



**Office of the Board of Selectmen
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NEWTON BOARD OF SELECTMEN

DATE: Monday, January 15, 2024

PUBLIC HEARING -TIME: 7:00PM

**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>

1. Call to Order

Chairman Marchand called the Public Hearing to order at 7:00PM. Selectmen in attendance were Chairman Robert Marchand Jr., Vice-Chairman Michael Connolly, Matthew Burrill, Daniel Guide, and Joseph Simone. Also in attendance were Interim Town Administrator (ITA) James O'Mara and Selectmen's Executive Assistant (EA) Robyn Sparks. The public hearing minutes were transcribed and typed by EA Sparks. The public hearing was preceded by the public meeting.

Selectman Burrill explained the purpose of the Public Hearing, is to present the Warrant Articles and proposed budget. The Selectboard will review these items and offer insight, approvals, and oppositions.

ITA O'Mara stated the Warrant Articles are still in draft form, some on the tax impact articles read XXX, which means that the figure has not been determined. Bill Landry, Cemetery of the Trustees, has been volunteering to determine these figures.

ITA O'Mara presented a PowerPoint titled Budget and Bond Public Hearing, which included the Warrant Articles.

See Articles as presented during the meeting.

1.To elect all necessary Town Officers for the ensuing year.

Selectman Burrill stated these Officers will be elected, however, they have yet to sign up.

2. Are you in favor of the adoption of Warrant article No. 2 as proposed by the Planning Board to amend SECTION – XXX -FLOODPLAIN DEVELOPMENT ORDINANCE as necessary to comply with requirements of the National Flood Insurance Program?

Chairman Marchand explained that the State of New Hampshire, reevaluated their flood insurance program and areas. Newton has been impacted and now has changes although small, the areas now considered to be in the flood zones. Qualifying residents will be able to seek proper insurance and the ordinance will be updated to reflect said change.

Selectboard all in favor of said article.

Please check subsequent minutes for approval of and/or amendments to these minutes

3. Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the town's zoning ordinances as follows: amend SECTION XII - HOME OCCUPATIONS AND HOME-BASED BUSINESSES, subsection B, 2 to read: There shall be no outdoor activity or use, including storage and parking of commercial vehicles or trailers exceeding 26,000 GVW, except for the provision of employee parking.

Chairman Marchand stated current ordinance is set at 12,000, GVW, Planning Board would like to increase weight.

Selectboard all in favor of said article.

4. Operating Budget

Shall the Town of Newton raise and appropriate as an Operating Budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$4,755,361. Should this article be defeated, the default budget shall be \$4,147,7732, which is the same as last year, with certain adjustments required by previous action of the Town of Newton or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."

The Board of Selectmen unanimously recommends a yes vote.

The proposed operating budget has an estimated tax impact of \$x.xx.

The default budget has an estimated tax impact of \$x.xx.

Selectman Guide stated that said number is wrong, he will give the correct default budget number and inserted \$4,411,588.

Mary Riordan, Brenner Drive, asked the Selectboard to confirm that \$584,000 was left over from the 2023 budget. ITA O'Mara stated that number was incorrect, December invoices along with 2 payrolls still need to be processed. The number will be impacted significantly. She then asked for the balance of the unassigned fund balance. ITA O'Mara replied by stating about 2.5 million.

Selectboard all in favor of said article.

ITA O'Mara wanted to explain how the tax impact number is determined. Bill Landry, Cemetery of the Trustees, uses a formula including the appropriation of the amount of the article, estimated revenues, and total townwide valuations. It is not in addition to this year's tax rate. The DRA set Newton's rate at \$3.63, down \$.10 from the previous year.

5. Road Reconstruction Bond

To see if the Town will vote to raise and appropriate the sum of 10 million dollars (\$10,000,000) (Gross Budget) to reconstruct approximately twenty-three miles of roads deemed in need of reconstruction as more particularly identified on the 2010 Proposed Road Reconstruction List derived from the Road Management Study of 2009, which list is

dated January 11, 2010 and to authorize the issuance of bonds or notes therefore of not more than ten million dollars (\$10,000,000) in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon and other conditions of the bonds or notes in their judgment, it being further understood that said bonding authority shall be on the condition that the Selectmen shall NOT issue or negotiate bonds or notes for this appropriation in any given year for more than four million (\$4,000,000), it being contemplated that the overall bonding authority will not lapse until the project is completed but that the project will be completed in annual increments, borrowing for which shall not exceed four million dollars (\$4,000,000) in any given year, and to take all other action relative thereto. This is a special Article in accordance with RSA (32. 3/5 Ballot Vote Required)

The Board of Selectmen unanimously recommends a yes vote.

This article has an estimated tax impact of \$x.xx.

Chairman Marchand stated that these funds would not be used at once, but the repairs would be completed on a schedule annually.

Selectboard all in favor of said article.

6. Recreation Coordinator Position

To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be deposited into the recreation operating budget to fund a new position called "Recreation Coordinator". Upon passage these funds will become part of the Recreation Department's annual operating Said funds to come from the Unassigned Fund Balance. The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Charles Melvin of South Main ST asked if this position was newly created and if there would be a tax impact the following year. Chairman Marchand replied yes and stated the position would then become part of the departments budget.

Emergency Management Director (EMD) asked if this was a full time or parttime position. Selectboard responded it was part time and the article would be edited to include the word part time.

Mary Jo McCullough, Town Clerk, asked if \$50,000 would be the offered salary for the position. Selectboard responded no and the money would be used for children's, senior and other already existing programing, but on a larger scale. She then stated it appears to the public as if the proposed position's salary is \$50,000.00 and it needs to be more specific.

Diane Morrin of Juniper Lane stated she agreed with Mary Jo and asked for a job description. Selectboard discussion ensued around the wording of the article.

Selectman Guide moved to amend the article to add should include part time coordinator and to fund senior and child programs. Seconded by Selectman Connolly, 5-0 with a unanimous vote.

Selectboard all in favor of said article.

7. Lease of Town Owned Land

To see if the Town will vote to authorize the Board of Selectmen to convey an easement, license, or leasehold interest on a portion of the property owned by the Town of Newton located at Maple Avenue, identified as Tax Map 10, Lot 7-5-1, for a period not to exceed 20 years for the purposes of constructing, installing, and operating a communications tower, in such dimensions and under such terms and consideration as the Board of Selectmen, in its discretion, deems suitable, and to further authorize the Board of Selectmen to execute such related contracts and agreements related to such communications tower. Such authority shall not lapse and shall remain effective until December 31, 2025.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

ITA O'Mara stated that the lot would be behind the Transfer station. Chairman Marchand stated this would bring revenue to the town, while also providing reception for safety and cellular.

Jack Kozec of Amesbury Rd asked for location. Selectboard stated behind the Transfer Station.

Selectboard all in favor of said article.

8. Engineering & Renovation Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be deposited into the Engineering & Renovation Capital Reserve Fund established in 2015; said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Engineering & Renovation Capital Reserve Fund balance: \$xx,xxx as of 12/31/2023

Mary Riordan, Brenner Drive asked for further clarification in regard to who can use the funds, what is being engineered and which town owned buildings.

ITA O'Mara stated the original intent was the town's buildings located on Merrimac RD, Butler building, Fire Station, and Police. Selectboard discussion ensued around building maintenance.

Selectman Burrill asked for clarification and if this article is associated with rent from 8 Merrimac RD, if so, the language is unclear. Selectman Burrill suggested using prior language from pervious town report.

Selectman Simone read the same Warrant Article from a town report in which stated at the end, "this represents the rental fees received." He then said the amount needs to be changed from \$10,000.00 to \$10,200.00, which is the correct amount of rent.

Selectman Burrill moved to adopt the language "this represents the rental fees received." Seconded by Selectman Simone. 5-0 with a unanimous vote.

RA Pivero questioned whether this should be a warrant article, because the revenue is not unanticipated, where it's expected each month.

Selectman Burrill stated this language originally came from DRA and upon their suggestion and stated language could be finalized at deliberative session.

Selectboard all in favor of said article.

9. Town Buildings Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be deposited into the Town Buildings Capital Reserve Fund established in 2006. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Selectboard all in favor of said article.

10. Police Cruisers and Equipment Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be deposited into the Police Cruisers and Equipment Capital Reserve Fund established in 2021. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Police Cruisers and Equipment Capital Reserve Fund balance: \$xx,xxx as of 12/31/2023

John Silva of Highland ST asked if this was done last year. Selectboard agreed, stating the funds gradually accumulate and then can be used for repair or to buy vehicles. Further stating Interim Chief of Police recommended the amount and based it on need.

Diane Morin of Juniper Lane asked if the town tax rate was lowered would it affect just the town portion or the school. Selectboard replied with just the town's rate.

Selectboard all in favor of said article.

11. Fire Apparatus and Equipment / Refurbishment Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be deposited into the Fire Apparatus and Equipment / Refurbishment

Fund Capital Reserve Fund established in 2005 and amended in 2011. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Fire Apparatus and Equipment / Refurbishment Capital Reserve Fund balance: \$xx,xxx as of 12/31/2023

Fire Chief Alcaldinho stated the figure was approved from last year to \$50,000.00. At \$25,000.00 it would take 40 years to make that purchase.

Selectman Connolly moved to change the amount from \$25,000.00 to \$50,000.00. Seconded by Selectman Burrill. 5-0 with a unanimous vote.

Selectboard all in favor of said article.

12. 275th Anniversary Revolving Fund

To see if the Town will vote to establish a Capital Reserve Fund, pursuant to RSA 35, which will be known as the 275th Anniversary Revolving Fund and raise and appropriate the sum of forty thousand dollars (\$40,000) to be placed in this fund the purpose of which shall be to support the celebration of the town's 275th anniversary and appoint the selectmen as agents to expend from the fund. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Selectman Burrill stated said article had a typo, tow should be town.

John Silva of Highland ST, asked if this fund would be for 1 year or continuing, stating the language the unclear.

Selectboard discussion ensued around language.

Selectman Burrill stated he wanted the public to know most Warrant Articles are one year.

Selectboard all in favor of said article.

Selectman Burrill moved to change 275th (use of that number) in the second sentence to just town and keep everything the way it is. Seconded for discussion.

Diane Morin of Juniper Lane suggested adding the language any expected funds be returned to the unassigned fund balance at the end of the fiscal year. ITA O'Mara stated depositing would inflate the balance on the account.

Selectman Burrill moved to change 275th on the second line and the title to town anniversary revolving fund. Seconded by Selectman Connolly. 5-0 with a unanimous vote.

Selectboard all in favor of said article.

13. Cyclical Revaluation Capital Reserve Fund

To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35 to be known as the Cyclical Revaluation Capital Reserve Fund for the purpose of funding the five year property valuation pursuant to NH RSA 75:8-a and to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be placed in the fund and to name the Board of Selectmen as agents to expend from such fund. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Chairman Marchand stated this would prevent being presented with a large costs for the revaluation.

Selectboard all in favor of said article.

14. Highway Vehicle and Equipment Capital Reserve Fund

To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Highway Vehicle and Equipment Capital Reserve Fund for the purpose of purchasing, maintaining, repairing, and improving or replacing the Town's Highway Department vehicles and equipment and to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be placed in the fund and to name the Board of Selectmen as agents to expend from such fund. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.)

This article has no tax impact.

This will help the town purchase and build an equipment inventory for the Highway Department. RA Pivero asked Warrant Article 14 be moved up to 12, in order to have the Highway Warrant Articles grouped together. The Selectboard agreed.

Selectboard all in favor of said article.

Alice Dunn of Smith Corner Rd via zoom, asked if these funds would be used to repair the Road Agent's equipment. The Selectboard said no.

15. Highway Construction Revolving Fund

To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be deposited into the Highway Construction Revolving Fund previously established to purchase vehicles and equipment. Said funds to come from the Unassigned Fund Account.

The Board of Selectmen unanimously recommends a yes vote. This article has no tax impact.

Highway Construction Revolving Fund balance: \$xx,xxx as of 12/31/2023

Chairman Marchand stated that based on a conversation with the Road Agent, this figure will be increased to \$250,000.00 and Warrant Article #16 will be removed.

RA Pivero, agreed with the changes that Chairman Marchand stated. He also wanted to add the language if Warrant Article # 5 passes then #15 will be null and void.

Selectman Guide moved to remove the language from proposed Warrant Article #15 “previously established to purchase vehicles and equipment and remove proposed Article 16 .” Seconded by Selectman Connolly. 5-0 with a unanimous vote.

Selectboard all in favor of said article.

16. Road Systems Capital Reserve Fund

To see if the Town will vote to approve the deposit of two hundred fifty thousand dollars (\$250,000) into the Road Systems Capital Reserve Fund for further road improvement and upgrades. Said funds will come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

This article is contingent upon the Town Meeting's approval of Article 5, and, if the Town Meeting does approve Article 5, this Article shall be null and void.

Highway Paving Fund balance: \$xx,xxx as of 12/31/2023

To be removed per the suggestion of the Road Agent and Selectboard.

17. Town Clerk & Tax Collector Compensation

To see if the Town will vote to approve, pursuant to the provisions of RSA 41:25, in lieu of base salary and fees, to change the compensation of the Town Clerk & Tax Collector to a Salary basis only, with all fees collected being returned to the town, and to authorize the Select Board to make subsequent adjustments to the Town Clerk & Tax Collector's salary on an annual basis, to be effective immediately following March 2024 elections.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Selectboard all in favor of said article.

18. Social Service Agencies

To see if the Town will vote to raise and appropriate the sum of thirty thousand three hundred sixty-three dollars (\$30,363). for the Social Service Agencies listed below. Said funds to come from the Unassigned Fund Balance.

AREA HOMECARE & FAMILY SERVICES	\$ 3,800.00
CHILD ADVOCACY CENTER	2,000.00
DRUGS ARE DANGEROUS	2,500.00
HAVEN	3,050.00
NHSPCA	750.00
ROCKINGHAM COUNTY COMMUNITY ACTION	5,000.00
ROCKINGHAM NUTRITION MEALS ON WHEELS	2,927.00
ROCKINGHAM NUTRITION MEALS ON WHEELS TRANSPORTATION	700.00
SOROCK COALITION FOR HEALTHY YOUTH	4,936.00
VIC GEARY CENTER	2,700.00
WAYPOINT	2,000.00
	\$30,363.00

This article is contingent upon the Town Meeting's approval of Article 4 (proposed 2024 operating budget), and, if the Town Meeting approves Article 4, this Article shall be null and void.

The Board of Selectmen unanimously recommends a yes vote.

This article has an estimated tax impact of \$x.xx

ITA O'Mara stated when a new agency has a request, it will then be posted on the warrant. These will then be part of the welfare budget.

Selectboard all in favor of said article.

19. Fire and Rescue Ambulance Program Capital Reserve Fund

To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35 to be known as the Fire and Rescue Ambulance Program Capital Reserve Fund for the purpose of hiring employees, training and purchasing and maintaining the necessary equipment to provide around the clock emergency ambulance services to the town and to raise and appropriate the sum of \$XXXXX to be placed in the fund and to name the Board of Selectmen as agents to expend from such fund.

This article has an estimated tax impact of \$x.xx.

Selectboard discussion around article ensued. Tax impact is unknown as of now.

Chairman Marchand stated that this is a result of the newly signed contract with Trinity Ambulance, because this is a shared service with other towns, ambulance times are affected. Other mutually aided towns have decided to provide their own service which will increase Newton's cost.

EMD McCarthy, stated that the town is assisting Trinity with calls and not receiving the benefit of revenue.

John Silva of Highland ST asked if the town currently has a vehicle for transportation. Selectboard responded yes, an ambulance. This does not include a 24/7 staff, which is the proposed plan.

Selectman Guide does not support this article.

Chairman Marchand, Vice-Chairman Connolly, Selectman Burrill and Selectman Simone, support said article.

20. Cemetery Trustees Stipend

To see if the town will vote to raise and appropriate the sum of twelve hundred dollars (\$1,200) for the purpose of providing an annual four hundred (\$400) stipend to each of the three (3) Cemetery Trustees. (The Board of Selectmen unanimously recommends a yes vote.) Said funds to come from the Unassigned Fund Account.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Bill Landry, Cemetery of Trustees, asked for clarification on cost of article.

ITA O'Mara stated that this would be funded by the unassigned fund balance. Language will be added stating in subsequent years this will appear in the operating budget of the department.

Selectboard all in favor of said article.

21. Contingency Fund

To see if the town will vote to establish a contingency fund, pursuant to the provisions of RSA 52:4-a, for the current year for unanticipated expenses that may arise and further to raise and appropriate forty thousand dollars (\$40,000) to put in the fund. This sum to come from the unassigned fund balance. Any appropriation left in the fund at the end of the year will lapse to the general fund.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

ITA O'Mara stated this is an annual lapsing warrant article and in order to spend any of the \$40,000.00 a public hearing would be needed.

RA Pivero stated he would like to see language added, if money were to be received by FEMA, monies would be deposited in this account and be held.

ITA O'Mara stated that is not possible because its lapsing. Then stating he would reference the statute to verify.

Selectboard all in favor of said article as is.

22. Transfer Station/Recycling Special Revenue Fund

To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of sixty thousand dollars (\$60,000) to be paid toward the 2024 Solid Waste Disposal Budget as an offset to the recycling and disposal costs, and to further authorize the withdrawal of sixty thousand dollars \$60,000 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose. .

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Transfer Station/Recycling Special Revenue Fund balance: \$xx,xxx as of 12/31/2023

Article to be removed in prior meeting.

23. Town Cisterns and Fire Ponds Capital Reserve Fund

To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be deposited into the Town Cisterns and Fire Ponds Capital Reserve Fund established in 2022. Said funds to come from the Unassigned Fund Balance.

The Board of Selectmen unanimously recommends a yes vote.

This article has no tax impact.

Town Cisterns and Fire Ponds Capital Reserve Fund balance: \$xx,xxx as of 12/31/2023

Chairman Marchand stated he would like to see the amount increased as many cisterns are not working.

Chief Alcaidinho stated that any cisterns put in should have a 30-50 year bond to avoid putting the repair cost on the town. The cost of one cistern is \$75,000.00.

Selectboard would like an updated location/repair list of cisterns and dry hydrants. Chief stated he would provide that information.

RA Pivero stated that repairs were done 8-9 years ago, some of which have no easement. A plan to repair needs to be structured.

Chairman Marchand moved to increase funds from \$25,000.00 to \$50,000.00. Seconded by Selectman Simone. 5-0 with a unanimous vote.

Selectboard discussion ensued around

24. Lake Host Program (by petition)

By petition of 25 or more eligible voters of the Town of Newton to see if the Town will vote to raise and appropriate the sum of three thousand dollars (\$3,000) to support a Lake Host Program at the Newton Town Boat Ramp for the 2024 summer season. The Lake Host Program is a collaborative effort between NH Department of Environmental Services, NH LAKES and local lake associations. It trains and employs individuals to provide courtesy boat inspections to prevent the spread of aquatic invasive plants, such as milfoil, from one lake to another thereby protecting public lake uses such as swimming, fishing, and boating.

The Board of Selectmen unanimously recommends a yes vote.

This article has an estimated tax impact of \$.03.

Selectboard all in favor of said article.

Sam Zannini, Building Inspector addressed Article 3 and read the zoning ordinance. It did not state that only one vehicle can be kept on site, asking for clarification. Selectboard confirmed one vehicle.

Selectboard reminded viewers about Deliberative Session February 3, 2024.

Chairman Marchand adjourned the meeting 8:16 PM.

Respectfully submitted,

Robyn Sparks

Robyn Sparks
Executive Administrative Assistant