



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

**DATE: TUESDAY, MARCH 16, 2021**

**TIME: 6:00PM NON-PUBLIC**

**6:30PM PUBLIC**

**LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD**

**PUBLIC MEETING MINUTES**

**I. Call to Order**

Chairman Burrill called the meeting to order at 6:05pm. In attendance were Selectmen, Matthew A. Burrill; Chairman, Lawrence B. Foote; Vice-Chairman, Kathryn Michaels, Charles R. Melvin Sr., Edwin Crnolic, Town Administrator Nancy J. Wrigley, and Selectmen's Secretary Diane M. Morin. The public meeting was audio and video taped; the public meeting minutes were transcribed and typed by Secretary Morin. The non-public session minutes were typed by Secretary Morin.

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

**Chairman Burrill moved to go into non-public session at 6:05pm under RSA 91-A: 3 II (c) – Reputation. Seconded by Selectman Crnolic with a unanimous roll call vote: Burrill – aye, Foote – aye, Melvin – aye, Crnolic – aye.**

Selectman Michaels joined the meeting at 6:15pm.

**Selectman Foote moved to close the non-public session at 6:30pm. Seconded by Selectman Crnolic with a unanimous roll call vote: Burrill – aye, Foote – aye, Michaels – aye, Melvin – aye, Crnolic – aye.**

Chairman Burrill called the public meeting back to order at 6:31pm.

**Selectman Melvin moved that the Board just came out of a non-public session under RSA 91-A: 3 II (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 Crnolic with a unanimous vote.**

**II. Scheduled Business**

**A. Selectmen Re-organization**

Chairman Burrill thanked Lisa Gonyer for her years of service to the Town as a member of the Board of Selectmen. He welcomed newly elected Selectman Edwin Crnolic to the Board.

**Selectman Melvin moved to nominate Selectman Foote as Chairman. Seconded by Selectman Crnolic with a unanimous vote.**

Chairman Foote took over as chairman.

**Selectman Crnolic moved to nominate Selectman Melvin as Vice-Chairman. Seconded by Selectman Burrill for discussion.**

Selectman Burrill stated that Selectman Michaels term ends in March of 2022 and would like to offer her the position. Selectman Michaels stated that because she is not able to be physically present, she would not take the position. She believes the vice-chairman should be someone who can be physically in the room.

**The motion passed with a unanimous vote.**

**Selectman Burrill moved to nominate Chairman Foote as Ex-Officio to the Planning Board. Seconded by Selectman Michaels with a unanimous vote.**

**Chairman Foote moved to nominate Selectman Burrill as Ex-Officio to the Recreation Commission. Seconded by Selectman Crnolic with a unanimous vote.**

**Chairman Foote moved to nominate Selectman Michaels as Ex-Officio to the Conservation Commission. Seconded by Selectman Burrill with a unanimous vote.**

The Board discussed the definition of liaison. Chairman Foote stated that the liaison should be able to speak with department heads and employees to get a sense of how the department is being run. In the past just talking to department heads, there has been some flaws and the liaison should talk with employees as well. Then report back to the Board. He stated that the liaison cannot make decisions on behalf of the Board. The liaison relays information to other members of the Board.

Selectman Burrill stated that the line between the chain of command may be affected. He does not want the department heads thinking that the Board is going to overstep their authority. He suggested that once a year the Board could reach out to employees and get their feedback on how their department is running.

Chief Alcainho addressed the Board. He does not recommend having the liaison speak with employees because if the employee does not like the department head it may cause issues. He stated it is ultimately the Board's decision. He stated that working with Selectman Melvin this past year has worked well. He stated that Selectman Melvin speaks with employees now and Chief Alcainho is fine with that. Chairman Foote stated that any Board member should be able to speak with any employee.

Selectman Michaels stated that other towns share the liaison information on their websites. She stated that this would provide employees and residents a point of contact for each department. The Board needs to avoid micromanaging departments.

**Selectman Burrill moved to adopt the following definition:**

**The Selectmen's Liaison role is being created to improve efficiency in communication between the Board and Department heads and avoid micromanagement situations. This is not intended to create a new reporting structure or an additional department head. Communication should continue between all other Board members and the Department, as necessary. Approval of prudential affairs remain per published Board policy and the voting rights of the Board in a quorum. Seconded by Selectman Crnolic with a unanimous vote.**

The Board discussed which Selectman would be a liaison to departments. Selectman Melvin will be the liaison to the Transfer Station and Fire Department. Selectman Burrill will be the liaison to the Highway Department.

Selectman Michaels suggested she could be a liaison to the school. Selectman Burrill would prefer to have meetings with the School Board and would not want this proposed liaison to take its place. Selectman Michaels stated that the proposed liaison would be communicating with the schools not the School Board. She will look further into it.

Chairman Foote will be the liaison to the Building Department. Selectman Crnolic will be the liaison to the Police Department with Selectman Michaels as his back up.

**Chairman Foote moved to accept the liaisons as stated above. Seconded by Selectman Burrill with a unanimous vote.**

Selectman Michaels suggested a liaison to the Construction Manager until the fire/rescue station is completed, and she suggested Selectman Crnolic. Selectman Crnolic stated that would be a conflict of interest. Building Inspector Shanti Wolph stated that the Building and Fire Department are tasked with completing the project. The liaison to those two departments could provide the Board with any updates.

**B. Commercial Trash Hauling – Newton Waste Hauling requesting clarification on vehicles allowed under one permit**

Chairman Foote stated that Newton Waste Company would like to hire another driver to haul Newton residential trash to the Transfer Station. He spoke with Mr. St. Cyr, the owner of the company, at the Transfer Station and told him that he could hire another driver but would have to use Mr. St. Cyr's vehicle.

Mr. St. Cyr addressed the Board. He is busy and needed help, so he hired another driver to haul trash to the Transfer Station on Tuesday. Selectman Burrill asked how many customers he has. He stated 85. Chairman Foote asked how many trips he is making a week. Mr. St. Cyr stated 6 which include trash and recycling. He is beneath the 10 load limit. Selectman Crnolic asked if the new driver would be handling recycling only. Mr. St. Cyr for the time being yes. Depending on how it goes, he may ask him to do more. Selectman Burrill stated that we do not want a fleet, but we could have a trial period allowing him to use 2 vehicles.

Selectman Crnolic suggested modifying the policy to allow 2 vehicles. One for recycling and the other for trash. Transfer Station Manager (TSM) Pete Gagnon stated that recycling is unlimited, and trash is limited to 10 loads a week. Mr. St. Cyr stated that a requirement for his customers is that they recycle.

Selectman Burrill asked TSM Gagnon if the proposed change would administratively change the daily operations at the Transfer Station. TSM Gagnon there would be no changes.

The Selectman discussed if a 3-month trial is feasible.

Selectman Melvin asked Mr. St. Cyr if he is following the policy of placing a sticker on each bag. Mr. St. Cyr stated that he is.

**Selectman Crnolic moved to temporarily amend the commercial haulers contract that was adopted on February 19th, 2019 to read on line 3 "Limit of TWO class 1-3 pickup**

**truck (<14k GVWR) with side-walls no higher than cab of truck with appropriate commercial liability insurance for a period of 90 days". Seconded by Selectman Burrill with a unanimous vote.**

### **C. EOC Update**

Mrs. McCarthy provided local statistics for the town and school.

The State is asking people to not register for the vaccine until their phase is eligible and to refer to the State's website for updated information. Seasonal employees such as lifeguards will be able to receive the vaccine provided the town shows proof of employment on town letterhead and if needed, parental consent must be provided. The process must flow through the local EOC.

On March 17, 2021, the State will be holding a vaccine clinic for staff of Sanborn Regional School District. EMT's from the Fire Department will be assisting with the clinic. On March 23, 2021, another clinic will be held for Packer Meadow residents.

The EOC is still waiting for reimbursement from FEMA-2. The amount to be reimbursed is between \$17,000-\$26,000. FEMA-3 is being reviewed by EMD Foote and could potentially reimburse the town \$78,107.83.

After speaking with surrounding towns, the EOC came up with a detail rate for those working at clinics.

**Selectman Burrill moved to sign the detail rate for Emergency Management Supplemental Wage program. Seconded by Selectman Melvin with a unanimous vote.**

### **D. Fire/Rescue Station update**

Selectman Burrill stated that because we are talking about the fire station should 2 members who work there recuse themselves? Both Chairman Foote and Selectmen Crnolic stated that there was no reason to recuse themselves if the Board is not voting on anything.

Chief Alcainho state that he sent a letter with his recommendations to have the Board hire a third party that will review sprinkler system design, receive approval from the Fire Marshall's Office that the plans are acceptable, work with the Construction Manager to ensure the sprinkler system is installed to code and to provide the town with an affidavit that the sprinkler system is up to code.

Selectman Burrill stated that the town hired a third party, SFC Engineering, to do the above items. They provided the initial inspection report and then stepped down when the sprinkler designer was hired. This was done to ensure there would be no conflict of interest when SFC inspected the Fire/Rescue Station. Chief Alcainho thought that SFC was no longer available. He would like to just see it done.

Construction Manager Pivero stated that at a meeting held May 31, 2019, this was discussed at that meeting. The minutes reflected that SFC would provide a review of the plans and inspection. He stated that the plans have been at the Fire Marshall's Office for weeks and that they will not approve them but will give them a cursory review because it is not within their jurisdiction. Building Inspector Wolph agreed with CM Pivero that the Fire Marshall's Office would not approve them. He recommends that if the Fire Marshall's Office review the plans it would ease the minds of residents that the sprinkler system is up to code. Chief Alcainho

stated the Fire Marshall at the request of a resident did a site walk back in 2019. He recommends moving forward quickly so the project can be completed.

Selectman Burrill asked if we had any quotes from the SFC Engineering or Beverly Kowalik P.E. Secretary Morin reviewed the one cost estimate she received from Ms. Kowalik. Selectman Michaels asked if staying with SFC Engineering would be better as they are aware of the project. CM Pivero stated that is normally true. Building Inspector Wolph stated it should be clear what types of inspection will be required. He stated that he has worked with Ms. Kowalik several times as the Building Inspector in Stratham. Selectman Burrill recommends that the Board requests quotes from both engineers and hold a meeting next week to review the quotes. Ms. Kowalik stated that she provided the cost in an email.

Secretary Morin would like to have exactly what is needed. Chief Alcainho stated that the letter should be used as reference for requesting the quotes. Selectman Burrill will work Secretary Morin and Chief Alcainho to get a letter out.

Secretary Morin stated that she reached out to SFC's Jeff Murphy and was told there is no fire inspector certification. Chief Alcainho stated that was correct. They are referred to as fire protection engineers. The Board agreed to ask for the response by March 22, 2021.

#### **E. Fire Department requisitions**

Chairman Burrill asked if Chairman Foote and Selectman Crnolic would like to recuse themselves as the two requisitions are for the fire department.

Mrs. McCarthy stated that the reason to recuse yourself is when you, as Selectman, would benefit monetarily from the decision.

Selectman Burrill stated that the requisitions are for their boss.

##### **a. Req 2497 Lease agreement and Legal Opinion for SCBA**

Chief Alcainho stated that since he last addressed the Board 2-3 move SCBA that are out of service.

The Board discussed whether Chairman Foote and Selectman Crnolic should recuse themselves. Both Selectmen recused themselves for the sake of moving the meeting along.

Vice-Chairman Melvin took over as Chairman.

**Selectman Melvin moved to authorize the Chairman and Vice-Chairman to sign the lease agreement for SCBA per warrant article and to have the Board sign requisition 2497 in the amount of \$243,793.25 for the Fire Department SCBA equipment. Seconded by Selectman Burrill. Melvin – aye, Michaels – aye, Burrill – aye.**

##### **b. Req 2496 Vehicle Exhaust system for apparatus bay**

**Selectman Melvin moved to sign requisition 2496 for the vehicle exhaust system and electrician for the Fire/Rescue Station in the amount of \$50,110.00 for the Fire Department. Funds to come from the Capital Reserve Town Building Fund. Seconded by Selectman Burrill for discussion.**

Selectman Burrill stated that he was under the impression that we are waiting for a full inspection of the station before expending funds. This will help to ensure we meet NFPA codes

where applicable. Chief Alcainho stated that at a previous meeting a former Selectman stated that the current system met NFPA 1500. He had asked for proof but never received it. He stated that the current system does not meet the standard and will not protect the firefighters living quarters and sleeping area.

Selectman Burrill stated that we need to have more information before we can approve the requisition. Chief Alcainho stated the current system meets building code but not NFPA. Selectman Burrill stated that the Board needs to hire an inspector/engineer to confirm that the exhaust system does not meet NFPA and that is the information he is looking for.

Chief Alcainho stated that he will table the other requisitions until the Board decides if the 2 members need to recuse themselves when it comes to Fire Department items.

Building Inspector Wolph stated that the current exhaust system is not a vehicle exhaust system according to the building codes. The only true vehicle exhaust system is a source capture system. The current system should be used with all the doors open and for the vehicles to drive out. The vehicles should not be idling while in the building. He was not able to make the determination that using the system as it was designed would meet NFPA 1500. In his opinion, the system is not the best for personnel in the building because exhaust may remain in the building. The capture system would allow the vehicles to idle in the apparatus bay.

Secretary Morin asked if Chief Alcainho had received 3 quotes per the purchase policy. Chief Alcainho stated that he had.

Selectman Burrill asked to table the motion.

Mr. Crnolic addressed the Board and stated that this is important for a firefighter's health and safety. The lack of a capture system could cause cancer.

**The motion passed 2-1. Michaels – aye, Melvin – aye. Burrill – nay**

Chairman Foote and Selectman Crnolic rejoined the Board.

**F. Department of Labor inspection report**

Town Administrator explained that the report has items that need to be repaired and is looking to see where the funding will come from. The repairs need to be completed by April 25, 2021.

Ms. McCarthy stated that the eyewash station needs monthly maintenance and a log kept. The Transfer Station does not have running water. Town Administrator Wrigley stated that the inspector provided an option for the eyewash station and that it will be reviewed at the April JLMC meeting.

**Selectman Burrill moved to approve funding not to exceed \$5,000.00 in order to comply with Department of Labor inspection report. Seconded by Selectman Crnolic with unanimous vote.**

**G. NHMA webinars available**

NHMA offers webinars for local officials. The Board recommends members of the Board take refresher courses.

Town Administrator Wrigley asked that if anyone signs up for a course to let her know.

**H. Letters to banks identifying new Treasurer, interim Deputy Treasurer and Trustee of Trust Fund**

Town Administrator Wrigley explained that letters to various banks that the Town does business with need to be informed that there is a new Treasurer, Interim Deputy Treasurer and Trustee of Trust Funds. There is also a new fund that needs to be opened for the skateboard park by the Trustees of Trust Funds.

**Selectman Crnolic moved to approve the letter as written to authorize the Trustees of Trust Funds to open a new account called Town of Newton, Trustees of Trust Funds, Skateboard Park Expendable Trust Fund. Seconded by Selectman Melvin with a unanimous vote.**

**Selectman Burrill moved to sign the letter as written to Citizen Bank identifying the Town's new Treasurer and Interim Deputy Treasurer requesting, they have all necessary access to the appropriate town accounts. Seconded by Selectman Michaels with a unanimous vote.**

**Chairman Foote moved to sign the letter as written to TD Bank and North Shore Bank identifying the Town's new Treasurer and Interim Deputy Treasurer requesting they have all necessary access to the appropriate town accounts. Seconded by Selectman Melvin with a unanimous vote.**

**I. Letter in support of Town of Merrimac – Heavy Commercial Vehicle Exclusion**  
**Selectman Crnolic moved to sign the letter of support to the Town of Merrimac, MA. Seconded by Selectman Melvin with a unanimous vote.**

**J. Recreation – Essay Contest**  
**Selectman Burrill moved to accept the winners of the Essay Contest held by the Recreation Commission per their recommendation. Seconded by Selectman Melvin with a unanimous vote.**

**K. 2021 Gale Library release of operating funds**  
Town Administrator Wrigley stated that these funds are for the library operating budget. The payroll is kept with the Town.

**Selectman Melvin moved to release the operating budget funds to the Gale Library Trustees in the amount of \$30,525.00. Seconded by Selectman Crnolic with a unanimous vote.**

**L. MS-232**  
Town Administrator Wrigley explained that this report is about the warrant articles the town voted on and must be submitted to DRA.

**Selectman Crnolic moved to sign the MS-232. Seconded by Selectman Michaels with a unanimous vote.**

**III. Other Business**

**A. Manifest**

**Selectman Melvin moved to sign vendor manifest dated March 16, 2021 in the amount of \$206,177.80. Seconded by Selectman Burrill with a unanimous vote.**

**Selectman Melvin moved to sign Cable Revolving Fund vendor manifest dated March 16, 2021 in the amount of \$458.88. Seconded by Selectman Crnolic with a unanimous vote.**

**Selectman Melvin moved to sign Police Special Details Revolving Fund vendor manifest dated March 16, 2021 in the amount of \$1,180.36. Seconded by Selectman Crnolic with a unanimous vote.**

**Selectman Melvin moved to sign payroll manifest pay period February 28 – March 13, 2021 with a pay date of March 18, 2021. Seconded by Selectman Crnolic with a unanimous vote.**

**B. Appointments**

**Selectman Melvin moved to appoint Betty Bufano as an Alternate Library Trustee for a one-year term. Term to expire April 30, 2022. Seconded by Selectman Michaels with a unanimous vote.**

**IV. Approval of Minutes**

**Selectman Burrill moved to accept the non-public and public meeting minutes dated March 2, 2021 as written. Seconded by Selectman Melvin with a unanimous vote.**

**Selectman Burrill moved to accept the Public Hearing meeting minutes for the Town of Merrimac MA – Heavy Commercial Vehicle Exclusion dated March 2, 2021 as written. Seconded by Selectman Melvin with a unanimous vote.**

**V. Adjourn**

**Selectman Burrill moved to adjourn at 8:21pm. Seconded by Selectman Michaels.**

Respectfully submitted,

Diane M. Morin  
Board of Selectmen Secretary