



**Office of the Board of Selectmen
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**NEWTON BOARD OF SELECTMEN
DATE: TUESDAY, SEPTEMBER 21, 2021
TIME: 6:00PM**

**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 6:00pm. In attendance were Selectmen, Lawrence B. Foote; Chairman, Kathryn Michaels, Matthew A. Burrill, Edwin Crnolic, Town Administrator Nancy J. Wrigley, and Selectmen's Secretary Diane M. Morin. The public meeting was videotaped. The public meeting minutes were transcribed and typed by Secretary Morin. The non-public session minutes were transcribed by Selectman Burrill and typed by Town Administrator Wrigley. Selectman Charles R. Melvin Sr was excused this evening.

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.

Nonpublic Session under RSA 91-A:3 II (a) – Investigation, (a) – Compensation, (b) Hiring New Employee, (c) – Reputation

Selectman Burrill moved to go into non-public session at 6:01pm under RSA 91-A: 3 II (c) – Reputation. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to close the non-public session at 6:45pm. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to go into non-public session at 6:45pm under RSA 91-A: 3 II (a) – Compensation. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to close the non-public session at 6:55pm. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to go into non-public session at 6:55pm under RSA 91-A: 3 II (b) – Hiring New Employee. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to close the non-public session at 7:00pm. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

II. Scheduled Business

A. Seal non-public minutes

Selectman Burrill 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 except to provide the Bookkeeper with needed information. Seconded by Selectman Crnolic. Foote – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill moved to release the following information from the non-public session minutes dated September 7, 2021, Board of Selectmen's meeting to the Fire Chief and Road Agent.

"Chairman Foote said they should make a motion to say that Mr. Jackson can only go to structure fires between 7am to 3pm when he is working for the Highway Department. The only exception could be if there are no other drivers available.

Selectman Crnolic moved to have the Fire Chief enforce that Ronald Jackson, while on the Highway Department working as a Highway Foreman, does not come to the fire station unless it is a structure fire or no other driver is present between 7:00am to 3:00pm. Seconded by Selectman Melvin with a unanimous roll call vote: Foote – aye, Melvin – aye, Crnolic – aye, Michaels – aye."

Seconded by Selectman Crnolic. Foote – aye, Burrill – aye, Crnolic – aye,

Selectman Michaels re-joined the meeting at 7:10pm.

B. Update – Traffic mirror request from residents

Chairman Foote informed the public that the Town's request for a traffic mirror to be placed at the intersection of Route 108, Peaslee Crossing and Wentworth Drive was denied by the State Department of Transportation, (DOT). The letter stated that the request was denied because the mirror is not considered a standard traffic control device.

Selectman Burrill stated that although the State denied the request there might be other possible solutions that could be looked at.

C. Harassment Course update

- a. Review list of individuals who have not taken the course**
- b. Board to decide on recourse**
- c. Paying non-employees for taking the course**

The Board reviewed the list of individuals who have not taken the course. Selectman Crnolic recommends sending an email to those individuals stating that the course needs to be completed. Selectman Burrill recommends that the Town offer to hold another class for those employees to attend and if not able to attend, to take the course online before a date to be determined.

Chairman Foote asked the Board who needs to complete the course? Selectman Burrill stated that we have done this type of request before and that we can mandate to employees. Non-employees cannot be mandated to take the course. Mr. Joe Simone asked if an elected official is considered an employee? Selectman Burrill stated that they are not. Mr. Simone stated that when he put in the request it was for \$5.00 compensation for any elected official, volunteer or member of a board, committee, or commission. He stated that because they are mandating the course be taken and paying employees to take the course, then those who are not employees should be compensated. He went on to state that the Board could change the policy to recommend non-employees take the course instead of mandating.

The Board discussed who is employee and where the funds would come from to pay for the individuals time. The Board decided that volunteers cannot be mandated.

Mrs. Trisha McCarthy addressed the Board. She stated that when she was a member of the Board, they required a course like this one. A volunteer informed the Board they could not mandate them to take the course. She stated that the Department of Labor confirmed that the Town could not mandate a volunteer to take the course. She suggested updating the policy to include language that would require volunteers to take mandated courses.

Selectman Burrill moved to strongly recommend that elected officials take the Anti-Harassment/Discrimination course and not be compensated. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Chairman Foote stated that Mrs. McCarthy will schedule another class for those employees that have not taken the course. He informed Mr. Simone that he would not be compensated for taking the course.

Selectman Burrill moved to pay from the 2021 Legal Budget Mrs. McCarthy for teaching the Anti-Harassment/Discrimination course at date to be determined. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill moved to schedule one more class so those employees can complete the course. Seconded by Selectman Crnolic for discussion.

Chairman Foote asked what the outcome would be for those that do not take the course. Selectman Burrill stated they would be written up.

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

D. Updated Personnel Policy – Anti-Harassment/Discrimination Policy

The Board reviewed the updated policy. Town Administrator Wrigley stated that the policy will be sent to employees. New hires are given the website address to review the personnel policies and must sign off that they have read them.

Selectman Crnolic moved to accept the amended Anti-Harassment/Discrimination Policy as written. Seconded by Selectman Burrill. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

E. Library – Inspection violations

Chairman Foote reviewed the violations found at the library. He stated that some of the emergency lights were not working and need to be replaced. During the inspection, a strobe was found to not be in the correct location. Chairman Foote stated that the vendor did not go to the Fire Chief when the annual inspection was done per the Board's request in 2020.

Selectman Burrill moved to have the Fire Chief contact JM Protective Services to correct the inspection violations at the Library and the document room at Town Hall. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

F. Water quality at the Fire Station

Chairman Foote read the email sent to the Board concerning the quality of the water at the Fire Station. It stated it is causing the appliances to fail prematurely. Captain Zalenski addressed the Board and informed them that while one of the fire apparatuses was being detailed the vendor remarked on the poor look of the paint. It looked very pitted like a 10-year old vehicle might look. The vehicle being worked on was 3 years old. He stated that there is a water softener system and recommends having the water tested.

Selectman Burrill moved to have Secretary Morin engage a water treatment company to meet with a representative at the Fire and Police Station to have the water evaluated at 8 Merrimac Road. Seconded for discussion by Selectman Crnolic.

Selectman Crnolic asked if this would need to go out to bid. Selectman Burrill stated only once they know what the cost of the solution would be.

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

G. Grant application – Volunteer Fire Assistance

Chairman Foote reviewed the grant application for a 50/50 match for equipment needed by the Forestry Department. The Town's portion of the grant will come from the Forestry Department budget.

Selectman Burrill moved to approve the grant application for Volunteer Fire Assistance in the amount of \$1,744.15 of which the Town's portion would be \$872.75 with funds to come from the Forestry Department Budget. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

H. Open sealed bids for Solid Waste Disposal

The Board opened two sealed bids for the Transfer Station solid waste hauling. One bid was from Waste Management and the other from G. Mello. The Board requested that the bids be reviewed by the Transfer Station manager and make his recommendation.

Selectman Burrill moved to accept the sealed bids for review from Waste Management and G. Mello. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Mr. Jason Mello addressed the Board to take any questions they may have. Chairman Foote asked what the cost would be for a third hopper. Mr. Mello stated that he could not provide a quote at this time. He stated the Town owns the two chutes and should be replaced due to the wear and tear on them. He stated that the Town could lease the chutes with the option to own.

I. Open sealed bids for Transfer Station Debris Removal

Chairman Foote opened the sealed bid for the debris removal at the Transfer Station. The Board requested that the Road Agent and Transfer Station Manager review the bid and offer their recommendation.

J. Puzzle Lane Industrial Park – Economic Revitalization Zone renewal form

Town Administrator Wrigley stated that the form is used by the State to determine if the Puzzle Lane Industrial Park still qualifies under the economic revitalization zone. The Planning Board Administrator verified that the park still qualifies because there is still undeveloped land.

Selectman Crnolic moved to authorize Town Administrator Wrigley to sign the Economic Revitalization Zone renewal form. Seconded by Selectman Burrill. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

K. Budget Season

a. Review – 2022 Proposed Budget meeting schedule

Secretary Morin stated that the schedule is aggressive and hopes that the Board approves.

Selectman Burrill moved to accept the 2022 budget meeting schedule. Seconded by Selectman Michaels. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

b. Bookkeeper memo – increase cap for 2022 budget and sub-committee

Selectman Burrill stated that after reading the memo he would not be in favor of a budget subcommittee but would be in favor of a predetermined cap on budgets. He would suggest a 1% cap over 2021 budget.

Mr. Robert Zalenski addressed the Board and stated that the departments should be allowed to present their budgets without any cap. They have the knowledge of what it takes to keep their departments running.

Selectman Burrill stated that he is not proposing all budgets go up 1% but rather if the department's budget needs to be increased then the Board should review it more closely.

Mr. Simone addressed the Board and stated that he believes the inflation rate is about 5% for goods and services. He agrees with Mr. Zalenski to allow the department heads to present their budgets

Selectman Crnolic agrees with both Mr. Zalenski and Mr. Simone to allow department heads to present their budgets without any constraints.

The Board agreed to no cap at this time.

Town Administrator Wrigley stated that the Bookkeeper is hoping to complete the acceptance of the budgets into the default budget and not have to review them again. She is looking for more involvement of the Selectmen into planning the budgets. She stated that this year there have been more unanticipated expenses than was budgeted for. Town Administrator Wrigley recommends a 2 person subcommittee that would meet with the department heads to review the budget ahead of time. Then it could come before the Board for a vote to accept. Selectman Burrill suggested that any budget that is level funded or 1% increase would not have to be present in a meeting. Budgets that increase more than 1% would come before the Board for a review. Mr. Zalenski suggested that the liaison sit with the department and review the budgets. He believes every budget should be reviewed. Chairman Foote suggested moving the big budgets forward in the schedule.

The Board will proceed with reviewing all the budgets according to the schedule. They will revisit the schedule to see if it is possible to review the larger budget sooner.

L. Replacement cost for in-wall electric heaters at Town Hall

Town Administrator Wrigley stated that the heater in the women's restroom at the Town Hall malfunctioned. She received an estimate to replace 3 electric heaters from Kingston Electric in the amount of \$1,611.50. Two would replace the ones in the restrooms and the third the one in the Selectmen's Office. The funds would come from the General Government Building budget.

Chairman Foote moved to authorize the replacement of 3 electric heaters in the amount of \$1,611.15 at the Town Hall. Funds to come the General Government Building Budget repairs maintenance line. Seconded by Selectman Burrill. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Mrs. McCarthy asked if the heaters could be replaced with a purifier electric heater. Chairman Foote stated that type of system requires duct work be installed.

III. Other Business

A. Motion to pay for 2 extra tires for Tanker 5

Chairman Foote explained that the 2 front tires on Tanker 5 are not the same as on the vehicle being traded in. Therefore 2 extra tires are needed. He polled the Board last week and the members did not oppose the purchase.

Selectman Crnolic moved to purchase 2 additional tires for Tanker 5 at a cost of \$1,476.50. Funds to come from the Fire Apparatus and Equipment/Refurbishment Capital Reserve Fund. Seconded for discussion by Selectman Burrill.

Selectman Burrill stated that a lot of money is being spent on apparatus and vehicle. He would like to see a strategy on maintaining and repairing these vehicles so that it can be presented to the residents and to publish in the Town Report.

Chairman Foote explained that the tires on Tanker 5 are over 10 years old and would need to be replaced. The tire on the vehicle being traded in are new. The Board decided to swap the tires between the two vehicles. Six tires were swapped around.

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

Selectman Burrill asked if the Board agrees with his idea for a strategy on vehicles. This would show the voters that there is a plan in place to handle repairs when they come up. Mr. Zalenski stated that doing

this may cause the cost to go up much higher if the Fire Chief adopts NFPA code. He provided an example of an axe needing to be replaced in 2 years per NFPA code even though it was still fine.

B. FD – Repair invoice for 1991 E-One turbo

Town Administrator Wrigley stated that a motion is needed to pay for the invoice, and she recommends the funds come from the Fire Apparatus and Equipment/Refurbishment Capital Reserve Fund.

Selectman Burrill moved to pay the invoice to Cody's Garage not to exceed \$4,800.00. Funds to come from the Fire Apparatus and Equipment/Refurbishment Capital Reserve Fund. Second by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

C. EOC Update

Mrs. McCarthy addressed the Board and provided the latest pandemic information. She reminded everyone that we are still in a Federal State of Emergency.

She reviewed the latest CDC updates about who should quarantine and when. For the latest specific details, the CDC website is a good resource.

She provided the statistic on the number of cases of COVID-19 for the Town. The CDC bases their statistics on population and Town's population is 4959. As of September 20, 2021, there have been 30 new cases, 20 active cases, and a total of 459 cases since the beginning of the pandemic. Only 37.7% of residents have been vaccinated which is lower than surrounding towns. The EOC is looking to schedule a mobile vaccination clinic in Town.

She read a letter that was sent to parents with children in the Sanborn Regional School District concerning the pandemic protocols that the school district is following. The numbers of active COVID-19 cases are very low, and no mask mandate is warranted. The letter is attached to the end of these minutes.

She stated that on a conference call the question was asked if virtual meetings were going to resume. The State's answer was not at this time.

The State is doing limited contact tracing and focusing more on younger people 25 and under. Local contact tracing should be continued.

She reviewed the number of grants received by the Town for reimbursements for COVID-19 related. The Town was reimbursed \$3,802.50 for 2 vaccine clinics which covered salaries. Three checks were received for COVID related supplies in the amount of \$2,125.00, \$4,041.95, and \$3,296.73 for expenses from 2020. The funds were received in 2021 and deposited into the General Fund. The Town received a check for \$12,810.24 for every hour the electronic message board is used for COVID related messages. Those funds were deposited into the Emergency Operations Center Expendable Trust Fund. She stated that the Town should be receiving an additional \$54,815.22 for using the electronic message board on COVID related messages. She stated that the Town gets paid hourly for the electronic message board if the message is COVID-19 related.

The first payment from the American Rescue Plan Act (ARPA) funds has been received in the amount of \$257,955.29. The funds can be used for COVID related expenses. As an example, the items needed to hold elections at the Fire Station that would not normally be needed could qualify for these funds to be used. Another example was air purifiers in offices would be covered. She provided several other examples. She stated that there was a lot of damage to Conservation land from ATV's and that the funds could be used for repairs to the areas.

Selectman Burrill asked where the \$70.00 for the NHMA webinar that Mrs. McCarthy attended would come from? Mrs. McCarthy suggested it could come from the ARPA funds as it was a webinar on how to utilize the ARPA funds. She stated that she could be paid for the time she has worked on this from the

ARPA funds. A new time sheet would be needed to keep the hours worked on the ARPA grant separate from regular hours worked.

Mr. Simone asked if the number of residents, 4959 was accurate. Mrs. McCarthy stated that she does not know where the State got that number.

D. Halloween

Selectman Burrill asked the Board to consider changing the date for Trick or Treat to Saturday, October 30, 2021. He stated that Trunk or Treat would be on October 23, 2021.

Secretary Morin addressed the Board as a resident, she would suggest keeping it as is, October 31, 2021, from 5:00pm – 8:00pm. Mr. Simone agrees with Ms. Morin as most residents are aware of when the Town holds it.

Selectman Burrill moved to announce that Trick or Treat will be on October 31, 2021, from 5:00pm to 8:00pm and Trunk or Treat will be on October 23, 2021, from 4:00pm – 6:00pm. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

E. Manifest

Selectman Burrill moved to sign vendor manifest dated September 14, 2021, in the amount of \$200.00. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to sign vendor manifest dated September 21, 2021, in the amount of \$1,260,113.36 of which \$1,189,405.00 goes towards the October Sanborn Regional School District. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to sign Cable Revolving Fund vendor manifest dated September 21, 2021, in the amount of \$492.01. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

Selectman Burrill moved to sign payroll manifest pay period August 29 – September 11, 2021, with a pay date of September 16, 2021. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

IV. Approval of Minutes

Selectman Burrill moved to accept the non-public and public meeting minutes dated September 7, 2021, as written. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic -- aye.

V. Announcements

Chairman Foote announced that the Household Hazardous Waste Day will be held on October 2 at the Transfer Station from 9:00am – 12:00pm.

Mr. Simone addressed the Board and informed them that he noticed at the intersection of Peaslee Crossing and Walnut Road a bucket of paint or turpentine on the side of the road. Chairman Foote will investigate on September 22, 2021.

VI. Adjourn

Chairman Foote adjourned the meeting at 8:43pm.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary

Letter from Sanborn Regional School District Superintendent.

9-17-21

Dear Parent,

Today, the number of cases of COVID in the district are:

There are nine total active COVID cases district wide (this is less than 1/10 of 1% of our population of approximately 1450 students).

There are two active cases at Bakie, four at Memorial, and four at the High School (another student at the High School will come off the list tomorrow). There are none at the middle school.

We recently asked the soccer team to mask up for 14 days just in case they did have spread within the team. Fortunately, there have been no further cases for two weeks and no further evidence of spread on the soccer team.

Overall, there are 85 active cases in the three towns, and there has been an outbreak at a senior citizens facility in Fremont, which likely has little or no impact on the schools. The number of cases in our three towns is just over .5 of a percent because we have approximately 16,000 residents.

It is important to remember that only 14.5% of households in our three communities have school-age children. This means we could have a large outbreak at a senior citizens facility that has little to no impact on the schools.

There is no way administrators can justify a district wide mask mandate to those who do not want masks when the numbers are this low.

To be clear, there is no outbreak in the fourth grade at Memorial. We have carefully analyzed what has been happening and the cases are unrelated. We are watching Memorial very closely and if we meet the criteria for an outbreak, we will put a masking requirement in place. We will treat the situation the same as we did the soccer team at the high school. If we see a potential cluster of cases at any level, we will require people to mask up immediately.

Unfortunately, there is no statewide mask mandate right now. In fact, the State of New Hampshire has zero emergency orders regarding COVID at this time.

Regarding the open house at memorial:

Schools are a public organization and if parents want to come to an open house without masks when there's no mask mandate in the State of New Hampshire we cannot exclude them. They are taxpayers and they have rights to our organization. We cannot deny them access.

You have the right to wear a mask and you have the right to ask your child to wear a mask. Administrators are happy to support you in that decision.

There are some concrete things you can do to change the situation. We suggest talking to the governor and calling the department of health and human services. They are issuing the guidance that masks are recommended. We follow their guidance.

I can assure you they will tell you it is a local decision. The reality is that without a mandate from the state it is very unlikely that schools are going to require masks when cases are this low.

The staffing shortages today are due primarily to absences for other reasons than COVID combined with a national shortage of substitutes, bus drivers, and custodians. The business administrator, head of maintenance, and I spent half of today sheet rocking and mudding the special education offices because we are short five custodians. We are all in this together.

Thankfully, the school board voted to raise the substitute pay \$110 per day.

We have already hired some new subs with this new rate. One started today.

I hope this information helps you to understand the metrics and parameters involved.

This is really hard for everyone, casting stones is not fair.

If you really want things to change, you need to start lobbying your Senators, Representatives, and the politicians running the government for the State of New Hampshire.

When Dr. Chan says masks are recommended as of last Wednesday, they are recommended, not required. I suggest you call his office and express your concern.

Respectfully,

Thomas J. Ambrose
Superintendent
SAU 17
Phone: [603 642-3688 x 222](tel:6036423688)
Fax: [603 642-7885](tel:6036427885)