



**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, June 18, 2019

TIME: 6:00PM

LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD

PUBLIC MEETING MINUTES

I. Call to Order

Chairman Gonyer called the meeting to order at 6:00pm. In attendance were Selectmen, Lisa L. Gonyer; Chairman, Lawrence B. Foote, Matthew A. Burrill, Kate Michaels; Nancy J. Wrigley, Town Administrator and Diane M. Morin, Selectmen's Secretary. The non-public session was audio taped. The public meeting was audio and video taped; the public meeting minutes and a portion of the non-public session minutes were transcribed and typed by Diane M. Morin. A portion of the non-public session minutes were transcribed and typed by Nancy J. Wrigley. Selectman James L. Doggett was excused this evening.

Nonpublic Session under RSA 91-A:3 II (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 Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to close the non-public session at 6:40pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to go into non-public session under RSA 91-A:3 II (a) – Dismissal, Promotion, or Compensation at 6:41 pm. Seconded by Selectman Foote with a roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to close the non-public session at 6:47pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to go into non-public session at 6:47pm under RSA 91-A:3 II (d) – Sale of Town property. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye

Selectman Burrill moved to close the non-public session at 6:48pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to go into non-public session under RSA 91-A:3 II (e) - Litigation at 6:50 pm. Seconded by Selectman Foote with a roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to close the non-public session at 7:10pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved that the Board just came out of a non-public session under RSA 91-A: 3 II (a), (c), (d) and (e) 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 Foote with a unanimous vote.

II. Scheduled Business

A. Children's Yoga at Greenie Park – Alisha Carroll

Ms. Alisha Carroll addressed the Board asking for approval to hold yoga classes for children at Greenie Park. Selectman Burrill stated that the Recreation Commission is in favor of allowing Ms. Carroll to hold yoga classes. Ms. Carroll will provide a certificate of insurance and will fill out the permit application.

Selectman Burrill moved to approve Ms. Alisha Carroll's request to hold yoga classes at Greenie Park provided the necessary paperwork is filed with the Town Hall. Seconded by Selectman Foote with a unanimous vote.

B. Heath Street Drainage issue

Mr. Timothy Donovan Jr. of 11 Heath Street addressed the Board about concerns of stormwater from the road running into his pool. He has spent \$2,000.00 on restoring the pool. He would like to know how the Town will resolve the issues.

Chairman Gonyer stated that Mr. Donovan has tried to redirect the stormwater with no effect.

Ms. Molly Wilson from 9 Heath Street, addressed the Board. She stated that half of Heath Street has been improved while the end she is on is in need of repairs. She is aware that Heath Street is a scenic road and therefore must abide by certain RSA's when it comes to repairs of the road.

Road Agent (RA) Pivero stated that Heath Street is not set to be repaired this year. He had spoken with Mrs. Donovan a few years ago. At that time, the Highway Department did regrade the swale. In order to resolve the issues, the road would need to be re-profiled. In the interim, the Highway Department will do what it can to mitigate the issue.

Selectman Burrill asked if funds from the Surplus Highway Block Grant that was given to the Town in 2017 could be used. Road Agent Pivero stated that the funds were used on repairing other roads that year.

Chairman Gonyer stated that the owner is requesting, from the Town, to be reimbursed for the restoration they needed to do on their pool. Selectman Michaels asked Mr. Donovan if the issues have been a problem for several years. Mr. Donovan stated that this was the worst year. When asked if this was a new pool installation, Mr. Donovan stated that they purchased the property with the pool already installed. Selectman Michaels asked Mr. Donovan if he filed a claim with his home insurance provider. Mr. Donovan stated that he has not.

RA Pivero stated that the road is deteriorating, and the water has no place to go. RA Pivero will get in touch with the Town Engineer to see what needs to be done to rectify the drainage issue.

Chairman Gonyer asked RA Pivero if he is in agreement that the stormwater run off has caused the issues to the pool. RA Pivero stated that he did not witness the stormwater going into the pool. Therefore, could not confirm one way or the other. Selectman Burrill requested that more information is needed before determining whether to reimburse the property owner.

Selectman Burrill moved to go into non-public session at 7:36pm per 91-A: 3 II (c) – Reputation. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved to close the non-public session at 7:41pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Burrill moved that the Board just came out of a non-public session under RSA 91-A: 3 II (e) – Litigation 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 Foote with a unanimous vote.

Chairman Gonyer stated that the Board will gather more information and will place the request for reimbursement on the next agenda.

C. Fire/Rescue Station

a. Sprinkler update:

Construction Manager (CM) Pivero stated the design teams are still working on the design. CM Pivero asked the Board to meet should the project design be available for the Board to review prior to their next meeting. Chairman Gonyer stated that the Board could meet but would need 24 hours' notice.

Selectman Burrill stated that the upfront work being done and getting State approval will help the process go smoothly. CM Pivero confirmed that State approval will be first and then local approval second.

Chairman Gonyer stated that the temporary certificate of insurance would be extended if needed. Selectman Burrill stated that the August 31, 2019 deadline was self-imposed and can be adjusted as needed. CM Pivero stated that Jeff Murphy from SFC Engineering will be able to facilitate any adjustments needed for the completion date with the State Fire Marshall.

D. Police Department – new cruiser lease agreement

Chief Jewett addressed the Board and requested the Board approve the lease agreement for a new police cruiser that is in the 2019 budget. The agreement includes an escape clause should funding not be appropriated.

Selectman Foote moved to authorize the Chairman to sign the lease agreement with Ford Motor Company for a 2018 Ford Interceptor to finance the amount of \$48,600 to be paid semi-annually in the amount of \$8,988.57 over a period of 3-years. Seconded by Selectman Burrill with a unanimous vote.

E. Fire Department

a. Request for Internship for Bryan Kane

Chief Alcaldinho addressed the Board and requested approval to allow Bryan Kane to intern as a Fire/EMS with the Newton Fire/Rescue Department.

Chairman Gonyer stated that there is no cost to the Town.

Chief Alcaldinho stated that this is the first internship for the Town.

Selectman Burrill moved to authorize the Chairman to sign the internship for Bryan Kane. Seconded by Selectman Foote with a unanimous vote.

b. Move Fire Danger (Smokey Bear) sign to 8 Merrimac Road

Chief Alcaldinho spoke with the Town Forest Fire Warden about moving the sign to 8 Merrimac Road or another location that is more visible. The Board discussed other possible locations for the sign such as in front of the Town Hall, Library, Newton Junction Fire Station or the Primary School Historical building. Chief Alcaldinho will discuss with Town Forest Fire Warden about the suggested sites.

The Chief then brought up the memorial stone at the Central Fire Station. He would like to have the stone moved but does not know who is responsible for moving it. Chairman Gonyer stated it will be added to the next agenda.

F. Special Town Meeting – Expanding the Cable Revolving Fund

Secretary Morin addressed the Board and reviewed what the Cable Committee is recommending to the Town concerning the Cable Revolving Fund. The Committee is

recommending expanding the use of the fund to include Information Technology for the Town Hall, Transfer Station, Police and Fire Departments. Bookkeeper Kim Hughes, Town Administrator Wrigley and herself met with 2 representatives from DRA about presenting a warrant article to expand the fund's use. The representatives advised them that a special town meeting could be held if the Town wanted to use the funds prior to 2020. Or the Town could add it to the 2020 Town Warrant. According to DRA the Town would need to follow some of the same procedures to hold a special meeting but without needing 50% of the voters to turn out for the meeting.

Chairman Gonyer asked why this could not wait for the 2020 March Town Meeting. Town Administrator Wrigley explained that the 2020 budget would need to contain funding for IT purposes. If the Board decided to hold a special meeting and the article passed the funds would be available prior to setting the 2020 budget.

Town Moderator Robert Dezmelyk addressed the Board. He does not believe a special meeting is warranted because it is not an emergency.

Town Administrator Wrigley stated the importance for the Town to abide by the warrant article that was voted to establish the Cable Revolving Fund, as well as, the Contract with Comcast. These note the percentage of Franchise Fees to be deposited into the Revolving Fund and /or General Fund.

Town Moderator Dezmelyk is not recommending the Town hold a special meeting. He believes that because the Town follows the SB2 guidelines, we must follow all the same rules as a regular Town Meeting which includes absentee ballots, election workers, quorum of Selectmen, Town Clerk and Supervisors of the Checklist. The polls would need to be opened the same hours as normal Town Meeting. Town Administrator Wrigley said this was not what we were told by DRA representatives who worked with another Town to accomplish exactly what we are trying to do.

Selectman Burrill asked what the funds would be used for. Secretary Morin provided some examples: Office 365 subscriptions, hardware upgrades, internet and IP phone system.

Selectman Burrill stated that if the proposed 2020 budget did not pass, the Town would have to tighten up all the budgets.

Chairman Gonyer asked why it is being recommended to do this in a special Town meeting. Secretary Morin stated that should the Town vote to approve expanding the purpose of the Cable Revolving Fund, the 2020 departmental budgets would not have to include any IT cost in their budgets, therefore reducing the tax burden reducing the tax burden on the taxpayers.

Chairman Gonyer expressed concern that holding a special meeting was not in the 2019 Election Budget.

Town Moderator Dezmelyk stated that elections fall under the Secretary of State and he recommends adhering to the Secretary of State guidelines.

Selectman Foote asked how much we are spending on IT now. Secretary Morin stated a rough estimate would be \$50,000.00.

The Board agree to not hold a special meeting and to place the warrant article on the March 2020 Town Warrant.

G. Recreation – Bookkeeper memo about lifeguards and lifeguard supervisor

Selectman Burrill stated that the Fire Chief should answer the questions to the memo. He stated that the Recreation Committee consists of volunteers and the committee should not be managing employees. Should the Fire Chief need assistance with any questions, he can refer to the Recreation Committee. Town Administrator Wrigley will forward the memo to the Fire Chief to answer the questions.

H. Building Department – Bookkeeper memo about signature authority

The Board agree that the Building Inspector will have the signature authority for the Building Department.

I. Bookkeeper memo – Country Pond Lake Association

Chairman Gonyer stated that the memo from the Bookkeeper regarding donations made to Country Pond Lake Association by other departments was negative. No other departments/commissions/committees/boards have donated.

Selectman Foote moved to authorize a donation to Country Pond Lake Association in the amount of \$180.00 to educate the boaters for the benefit of the Town. Seconded by Selectman Burrill for discussion.

Chairman Gonyer asked if the Country Pond Lake Association is paying the State. Selectman Michaels stated that when she spoke with the head of the association, he informed her that the money is used to pay the people who inspect the boats.

The motion passed with a unanimous vote.

J. EMPG – Electronic Messaging Board Grant Awarded

Selectman Foote stated that the Town received the grant for the electronic messaging board in which the Town had a 50/50 soft match. The Town paid \$300.00 for shipping.

K. Grant MOA to reprogram EMS/Fire/Police radios

Selectman Foote informed the Board that the State is changing radio band in August/September 2019. The grant will help pay for the re-programming the radios for the Fire/EMS/Police.

Selectman Michaels moved to authorize the Chairman to sign the memorandum of agreement for radio reprogramming. Seconded by Selectman Foote with a unanimous vote.

L. 2019 Employee Evaluation schedule

The Board reviewed the proposed schedule to hold employee evaluations and that will be the only item on the agenda. Departments heads will need to be present and all evaluations should go to Town Administrator Wrigley by July 1, 2019.

July 2, 2019 no meeting scheduled

July 9, 2019 meeting will be held at 6:00pm for employee evaluations

July 16, 2019 scheduled BOS meeting

July 23, 2019 meeting will be held at 6:00pm for employee evaluations

July 30, 2019 meeting will be held at 6:00pm for employee evaluations and sign manifests

August 6, 2019 no meeting scheduled

August 20, 2019 scheduled BOS meeting.

M. Central Fire Station – Broker Agreement

Chairman Gonyer announced that the Board signed a Broker agreement with Coco Early Realtor to sell the Central Fire Station.

N. Revised Agreement for St. Jean Auctioneer

Selectman Michaels moved to authorize the Chairman to sign the auction agreement with St. Jean Auctioneers to auction 2 Amesbury Road. Seconded by Selectman Foote with a unanimous vote.

O. EPA – General Permit for stormwater discharge

Town Administrator Wrigley stated that the Town has received a letter from US EPA stating that the Town is approved for general discharge of stormwater. The first annual report is due September 30, 2019 and is being worked on. The permit will expire on June 30, 2023.

III. Other Business

Chairman Gonyer stated that the Board will not be meeting July 2, 2019.

IV. Sign Manifests, Tax Credits & Requisitions

➤ **Manifest**

Selectman Burrill moved to sign vendor manifest dated June 11, 2019 in the amount of \$144.75 for the lifeguard background checks. Seconded by Selectman Foote with a unanimous vote.

Selectman Burrill moved to sign vendor manifest dated June 18, 2019 in the amount of \$1,313,800.23 of which \$1,254,000.00 goes towards the July Sanborn Regional School District and \$15,300 from the EMPG Grant for the Electronic Messaging Board. Seconded by Selectman Foote with a unanimous vote.

Selectman Foote moved to sign vendor manifest for the New Fire/Rescue Station dated June 18, 2019 in the amount of 4,555.34. Seconded by Selectman Michaels with a unanimous vote.

Selectman Foote moved to sign payroll manifest pay period May 26 – June 8, 2019 with a pay date of June 13, 2019. Seconded by Selectman Burrill with a unanimous vote.

➤ Tax Credit

Selectman Michaels moved to sign Veteran's Tax Credit for map 6-9-28 for tax year 2021. Seconded by Selectman Foote with a unanimous vote.

➤ Requisitions

Selectman Michaels moved to sign requisition #2551 in the amount of \$2,516.25 for the Recreation Commission for the 2019 Senior Trip on the Conway Scenic Railroad. Seconded by Selectman Foote with a unanimous vote.

V. Announcements

Chairman Gonyer announced that Jack Kozec has been promoted to Assistant Transfer Station Manager.

VI. Approval of Minutes

Selectmen's non-public and public meeting minutes dated June 4, 2019

Selectman Foote moved to accept the non-public and public meeting minutes dated June 4, 2019 as written. Seconded by Selectman Michaels with a unanimous vote.

No non-public session minutes were released.

VII. Adjourn

Selectman Burrill moved to adjourn at 9:21pm. Seconded by Selectman Michaels with a unanimous vote.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary