



**Office of the Board of Selectmen
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**NEWTON BOARD OF SELECTMEN
DATE: TUESDAY, SEPTEMBER 7, 2021
TIME: 5:30PM**

**LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD and
ZOOM CONFERENCE CALL**

PUBLIC MEETING MINUTES

I. Call to Order

Chairman Foote called the meeting to order at 5:50pm. In attendance were Selectmen, Lawrence B. Foote; Chairman, Charles R. Melvin Sr.; Vice-Chairman, Kathryn Michaels, Edwin Crnolic, Town Administrator Nancy J. Wrigley, and Selectmen's Secretary Diane M. Morin. The non-public session was audio taped. The non-public session minutes were transcribed and typed by Town Administrator Wrigley. The public meeting was videotaped. The public meeting minutes were transcribed and typed by Secretary Morin.

Selectman Matthew A. Burrill was excused this evening.

Nonpublic Session under RSA 91-A:3 II (a) – Compensation

Selectman Melvin moved to go into non-public session at 5:50pm under RSA 91-A: 3 II (a) – Compensation. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Crnolic -- aye.

Selectman Crnolic moved to close the non-public session at 6:05pm. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic -- aye.

Chairman Foote moved to go into non-public session at 6:05pm under RSA 91-A: 3 II (b) – Hiring Public Employee. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Crnolic -- aye.

Selectman Crnolic moved to close the non-public session at 6:40pm. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic -- aye.

Selectman Michaels joined the meeting at 6:40pm via phone.

Selectman Crnolic moved to go into non-public at 6:41pm under RSA 91-A:3 II (c) – Reputation. Seconded by Selectman Melvin with a unanimous roll call vote: Foote – aye, Melvin – aye, Crnolic – aye, Michaels – aye.

Selectman Crnolic moved to close the non-public session at 6:50pm. Seconded by Selectmen Melvin with a unanimous roll call vote: Foote – aye, Melvin – aye, Crnolic – aye, Michaels – aye.

Chairman Foote opened the public meeting at 7:00pm.

II. Scheduled Business

A. Seal non-public minutes

Selectman Crnolic 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 Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic -- aye.

B. Harassment Course Payment update

Town Administrator Wrigley reviewed the list of employees and members of boards, commission, and committees that have provided her with a certificate or proof that they have taken the Harassment course.

The Trustees of Trust Funds are requesting to be paid \$5.00 each for taking the course.

Chairman Foote asked what if any recourse does the Town need to take for those that did not take the course? Town Administrator Wrigley stated that no recourse was discussed.

Selectman Michaels stated that she has not taken the course due to issues accessing the online course. She stated that she is licensed to teach the course.

The Board discussed which non-employees would be paid and where the funds would come from to pay them.

Chief Alcadinho addressed the Board and asked why they were looking to pay non-employees. His staff was paid from the Fire Department Budget which he did not budget for.

Selectman Melvin stated that the Board motioned to pay employees 1-hour to take the course but not volunteers.

Town Administrator stated paying individuals to take the course was not in the budget and she is unsure where the funds should come from.

Chairman Foote asked how the Board wants to handle those non-employees that took the course.

Chairman Foote moved to not pay the eight individuals for taking the course because the Town does not have the funds. Seconded for discussion by Selectman Melvin.

Chief Alcadinho stated that the funds should come out of the Town budget since the Board required they take the course.

The motion failed. Michaels – aye. Foote – nay, Melvin – nay, Crnolic – nay.

Chairman Foote stated that this will need to go on the September 21, 2021, agenda. The Board will need a list of individuals who have not taken the course. The Board will need to decide the recourse for those that have not taken the course. They will also need to decide whether to pay non-employees for taking the course and if paying them, from what budget.

Town Administrator Wrigley will send an email to all department heads requesting a list of employees that have not taken the course.

Selectman Michaels asked why the Town is paying employees to take the course. Chairman Foote stated that the Town cannot ask employees to take the course on their own time. This really affects those employees that work part-time or are on call.

C. Bookkeeper – PTO Report

Town Administrator Wrigley reviewed the list of PTO hours that eligible employees have this year. The Board would like to avoid having employees carry over unused PTO at the end of the year. She explained that unused PTO can go into the "Bank PTO" which can only be used for a long time illness with the Board's approval.

Secretary Morin read the Banked PTO policy to the Board.

"Employees may choose to put up to 80 hours per year of unused PTO into a "bank account" of time to be used for long term illness. This account may accumulate to a maximum of 720 hours. Time may be drawn out of this account only after all current PTO has been exhausted."

Town Administrator Wrigley stated that the Board can allow employees to carry over unused PTO on a case by case basis. The Board requested Town Administrator Wrigley send a memo to department heads reminding them that employees need to use their PTO before the end of the year.

D. Bookkeeper Memo – Gettysburg Flag Works Invoice

The Board reviewed the memo from the Bookkeeper requesting guidance on which budget/fund will be used to pay the invoice for bronze grave markers for fallen firefighters.

Chief Alcainho stated that last year he wanted to place a warrant article to purchase the grave markers but was told by the Board and Town Hall to not put the warrant article in as there were too many articles already. He was told by the Board that they would find the funds to pay for the grave markers.

Town Administrator Wrigley stated that it was never placed in any budget. The past year has seen more expenses than was budgeted for.

Selectman Michaels stated that the Board was not against purchasing the grave markers. The Board tabled the requisition until they could find the funds. Selectman Melvin stated that the Board never looked for the money. Chairman Foote stated that the markers were ordered in March and delivered in April. Now the invoice is overdue.

Chief Alcainho stated that the Board has taken more funds from the Fire Department budget to pay for anything to do with his department. He expressed his dismay with the Board that these grave markers are not paid for. He considered it disrespectful to those firefighters that have passed.

Selectman Michaels stated that the Board has the utmost respect for those that have passed, and the issue is where to take the funds from to pay for the markers.

The Board discussed which budget to pay the invoice from. Secretary Morin shared the latest budget expenditures from August 12, 2021. The Board asked about taking the funds from the unexpended fund budget. Town Administrator Wrigley stated that the Board can request to have funds taken from the unexpended fund budget only in an emergency and is approved by the Department of Revenue Commissioner.

Selectman Melvin moved to pay the invoice for requisition 2385 from the 2021 General Government Buildings Budget line item "repairs and maintenance". Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

E. Fire Department – New truck punch list and prices

Chief Alcainho addressed the Board and recounted how the new fire truck was going to be paid for. He stated that the warrant article allowed for the purchase of a new fire truck up to \$649,000.00. After the warrant article was passed by the voters, one of the vendors submitted a revised proposal for \$629,000.00. Chief Alcainho stated that the Board accepted this new offer and told him that the extra \$20,000.00 could be used for any change orders needed. At the end of the pre-built the cost of the change orders were over \$11,000.00. At that point he was told that by the Board that because the total was under \$649,000.00 it would be fine. He stated he asked for a public meeting to ensure that he was able to spend the extra \$20,000.00 on the new truck for change orders. At that meeting it was decided that those funds could not be spent. Chief Alcainho stated that Selectman Melvin stated in a meeting that the lease should re-negotiate to include the change orders. Chief Alcainho stated that never happened and the cost of the change orders came out of the Fire Department budget. He stated that the new truck with the change orders came in under the \$649,000.00. Chief Alcainho went on to berate the Board for not doing their job as far as not providing the needed funds to finish the new fire truck. He

stated that if not completed the new truck will not be put in service. He complained that it takes a Board meeting to get paperwork signed for the Fire Department.

Chief Alcaindinho stated that the Board hired a former Selectmen to investigate where the process failed in not getting the funding needed for the new truck. He asked the Board where did they get the funds to pay him? Town Administrator Wrigley stated that information is not available as that decision was made in a non-public session.

Selectman Michaels asked the Chief if he had the \$20,000.00 would that resolve the issues. Chief Alcaindinho stated that if the lease was for \$649,000.00, he would not have to be addressing the Board for this issue. Selectman Michaels stated that the Board is investigating how the lease went from \$649,000.00 to \$629,000.00. Chairman Foote asked Selectman Melvin who he directed to work on re-negotiating the lease? Selectman Melvin stated he directed the request to the Board, and we did not act on it.

Town Administrator Wrigley stated that the lease amount was \$649,000.00 the first year only. The lease was re-negotiated to a lower cost, \$629,000.00. The payment for the new truck per year is \$69,001.92. Chief Alcaindinho stated that the Board should have gone back to re-negotiate the lease to include the options needed. Chief Alcaindinho stated that the Board in a meeting from 2020 voted to allow him to spend up to \$649,000.00 for a fully equipped fire truck. Yet they never re-negotiated the lease to increase it to \$649,000.00.

Selectman Crnolic informed Chairman Foote of the meeting protocols and that we need to move on from this item.

Selectman Melvin reviewed requisition #2582 for miscellaneous antenna hardware for the new fire truck. The amount on the quote from Beltronics is \$1,825.00. Chief Alcaindinho stated that the radios have already been purchased from his budget.

Selectman Melvin reviewed requisition #2583 for hoses and couplers for the new fire truck. The amount on the quote from Fire Tech & Safety is \$3,693.00. Fire hooks hydra ram I bag at a cost of \$1,877.00 was removed per Chief Alcaindinho. The total amount on the requisition is \$1,816.00.

Selectman Melvin reviewed requisition #2584 for more hoses and couplers for the new fire truck. The amount on the quote from Firematic Supply Co. is \$3,514.00.

The total amount needed for all 3 requisitions is \$7,155.00. The Board discussed where the funds should come from. Town Administrator Wrigley recommended taking it from the Fire Apparatus and Equipment/Refurbish Capital Reserve Fund. Chairman Foote asked how much was in the fund. Town Administrator Wrigley stated about \$55,000.00. Chief Alcaindinho stated that Engine 1 needs to be repaired as well and that fund could be used to pay for the repairs.

Selectman Melvin asked to consider another request for tires at the same time. Chief Alcaindinho stated that the tires on Engine 2, which is being traded in, be swapped with Tanker 5 which has outdated tires on it. Selectman Melvin reviewed the options. Option 1 would be to replace the tires (8) on Tanker 5 at a cost of \$6,457.30. Option 2 would be to take the 4 new tires from Engine 2 and swap them with 4 on Tanker 5. Then purchase 4 new tires for Tanker 5. The cost for this option is \$2,515.40. Chief Alcaindinho stated that option 2 would be fine if the tires are still available.

Selectman Crnolic moved to take \$9,670.40 from the Fire Apparatus and Equipment/Refurbish Capital Reserve Fund to pay for requisitions 2582, 2583, 2584 and to swap the tires from Engine 2 to Tanker 5 and purchase 4 new tires for Tanker 5. Seconded by Selectman Melvin for discussion.

Chief Alcaindinho asked if the tires are not available what is the plan? Selectman Melvin will call tomorrow to verify the tires are still available.

The motion passed. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

Chairman Foote moved to authorize Selectman Melvin to contact the dealer to secure the tires for Tanker 5. Seconded by Selectman Michaels. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

F. Road Agent – Paving Bids

Road Agent Pivero addressed the Board and reviewed the bids he received for paving a portion of Heath Street. He solicited 6 bids. He stated that he spoke with the lowest bidder and was not impressed, and the references provided were not stellar. He would recommend the second lowest bidder, Bell and Flynn, who did Thornell Road in 2020.

Selectman Crnolic moved to accept the paving bid from Bell & Flynn in the amount of \$89,880 to pave a portion of Heath Street. Funds to come from the Highway Block Grant and the 2021 Highway Department budget line item paving. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

Selectman Michaels stated that the Board did not take the lowest bidder but took the bid that was best for the Town.

G. Forest Fire Warden appointment

Selectman Melvin moved to recommend to the State Forest Ranger the appointment of Chief John Alcaidinho as the Forest Fire Warden. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye. Crnolic – nay.

Chairman Foote explained that Chief Alcaidinho's appointment is for 3-years, but he can resign at any time.

H. Safety Committee Policy update

a. Cyber Preparedness Policy

b. Signature Page – updated

Town Administrator Wrigley stated that William Landry, Chairman of the Joint Loss Management Committee updated the JLMC handbook to include the Cyber Preparedness Policy and an updated signature page. He will also be submitting an update to the Personnel Policy for the Board to review at their next meeting.

Selectman Crnolic moved to sign the Safety Policy as written. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

I. Representation letter re: 2020 financial audit

Chairman Foote stated that the Chairman and Town Administrator need to sign the Representation letter stating that the Town has provided the auditors with all the required paperwork to complete the 2020 audit.

Selectman Crnolic move to authorize the Chairman and Town Administrator to sign the letter to the auditors. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

III. Other Business

A. Public Hearing for acceptance of ARPA funds

Secretary Morin informed the Board that the Town has received the first American Rescue Plan Act, ARPA, payment in the amount of \$257,955.29 and that the Board needs to hold a public hearing to accept the funds. She suggested October 5, 2021, at 7:00pm which would be their first monthly meeting in October. The Board agreed and she will send the notification to the local newspaper for publishing.

Selectman Crnolic moved to schedule a public hearing to accept unanticipated funds on October 5, 2021, at 7:00pm. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

B. Manifest

Selectman Melvin moved to sign vendor manifest dated September 7, 2021, in the amount of \$34,765.49. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

Selectman Melvin moved to sign Cable Revolving Fund vendor manifest dated September 7, 2021, in the amount of \$4,865.00. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

Selectman Melvin moved to sign Police Special Details Revolving Fund vendor manifest dated September 7, 2021, in the amount of \$2,021.00. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye.

C. Manifest from August 31, 2021

Selectmen Melvin announced that the Board signed the following manifests dated August 31, 2021:

- 1) Vendor manifest in the amount of \$1,230,489.48 of which \$1,189,405.00 went towards the September Sanborn Regional School District payment.
- 2) Cable Revolving Fund manifest in the amount of \$1,354.52
- 3) Emergency Management Revolving Fund in the amount of \$1,281.04
- 4) Police Special Details Revolving Fund in the amount of \$49,554.35.
- 5) Inspector Fees Revolving Fund in the amount of \$8,863.10.
- 6) Payroll manifest for pay period August 15-28, 2021, in the amount of \$70,226.46.

IV. Announcements

Selectman Melvin announced Old Home Day will be on September 18, 2021.

Chairman Foote stated the fire department is requesting emails for the firefighters. Selectman Michaels stated that most firefighters do not conduct town business and should not need a town email address. They could use a generic email account such as "Gmail". Secretary Morin stated that the Town would not be able to access those emails accounts should a right to know request come in. Secretary Morin suggested that only Officers be given Town emails and the cost would be covered under the Cable Revolving Fund. Selectman Crnolic stated that an Officer may need to send an email concerning an employee and that should not be done with a personal email.

Selectman Crnolic moved to issue Town email addresses to Officers in the Fire Department to be paid from the Cable Revolving Fund. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic – aye

V. Approval of Minutes

Selectman Melvin moved to accept the non-public and public meeting minutes dated August 17, 23, 25 and 31, 2021 as written. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Crnolic -- aye.

VI. Adjourn

Chairman Foote closed the meeting at 8:24pm.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary