

**TIME: 6:00PM**

**LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD**

**PUBLIC MEETING MINUTES**

**I. Call to Order**

Chairman Burrill called the meeting to order at 6:00pm. In attendance were Selectmen, Matthew A. Burrill, Chairman, Lisa L. Gonyer, Vice-Chairman, Robert S. Donovan Jr., James L. Doggett; Nancy J. Wrigley, Town Administrator and Diane M. Morin, Selectmen's Secretary. The non-public meeting was audio taped. The public meeting was audio and video taped; the HR portion of the non-public minutes were transcribed and typed by Nancy J. Wrigley. The non-public minutes and public minutes were transcribed and typed by Diane M. Morin. Selectman Lawrence B. Foote was excused this evening.

**Nonpublic Session under RSA 91-A:3 II (a) – (c) -HR Matters**

**Nonpublic Session under RSA 91-A:3 II (c)**

**Selectman Doggett moved to go into non-public session at 6:01pm under RSA 91-A: 3 II (a) – (c) HR Matters and (c). Seconded by Selectman Donovan with a unanimous roll call vote: Burrill – aye, Donovan – aye, Doggett – aye.**

**Selectman Doggett moved to close the non-public at 7:27pm. Seconded by Selectman Gonyer with a unanimous roll call vote: Burrill – aye, Gonyer – aye, Donovan – aye, Doggett – aye**

**Selectman Doggett moved that the Board just came out of a non-public session under RSA 91-A: 3 II (a) - (c) and that they keep all matters discussed confidential until in the opinion of the majority of the Board the circumstances no longer apply. Seconded by Selectman Donovan with a unanimous vote.**

**II. Pledge of Allegiance**

**III. Approval of Minutes**

**Selectmen's non-public and public meeting minutes dated August 1, 2017**

**Selectman Doggett moved to accept the non-public and public minutes dated August 1, 2017 as written. Seconded by Selectman Gonyer with a unanimous vote.**

#### IV. Other Business

The Board of Selectmen heard from resident Mr. Thomas Cloutier of 8 New Boston Road and Mr. Thomas Roy of 86 North Main Street, concerning 2 New Boston Road, Newton, NH, being a hazmat site. Mr. Cloutier stated that he asked at the Town Hall how the barn at 2 New Boston Road was removed from the tax record. At that time, no one at the Town Hall was able to determine what had happened to the barn. Mr. Cloutier was directed to speak to the Building Inspector, Ron LeMere, about the issue. Building Inspector LeMere informed Mr. Cloutier that the property did have a permit to demo the barn. Mr. Cloutier and Mr. Roy provided pictures to the Building Inspector showing that the owner had buried the debris on the property. Within a month of being notified, Building Inspector LeMere confronted the property owner and determined that the owner had mislead the Town on where the debris from the barn was. At this point the Building Inspector issued an order to the property to clean the site. Inspector Reilly went on site to ensure proper procedures were being followed.

Mr. Cloutier was concerned that rain water filled the hole while the cleanup was underway and that his land would be contaminated. He then called Selectman Donovan, Road Agent Pivero and Health Office Leverone. Selectman Donovan and Inspector Reilly visited the site. Mr. Cloutier stated that he was told that it "takes time" to clean the site. Mr. Cloutier observed trailers with debris being removed from the site. He stated he observed asbestos pieces on the property. He then came to Town Hall and asked for help and was told that there was nothing that could be done.

Mr. Cloutier would like to know who to call in an emergency such as this. Chairman Burrill addressed Mr. Cloutier and disagreed with him on the Town not responding. Chairman Burrill stated that the Town was following the correct process at the time. The property has been secured and the Town is getting guidance from the State on how to proceed.

Building Inspector LeMere updated the Board on the current status of 2 New Boston Road. He spoke with 3 individuals from NH DES who recommended to the owner he contact an environmental cleanup company. The owner contacted EnviroVantage which has been contracted to remove hazardous materials starting August 23 and 24, 2017. Once completed, EnviroVantage is required by law to have a 3<sup>rd</sup> party inspect their work. The cost will be covered by the owner. Reports will be sent to the owner and Building Inspector. Once the cleanup is complete the report becomes public.

Mr. Roy asked Building Inspector how EnviroVantage will clean up the site? Building Inspector LeMere replied that the Company will be doing hand picking and raking. If necessary they will excavate to ensure the site is clean. Mr. Roy then asked if the asphalt shingles has been addressed. Building Inspector LeMere responded that the State did not have an issue with the asphalt shingles as being hazardous.

Mr. Cloutier asked for clarification about excavating. Building Inspector reiterated that EnviroVantage has taken over the site and will do what is necessary to clean the site.

Mr. Cloutier expressed his concern that there are cameras facing his property. Police Chief Jewett will assist with Mr. Cloutier with this issue.

Chairman Burrill stated that should there be more issues on the site, he should contact Building Inspector LeMere.

V. Scheduled Business

**A. Police Department – Cruiser lease**

Police Chief Jewett addressed the Board about purchasing a new cruiser. He is looking to the Board for guidance on who can sign the lease agreement. Chairman Burrill stated that a member of the Board needs to sign the agreement.

**Selectman Donovan moved to enter into a 3-year lease with Ford Credit, for a 2017 Police Ford Interceptor starting, date to be determined, in the amount of \$13,366. Seconded by Selectman Gonyer for discussion.**

Selectman Gonyer asked if there was an escape clause in the contract. Selectman Doggett reviewed the contract and determined that there was no escape clause. Selectman Gonyer explained that there needs to be an escape clause because it is a 3-year contract. Should the Town not approve the contract in subsequent years the Town needs to be able to exit the contract without penalty.

Town Administrator Wrigley asked if there was a trade in applied to the contract. Police Chief Jewett stated that it is factored into the price.

**Selectman Donovan amended his motion to reflect that an escape clause is needed. Seconded by Selectman Gonyer with a unanimous vote.**

**Selectman Donovan moved to authorize the Chairman to sign the lease agreement with Ford Credit provided that the escape clause is part of the contract. Seconded by Selectman Gonyer with a unanimous vote.**

**B. Road Agent**

**a. Wentworth Drive traffic data**

Road Agent Mike Pivero addressed the Board. He informed the Board that the Police did a traffic survey on Wentworth Drive to see how many commercial trucks used the road. Based upon the data collected the Road Agent and Police Chief is not recommending a "No Trucking" sign. Chairman Burrill asked how this survey came about. Road Agent Pivero stated that there was 1 resident that filed the request.

Police Chief Jewett explained how the Police gathered the data. As part of a speed enforcement the Officers would be monitoring Wentworth Drive at random times during the day and count the number of commercial vehicles that used the road. Chief Jewett told the Board that he spoke with a few residents on the street to see what time of the day there were commercial vehicles. They informed him that most of the commercial vehicles using the road was around 6:00am. During the 5 days that the road was

monitored, 3 commercial vehicles were counted. Chief Jewett will post the findings on the official Police web site.

### **C. Fire/Rescue Station**

#### **a. Project update –Status of Alteration of Terrain permit**

Construction Manager (CM) Mike Pivero informed the Board that the Town has received notification from NH DES to allow the Town to start construction of the Fire/Rescue Station within the foundation footprint. Chairman Burrill expressed thanks to Mr. Quintal, Site Engineer and to CM Pivero.

#### **b. Ground Breaking Ceremony**

After discussion, the Board decided on September 5, 2017 at 5:30pm, 8 Merrimac Road to hold a ground-breaking ceremony and that all residents are welcome.

CM Pivero is hopeful that the Structural Engineer will provide the foundation drawing within the next few days.

#### **c. Refit a portion of the Butler Building for Construction Trailer**

CM Pivero stated that there's a portion of the Butler Building at 8 Merrimac Road that could be retrofitted to be used for the Fire Station construction trailer. This will cost less than renting a trailer for the project. Selectman Doggett stated that during the refit that any ADA requirements need to be met so the building can be used once the Fire/Rescue Station is completed.

CM Pivero spoke with Rockingham County Correctional to see if the inmates are available to do some of the labor to retrofit the office portion of the Butler Building. CM Pivero was informed that the inmates are already scheduled out for the next 5 weeks.

**Selectman Doggett moved to authorize the Construction Manager to use the funds set aside for a construction trailer rental to retrofit the office space in the Butler Building at 8 Merrimac Road to be used in place of the construction trailer. Seconded by Selectman Gonyer with a unanimous vote.**

### **D. Road Agent**

#### **a. Letter from NH DOT – Senate Bill 38**

Chairman Burrill reviewed the letter from the State of NH that will provide the Town with an Additional Highway Block Grant in the amount of \$91,992.34. Road Agent Pivero explained that there was concern that the funds needed to be expended in this calendar year. The State has clarified that the funds are non-lapsing.

#### **b. Letter from NH DRA – Senate Bill 38**

The Town received a letter from NH DRA informing the Town on how to accept and expend the funds and what the funds could be used for. Specially, the funds need to be used for un-funded highway projects.

### **E. Transfer Station**

**a. Access to disposal containers**

The Transfer Station Manager is still working on getting more quotes for permanent stairs to the above ground bulk containers. Chairman Burrill asked Road Agent Pivero which would be best to use, composite or concrete stairs. Road Agent Pivero recommends pre-fab concrete stairs. Custom hand railings would need to be added.

**b. Hazardous Waste Day flyer**

The Household Hazardous Waste Day will be held on November 4, 2017 from 9:00am to 12:00pm. The Board approved the wording on the flyer that should the amount of allocated funds be reached before 12:00pm, the collection of household hazardous waste will end.

**F. Policy Subcommittee – Residential Sticker**

Selectman Gonyer reviewed the changes to the policy that the subcommittee is recommending. Selectman Donovan took issue with the limitation of the number of stickers per household. Upon further discussion, the number of stickers per household was increased to 6.

Selectman Gonyer spoke with the Town Clerk to address her concerns about commercial vehicles not owned by a Newton resident. No resident stickers will be issued to commercial vehicles. A mirror tag can be issued provided that proof of residency is provided.

The location of the sticker was discussed and will be left as is in the policy. The Town Clerk will mark the registration with the color of the sticker. The Town Clerk will decide how best to mark the color of the residential sticker if one is issued.

**Selectman Doggett moved to adopt the amended residential policy dated August 15, 2017. Seconded by Selectman Gonyer with a unanimous vote.**

**G. 2 Amesbury Road – Roof**

Chairman Burrill explained that the old Police Station at 2 Amesbury Road has been taken back by the Town due to unpaid taxes. Town Administrator Wrigley stated that the roof appears to be in need of repair. Chairman Burrill suggested the County inmates might be able to do the work if the Town can provide the materials and resources. Selectman Doggett asked if the Building Inspector has inspected the site. Selectman Donovan will get a quote from a roofer. Secretary Morin will get a quote from the County for using the inmates as laborers. Selectman Donovan will provide Secretary Morin a list of materials and equipment needed.

Town Administrator Wrigley informed the Board that the property can be sold and the Town does not need to wait 3 years. Selectman Gonyer explained that if the property is sold any proceeds above the cost the Town has incurred, including maintenance, back taxes, fees, etc. is returned to the owner.

**H. Bookkeeper – Memo General Accounting Standards Board**

Town Administrator Wrigley informed the Board that the Town received a notice that the GASB form needs to be updated. Bookkeeper Kim Hughes spoke with the town auditor Vachon Clukay and was told that they are fine with either company proposed. Mrs. Hughes provided the Board with 2 quotes from Nyhart and Jefferson and is recommending the Board accept the quote of \$2,150.00 from Jefferson Solutions, Inc. Nyhart's quote for the same amount of work, was \$5,800.00.

**Selectman Doggett moved to accept the quote from Jefferson Solutions, Inc. to update the GASB 45 and 75 form in the amount of \$1,075.00 per fiscal year 2017 and 2018. Seconded by Selectman Gonyer with a unanimous vote.**

**I. Marshall Hose cleaning**

The Newton Historical Society requested that the Marshall House be cleaned prior to Olde Home Day, October 7, 2017. The Society will open the museum to the public on that day. The Board approved having Custodian Romanoski clean the house.

**J. Cub Scouts Beach**

Selectman Gonyer spoke to this request from the Cub Scouts to hold a membership drive event at the Town Beach on August 21, 2017 from 1:30pm to 3:30pm.

**Selectman Doggett moved to sign the permit for the Cub Scouts to use the Town Beach on August 21, 2017 from 1:30pm to 3:30pm. Seconded by Selectman Gonyer with a unanimous vote.**

**K. Comcast Franchise Fee – memo to Bookkeeper**

Town Administrator explained that this is the quarterly payment for April, May and June, received from Comcast franchise fees.

**Selectman Doggett moved to sign the letter to Bookkeeper authorizing a payment of \$2,532.19 to the Cable Revolving Fund. The remaining \$22,789.65 to be deposited into the General Fund. Seconded by Selectman Gonyer with a unanimous vote.**

**L. 2017 Summary of Expenditures -- Board members will review offline**

**M. Land Use Change Tax – Map 9 Lot 6-7-5**

**Selectman Gonyer moved to sign the Land Use Change Tax for Map 9 Lot 6-7-5. Seconded by Selectman Donovan with a unanimous vote.**

**N. Recreation Commission**

**a. Wave permit fees for vendors**

Chairman Burrill explained that the Recreation Commission sets the permits fees and will handle this.

**b. Visit from Wally the Green Monster**

Chairman Burrill informed the Board that the Recreation Commission is looking to engage Wally, the Red Sox Mascot, for Olde Home Day.

### **O. Public Hearings Schedule**

Town Administrator Wrigley explained that there are 5 in total public hearings that will occur on September 5, 2017 beginning at 6:30pm. She asked the Board to review the notices prior to submitting them for publication. The Board approved the wording for all the legal notices.

- VI. Other Business, Sign Manifests, Requisitions, Abatements, Tax Credits, Correspondence and Appointments
  - Other Business

### **Proposal for Fire Station Communications Tower Lease**

Town Administrator Wrigley stated that the Planning Board would need to address this and hold public hearings. Selectman Doggett would like to review the site plan as he is not sure it will fit on the site. The request is for 1000 square feet. Town Administrator Wrigley informed the Board that the Fire Chief was not ready to present to the Board.

### **Review amended employee evaluation form and instructions**

Selectman Gonyer discussed the changes made to the form and the added instructions. Selectman Doggett would like to review the form after the pilot program has ended.

- Correspondences

Letters -- Thank you for RFP's for Household Hazardous Waste Day Bids.

The Board signed thank you letters to the following companies:

Care Environmental Corporation, Clean Venture, Inc., MXI Environmental Services, LLC, Stericycle Environmental Solutions, Inc., and Tradebe Environmental Services

- Manifests and Requisitions

**Selectman Doggett moved to sign vendor manifest dated August 1, 2017 in the amount of \$58,533.86. Seconded by Selectman Gonyer with a unanimous vote.**

**Selectman Doggett moved to sign new Fire/Rescue Station vendor manifest dated August 1, 2017 in the amount of \$11,286.00. Seconded by Selectman Gonyer with a unanimous vote.**

**Selectman Doggett moved to sign new Fire/Rescue Station vendor manifest dated August 1, 2017 in the amount of \$6,680.00. Seconded by Selectman Gonyer with a unanimous vote.**

**Selectman Gonyer moved to sign manifest for pay period 07/23/2017- 08/05/2017 with pay date of 08/10/2017. Seconded by Selectman Doggett with a unanimous vote.**

**Selectman Gonyer moved to sign requisition #2668 in the amount of \$11,286.00 Port One Architects for billable hours through July 31, 2017. Seconded by Selectman Donovan with a unanimous vote.**

**Selectman Donovan moved to sign requisition #2547 as recommended by the Cable Committee in the amount of \$60.65 for AA rechargeable batteries. Seconded by Selectman Gonyer with a unanimous vote.**

**Selectman Donovan moved to sign requisition #2558 in the amount of \$349.99 for a portable roadside sign to be used to advertise Town events. The sign will be place at 2 Amesbury Road. Seconded by Selectman Gonyer with a unanimous vote.**

**Selectman Donovan moved to sign requisition #21120 as recommended by the Recreation Commission in the amount of \$647.20 to have the Red Sox Mascot, Wally, make an appearance at Olde Home Day, October 7, 2017. Seconded by Selectman Gonyer with a unanimous vote.**

VII. Adjourn

**Selectman Doggett moved to adjourn at 9:25pm. Seconded by Selectman Gonyer with a unanimous vote.**

Respectfully submitted,

Diane M. Morin  
Board of Selectmen Secretary