



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

**DATE: Tuesday, September 19, 2023**

**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>

**1. Call to Order**

Chairman Marchand called the meeting to order at 6:03PM. Selectmen in attendance were Chairman Robert Marchand Jr., Matthew Burrill, and Joseph Simone. Also in attendance were Interim Town Administrator (ITA) James O'Mara, and Selectmen's Executive Assistant (EA) Robyn Sparks. The non-public meeting was cancelled by ITA James O'Mara. The public meeting minutes were transcribed and typed by EA Sparks.

Chairman Marchand stated that Vice Chairman Connolly and Selectman Guide will be late to the meeting as they are attending a meeting at the school. Therefore, the Agenda will be rearranged so the Selectman can participate in the voting process.

**2. Pledge of Allegiance**

**3. Citizen's Input**

Diane Morin of Juniper Lane asked for clarity on response times for ambulance calls with the new ambulance purchase and signing EMS/ ambulance contract. . Chairman Marchand stated Newton would be covered by mutual aid allowing more coverage when and if needed. She then asked the plan for the current ambulance once the new one is ready for service. Selectman Burrill stated the current ambulance is currently being repaired and has had mechanical issues. When the new ambulance does arrive, the use of the current ambulance will be reevaluated. At that time the best use of town funds will be considered.

Morin asked about the optics of covering the fire station 24/7 and the costs of developing sleeping quarters ,and other hidden costs. Selectman Burrill stated that before conception, a business case highlighting these expenses would be made public and taken into consideration before anything was finalized.

Marcella Vincent of 30 Thornell Rd asked the Selectboard why the ambulance was out of service. Chairman Marchand stated it was the motor.

Jack Kozec of Amesbury Road referred to the Code of Ethics and asked if the financial disclosure form could be elaborated upon. Selectman Burrill stated that the form is available online and in connection with RSA 15. Chairman Marchand stated that it would apply to mostly Selectman when approving town contracts in which they would disclose a personal financial

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

interest. Chairman Marchand said this will be discussed later in the meeting, but the process is a disclosure rather than a financial audit.

Diane Morin asked about the status of job vacancies within the town. Selectman Burrill stated that some of the job openings have been outsourced to MRI. He then stated that it's a widespread problem within the job market. Also, the town is seeking qualified applicants. ITA O'Mara stated that he has received three applications for the Director of Finance & HR position, of which only one applicant has some related qualifications.

#### **4. Administration**

##### **4.1 Resignation of Permit Clerk**

Chairman Marchand read the resignation letter of Permit Clerk, Paula Brown.

**Selectman Burrill moved to accept the Resignation of Permit Clerk Finance, Paula Brown with thanks and gratitude. Seconded by Selectman Simone. Marchand-aye, Burrill-aye, Simone-aye.**

ITA O'Mara stated Paula Brown has taken a similar position in a neighboring town for a 25% increase in pay.

##### **4.2 Resignation of Interim Health Officer**

Chairman Marchand read the resignation letter, in which Mike Dorman stated he would be available in an emergency.

**Selectman Burrill moved to accept the Resignation of Interim Health Officer Mike Dorman, effective November 1, 2023, with thanks and gratitude. Seconded by Selectman Simone. Marchand-aye, Burrill-aye, Simone-aye.**

##### **4.3 Resignation of Animal Control Officer**

Chairman Marchand read the resignation letter of Animal Control Officer Kathy Drouin.

**Selectman Burrill moved to accept the resignation of Animal Control Officer Kathy Drouin, effective August 5, 2023, with thanks and gratitude. Seconded by Selectman Simone. Marchand-aye, Burrill-aye, Simone-aye.**

##### **4.4 Fire Department**

Chairman Marchand stated this item will be moved to later on the agenda, in order to allow Vice Chairman Connolly and Selectman Guide to be present during the discussion.

#### **5. Staff Reports**

*Vice Chairman Connolly entered the Selectboard meeting at 6:26PM.*

##### **5.1 ARPA, EOC, Conservation Updates**

###### **ARPA**

Emergency Management Director (EMD) McCarthy stated the ARPA work group has not met since the last Selectboard meeting. No new information is available.

### **EOC**

EMD McCarthy stated Hurricane Lee thankfully left no substantial damage. She urged residents to sign up for the 911 town alert system, which were sent out during Hurricane Lee. This helps keep residents current with emergency events and area closings.

EMD McCarthy urged residents to stay home if they are sick, COVID is still present.

EMD McCarthy stated she received approval for a \$37,026.00 Emergency Operating Grant.

EMD McCarthy stated the Seabrook Drill Cycles have begun. These drills must have participants who passed. The data will then be reported in order to receive funding, which can be used for a wide variety of related items.

### **Conservation**

The Busch Farm landscaping project has been completed. A site walk is needed to determine next steps. McCarthy asked the residents to notify any issues with down trees or related problems to the Conservation Commission.

## **6. Approvals**

### **6.1 Manifests**

**Selectman Simone moved to approve a withdrawal in the amount of \$1,555.74 from the Police Special Detail Account dated September 12th, 2023 to pay for an invoice for fuel to Wex Bank. Seconded by Selectman Burrill. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

**Selectman Simone moved to approve the vendor manifest in the amount of \$22,360.00 dated September 12th, 2023 to pay for an invoice to Eastern Seaboard Concrete Construction. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

**Selectman Simone moved to approve the vendor manifest in the amount of \$1500.00 dated September 12th, 2023 to pay for an invoice to KMA Tree Service. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

**Selectman Simone moved to approve Vendor Manifest in the amount of \$113,932.97 with a pay date of September 12th, 2023. Seconded by Selectman Burrill. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

**Selectman Simone moved to approve payroll manifest in the amount of \$57,037.00 for pay period August 27th- September 9th, 2023, with a pay date of September 14th, 2023. This manifest includes \$72.35 in ARPA administrative costs. Seconded by Selectman Burrill. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

## 6.2 Minutes

**Selectman Simone moved to approve and accept the public meeting minutes dated September 5, 2023, as written. Seconded by Selectman Burrill. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

**Selectman Simone moved to approve and accept the non- public meeting minutes dated September 5, 2023, as written. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

**Selectman Simone moved to approve and accept the non- public meeting minutes dated September 12, 2023, as written. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Simone-aye.**

*ITA O'Mara asked the Selectboard for a recess @ 6:36PM.*

*Chairman Marchand came out and recess and resumed the meeting at 6:46PM, at which time Selectman Guide was present.*

## 6.3 Fire Department

### Ambulance Contract

ITA O'Mara stated last year 6 communities have formed a consortium to continue EMS/Ambulance services. The communities are listed as Hampstead, Newton, Sandown, Atkinson, Danville, and Plaistow, who has recently dropped out and will be providing their own town wide ambulance service. Cataldo and Trintiy have submitted bids to the proposal to provide services.

ITA O'Mara stated that although the Trinity contract was more attractive, it included an equal division of payment amongst the five towns. This is not a benefit to the town, as Newton is the lowest populated town. The costs for each town would be \$130,000.00 and take effect March 1<sup>st</sup>, 2024, with a one year term. The payments would be due quarterly.

ITA O'Mara suggested these funds be included in the budget. Jack Kozec of Amesbury Road stated he would prefer to see it as a Warrant Article. ITA O'Mara stated it will appear in the default budget as it is part of a financial commitment.

**Selectman Guide moved to award the ambulance contract to Pride star Trinity EMS out of Lowell, MA. The term is a one-year contract with two one-year renewal options, beginning March 2024 and the first year cost will not exceed \$135,000.00. Seconded for discussion by Selectman Simone.**

ITA stated the contract is being edited for a minor error and will be ready for signature at the next meeting. Selectman Simone asked for quarterly payments to be included in the contract. Chairman Marchand stated it was already included. The current motion will be amended for signing privileges.

**Selectman Guide moved to award the ambulance contract to Pride star Trinity EMS out of Lowell, MA. The term is a one-year contract with two one-year renewal options, beginning March 2024 and the first year cost will not exceed \$135,000.00. To authorize the Chairman**

**to sign when ready. Seconded by Selectman Simone. Marchand-aye, Connolly-aye, Burrill-aye, Guide -aye, Simone-aye.**

### **Ambulance Repair**

ITA O'Mara stated the town's ambulance is currently out of service and needs repairs. Diagnostics revealed a new motor is needed and the cost is \$27,000.00. It has been towed to another vendor for a second opinion and price. He further stated this vehicle's repair is time sensitive because it's needed to service Newton.

**Selectman Simone moved to allow the Interim Town Administrator to sign the contract not to exceed \$27,000.00 for the ambulance repair. Seconded by Selectman Connolly, for discussion.**

Diane Morin of Juniper LN asked how long it would take at \$27,000.00. ITA O'Mara stated its estimated to be mid-October.

EMD McCarthy stated that the new ambulance will be fully equipped with transferred equipment from the old one at no extra cost.

**Marchand-aye, Connolly-aye, Burrill-aye, Guide-aye, Simone-aye.**

### **Engine 1 Repair**

ITA O'Mara stated Engine 1 needs repair and is at Greenwood Emergency Vehicles requiring repair services of \$6,413.73.

**Selectman Simone moved to award the Engine #1 repair contract to Greenwood Emergency Vehicles out of North Attleboro, MA at a not to exceed price of \$6,413.73, noting that the ambulance is a Greenwood product, and this is being considered a sole source provider. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Guide-aye, Simone-aye.**

Selectman Connolly asked if all town vehicles were on a preventive maintenance plan. ITA O'Mara stated that he has send out a request to all Department Head for a vehicle inventory, which includes a date of replacement and service. He also stated the department should be aware of scheduling for such.

### **6.4.RFP's**

#### **Household Hazardous Waste 2023**

ITA O'Mara stated that one bid was received for the Household Hazardous Waste Day.

Diane Morin of Juniper Lane, asked for clarification as to the company being the same vendor that was previously used.

The Selectboard stated same people, but a different company, the current bid was submitted by North ward.

Jack Kozec stated that last year there were some small removal issues with the previous company.

Diane Morin of Juniper Lane suggested that Newton should explore joining Household Hazardous Waste days with neighboring towns. Chairman Marchand stated that this would most likely increase the costs.

**Selectman Simone moved to award the bid for Household Hazardous Waste Day to North Ward Environmental Services and authorize the Town Administrator to sign on behalf of the Selectboard. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Guide-aye, Simone-aye.**

Jack Kozec Transfer Station Assistant Manager, asked to limit such items as paint during the event. ITA O'Mara suggested he along with the Transfer Station Manager review the bid and limit certain items.

Trisha McCarthy stated she likes the idea of the limit but worries that items could be discarded on town land/conservation land.

Selectman Guide asked Diane Morin if the Waste Day has previously been gone over the budget. She stated it has along with under as well.

ITA O'Mara stated that Warrant Article 13 approved \$30,000.00 for Household Hazardous Waste Day.

### **Grounds Maintenance**

ITA O'Mara stated one bid was received for Newton's Grounds Maintenance contract, from D & J's Landscaping. He stated the contract included the same terms as the prior contract. ITA O'Mara stated that the clean up at the town beach was reaffirmed in an email from D & J's Landscaping.

**Selectman Simeone moved to award the bid for Grounds Maintenance to D & J Landscaping LLC and authorize the Town Administrator to sign on behalf of the Selectboard. . Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Guide-aye, Simone-aye.**

## **7. Action Items New/ Old Business**

### **7.1 275<sup>th</sup> Anniversary**

Selectman Simone stated he currently has 8 volunteers but is looking for more to join the committee.

### **7.2 Revised Code of Ethics**

Selectman Burrill stated that the 1998 Code of Ethics was revised by the current Selectboard and approved by the town's legal counsel. The revision of the document was approved by residents on a Warrant Article. This is an ordinance that has been revised and approved by the Selectboard. The changes have been reflected in the purchasing policy and would require an RSA-15 form. Chairman Marchand emphasized that one can't be a town employee and be a Selectboard member at the same time.

Jack Kozec of Amesbury Rd stated that it was helpful when a Selectboard member worked at the Transfer Station to help when other coverage was not available. The Selectboard stated that this was for the benefit of the town.

Diane Morin of Juniper Lane, asked for clarity on section 4.3 in the revised Code of Ethics. Selectman Burrill read an example of which a Selectman who is also an Officer in a landscaping company, disclosed that he would personally benefit from a partnership with the town.

Morin also as to provide clarity on section 6.1, at which she asked the Selectboard to define the term resident and asked if a non-resident could file a petition. The Selectboard stated that it would be dependent upon the situation, and it would be reviewed.

The Selectboard members discussed the financial disclosure form stating, that they would be essentially the only one affected by the policy. Stating that the Selectboard is the only one with authority to sign purchases over \$5,000.00.

Trisha McCarthy stated she would like to see 10 in the Code of Ethics edited to include Requisitions, since the town does not yet use Purchase Orders.

Vice Chairman Connolly stated this is not meant to stop employees with interests but requires a full disclosure.

EMD McCarthy also questioned if the Board of Ethics should have additional members. The Selectboard stated because of the town's charter it also serves as the Board of Ethics.

Diane Morin stated that the numbering of section 10 needs to be corrected.

**Selectman Burrill moved to approve the revisions to the Newton Code of Ethics Ordinance as drafted and amended this evening to be effective September 20,2023. Seconded by Selectman Connolly. Marchand-aye, Connolly-aye, Burrill-aye, Guide- aye, Simone-aye.**

Robert White of 3 Town Hall Rd asked if the issue with his property was ironed out.

Chairman Marchand stated that new information was received that his property does abut the Peanut Trail, which was an issue prior. He further stated this information was relayed to the town's lawyers for review. The town will then proceed on their instruction.

**Chairman Marchand declared the meeting adjourned at 8:01 pm.**

Respectfully submitted,

*Robyn Sparks*

Robyn Sparks  
Executive Administrative Assistant