



**Office of the Board of Selectmen**  
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**NEWTON BOARD OF SELECTMEN**  
**DATE: TUESDAY, September 17, 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 6:01pm. In attendance were Selectmen, Lisa L. Gonyer, Chairman, James L. Doggett, Vice-Chairman, Lawrence B. Foote, Matthew A. Burrill, Kathryn Michaels, Town Administrator Nancy J. Wrigley and Selectmen's Secretary Diane M. Morin. 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 Secretary Morin. A portion of the non-public session minutes were transcribed and typed by Town Administrator Wrigley.

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

**Selectman Doggett 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, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to close the non-public session at 6:13pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to go into non-public session at 6:15pm under RSA 91-A: 3 II (a) – Compensation. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to close the non-public session at 6:51pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to go into non-public session at 6:52pm under RSA 91-A: 3 II (c) – Reputation. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to close the non-public session at 7:09pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to go into non-public session at 7:09pm under RSA 91-A: 3 II (b) – Hiring. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to close the non-public session at 7:25pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved that the Board just came out of a non-public session under RSA 91-A: 3 II (a) – Compensation, (b) – Hiring and (c) – Reputation 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 Burrill with a unanimous vote.**

## **II. Scheduled Business**

### **A. DES mandate – 4 Brookside Lane**

Secretary Morin stated that the State Department of Environmental Services (DES) sent a notice to the Town stating that the Town needs to provide portable water to 4 Brookside Lane. The standards for PFAS in drinking water have changed and the property no longer is within acceptable parameters.

Mrs. Carolyn McTeague and Mr. Wayne Trebbin, the owners of 4 Brookside Lane addressed the Board. They were notified of the issue last week. Mrs. McTeague stated that the last water test was taken from an outside spicket which is not on their water treatment system.

Chairman Gonyer asked if the current filtration system is adequate and if they would like the Town to test the water after it has been treated. Mr. Trebbin stated that he would like the water tested before and after the water is treated.

Mrs. McTeague asked if their property is the only one being tested. Selectman Gonyer stated that they are not the only property tested that abuts the Transfer Station. Town Administrator Wrigley stated that there are other properties on Brookside that are tested and will be continued to be tested.

The Town will contact the RW Gillespie and ask them to test the water both pre and post treatment. This will help to determine if the water treatment is removing the PFAS.

### **B. Fire/Rescue Station**

#### **a. Sprinkler system update**

Construction Manager (CM) Pivero addressed the Board. He reviewed the contract he was given by Carter Sprinkler Co. CM Pivero stated that the amount quoted is not the final amount. The final amount will not be known until the design is completed. Carter Sprinkler Co will provide the design and final amount if the Board signs a contract with the company. CM Pivero estimates the cost could be between \$257,250.00 -- \$290,000.00. It will depend on the size of the underground water storage tank that is needed.

Selectman Burrill stated that a change order should be drawn up to cover this part of the project.

The Board discussed how to fund the project which may include encumbering funds for next year to pay for the project.

Chairman Gonyer asked if we ever received a quote from the original contractor. CM Pivero stated that a quote was received in May of 2019. Chairman Gonyer asked how it compares to the quote provided by Carter. CM Pivero stated that Carter is about \$17,000.00 more. The difference is due to the different design each company proposed.

The Board asked to have the Bookkeeper prepare a spreadsheet using the numbers provided in the quote and to use \$290,000.00 as the amount needed to fund the project.

**Selectman Doggett moved to authorize Chairman Gonyer to sign the Sprinkler System Fire Pump design change order when it is available. Seconded by Selectman Burrill with a unanimous vote.**

#### **C. Road Agent – Paving Thornell Road**

Road Agent (RA) Pivero addressed the Board. He stated that Thornell Road will be repaved from Route 108 for 1800'. RA Pivero recommends that the Board goes with Brox for the work as they were the lowest quote he received. Brox has quoted \$140,000.00 to complete the necessary repairs on the road.

RA Pivero stated that he is still working out the logistics as there are 2 high pressure gas lines that run under the road.

RA Pivero stated most of the funds will come from the Highway Block Grant which has a balance of \$240,771.91. He will use \$35,000.00 from the 2019 Highway budget to offset the cost.

**Selectman Doggett moved to accept the quote from Brox to pave Thornell Road. Seconded by Selectman Burrill with a unanimous vote.**

#### **D. Fire/Rescue Station -- Continuation**

##### **a. 90-Day Certificate of Occupancy**

Chairman Gonyer stated that a new 90-day certificate of occupancy by the Building Inspector was issued on September 13, 2019. The Building Inspector is prepared to extend the temporary 90-day certificate as needed until the sprinkler system is completed.

#### **E. Transfer Station – Tractor tires and plow**

Transfer Station Manager (TSM) Gagnon addressed the Board. TSM Gagnon presented 3 quotes for 2 rear tires for the tractor. He recommended purchasing the tires from Statham Tire Inc. at a cost of \$1,812.00.

Chairman Gonyer asked where the funds would come from. TSM Gagnon stated that there are funds remaining in the warrant article #5 that was approved by the voters in March of 2019.

**Selectman Doggett moved to purchase 2 tires from Stratham Tire at a cost of \$1,812.00. The funds to come from the warrant article #5 approved by the voters in March of 2019. Seconded by Selectman Foote with a unanimous vote.**

TSM Gagnon reviewed the 2 quotes he has for a 10' plow for the tractor. The cost for the plow is \$3,899.00 from Chappell Tractor.

**Selectman Doggett moved to purchase a 10' plow from Chappell Tractor at a cost of \$3,899.00. The funds to come from the warrant article #5 approved by the voters in March of 2019. Seconded by Selectman Michaels with a unanimous vote.**

#### **F. Review Stormwater Management Plan**

**Selectman Doggett moved to sign and submit the Stormwater Management Plan. Seconded by Selectman Foote with a unanimous vote.**

#### **G. Review Illicit Discharge and Detection Elimination Plan**

**Selectman Doggett moved to sign and submit the Illicit Discharge and Detection Elimination Plan. Seconded by Selectman Foote with a unanimous vote.**

#### **H. Friends of Newton Recreation**

Mr. Edvin Crnolic addressed the Board requesting approval to use the Fire/Rescue Station on October 5, 2019 from 3:00-5:00pm for a fund raiser. The benefit of the fund raiser would be the Friends of Newton Recreation who are raising money to replace the playground equipment at Greenie Park. Mr. Crnolic stated that he has spoken with Chief Alcadinho and he does not have any issues with them using the station.

Chairman Gonyer stated that she would prefer they use the Town Hall or local school for such activities as the Fire/Rescue Station should not be used as a recreational hall.

**Selectman Foote moved to allow the Friends of Newton Recreation use the Fire/Rescue Station on October 5, 2019 from 3:00pm-5:00pm for a fund raiser. Seconded by Selectman Burrill for discussion.**

Selectman Doggett asked if one of the bays in the Butler Building could be used. Selectman Foote stated that the building is not suitable as it is used for storage.

**Selectman Doggett, Burrill, Foote and Michaels—aye. Chairman Gonyer – nay.**

Chairman Gonyer explained her Nay vote was for the location of the event and not the event itself as she would support it a different location.

**I. Impact Fee – Letter to Sanborn Regional School District**

Town Administrator (TA) Wrigley has been in communications with the School but has not received the required letter from the School needed to submit the impact fee checks. Chairman Gonyer suggested that she reach out, as Chairman of the Board of Selectmen, to the Chairman of the School Board.

Chairman Gonyer asked who receives the funds. TA Wrigley stated that the School receives the funds to offset the amount the Town pays in school taxes.

Chairman Gonyer asked if we know what the amount is that the Town should send to the School. TA Wrigley stated that she asked the School to send the letter but was told it would violate an RSA.

The Board agreed to have Chairman Gonyer speak to the School Board Chairman about getting the needed letter for the impact fee.

**J. Sign Contract with Suburban Propane for 2019-2020 fuel**

Selectman Michaels stated that the contract is for 6500 gallons of oil. She expressed concern that if the Town did not use the 6500, would there be a penalty. Secretary Morin stated that there is an email from the Suburban representative stating that the Town would not be penalized or have to pay any fees for unused fuel.

**Selectman Doggett moved to authorize the Chairman to sign the underground tank agreement with Suburban Propane. Seconded by Selectman Burrill with a unanimous vote.**

**Selectman Doggett moved to authorize the Chairman sign a 1-year Commercial Propane Gas agreement with Suburban Propane. Seconded by Selectman Burrill with a unanimous vote.**

**Selectman Doggett moved to authorize the Chairman to sign a 1-year contract for a fixed price for propane at a cost of \$1.31 per gallon with Suburban Propane. Seconded by Selectman Foote with a unanimous vote.**

**Selectman Doggett moved to authorize the Chairman to sign a 1-year contract for a fixed price for oil at a cost of \$2.48 per gallon with Suburban Propane. Seconded by Selectman Foote with a unanimous vote.**

**K. Update – RPC Electricity Aggregation Matrix and Sample Contract**

Selectman Doggett reviewed the cost savings, approximately \$6,500.00, to the Town if they joined the RPC Electricity Aggregation for 3-years.

Chairman Gonyer asked if there was an escape clause. Secretary Morin read from page 2 halfway down the page the escape clause.

The contract needs to be signed on September 25, 2019 electronically by the Town in order to join the aggregation.

**Selectman Burrill moved to authorize the Chairman to sign the agreement from Constellation on September 25, 2019 with the stipulation that Town Counsel will review the agreement for an escape clause. Seconded by Selectman Foote with a unanimous vote.**

Selectman Burrill and Chairman Gonyer reiterated that Town Counsel should review the contract for an escape clause and any penalties should the Town terminate the contract before it expires.

**L. Review – 2 Amesbury Road Town Expenditures**

Chairman Gonyer reviewed the current expenditures that the Town has spent on 2 Amesbury Road. The expenditures thus far total up to \$50,241.00 which includes an estimate for legal fees. Town Counsel will file the action with the Court who will disburse the remaining funds to previous owner/s.

**M. Intent to cut Timber – South Main Street**

Town Administrator Wrigley stated that the timber has already been cut. The property owners were notified by the State that they needed to file an Intent to Cut.

The logger still needs to file a report of what was cut with the State.

Selectman Michaels asked if Conservation Commission and the Planning Board normally gets a copy of the Intent to Cut. Town Administrator Wrigley stated yes and that the Conservation Commission and Planning Board will get a copy even though the timber has been cut.

**a. S.E.C Realty Trust LLC. -- Tax Map 14-1-4-1, 14-1-4-2, 13-3-14**

**Selectman Doggett moved to sign the Intent to cut Timber for tax maps 14-1-4-1, 14-1-4-2 and 13-3-14. Seconded by Selectman Burrill with a unanimous vote.**

**b. Todd Fitzgerald -- Tax Map 13-3-12, 13-3-15, 13-3-16**

**Selectman Doggett moved to sign the Intent to cut Timber for tax maps 13-3-12, 13-3-15 and 13-3-16. Seconded by Selectman Foote with a unanimous vote.**

**III. Announcements**

Chairman Gonyer announced that September 17-23, 2019 is Constitution Week.

**IV. Approval of Minutes**

**Selectmen's non-public and public meeting minutes dated September 3, 2019**

**Selectman Doggett moved to accept the non-public and public meeting minutes dated September 3, 2019 as written. Seconded by Selectman Foote with a unanimous vote.**

Selectman Doggett stated that the Board has no just or prudent cause to unseal any prior non-public session minutes.

V. Sign Manifests & Requisitions

➤ Manifest

**Selectman Foote moved to sign vendor manifest dated September 17, 2019 in the amount of \$1,150,858.85 of which \$1,084,00.00 goes towards the October Sanborn Regional School District payment. Seconded by Selectman Burrill with a unanimous vote.**

**Selectman Foote moved to sign vendor manifest dated September 9, 2019 in the amount of \$43.70. Seconded by Selectman Doggett with a unanimous vote.**

**Selectman Michaels moved to sign payroll manifest pay period September 1 – 14, 2019 with a pay date of September 19, 2019. Seconded by Selectman Doggett with a unanimous vote.**

➤ Requisitions

**Selectman Michaels moved to sign requisition #2354 in the amount of \$750.25 for repair of the office shed at the Transfer Station. Seconded by Selectman Doggett with a unanimous vote.**

VI. Adjourn

**Chairman Gonyer adjourned the public portion of the meeting at 8:58pm.**

**Selectman Doggett moved to go into non-public session at 9:15pm under RSA 91-A: 3 II (b) – Hiring. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to close the non-public session at 9:25pm. Seconded by Selectman Foote with a roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to go into non-public session at 9:25pm under RSA 91-A:3 II (a) – Dismissal. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to close the non-public session at 9:50pm. Seconded by Selectman Foote with a roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.**

**Selectman Doggett moved to adjourn at 9:51pm. Seconded by Selectman Foote with a unanimous vote.**

Respectfully submitted,

Diane M. Morin

Selectmen's Public Minutes, 09/17/2019

Board of Selectmen Secretary