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www.newton-nh.gov

NEWTON BOARD OF SELECTMEN

DATE: TUESDAY, JULY 20, 2021

TIME: 6:00PM Non-Public 7:00PM Public

LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD and

ZOOM CONFERENCE CALL

PUBLIC MEETING MINUTES

Call to Order

Vice-Chairman Melvin called the meeting to order at 6:00pm. In attendance were Selectmen Lawrence B. Foote; Chairman, Charles R. Melvin Sr.; Vice-Chairman, Kathryn Michaels, Matthew A. Burrill, Edvin Crnolic, Town Administrator Nancy J. Wrigley, and Selectmen's Secretary Diane M. Morin. The non-public session was audio taped. The public meeting was videotaped; the public meeting minutes were transcribed and typed by Secretary Morin. A portion of the non-public session minutes were transcribed and typed by Town Administrator Wrigley. A portion of the non-public session minutes were transcribed and typed by Selectman Burrill.

Selectman Kathryn Michaels joined the meeting via Zoom. As per RSA 91-A:2, III: where attendance in person is not "reasonably practical" Selectman Kate Michaels is participating via zoom due to a health issue. Selectman Michaels stated that there were no other persons in the room with her.

Selectman Lawrence Foote joined the public meeting via phone. As per RSA 91-A:2, III: where attendance in person is not "reasonably practical" Selectman Lawrence Foote is participating via phone and zoom because he was on vacation. Selectman Foote stated there were no other persons in the room with him.

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

Selectman Burrill moved to go into non-public session at 6:00pm under RSA 91- A:3 II (c) – Reputation. Seconded by Selectman Crnolic with a roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye Foote - aye.

Selectman Burrill moved to close the non-public at 6:38pm. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye, Foote.

Selectman Burrill moved to go into non-public session at 6:38pm under RSA 91- A:3 II (a) – Compensation. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye Foote - aye.

Selectman Burrill moved to come out of non-public at 6:43pm. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye, Foote.

Selectman Burrill moved to go into non-public session at 6:43pm under RSA 91- A:3 II (b) – Hiring of a Public Employee. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye, Foote.

Selectman Burrill moved to come out of non-public at 6:52pm. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye, Foote.

Selectman Burrill moved to go into non-public session at 6:52pm under RSA 91- A:3 II (c) – Reputation. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye Foote - aye.

Selectman Burrill moved to come out of non-public at 6:56pm. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye Foote - aye.

Selectman Burrill moved to go into non-public session at 6:56pm under RSA 91- A:3 II (a) – Compensation. Seconded by Selectman Crnolic with a roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye Foote - aye.

Selectman Burrill moved to come out of non-public at 7:17pm. Seconded by Selectman Crnolic with a unanimous roll call vote: Melvin – aye, Burrill – aye, Michaels - aye, Crnolic – aye Foote - aye.

II. Scheduled Business

A. Seal non-public minutes

Selectman Melvin moved that the Board just came out of a non-public session under RSA 91-A: 3 II (a), (b), and (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 Crnolic. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

B. Per RSA 31:95-b

Mr. Paul Murray presented to the Board a check from Flatbread Company and one from Wilder's Tree Service. The donations are to go into the Skateboard Park Expendable Fund for the purpose of revitalizing the skateboard park at Greenie Park. He has some cash that he will need to count before donating it to the Town.

Selectman Burrill moved per RSA 31:95-b to accept and expend unanticipated funds for the Skateboard Park Expendable Trust Fund from The Flatbread Company in the amount of \$740.25 and found Wilder's Tree Service in the amount of \$500.00 with thanks and appreciation. Seconded by Selectman Melvin. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

C. Request for residential sticker for business vehicle

Ms. Jen Thewes of 22 Maple Avenue sent an email requesting a permanent residential sticker for the commercial vehicle that is registered in Town and to their company.

Selectman Burrill stated that per the policy a resident should not have to come before the Board to request a permanent residential sticker. They will need to provide the Town Clerk with proof of residency, and she will issue a residential sticker.

Selectman Foote re-joined the meeting at 7:29pm via Zoom.

D. Commercial Trash Hauler - Residential bulk items

Mr. Steve St. Cyr addressed the Board. He is asking for approval to provide a service to residents. He would like to pick up bulk items from residents to bring to the Transfer Station. He will pay the bulk item fees for the resident.

Transfer Station Manager Pete Gagnon addressed the Board. He stated so long as he is not bringing in several loads in one day, there should be no issues.

Selectman Crnolic asked if they allow Mr. St. Cyr to bring bulk items what of other companies that might not have wanted to offer their trash hauling service because of this restriction. Selectman Burrill stated that it would be in the policy so that any business applying for permit would have that option.

Selectman Burrill moved to begin a trial period of 90 days that would allow commercial trash haulers with a permit to bring residential bulk items to the Transfer Station ending October 18, 2021. The Board will then review the policy. Seconded by Selectman Crnolic. Michaels – aye, Burrill – aye, Crnolic – aye. Foote – nay, Melvin – nay. The motion passed.

E. Road Agent Pivero -- Brush Pile at Transfer Station

Road Agent Pivero addressed the Board. He explained that the brush pile at the Transfer Station is too large to burn. He is recommending that the brush pile be chipped and then disposed of. He received estimates from several companies. The one he recommends, Mayer Tree Service, estimates the cost will be \$5,500.00. Once the chipping is done, the area should be screened and leveled off.

Selectman Crnolic asked if this went out to bid. Road Agent Pivero stated that he did not go out to bid. Selectman Melvin asked if Road Agent Pivero spoke with the company that makes the large chipper. Road Agent Pivero stated he did not.

Selectman Burrill moved to ask for sealed bids to have the brush pile at the Transfer Station chipped and hauled away. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

The Board asked Road Agent Pivero to work with Secretary Morin to write up the request for proposal.

F. Memo - Reduction of Letter of Credit - Thornell Road Bond

Selectman Crnolic read the proposed memo to Treasurer Gonyer to reduce the letter of credit for Robert Scally.

Selectman Crnolic moved to authorize Secretary Morin to send the memo to the Treasurer to reduce the letter of credit from \$13,000.00 to \$3,000.00. Seconded by Selectman Burrill. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

G. Country Pond Watershed – Greg Senko – grant proposal

Mr. Greg Senko, a representative of Country Pond Lake Association (CPLA), presented the proposed improvements to the Town boat ramp. CPLA is asking the Town to assist with the project by supporting the efforts to apply for a grant from the State under the Watershed Assistance Grant Program. The grant requires a Watershed Management Plan be in place. CPLA has worked with Rockingham Planning Commission and State DES on the plan.

The estimated cost for the project is \$40,000 - \$50,000. The grant requires the Town to provide a 40% match. The match can come from volunteer hours, in-kind services, or cash. CPLA estimate that they can provide about \$10,000 towards the cost. They will also carry an insurance liability for the duration of the grant. The Town would need to provide \$6,000 - \$10,000.00 over 2-years in matching funds. These funds could be offset by utilizing the Highway Department time and equipment for the project.

The CPLA is looking for support from the Board for this project and to look at budgeting for the Town's portion. The Conservation and Recreation Commissions support this effort. By completing this project, it would go towards the Town's MS4 requirements.

Selectman Melvin asked if Kingston was involved. Mr. Senko stated that there is another project on Concannon Road that they are working on with Kingston. Selectman Melvin stated that he spoke with Representative Wilder and was informed by him that the NH Fish and Game has control over boat ramps. Mr. Senko will contact NH Fish and Game. Selectman Melvin also asked Rep. Wilder if Kingston would be willing to contribute to the project. Selectman Melvin stated that Rep. Wilder told him it would need to be a warrant article. Mr. Senko stated that they will need several permits.

Selectman Burrill stated that the funding would need to be a warrant article.

Selectman Michaels stated that Ms. Alicia Geilen will be providing in-kind services and was that included in CPLA's \$10,000? Mr. Senko stated that ves. her in-kind services are part of the \$10,000.00.

Selectman Crnolic moved to sign a letter of support for proposed boat ramp project. Seconded by Selectman Michaels. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

H. Per RSA 31:95-b

Mr. Paul Murray stated that he has tallied the cash donations he received for the Skateboard Park. His total is \$3,255.00.

Selectman Burrill moved per RSA 31:95-b to accept and expend unanticipated funds for the Skateboard Park Expendable Trust Fund in the amount of \$3,255.00 with thanks and appreciation. Seconded by Selectman Michaels. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – ave.

I. Unseal bids for Gale Library roof replacement

The Board unsealed the bids they received for replacing the Gale Library roof. Bids were received from Norton Construction in the amount of \$13,900. Michael W. Gosselin Roofing in the amount of \$12,750. iRoof in the amount of \$12,000. And Roof Repairs in the amount of \$14,900.

Selectman Foote recommends looking at each company's online profile.

The Board discussed the bids and decided to have the bids scanned to them for further review. They will meet on July 27, 2021, to review and possible accept a bid.

J. Unseal bids for 2021-2022 Oil and Propane fuel

The Board unsealed the bids they received for the 2021 – 2022 heating season. Bids were received from Suburban Propane and Broco Oil.

Suburban Propane bid was for 3500 gallons of propane at \$1.895 per gallon and 5400 gallons of #2 heating fuel at \$2.67 per gallon.

Broco Oil bid was for 3500 gallons of propane at \$2.488 per gallon and 5400 gallons of #2 heating fuel at \$2.888 per gallon.

Secretary Morin will work up a spreadsheet to compare the 2 bids received.

K. Options for purchasing fuel for town vehicles

Chief Alcaidinho recommends applying for a Wex Bank Credit Card. This credit card will automatically remove the fuel taxes the Town pays when purchasing fuel for Town owned vehicles. He is recommending this approach so as not to negatively impact the local business that the Fire Department currently uses for fuel purchases.

Mr. Ralph Estabrook owner of Estabrook Garage addressed the Board. He understands the Town wants to save money but going to Kingston will add wear and tear on the vehicles. The Town would need to pay the driver for the time they are on the road. The Fire and Police Departments have been purchasing fuel from him for years.

Selectman Crnolic asked if the Police Department uses the Wex card at his station. Mr. Estabrook stated that he does not accept the card. He explained that the Town can file for a refund for the taxes paid.

Selectman Melvin asked who pays the taxes on the fuel. Mr. Estabrook stated that the purchaser pays the taxes.

Town Administrator Wrigley stated that several years ago the former Police Chief had an arrangement with the Route 108 store to not charge the Town the taxes for the fuel. If they did charge the Town, the

Town received a refund check. She stated that she is waiting for a call from the State Department of Safety for clarification on refund for diesel fuel. She has the form for gasoline refund. The refund request needs to be submitted by April 15 for the prior year.

Chief Alcaidinho explained that he was told that the process for getting the taxes refunded was for the vendor to report the number of gallons purchased. Then the administration turns in the form for the refund. The Fire Department has changed their policy to keep better records to make the process more efficient. They will then turn them into the administration for processing.

Town Administrator Wrigley and Chief Alcaidinho discussed how to keep better records.

The Board asked Ralph Estabrook, of Estabrook's Garage, if he would be interested in becoming a vendor that accepts the Wex credit card. He responded that he would investigate it.

L. Fire Department

a. Service maintenance contract for vehicle exhaust system

Chief Alcaidinho stated that the vehicle exhaust system needs to be maintained. The annual cost would be \$1,028.00 which will include filters. The system is new so the company will be back in December to inspect the system to see if servicing will be needed more than once a year. This will need to go into the General Government Building budget for 2022. The contract begins June 1, 2022 and ends May 31, 2023.

Selectman Burrill moved to authorize the Vice-Chairman to sign the one-year maintenance contract with Air Cleaning Specialist to begin June 1, 2022, ending date of May 31, 2023, in the amount of \$1,028.00. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

b. Warranty extension for network switch

Secretary Morin explained that the current network switch warranty will expire. The vendor is recommending extending the warranty for 2 years. The cost for the 2-year warranty extension is \$486.48 and the funds will come from the Cable Revolving Fund

Chief Alcaidinho addressed the Board and stated that this should not be on the agenda under the Fire Department. The perception is that the Fire Department is making the request.

Selectman Burrill moved to authorize the Vice-Chairman to sign the warranty extension for the network switch. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

c. New fire truck - 4 change orders

Selectman Melvin read the change order for the new fire truck. The change order is for a supply compartment matting and tool mounting hardware. The labor to mount a turtle tile, tool hardware and customer items. The cost for the change order is \$9,787.00.

Chief Alcaidinho explained that the vendor uses the term "change order" for all changes requested which includes any options that need to be on the truck.

Selectman Burrill asked if the funds should come from the warrant article that was approved by the voters in 2020. Town Administrator Wrigley stated that Town budgeted for the \$76,744.14 to pay for the lease in 2020. After the 2020 Town elections, the Board accepted a bid that was lower. The amount of the new lease is now \$69,001.92 per year. This is the amount that was budgeted for 2021. The amount requested is not in any 2021 budget.

Mr. Pivero asked if the Town voters approved the total cost for the fire truck in the amount of \$649,000.00. The answer was yes. Selectman Melvin stated that the cost of the fire truck was reduced to

\$629,000.00. Mr. Pivero stated then the Town can spend up to \$649,000.00 for the truck. Selectman Burrill asked to have the Bookkeeper recommend where the funds could come from.

Selectman Burrill moved to authorize the Vice-Chairman to sign the change order in the amount of \$9,787.00 and to pay the invoice to Greenwood Emergency Vehicles. The funds to come from the Fire Department budget. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Melvin read the change order to fabricate and install compartment storage system for electric tools on the new fire truck.

Selectman Burrill moved to authorize the Vice-Chairman to sign the change order in the amount of \$2,500.00. Funds to come from the 2021 Fire Department Budget line item equipment. Seconded by Selectman Crnolic. Foote – ave. Melvin – ave. Michaels – ave. Burrill – ave. Crnolic – ave.

Selectman Melvin read the change order for a roll-up door header in the amount of \$2,018.00. Chief Alcaidinho informed the Board that there was a credit that was applied. The total amount is \$668.00.

Selectman Burrill moved to authorize the Vice-Chairman to sign the change order in the amount of \$668.00. Funds to come from the 2021 Fire Department Budget line item equipment. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Chief Alcaidinho asked the Board to allow the Chairman or Vice-Chairman to be able to sign any future change orders without having to come before the Board. Selectman Burrill stated that there should be a spending limit set.

Town Administrator Wrigley stated that there is the Capital Reserve fund for purchasing and refurbishing fire trucks should it be needed. Selectman Burrill expressed concerns that these "change orders" make it look like the Board keeps changing their mine. When in fact, these are custom options needed to make the fire truck fully equipped.

The Board discussed where the funds for future change orders would come from.

d. Requisition

Chief Alcaidinho stated that the funds were in his budget prior to the Board's decisions to pay for the change orders out of the Fire Department budget.

Selectman Burrill stated that the Board will need to review the Fire Department budget.

Selectman Burrill moved to sign requisition #2581 in the amount of \$5,624.62 for per Massachusetts State bid Firoy for protective clothing to be paid from the 2021 Fire Department Budget line item 4220309. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

e. Invoice for pre-build of fire truck

Selectman Melvin moved to pay the Greenwood invoice # 72256978 in the amount of \$11,782.00 for pre-build work done on the fire truck. Funds to be transferred to the Fire Department budget line item "Equipment Purchase", \$5,891 to come from the 2021 Legal budget "Legal" line item and \$5,891.00 to come from 2021 General Government Buildings budget "Repairs" line item. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye. Burrill – nay.

Selectman Burrill voted "nay" because he would like to review the budgets first. **The motion passed.**

Selectman Foote dropped from the call at 9:05pm.

M. Letter -- Thank you for new kiosk at Peanut Trail

Mrs. Trisha McCarthy addressed the Board. She spoke about the great work the Girl Scouts and the Road Agent did on the new kiosk at the head of the Peanut Trail. She stated the Conservation Commission has sent a thank you letter to the Girl Scouts.

Mrs. McCarthy informed the Board that the trail suffered damage from vandalism a few months back. The Conservation Commission will be purchasing cameras to be placed on the trail.

Selectman Crnolic moved to sign a letter of thanks to Girl Scout Troop 12959 for their work on the new kiosk at the head of the Peanut Trail. Seconded by Selectman Michaels. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

N. Sprinkler system vendor invoice

Selectman Melvin read the memo to the Trustees of Trust Fund authorizing them to pay the invoices for Carter Sprinkler Co. in the amount of \$87,013.01 and Kingston Electric in the amount of \$12,231.00. The funds to come from the Town Buildings Capital Reserve Fund.

Selectman Burrill moved to authorize Town Administrator Wrigley to send the letter to the Trustees of Trust Fund. Seconded by Selectman Crnolic. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

O. Planning Board

a. Refund application fee of \$250.00 to applicant

Selectman Melvin read the letter from the Planning Board Administrator explaining that the Planning Board mistakenly took jurisdiction of an application. They would like to refund the applicant fees that they incurred.

b. Refund postage (\$42.00) and advertising (\$127.58) from PB budget to applicant

Selectman Burrill moved to approve refunding the applicant \$250.00 for fees and \$168.98 to be put back in the Planning Board Operating budget. Seconded by Selectman Crnolic. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

P. Acceptance of amended meeting protocols

Secretary Morin stated that she made the changes per the Board's request.

Selectman Crnolic moved to accept the amended meeting protocols as written. Seconded by Selectman Michaels. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Q. Employee evaluation meeting schedule

The Board discussed when they would be able to meet to review employee evaluations. They will be meeting July 27, 2021, at 5:30pm in the Selectmen's Office to begin the review process. At the same time, they will review the bids for the repair of the library roof.

III. Correspondence

A. Memo – Request to carry over PTO – Diane Morin

Secretary Morin addressed the Board. She is requesting to carryover no more than 40 hours of PTO to 2022. Due to pandemic restrictions, she was not able to use all her PTO from 2020.

Selectman Burrill moved to approve Secretary Morin request to carryover not more than 40 hours of PTO to 2022. Seconded by Selectman Crnolic. Michaels – aye, Burrill – aye, Crnolic – aye. Melvin – nay. The motion passed.

B. Resignation letter – Tom McElroy

Selectman Melvin read the resignation letter from Mr. Tom McElroy. He has resigned from the Zoning Board of Adjustments. The Board thanked Mr. McElroy for his many years of service on the Board and to

the Town. Selectman Burrill stated that Mr. McElroy has been a member of the Zoning Board of Adjustments since February 1985. In that capacity, he has chaired the Board several times.

Selectman Burrill moved to accept the resignation letter from Mr. McElroy from the Zoning Board of Adjustments with heartfelt thanks and wishing both Tom and Nora well. Seconded by Selectman Crnolic. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

The Board would like a thank you letter sent to Mr. McElroy.

IV. Other Business

A. Manifest

Selectman Crnolic moved to sign vendor manifest dated July 20, 2021, in the amount of \$1,265,881.81 of that \$1,189,405.00 goes towards the August Sanborn Regional School District. Seconded by Selectman Burrill. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic moved to sign New Fire/Rescue Station vendor manifest dated July 20, 2021, in the amount of \$60,497.69. Seconded by Selectman Melvin. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic moved to sign Police Special Details Revolving Fund vendor manifest dated July 20, 2021, in the amount of \$1,863.82. Seconded by Selectman Melvin. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic moved to sign payroll manifest pay period June 20 – July 3, 2021, with a pay date of July 8, 2021. Seconded by Selectman Melvin. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic moved to sign payroll manifest pay period July 4 -- 17, 2021, with a pay date of July 8, 2021. Seconded by Selectman Melvin. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

B. Appointments

Selectman Melvin moved to appoint Sue Mears to the Recreation Commission as an Alternate Member with a term to expire April 30, 2024. Seconded by Selectman Crnolic. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

V. Announcements

Selectman Burrill announced that the Board signed the vendor manifest dated July 6, 2021, in the amount of \$76,429.64. They also signed the Cable Revolving Fund vendor manifest dated July 6, 2021, in the amount of \$6,216.35. The Fire/Rescue Bond manifest dated July 6, 2021, in the amount of \$783.82 was signed as well.

IV. Approval of Minutes

Selectman Burrill moved to accept the non-public and public meeting minutes dated June 28, 2021, as written. Seconded by Selectman Crnolic. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill moved to accept the non-public and public meeting minutes dated July 13, 2021, as written. Seconded by Selectman Melvin. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill stated that the Board will be meeting at 5:30pm in the Selectmen's Office on July 27, 2021. The Board will be going through employee evaluations, review the bids for the library roof and another topic that will be in non-public.

V. Adjourn

Selectman Crnolic moved to adjourn at 9:31pm. Seconded by Selectman Burrill. Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Respectfully submitted,

Diane M. Morin Board of Selectmen Secretary