



**Office of the Board of Selectmen  
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NEWTON BOARD OF SELECTMEN  
**DATE: WEDNESDAY, AUGUST 5, 2020**  
**TIME: 6:00PM**  
CONFERENCE CALL

**PUBLIC MEETING MINUTES**

I. Call to Order

Chairman Burrill called the meeting to order at 6:00pm.

As Chairman of the Board of Selectmen for the Town of Newton NH, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe or listen contemporaneously to this meeting which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

Utilizing Zoom Conference Call for this electronic meeting. All members of the Board have the ability to communicate during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #929-205-6099. Meeting ID number is 86907536632. Or using the link provided here: <https://us02web.zoom.us/j/86907536632>

We previously gave the notice to the public of the necessary information for accessing the meeting, including how to access the conference call via phone.

If anyone has a problem, please email [BOSSecretary@newtonnh.net](mailto:BOSSecretary@newtonnh.net). In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Utilizing Zoom Video Conferencing was Chairman Matthew A. Burrill, Selectmen Lisa L. Gonyer, Kathryn Michaels, Town Administrator Nancy Wrigley, and Secretary Diane Morin. Utilizing Zoom Audio Conferencing was Selectmen Lawrence B. Foote, Charles R. Melvin Sr. The public session was videotaped. The public meeting minutes were transcribed and typed by Secretary Morin.

Other conference call attendees were Tina O'Rourke, Trisha McCarthy, Terry Caswell, Pete Gagnon, Chief Jewett, Cheryl Saunders, Barbara White, MaryJo McCullough, Robert Dezmelyk, Michael Pivero, and members of the public.

II. Scheduled Business

**A. Update – COVID-19 virus**

Chairman Burrill explained the reason for the meeting was to bring the Board and public up to date on guidelines to combat the spread of the COVID-19 virus.

Mrs. McCarthy briefed the Board with new updates from the State conference calls that she attended. She provided the Board with the latest statewide statistics which includes First Responders.

NH schools are stocking up on PPE's for the upcoming school year. The State will assist those school districts that need PPE's. The State is recommending that students and staff wear masks at all times and especially when social distancing is not possible.

Utility crews are assisting other States with recovery from storm damage caused by Tropical Storm Isaias which may result in a slower response to restoring service where needed in the NH.

The Secretary of State informed EMD Foote that he will need a large vehicle to pick up the election supplies for the Town. The supplies include plexiglass partitions, paint marking for social distancing, pens, pencils, goggles, masks, gowns, and other items.

The Governor has stated that the State of Emergency will remain in place until a vaccine is available.

The CDC has updated re-opening guidelines for schools, municipalities, and businesses. Some updated guidelines are to increase air circulation, increase distance between workspace areas, install barriers and other updates. Some of the recommendations made were to not have employees share desks, phones, pens, pencils, and frequently clean high touch surfaces.

Mrs. McCarthy stated that the library plexiglass panels have been installed.

There was concern from a resident that had an appointment with the Town Clerk that there were other people at the windows as well and there was no partition between the windows to protect each other. Mrs. McCarthy contacted the vendor that installed the plexiglass shields to see if he could install partitions where needed. He will provide a quote for the partitions.

Mrs. McCarthy informed the Board that the EOC is looking into renting a tent for the upcoming elections. There is no cancellation fee or deposit required.

EMD Foote, Chief Alcadinho, Chief Jewett and Mrs. McCarthy will be attending a meeting for a POD (Point of Distribution) drive-thru vaccine for COVID-19 at the Sanborn Regional High School on August 12, 2020.

#### **B. Request from Resident – Thornell Road**

Chairman Burrill explained that Mr. Jeffery Phaneuf, a resident of the Town, asked the Board to re-visit a decision made at the July 21, 2020 that awarded a paving contract to Bell & Flynn to pave Thornell Road. Mr. Phaneuf expressed concern that the cost was \$3,000.00 more than the lowest bid.

Chairman Burrill explained that the Road Agent is an elected official and handles the day to day operations and projects which involve any Town owned road. The Board of Selectmen handles the Town's finances.

Mr. Phaneuf addressed the Board and stated that in the minutes from July 21, 2020 both Brox and Bell & Flynn were equal in quality and workmanship. He asked why the Town is paying \$3,000.00 more when we do not have to and shouldn't.

Road Agent (RA) Pivero reviewed the bid from 2019 in which Brox was the low bidder at \$27,140.38 less than the second lowest bid. Hence, he recommended Brox for the project. He went on to explain that Brox is a large company that has several different crews, and some are sub-contractors. Because Brox is such a large company, the small projects, such as paving Thornell Road, might not be given the highest priority when scheduling the job. Due to the inclement weather in 2019, Brox was not able to meet the paving of Thornell Road schedule.

RA Pivero stated that with Bell & Flynn they are a small company with only one crew. The workmanship is of the same quality as Brox.

Mr. Phaneuf asked why the Town chose to use Brox in previous years. RA Pivero stated that it was due to the difference in cost which last year was \$27,140.38.

Mr. Phaneuf read a portion of the Town's Purchase Policy and claimed that the Board had not followed the policy.

Selectman Gonyer stated that the reason the Board chose Bell & Flynn was due in part that Brox failed to meet the schedule in 2019. Also, the difference between both companies in the 2020 bids was significantly closer than in 2019. With Bell & Flynn the Board had better confidence that the paving would be completed within the Town's schedule.

Selectman Gonyer stated that the purchase policy also states that the Board can choose which vendor is best for the Town. The Board made the decision based on the recommendation from the Road Agent and for having the paving completed within the Town's schedule.

Chairman Burrill stated that the Board voted unanimously to choose Bell & Flynn based on the prior meetings and conversations with the Road Agent. He stated that going with this vendor was in the best interest of the Town at this time.

Mr. Phaneuf stated that none of the information is on the record and why doesn't the Board go back to Bell & Flynn and ask them to "sharpen their pencil". RA Pivero stated that the actual cost may vary and that is due to the amount of asphalt that may be needed and any other unforeseen issues. Mr. Phaneuf disagreed with RA Pivero on the cost of the project. The discussion continued between Mr. Phaneuf and RA Pivero.

RA Pivero asked the Board if they would like him to go back to Bell & Flynn and ask them to match Brox. The discussion turned to where the asphalt would come from.

Chairman Burrill stated that as long as the Town is getting the same quality that he does not have an issue with RA Pivero going back to Bell & Flynn with the request to meet the lower bid.

Selectman Michaels stated that it must be the same quality and completed on time.

Selectman Gonyer stated that back in November 2019 the Road Agent brought the scheduling issue to the Board.

Selectman Foote stated that the contract was awarded but has no issue with RA Pivero going back to the vendor.

Selectman Melvin stated that he spoke with the former Road Agent who informed him that the Town has used Bell & Flynn in prior years and that the quality of workmanship was better. He

felt that for \$3,000.00 extra the Town will get a better product. Should the vendor cut the cost by that amount, then somewhere else in the project would need to be cut to make up the difference. Mr. Phaneuf stated said that if all things are equal why is the Town paying an extra \$3,000.00. Selectman Melvin stated that one difference is the warranty and Bell & Flynn are throwing in extras.

Selectman Michaels stated that her vote was made in favor of Bell & Flynn because the two bids were not comparable. Having the job done by a certain crew by a certain time and one not is not comparable job. If they were then the Board would not have voted for the higher amount.

Mr. Phaneuf stated that Selectman Michaels statement further backups the point that the Board is back pedaling to justify expending the extra \$3,000.00. Mr. Phaneuf stated that he hopes the Board can live with the decision that they made.

Selectman Gonyer stated that the decision was not based on just the information presented on July 22, 2020. It was based on information that appeared in prior public meetings. The Board as individuals will do the research so that they can discuss the topics at hand. If there are no questions or concerns and the Board is confident in the information presented to the Board, there is not much for the Board to discuss unless a member of the public questions the decision.

### **C. Upcoming Elections – Process and procedures**

Mrs. McCarthy stated that the EOC has called around to local rentals for a large tent. A 30x30 tent rental would be around \$1,800.00. It will need sides and lights which is an extra cost. Setup would done the day before the elections and removed the day after elections.

Another option would be to use the Memorial School auditorium. The auditorium is being used for storage at this time.

Town Moderator (TM) Robert Dezmelyk addressed the Board. The polling place that is chosen must be a safe and inviting environment as to not discourage voters from exercising their right to vote. The Secretary of State has expanded the range of disabilities of voters that can vote via absentee ballots. The Town Clerk and he have been working on ways to encourage voting via absentee ballot.

The Town Hall is too small to be used for in person voting so another polling place is needed. There can be no voters waiting in lines, so TM Dezmelyk is suggesting that voters wait in their vehicles. This would reduce the number of people in the polling place at one time.

TM Dezmelyk stated that drive through voting is not being allowed by the State. He is unsure if the State would approve the use of a tent. He is recommending that a building be used where the doors can remain open to allow for air circulation. The Middle School is not available due to a lease with a Charter School.

The Memorial School would be such a place for the September elections. For the November elections the Memorial School may not be available if the students are back in the classrooms. Other possibilities are the old fire station or the Safety Complex.

One of the main issues with any of the locations is traffic. We would need to coordinate with the Police, Fire and Highway Departments to manage the traffic.

He does not believe a tent would be able to handle the number of in person of voting.

He is asking the Board to help educate the voters on the new process and the safety of voting in person. Voters will be able to request an absentee ballot from their vehicle on election day. TM Dezmelyk and Town Clerk McCullough are looking at different ways to educate voters such as having flyers available at the Transfer Station. Another possibility is to have a voter registration fair and absentee ballot request outside under a tent prior to the elections.

TM Dezmelyk stated that there will be additional costs for both elections. There will be a need for additional Police and Fire personnel on the day of the elections.

Selectman Gonyer left the meeting.

Town Clerk McCullough stated that another possible venue could be Greenie Park.

Chief Jewett stated that he will meet with Election Officials to discuss how to handle safety issues.

Chairman Burrill stated that the Safety Complex would be his choice for holding elections. Selectman Michaels agrees on using the Safety Complex but would like to consider using a tent as well.

Secretary Morin asked if the sprinkler system construction would impact the September election. Mrs. McCarthy stated that she spoke with the Construction Manager and he hopes to have the holes filled in within 2-3 weeks.

Selectman Melvin agreed the Safety Complex would be a good choice. Voters could drive through the apparatus bay, hand their ballot to one of the poll workers and watch as they place the ballot in the voting box.

Selectman Foote asked if a tent is an option. TM Dezmelyk stated it is a gray area with the Secretary of State. He also stated that allowing people to drive through the bay area could be a safety hazard should a driver not be able to negotiate the area.

Selectman Melvin asked where the candidates will be allowed to stand. TM Dezmelyk stated that those types of issues need the input from the Chiefs once a venue is chosen.

Town Clerk McCullough stated that a venue needs to be decided upon before a detailed plan can be discussed.

**Chairman Burrill moved to plan on using the Safety Complex at 8 Merrimac Road for September 8, 2020 and have all the necessary stakeholders discuss offline and present a conceptual plan whether inside or outside to bring back to the Board. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

Town Clerk McCullough stated that the absentee ballots have been used in the State of New Hampshire for several years and is very safe. There are checks and balances that assures only registered voters receive an absentee ballot. Her office validates all requests for absentee ballots.

Mrs. McCarthy informed the Board that the electronic message board has been programmed with a message about absentee ballots.

#### **D. Greenie Park – Quote for playground equipment**

Chairman Burrill explained that the Town received the quote for the playground equipment and installation. The site work will be done by a different vendor. The cost for the equipment and installation is \$56,942.00 with \$31,942.00 to come from the Recreation Revolving Fund and \$25,000.00 from the warrant article approved on March 10, 2020. There is the possibility of a cash donation from the Friends of Newton Recreation that will help to offset the cost of the playground equipment.

Selectman Melvin asked if the Board would allow the children to play on the equipment once it is installed. Chairman Burrill stated that the Town has waited a long time for the upgrade. Selectman Foote stated the it will be up to the parents to make that decision.

Town Administrator Wrigley stated that at this time she does not have a requisition on file and has not seen a donation from the Friends of Newton Recreation in the amount of \$9,000.00.

**Selectman Foote moved to approve the quote in the amount of \$56,942.00 provided all necessary paperwork is in place for the Bookkeeper to process. Seconded by Selectman Burrill. Burrill – aye, Michaels – aye, Foote – aye. Melvin – nay.**

**E. Review New Fire Truck motion from July 22, 2020**

**Selectman Foote moved to rescind the motion that was made at the July 22, 2020 Board of Selectmen's meeting for the new fire truck options. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**Selectman Michaels moved to authorize the expenditure of up to \$7,742.00 for the additional cost of mounting shelving/boards for the new fire truck to be paid with the available funds in the 2020 lease payment from Warrant Article #18. Seconded by Selectman Foote for discussion.**

Selectman Foote asked how the Town will cover the remainder of the cost that the Fire Chief requested for the options on the new fire truck? Town Administrator Wrigley stated that the remainder could come from the 2020 budget or the Fire Truck Capital Reserve Fund.

**Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**F. Memo to Treasurer**

**a. Tax Map 4-3-6-7**

**b. Tax Map 4-3-6-8**

Secretary Morin addressed the Board and informed them that the Road Agent has approved the sign off for the Road Bonds and that a Certificate of Occupancy has been issued for both properties. She is requesting the letter of credit for the road bonds be released.

**Selectman Foote moved to release the letters of credit for tax map 4-3-6-7 and 4-3-6-8 that are held by the Treasurer for \$5,000.00 per property Road Bond. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**G. Fire/Rescue Station – Quote to empty holding tank**

Chairman Burrill stated that the quote is for \$325.00 to empty the holding tank at the Fire/Rescue Station.

**Selectman Foote moved to have Pete's Septic Service pump the holding tank at the Fire/Rescue Station for \$325.00. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**H. Announcement – NH DOT public hearing August 13, 2020 6:00pm**

Secretary Morin announced that the NH DOT will be holding a public hearing to take public input for the redesign of the intersection of Route 108/Amesbury Road/Maple Avenue via Zoom Video conferencing. Details are available on the Town's website.

**I. Selectmen's nonpublic and public meeting minutes dated July 21, 2020**

Chairman Burrill moved to accept the nonpublic and public meeting minutes dated July 21, 2020 as written. Seconded by Selectman Michaels. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

**J. Selectmen's public meeting minutes dated July 22, 2020**

Selectman Foote moved to accept the public meeting minutes dated July 22, 2020 as written. Seconded by Selectman Michaels. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

**K. Vendor Manifests**

Selectman Foote moved to sign vendor manifest dated July 28, 2020 in the amount of \$1,230,539.31 of which \$1,138,819.00 goes towards the September Sanborn Regional School District payment. Seconded by Selectman Michaels. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Melvin moved to sign vendor manifest dated August 4, 2020 in the amount of \$76,157.32. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Melvin moved to sign Highway Revolving Fund manifest dated July 28, 2020 in the amount of \$8,320.00. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Foote moved to sign Highway Revolving Fund manifest dated August 4, 2020 in the amount of \$70,978.87. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Melvin moved to sign Police Special Details manifest dated July 28, 2020 in the amount of \$1,888.50. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Foote moved to sign Police Special Details manifest dated August 4, 2020 in the amount of \$328.38. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Melvin moved to sign Fire/Rescue Station vendor manifest dated July 28, 2020 in the amount of \$350.00. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Melvin moved to sign Fire/Rescue Station vendor manifest dated August 4, 2020 in the amount of \$43,606.41. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

Selectman Melvin moved to sign Cable Revolving Fund manifest dated August 4, 2020 in the amount of \$4,656.00. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.

**Selectman Foote moved to sign payroll manifest for pay period July 19 – August 1, 2020 with a pay date of August 6, 2020. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**L. Appointments – Cable Committee**

**Chairman Burrill moved to appoint Sarah Woodman to the Cable Committee for a 2-year term. Term to expire on April 30, 2022. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**Selectman Melvin moved to appoint Christine Kuzmitski to the Cable Committee for a 3-year term. Term to expire on April 30, 2023. Seconded by Selectman Foote. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**Chairman Burrill moved to appoint Diane Morin to the Cable Committee for a 3-year term. Term to expire on April 30, 2023. Seconded by Selectman Melvin. Burrill – aye, Michaels – aye, Foote – aye, Melvin – aye.**

**III. Adjourn**

**Selectman Melvin moved to adjourn at 7:46pm. Seconded by Selectman Michaels.**

Respectfully submitted,

Diane M. Morin  
Board of Selectmen Secretary