



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: SUNDAY, January 29, 2023

TIME: 10:00AM

LOCATION: NEWTON TOWN HALL, 2 TOWN HALL

PUBLIC MEETING MINUTES

I. Call to Order

Chairman Burrill called the meeting to order at 10:00am. In attendance were Selectmen Matthew A. Burrill, Chairman, Robert Marchand Jr, Vice-Chairman, Charles R. Melvin Sr., Michael Connolly, Jim O'Mara, Interim Town Administrator, and Selectmen's Secretary Diane M. Morin. The public meeting minutes were transcribed and typed by Secretary Morin.

Selectman Lawrence Foote was not present.

Chairman Burrill stated that under RSA 91-A: II that the Board is convening this emergency meeting. He cited the following from the RSA:

"An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the public body, who shall post a notice of the time and place of such meeting as soon as practicable and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting."

Chairman Burrill explained that the reason for the emergency meeting is to ensure the 2023 Town Warrant is posted by the January 30, 2023, 4:00pm deadline. The Board needs to make some amendments to the warrant prior to posting.

II. Scheduled Business

A. Update – Finance Specialist job description update

Chairman Burrill informed the members that MRI has proposed an update to the Finance Specialist advertisement. They are recommending the Board consider offering the position as a full time to prospective candidates. The Board agreed with the update.

Chairman Burrill moved to accept and post the updated Finance Specialist advertisement. Seconded by Selectman Marchand with a unanimous vote.

B. Review 2023 Warrant Articles

Warrant Article 2:

Chairman Burrill explained the Interim Town Administrator (ITA) Jim O'Mara informed him that the default budget may not be correct. He went on to explain how he calculated the default budget. ITA O'Mara stated that the default budget cannot include salary increases. He stated that it does not mean that pay increases cannot be given, rather that the funds for the increases would need to come from a different line item in the respective budget.

Chairman Burrill stated that the Board was under the impression that if the Board approved pay increases before the close of the fiscal year, it was assumed that those pay increases would be included in the

default budget. After listening to ITA O'Mara's explanation, the Board will need to adjust the default to not include any pay increases.

Selectman Marchand asked if the Town votes to not approve the proposed budget and the default budget is in effect, would the pay increases be in the 2024 default budget? ITA O'Mara stated that the salary line item would need to remain at the 2022 level.

ITA O'Mara stated that this should not reflect on the Town's employees as being their fault. It is the State law that mandates salary increase cannot be included in the default budget unless it is a contractual agreement for example between the Town and a union.

Selectman Marchand moved per the discussion above to amend warrant article 2 to change the default budget amount from \$4,415,786.00 to \$4,056,753.00. Seconded by Selectman Connolly with a unanimous vote.

Warrant Article 16:

ITA O'Mara stated that warrant article 16 which asks the Town to move funds received from the school for the School Resource Office (SRO) to the police department salary line item. He stated that the SRO salary is already in the proposed budget. If the Town approves this article, the police budget would be inflated. The reimbursement should be left in the general fund.

Chairman Burrill stated that last year, Town Counsel thought this warrant might be needed. Now that DRA has stated it is not needed, it should be removed from the warrant.

Selectman Marchand moved per the discussion above, to remove warrant article 16 from the 2023 Town Warrant as it is not necessary based on the law. Seconded by Selectman Melvin with a unanimous vote.

Warrant Article 10:

Secretary Morin reviewed the verbiage recommended by Town Counsel that would include the senior recreation program in subsequent default budgets as requested by a resident at the public hearing held on January 16, 2023. Town Counsel recommends the following: "If this article is approved by the voters, the Select Board shall include funding for this program in the Select Board's proposed operating budgets for subsequent years until such time as the Town Meeting votes otherwise."

Selectman Marchand stated that it would be important that the Town Administrator ensure that it is included in the budget.

Chairman Burrill stated that the Recreation Commission discussed adding the program to the Recreation Commission budget but decided to not include it this year.

ITA O'Mara stated that the program would need to make one complete budget cycle using the proposed budget to be included in the default.

Chairman Burrill moved per the discussion above to include "If this article is approved by the voters, the Select Board shall include funding for this program in the Select Board's proposed operating budgets for subsequent years until such time as the Town Meeting votes otherwise." in warrant article 10. Seconded by Selectman Connolly with a unanimous vote.

Warrant Article 18:

Secretary Morin stated that the petition warrant article requests \$2,000.00 to fund the Lake Host Program. She explained that there is a clerical error, the correct amount requested is \$3,000.00. Town Counsel recommends making the changes to the petition warrant article at the Deliberative Session.

ITA O'Mara stated that he spoke with a legal representative at NHMA who stated that the Board could correct the clerical error prior to the Deliberative Session. The reason being, is that the 25+ voters that signed the petition, signed it knowing that the amount requested was for \$3,000.00.

Selectman Marchand moved per discussion above to amend warrant article 18 to correct a clerical error. The change will be the amount requested from \$2,000.00 to \$3,000.00. Seconded by Selectman Connolly with a unanimous vote.

Warrant Article 17:

Chairman Burrill stated that article 17, in regards to workforce housing ordinance, would not bind the Planning Board nor the Zoning Board of Adjustment to make decisions based on the ordinance. Because it is a petition warrant article that the Board cannot remove or modify the article. The Board can reconsider their support of the article.

Selectman Connolly what are the ramifications if the ordinance passes. ITA O'Mara stated that because the Planning Board and Zoning Board of Adjustments are not bound by the ordinance and need to make the decision based on the impact to the community. They would not be able to cite the ordinance as the reason for denial.

Selectman Marchand stated that the Planning Board has reviewed the proposed article and understand that they are not bound to uphold the ordinance.

Chairman Burrill stated that he agrees in concept but is concerned about any legal ramifications should the warrant article pass.

Chairman Burrill moved to reconsider warrant article 19. Selectman Connolly seconded. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

Selectman Melvin moved to recommend warrant article 19 as written. Seconded by Chairman Burrill. Melvin – aye. Burrill – nay, Marchand – nay, Connolly – nay.

Selectman Marchand moved to sign and post the 2023 Town Warrant as amended. Seconded by Selectman Connolly. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

Selectman Melvin stated that he did not agree with the some of the amended warrant articles.

III. Other Business

A. Manifest

Selectman Connolly moved to sign vendor manifests when available dated January 31, 2023. Total manifest is \$808,356.77 of which \$755,030.00 goes towards the February Sanborn Regional School District payment. Seconded by Selectman Marchand. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay,

Selectman Connolly moved to sign payroll manifest pay period January 1 - 14, 2023, with a pay date of January 19, 2023. Total payroll is \$71,300.55 which includes \$356.27 ARPA Administrative costs. Seconded by Selectman Marchand. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

Selectman Connolly moved to sign payroll manifest pay period January 1 - 14, 2023, with a pay date of January 19, 2023. Total payroll is \$3,420.03 Seconded by Selectman Marchand. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

Selectman Connolly moved to sign payroll manifest pay period January 15 - 28, 2023, with a pay date of February 2, 2023. Total payroll is \$58,057.47 which includes \$228.38 ARPA Administrative costs. Seconded by Selectman Marchand. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

Selectman Melvin stated that he voted “nay” because he has not seen the manifest or payroll.

Chairman Burrill stated that the Board does need to meet to sign the manifest or payroll. Should any member have an issue, the Board will meet to review the manifest and/or payroll.

ITA O'Mara will send an email to all department heads, boards, commission, and committees explaining why the default cannot contain the salary increases.

IV. Approval of Minutes

Selectman Marchand moved to accept the public meeting minutes dated January 16, 2023, as written. Seconded by Selectman Connolly with a unanimous vote.

Selectman Marchand moved to accept the public hearing for the NHRS reimbursement meeting minutes dated January 16, 2023, as written. Seconded by Selectman Connolly with a unanimous vote.

Selectman Marchand moved to accept the public hearing for the State Bridge Grant meeting minutes dated January 16, 2023, as written. Seconded by Selectman Connolly with a unanimous vote.

Selectman Marchand moved to accept the public hearing for the 2023 Proposed Warrant Articles meeting minutes dated January 16, 2023, as written. Seconded by Selectman Connolly with a unanimous vote.

Chairman Burrill moved to go into non-public session at 10:52am. RSA 91-A: 3 II (c) Reputation. Seconded by Selectman Marchand with a unanimous vote.

Chairman Burrill moved to close the non-public session at 10:53am. Seconded by Selectman Melvin with a unanimous vote.

V. Adjourn

Selectman Marchand moved to adjourn at 10:54pm. Seconded by Selectman Melvin.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary