



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

DATE: TUESDAY, MARCH 3, 2020

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, 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) – Investigation, Compensation (b) – Hiring Public Employee (c) -- Reputation

Selectman Doggett moved to go into non-public session at 6:00pm under RSA 91-A: 3 II (a) - Investigation. 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 6:12pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Doggett moved to go into non-public session at 6:12pm under RSA 91-A: 3 II (c) - Reputation. Seconded by Selectman Michaels 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 6:36pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Doggett moved to go into non-public session at 6:36pm under RSA 91-A: 3 II (b) – Hiring Public Employee. 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 6:43pm. Seconded by Selectman Foote with a unanimous roll call vote: Gonyer – aye, Doggett – aye, Foote – aye, Burrill – aye, Michaels – aye.

Selectman Doggett moved to go into non-public session at 6:43pm under RSA 91-A: 3 II (a) – Compensation. 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 6:52pm. 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) - (c) and that they keep all matters discussed confidential until in the opinion of the majority of the Board the circumstances no longer apply except to release to the Bookkeeper information needed for her records . Seconded by Selectman Foote with a unanimous vote.

II. Scheduled Business

A. Fire/Rescue Station

a. Sprinkler system update – Review plans

Construction Manager (CM) Pivero from Eastern Seaboard Concrete Construction, Jeff Murphy from SFC Engineering and George Gray from Carter Sprinkler Systems where present at the meeting to review the plans for the additional sprinkler system work needed at the Fire/Rescue Station to bring the station into compliance.

Mr. Murphy addressed the Board and informed them that the design has been completed but will need to be reviewed by CM Pivero, the Building Inspector and the Fire Marshall's Office. He went on to state that the design does not call for any re-fitting of the pipes inside the station. The project will require adding a pump and pump house along with additional water tanks.

Mr. Murphy stated that he has been informed by the Fire Marshall's Office that there is a 30-45-day review window. He is hoping to have the plans to the Fire Marshall's Office within the next couple of weeks. The pump takes at about 4 months from the time it is ordered before it is delivered. Other work can continue while waiting for the pump.

CM Pivero addressed the Board and informed them that once he has reviewed the plans, he will provide an estimated cost of the project. He expects to have the numbers for the next Board meeting.

B. Police and Fire Station

a. Floor maintenance

Chief Jewett addressed the Board. He reviewed the quotes for floor maintenance at the Police and Fire Stations. If the floors are not maintained, they will not last and will need to be replaced. He is recommending that the Board contract with Irving S. Riley III to

come out twice a month to sweep, wet mop and buffer the floors at both stations at a cost of \$8,680.00 per year.

Secretary Morin reviewed the differences between Heritage Carpet Cleaning and Floor Care and Irving S. Riley III. She estimated that the savings would be \$12,368.00 yearly going with Irving S. Riley III.

Selectman Michaels asked if Chief Jewett had investigated purchasing a floor buffer. Chief Jewett stated that he had but did not have anyone to run or maintain the buffer. The Town would also need to purchase pads and wax for the buffer. Not just anyone can operate a floor buffer. An inexperienced operator could damage the floors, walls and buffer.

Selectman Doggett moved to hire Irving S. Riley III to maintain the floors at the Police and Fire/Rescue Stations on a semi-monthly basis not to exceed \$8,680.00. Funds to come from the General Government Buildings. Seconded by Selectman Foote with a unanimous vote.

b. Signage at Safety Complex – Speed limit signs

Chief Jewett stated he has read the email from the NH DOT about enforcing the speed limit at the Safety Complex and agrees that it would not be enforceable. The signs have been delivered and will be installed soon.

c. Police Station and Rental Unit exterior doors

Chief Jewett informed the Board that the local company has agreed to replace the exterior doors for \$1.00 less than the other vendor.

d. Police Station and Rental Unit fire alarm upgrade

Chief Jewett informed the Board that the company has begun the fire alarm upgrade. The system is now working but there are still more detectors that needed to be replaced.

Selectman Foote stated that the Police Station will need a knock box so emergency personnel can access the building. Chief Jewett stated that there is a new policy at the Police Department that the front door will always remain unlocked.

C. Updates on ongoing issues

a. Emergency lighting at Town Hall

Secretary Morin informed the Board that the emergency lights in the Town Hall have been replaced and inspected.

b. Upgrade to fire alarm at Town Hall

Selectman Burrill stated that he has not received the inspection report from the vendor. Secretary Morin stated that we have the results. Chief Alcaidinho, Town Administrator Wrigley and herself will meet to review the inspection report. They will present their findings to the Board at their next meeting.

c. Letter to fire monitoring company

Selectman Burrill reviewed the letter to the monitoring company on how future inspections should be handled. The vendor will be required to get the Fire Chief's signature on the statement of service and inspection reports. Then within 15 business

days provide a typed report to the Fire Chief and Town Administrator. This can be done via email.

Selectman Burrill stated that the contract between the Town and the vendor is competitive. He will be consulting with Town Counsel about the length of the contract with the vendor to see if the Town can reduce it from 5 to 3 years.

Selectman Doggett moved to sign the letter to JM Protective Services with the new process the Town is requiring for reporting purposes. Selectman Burrill seconded with a unanimous vote.

D. Removal of folding chairs at Town Hall

The Board discussed moving the folding chairs that are currently in the main hall to the Butler Building. The Board would like to have the chairs moved before March 10, 2020.

E. Review of Elderly dwelling units

Chairman Gonyer reviewed the number of new houses within the Town.

Town Administrator Wrigley asked if Jacob's Way still met the requirements for elderly housing. Selectman Doggett stated that the Planning Board is still waiting for an amended site plan before any changes can be made. Selectman Doggett stated that the Town would need to petition the court to nullify half the units as not being occupied by 55 and older people.

There are 25.6 units left that a developer could develop as a 55 and older community.

F. Disposal of old PC's

Secretary Morin stated that the old PC's in her office need to be recycled. There is a company in Kensington that will pick up, provide a certificate of destruction and recycle the equipment at no cost to the Town.

Selectman Doggett moved to authorize Secretary Morin to contact Bytefixx to dispose of old PC's. Seconded by Selectman Foote with a unanimous vote.

III. Other Business

A. Liaison Reports

Chairman Gonyer stated that this new item on the agenda is to keep all members of the Board informed. Selectman Burrill stated that he believes that the Department Heads should provide information to the Board. The duties of the Liaison is to provide direction to the Department Heads when needed.

a. Recreation Commission

Selectman Burrill stated that he has not been able to attend Recreation Commission meetings. The Committee is waiting to see if the 2020 proposed budget will pass.

b. Conservation Committee

Chairman Gonyer stated that the Committee will be holding an event in April. There will be an event held at the Town Hall on March 18 about encouraging pollinators in your garden.

c. Planning Board

Selectman Foote stated that a new sub-division has been brought before the Board.

d. Fire Department

Selectman Doggett stated that members of the Fire Department have been explaining the warrant article for a new fire truck.

e. Police Department

Selectman Burrill stated there were no updates at this time.

f. Transfer Station

Selectman Michaels informed the Board that the Transfer Station Manager is researching ways to cut the cost of recycling. He is looking into the cost of a sifter and woodchipper for the compose and wood piles. If the metal pile is separated, it could potentially bring more revenue to the Town.

B. Manifests

Selectman Doggett moved to sign vendor manifest New Fire/Rescue Station dated March 3, 2020 in the amount of \$90,148.65. Seconded by Selectman Foote with a unanimous vote.

Selectman Doggett moved to sign payroll manifest pay period February 16-29, 2020 with a pay date of March 3, 2020. Seconded by Selectman Foote with a unanimous vote.

IV. Announcements

Chairman Gonyer announced that there will be a Seabrook Drill on March 4, 2020. If you hear the sirens, it is only a drill.

Selectman Foote would like to thank the voters of Newton for allowing him to serve these past 7 years.

Selectman Doggett stepped down as Selectman and addressed the Board as the Planning Board Administrator Assistant. He read a prepared statement in response to a complaint against him as a Town employee. The statement is attached to these minutes. Mr. Doggett informed the Board that the complaint is a developer from outside the Town.

Chairman Gonyer stated that the Board does not have authority to investigate the complaint on behalf of Mr. Doggett. This would be a matter for the courts to decide.

Chairman Gonyer stated that the Board will not be pursuing the complaint filed against Mr. Doggett's at this time.

V. Approval of Minutes

Selectman Doggett moved to accept the non-public and public meeting minutes dated February 18, 2020 as written. Seconded by Selectman Foote with a unanimous vote.

VI. Adjourn

Selectman Doggett moved to adjourn at 8:13pm. Seconded by Selectman Foote with a unanimous vote.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary

A BRIEF CHRONOLOGY

In February of 2016, shortly after I filed an incident report about criminal threatening against the complainant, the first complaint against me was given to the Planning Board. The Board investigated the complaint, met, and voted to dismiss the complaint as having neither merit nor facts.

In 2017 this complaint was the basis for the complainant's law suit against the town naming me as a co-defendant. That case was summarily dismissed on its face as having no facts.

On August 29th, 2018 the complaint was sent to the N.H. Attorney General's office. They read the complaint and declined to investigate.

On June 20th, 2019 the complaint was expanded and brought to the Planning Board. This was investigated and found to be unfounded.

On December 4th the complaint was submitted to the County Attorney's office. They investigated it and found no criminal activity occurred. On January 16th, 2020 they notified the complainant of their findings and that the investigation was closed with no action taken.

On January 23rd, 2020, in full receipt of the final letter from the County Attorney's office, he submitted the complaint to the Board of Selectmen, asking that I be blocked from running for or holding any office in Newton.

On February 21st, 2020 he attacked me on Facebook stating that I was under investigation by the AG's office and that I was a criminal. He posted the first letter from the County Attorney, but not the second one.

criminal offenses

Section 644:11

644:11 Criminal Defamation. –

I. A person is guilty of a class B misdemeanor if he purposely communicates to any person, orally or in writing, any information which he knows to be false and knows will tend to expose any other living person to public hatred, contempt or ridicule.

II. As used in this section "public" includes any professional or social group of which the victim of the defamation is a member.

Source. 1971, 518:1. 1992, 269:17, eff. July 1, 1992.

James A. Levesque
3, March, 2020