



**Office of the Board of Selectmen
2 Town Hall Road, Newton, NH 03858
Tel: 382-4405 Option 5 Fax 382-9140**

www.newton-nh.gov

NEWTON BOARD OF SELECTMEN

DATE: TUESDAY, AUGUST 2, 2022

TIME: 6:00PM

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

PUBLIC MEETING MINUTES

Zoom Conference phone number 929-205-6099

Meeting ID 818 7979 5674

<https://us02web.zoom.us/j/81879795674>

I. Call to Order

Chairman Burrill called the meeting to order at 6:00pm. In attendance were Selectmen Matthew A. Burrill, Chairman, Robert Marchand Jr, Vice-Chairman, Charles R. Melvin Sr., Michael Connolly, and Selectmen's Secretary Diane M. Morin. The non-public session was audio taped. The public meeting was videotaped. A portion of the non-public session minutes were transcribed by Chairman Burrill. A portion of the non-public session minutes were transcribed by Secretary Morin. The non-public and public minutes were typed by Secretary Morin.

Selectman Connolly joined the meeting via Zoom. Secretary Morin asked Selectman Connolly if there was anyone in the room with him. Selectman Connolly replied that he was alone.

Selectman Lawrence Foote was not present.

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

Selectman Marchand moved to go into nonpublic under RSA 91-A:3 II (c) – Reputation at 6:00pm. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to close the non-public session at 6:28pm. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to go into nonpublic under RSA 91-A:3 II (b) – Hiring New Employee at 6:28pm. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to close the non-public session at 6:42pm. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to go into nonpublic under RSA 91-A:3 II (a) – Compensation at 6:42pm. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to close the non-public session at 6:55pm. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – 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 Marchand. Burrill – aye, Melvin – aye, Marchand – aye Connolly – aye.

B. Commercial Trash Hauler – Policy update

Chairman Burrill stated that the Board had previously discussed updating the Commercial Trash Hauler policy.

Selectman Melvin stated that he does not agree with item 4 which describes the specifications for a trailer. He is concerned that the volume of trash being dumped at one time could be an issue.

Transfer Station Manager (TSM) Pete Gagnon addressed the Board and agreed with Selectman Melvin. He stated that 2 trucks with 2 trailers coming in at the same time would be an issue. TSM Gagnon stated that the policy allows for the hauler to take trash to the transfer station on Tuesdays, Thursdays, and Saturdays.

Chairman Burrill read the proposed addition to the policy: Limit one tow behind trailer with a maximum length of 10', maximum width of 6', and maximum height no higher than cab of the truck.

Chairman Burrill asked TSM Gagnon what if a resident came in with a trailer filled with trash. TSM Gagnon stated that it does happen. TSM Gagnon stated that he would not be opposed to a trial period of 30 or 90 days.

Mr. Steve St. Cyr addressed the Board via Zoom. Currently he picks up trash on Tuesdays and Thursdays and is planning to shift some customers to a different pick up day which he did not specify.

Selectman Connolly asked if this is 100% residential trash only. It was confirmed that was the case.

Mr. St. Cyr stated that his plan is to reduce the number of trips to the station he makes on Tuesday from 7-4 by utilizing a trailer. The number of customers would not increase.

Chairman Burrill moved to accept the additions to the commercial trash haulers policy with a caveat that if the Transfer Station Manager observes an issue with any of the new additions, he brings his concerns to the Board as soon as possible so that the Board may act appropriately. Seconded by Selectman Marchand for discussion.

TSM Gagnon stated that he is now in favor of the additions to the policy.

The motion passed 3-1. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

C. Building Inspector – Town vehicle

Building Inspector (BI) Robert Donovan addressed the Board. He informed them that the Fire Department has decommissioned the vehicle and it is sitting in the Town Hall parking lot. BI Donovan stated that the vehicle will be lettered, and the cost is about \$250.00 which will come from the Building Inspectors Fees fund. The vehicle will need to be registered and inspected. The vehicle is already covered by the Town's insurance carrier.

Chairman Burrill asked about fueling the vehicle. Selectman Melvin stated that he only needs to stop at Estabrooks Garage to fill up.

Selectman Marchand and Melvin agreed that BI Donovan should be allowed to take the vehicle home instead of leaving it at the Safety Complex. If left there, then someone would need to clear the snow and move it so that parking lot can be cleared.

BI Donovan stated that he is not in favor of sharing the vehicle with any other department.

Selectman Connolly stated that he is in favor of keeping of the vehicle at the Safety Complex. If the vehicle is at his home, he would still need to clear the snow and move the vehicle in order to use it.

BI Donovan stated that other department heads are allowed to take the vehicle home. He has no intention of getting up in the early morning to clear the snow from the vehicle if he must answer an emergency call.

Chairman Burrill stated that the 2 department heads that have assigned vehicles answer 911 calls. Not every department head has a vehicle.

Selectman Melvin stated that there is no room in the Butler Building to house the vehicle.

Selectman Melvin moved to assign the Ford crown victoria to Building Inspector/Code Enforcement Officer Robert Donovan. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Chairman Burrill stated that this is new territory and would like to see how this will work out. He would prefer the vehicle be parked at the Safety Complex.

Selectman Melvin moved to allow Building Inspector/Code Enforcement Officer Robert Donovan to take the Ford crown victoria to his residence. Seconded by Selectman Marchand.

The motion failed. Melvin – aye, Marchand – aye. Burrill – nay, Connolly – nay.

Selectman Connolly moved to rescind the mileage stipend paid to Building Inspector/Code Enforcement Officer Robert Donovan effective August 7, 2022. Seconded by Selectman Marchand.

The motion passed. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

Selectman Melvin stated that he would prefer to pay the stipend if BI Donovan cannot keep the vehicle at his residence.

BI Donovan asked if the vehicle is not available due to repairs/maintenance, will he be reimbursed for mileage if he needs to use his own vehicle. Chairman Burrill would prefer to wait and see how many times the vehicle is not available. If it turns out to be not cost effective, then the Board could reinstate the stipend and decommission the vehicle.

Selectman Melvin moved to authorize the chairman to register the vehicle with the Town Clerk for road use. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

D. ARPA waiver for sealed bid requirements

Acting Emergency Management Director (EMD) Trisha McCarthy addressed the Board. She stated that after speaking with the Bookkeeper it was their recommendation to not change the purchase policy. They are recommending the Board make a motion to allow the ARPA Committee to spend up to \$20,000.00 without needing to request a proposal or sealed bids. They would still provide a requisition and when available at least 3 quotes prior to submitting the requests to the Board for approval.

Selectman Marchand moved to waive the sealed bid policy for ARPA purchases and/or services through the entirety of the program. Requisitions for the purchase and/or services from \$5,000 to \$20,000 shall be provided to the Board of Selectmen for approval before any action is taken by the ARPA Committee. Any purchases and/or services over \$20,000 require a sealed bid, excluding State Bid items and will follow the Town's purchase policy. Seconded by Selectman Melvin for discussion.

Selectman Melvin stated that he has been working with Jack Kozec on getting quotes for generator that will run the transfer station when the power is out. They estimate the cost will be over \$30,000.00.

Acting EMD McCarthy stated that the ARPA committee is making this request for ARPA funds only. She cited that by having to wait for sealed bids or request for proposals the prices may increase. This is what happened with the purchase of the power stretcher. The cost increased \$6,000.00.

Chairman Burrill stated that the purchase policy is a Board of Selectmen policy that the Board can choose to follow or make exceptions when called for.

The motion passed with a unanimous vote. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

E. ARPA/EOC Update

Acting EMD McCarthy addressed the Board and spoke about the stipends being paid to the Police and Highway employees from the ARPA funds. Following the State guidelines, the ARPA committee is recommending the Board pay out the stipends. She reviewed the differences between the 2020 guidelines and the latest. Eight fulltime police officers, 1 fulltime highway employee, and 7 part-time police officers will receive a stipend. The Fire Department stipends are still being worked on and should be ready for the next Board meeting.

The stipends are for those that were employed between January 1 – June 30, 2022.

The ARPA committee will be meeting with vendors for security cameras and a publicity vendor next week. The committee is waiting on other improvements to Town buildings in case the buildings are renovated. The Recreation Commission provided the ARPA committee with requests for the Town Beach and Greenie Park.

She reviewed the requisition for an inflatable boat to be used for water rescues. The cost for the boat is \$19,298.00 which includes the boat, motor, trailer, and some accessories. The ARPA committee recommends that any operator of the boat be certified.

Selectman Melvin moved to approve requisition 2022-009 not to exceed \$19,928.00 for a 13.8 boat. Funds to come from the ARPA funds. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Acting EMD McCarthy stated that the ARPA committee is recommending a radio repeater for the Town. The current system does not provide clear communications signals and is over 20 years old. The repeater is analog based but can be reprogramed to utilize digital signals. The Police have all digital radios so this repeater will not work for them. They will need an antenna to boost their signal.

Selectman Marchand moved to sign ARPA requisition #2022-008 in the amount of \$17,598.00 for a radio repeater and accessories from Netcom Wireless Facilities per quote number 71822. Funds to come from the ARPA funds. Seconded by Selectman Melvin seconded for discussion.

Selectman Connolly asked if there will be any additional expenses for the Police Department. Acting EMD McCarthy stated that the Police use digital radios that can handle analog signals as well. They can speak with Fire and Highway on the analog frequency. The Police will still require an updated antenna.

The motion passed with a unanimous vote. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Acting EMD McCarthy stated that during the last heat wave she touched base with some residents who did not need assistance. If needed, the EOC will open as a cooling center.

F. Review quote for replacement air handler at Police Station

Secretary Morin informed the Board that the second floor AC unit was not cooling the area. The vendor did a pressure test and found that the air handler is leaking. The recommendation is to replace the unit.

Selectman Marchand moved to accept the quote from Valenzi Heating and Cooling to replace the AC air handler at the Police Station in the amount of \$5,850.00. Funds to come from the Town Building Capital Reserve Fund. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

G. Review Sealed bids advertisement – Tax map 12-1-1 Thornell Road

Chairman Burrill explained that this is a draft copy from Town Counsel on selling the land.

Selectman Marchand stated that the Town will be able to recover any expenses incurred plus back taxes.

Secretary Morin asked the Board to review the section under Condition of Sale number 7. "The Quitclaim Deed to the Property shall contain a covenant that the land may not be clear cut and that vegetation removal is limited to ___% of the Premises."

Chairman Burrill stated that this could be in the quitclaim deed.

Selectman Melvin recommends that the minimum bid to be \$5,000.00 and not \$1,500.00.

Chairman Burrill read the proposed sealed bid advertisement which would be posted in the newspaper and town website.

Selectman Melvin stated that he has heard from other towns that when they sell property, they keep all the proceeds. Selectman Connolly stated that the town cannot keep anything over what is owed to the town.

Selectman Marchand moved to approve the sale of a Town owned parcel known as Tax Map 12-1-1 via sealed bid and to advertise the sale in the local newspaper and the Town's website with a minimum bid of \$5,000.00. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

H. Review Electricity Aggregate option

Selectman Marchand moved authorize the Chairman to sign the 36 month electricity aggregation agreement with Constellation when available. Seconded for discussion by Selectman Connolly.

Selectman Connolly stated that in the current marketplace, we can buy years and time. He recommends that a conversation with Constellation takes place to ensure that if the market comes down the cost of electricity will come down as well.

Selectman Marchand asked Selectman Connolly if he would reach out to Constellation to ensure the option of lowering electricity rates will be available in the later years. Selectman Connolly is agreeable to speaking on behalf of the Board.

Selectman Melvin asked if the solar panels are installed on a town building, would that affect the contract. Selectman Connolly stated that so long as the service is not disconnected it will not affect the contract.

Selectman Marchand and Connolly amended the motion to add, **"and to authorize Selectman Connolly and Melvin to contact Constellation and contact the chairman if needed."**

The motion passed with a unanimous vote. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

I. Insurance payment for Marshall House repairs

Selectman Marchand stated that this is the minimum the insurance would pay out if the town does not make the repairs to the Marshall House ceilings. Secretary Morin recommends tabling this and she will reach out to Primex to let them know that the Town will be making the repairs.

J. Intent to cut – Supplemental – Tax map 5-5-10-6 Whittier Street

Selectman Marchand moved to sign the supplemental intent to cut for tax map 5-5-10-6 located on Whittier Street. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

K. Per RSA 31:95-b Food Pantry donation

Selectman Marchand moved per RSA 31:95-b to accept and expend unanticipated funds for the Food Pantry from an anonymous donor in the amount of \$100.00. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

L. Town Hall septic system

Secretary Morin informed the Board that the septic system at the Town Hall was tested and failed. She is waiting for the engineer to design a new system. He estimates that it will be about 2 weeks before he can do the necessary perk test.

III. Other Business

A. Manifest

Chairman Burrill moved to sign vendor manifest dated August 2, 2022, in the amount of \$1,283,847.00 of which \$1,225,661 goes towards the August Sanborn Regional School District payment, \$636.06 goes towards ARPA office supplies and equipment for the EOC and \$1,800 for monthly cleaning and sanitizing of the Police Station, Library and Town Hall. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to sign Cable Revolving Fund dated August 2, 2022, in the amount of \$7,686.77. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to sign Police Special Details Revolving Fund dated August 2, 2022, in the amount of \$2,949.47. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to sign payroll manifest for pay period July 17 – July 30, 2022, with a pay date of August 4, 2022. Total payroll is \$102,829.27 which includes \$575.51 ARPA administrative costs and \$31,071.41 in stipends to the Police Department and Highway Department employees. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

B. Requisitions

Selectman Marchand moved to sign Police Department requisition # 2022-1 in the amount of \$6,215.87 for a Motorola APX 8000 portable radio and accessories. Funds to come from the 2022 Police Department Budget Equipment line item. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to sign Police Department requisition # 2022-2 in the amount of \$6,215.87 for a Motorola APX 8000 portable radio and accessories. Funds to come from the Police Special Detail Revolving Fund. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to sign Fire Department requisition # 1049FD in the amount of \$4,825.00 for a truck vault and installation for the new vehicle. Funds to come from the 2022 Fire Department Budget line item 4220303. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

IV. Approval of Minutes

Selectman Melvin moved to accept the public hearing meeting minutes dated July 19, 2022, as written. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to accept the non-public and public meeting minutes dated July 19, 2022, as written. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to accept the non-public and public meeting minutes dated July 21, 2022, as written. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to accept the non-public and public meeting minutes dated July 26, 2022, as written. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

V. Announcements

Chairman Burrill announced that Olde Home Day will be held on September 17, 2022, and that the Recreation Commission is still looking vendors.

VI. Adjourn

Selectman Marchand moved to adjourn at 8:25pm. Seconded by Selectman Melvin.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary