



**Office of the Board of Selectmen
2 Town Hall Road, Newton, NH 03858
Tel: 382-4405 Option 5 Fax 382-9140**

www.newton-nh.gov

**NEWTON BOARD OF SELECTMEN
DATE: TUESDAY, AUGUST 16, 2022
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>

I. Call to Order

Chairman Burrill called the meeting to order at 6:00pm. In attendance were Selectmen Matthew A. Burrill, Chairman, Robert Marchand Jr, Vice-Chairman, Charles R. Melvin Sr., Michael Connolly, and Selectmen's Secretary Diane M. Morin. The non-public session was audio taped. The public meeting was videotaped. A portion of the non-public session minutes and the public meeting minutes were transcribed and typed by Secretary Morin. A portion of the non-public session minutes were transcribed by Selectman Marchand.

Selectman Lawrence Foote was not present.

Nonpublic Session under RSA 91-A:3 II (a) – Compensation, (b) – Hiring New Employee, (c) – Reputation

Selectman Marchand moved to go into non-public session at 6:00pm under RSA 91-A: 3 II (a) – Compensation. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Police Chief Jewett joined the meeting at 6:08pm and left at 6:14pm.

Selectman Marchand moved to close the non-public session at 6:15pm. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to go into non-public session at 6:15pm under RSA 91-A: 3 II (b) – Hiring New Employee. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Fire Chief Alcaldinho and Secretary Morin joined the meeting at 6:15pm.

Fire Chief Alcaldinho left the meeting at 6:24pm.

Selectman Melvin left the meeting at 6:24pm.

Selectman Melvin re-joined the meeting at 6:32pm.

Secretary Morin left the meeting at 6:32pm.

Selectman Marchand moved to close the non-public session at 6:45pm. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Marchand moved to go into non-public session at 6:45pm under RSA 91-A: 3 II (c) – Reputation. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Secretary Morin re-joined the meeting at 6:46pm.

Bookkeeper Kim Hughes joined the meeting at 6:47pm.

Selectman Marchand moved to close the non-public session at 6:50pm. Seconded by Selectman Melvin. Burrill – aye, , Melvin – aye, Marchand – aye, Connolly – aye.

II. Scheduled Business

A. Seal non-public minutes

Selectman Marchand moved that the Board just came out of a non-public session under RSA 91-A: 3 II (a), (b) and (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 provide the Bookkeeper with the necessary information for payroll. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye Connolly – aye.

B. Mr. Robert White – Regarding 2009 warrant articles and Deluxe Ave

Mr. Robert White of Town Hall Road addressed the Board. He is looking to gain access to his land locked property referenced by tax map of 11-7-15-1. He is looking for the Board to provide an easement to his property.

Chairman Burrill recommends that the Board engage Town Counsel to see what if anything can be done.

Mrs. Trisha McCarthy addressed the Board. She stated that in 2009 a warrant article was passed by the voters that provided three options for access to his property. The options were down the Peanut Trail, behind the Gale Library and at the end of Town Hall Road. The Peanut Trail is not accessible to motorized vehicles. The Library would not be an option because it does not abut his property. The only option is the end of Town Hall Road. Mr. White is looking to have access via the conservation land at the end of the road to be able to access his property.

Chairman Burrill asked Mrs. McCarthy if the Conservation Commission objects to this proposed easement. Mrs. McCarthy stated that the Commission does not have the authority to grant the easement and that the Board of Selectmen are the only ones that can grant this type of request.

Selectman Marchand stated that he agrees that Town Counsel needs to handle this.

Mr. Roger Hamel addressed the Board via Zoom. He stated that he looked at the tax maps and the lot does not abut town property. The Peanut Trail is the only town owned property that abuts the land and cannot be used as it is designated as a Class B trail. This type of trail cannot be used to access a structure.

Mr. White stated that no one seems to know where Deluxe Ave is located, and he is looking to find where the avenue is. He stated that if there was an emergency on his property, emergency personnel would not know where to go.

The Board will seek Town Counsel's advice on this matter.

C. ARPA/EOC update

Acting Emergency Management Director (AEMD) Trisha McCarthy addressed the Board. She stated that the ARPA Committee is researching various equipment that can be of benefit to the town. These items would generally not be within the town's budget to purchase. They are still looking into security cameras for town buildings, a plotter printer for the ZBA and Planning Board, solar panels for the Fire Station and air filtrations for the Town Hall and Library.

During the heat wave the EOC checked on multiple residents to see if they required any assistance.

She reminded everyone that COVID-19 has not gone away. Employees, elected officials, volunteers, and members of boards, committees and commissions should notify the EOC if they have been in contact with a person that has tested positive for COVID whether or not they have symptoms. She stated that the list is kept confidential and not available to the public.

She reviewed the current statistics for the Town and guidelines.

If any department needs PPE's, please speak with her and she will get the needed supplies for you.

Chairman Burrill stated that if the virus spreads it could potentially shutdown a department.

D. Cleaning Service for Town Hall, Library and Police Station

Secretary Morin stated that the Board's agreement with Mr. Irving Riley is up for review. The current agreement ends September 1, 2022. Mr. Riley has offered to continue cleaning the Town Hall, Library, and Police Department until December 31, 2023. He has increased the price to clean the Police Department by \$50.00. The total weekly cost is \$450.00. By extending the agreement until December of 2023, we can budget the amount for 15 months.

Selectman Marchand moved to authorize the Chairman to sign the proposed 15-month agreement for weekly cleaning services in the amount of \$450 per week for the Town Hall, Gale Library, and Police Station from Irving Riley effective September 1, 2022. Seconded by Selectman Connolly. Burrill – aye, Marchand – aye, Connolly – aye. Melvin abstained due to Mr. Riley being a relative.

E. Comcast Franchise agreement – fee report

Secretary Morin stated that the Comcast Franchise agreement allows Comcast to use Town easements and right of ways to service their customers. The Cable Committee held a public hearing on August 4, 2022, to take public input on the agreement. They received one correspondence on the matter from a resident requesting the fee be reduced. The resident stated that the fees collected are placed into the Cable Revolving Fund and can be used for IT purposes. He pointed out that the entire tax base for the town should support IT and not just Comcast subscribers. The committee agreed and they are recommending to the Board to lower the franchise fee from 5% to 3%. This will cover the cost of operating the cable station and some IT services.

Selectman Marchand suggested that there be one line item in the budget to handle IT.

Bookkeeper (BK) Kim Hughes stated that in 2019 the voters approved expanding the use of the Cable Revolving Fund to cover some of the IT costs. This proved helpful in reducing the overall budget that the taxpayers paid. She has been tracking how much goes into the account and how much is expended. Since 2020, paying for IT services has increased and the fund will not be able to sustain this growth. She explained that for the first 3 quarters of 2022 the town has received about \$75,000 but has expended over \$80,000.00.

She would like the Board to decide where the funds for those services that will no longer be paid out of the Cable Revolving Fund come from.

BK Hughes stated that it is up to the Cable Committee to determine what the needs are for them to effectively run the PEG station.

Chairman Burrill asked if new hardware is coming out of department budgets. Secretary Morin and BK Hughes stated that new hardware, phone bills, managed services and other items currently come from the Cable Revolving Fund.

Mr. Roger Hamel addressed the Board via Zoom. He stated that the fee is not paid by Comcast. It is paid by the subscribers.

Selectman Marchand moved to sign 10-year franchise agreement with Comcast Communications with an effective date of August 16, 2022. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Mr. Hamel asked if this agreement is with the 3% fee. Secretary Morin stated yes.

F. 2023 Budget preparation and schedule

Secretary Morin reviewed the proposed submission budget schedule. The Board agreed with the schedule and to have it sent all departments, boards, commissions, and committees.

BK Hughes asked the Board if she should follow the same process that has been used in previous years. The Board agreed to continue with the same process.

Selectman Connolly suggested that BK Hughes compile 3-years of data to see where funds are being spent. BK Hughes stated that she has that information available for the past 7-years.

BK Hughes informed the Board that the audit should be completed shortly.

BK Hughes wanted to make the Board aware that Secretary Morin will be unavailable in the upcoming weeks. She asked the Board what will happen during her absence. There does not seem to be any clear directions on who will be assisting the staff at the town hall. The Board stated that they are working on the issue.

Mr. Joseph Simone addressed the Board and suggested that the Selectmen fill in on a rotating basis until Secretary Morin returns.

G. Open sealed bids for oil and propane

The Board received 3 sealed bids from Suburban Propane, Palmer Gas and Oil, and Haffner's Energy.

Selectman Connolly asked if the bids were due by a certain date. Secretary Morin stated they were due August 4, 2022. Selectman Connolly stated that the one Palmer submitted has expired. He would recommend we go back to each vendor to request an update. Secretary Morin stated that if you do, the Board will still be in the same position unless the Board is willingly to meet the same day the new quote comes in. Selectman Connolly suggested that the bids could be delivered on the same day as the Board meets. The bids would need to be in by a specific time that day. The Board could then consider the bids at the meeting and be able to make decision.

Secretary Morin reminded the Board they can reject the bids.

Selectman Marchand and Melvin did some calculations and concluded that Haffner's Energy was the best bid.

Selectman Marchand moved to accept the bid from Haffner's Energy for #2 oil and propane. Seconded by Selectman Melvin.

The Board tabled the motion so the Selectman Connolly could review the bids.

H. Selectmen's next meeting and public hearing – Highway Block Grant

Chairman Burrill stated that the Board is scheduled to meet on September 6, 2022. Secretary Morin and Chairman Burrill will not be able to attend that meeting.

Selectman Marchand suggested meeting August 30, 2022, and have another secretary attend the meeting and take minutes. Secretary Morin suggested asking Mr. Doggett to fill in for her.

The Board agreed to meet August 30, 2022.

Secretary Morin stated that the town received a one-time additional payment from the Highway Block Grant and because it was not anticipated, the Board needs to hold a public hearing. She suggested September 20, 2022, at 7:00pm. The Board agreed to that date.

I. Updated Town Hall user agreement

Secretary Morin informed the Board of the changes she made to the agreement. She stated that she changed the number of occupants from 49 to 39 per the COVID guidelines and added a signature page.

Selectman Marchand moved to accept the amended town hall user agreement as proposed effective immediately. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

J. Old PC Disposal

Secretary Morin is requesting to have the vendor that she used previously to dispose of the old laptops, PCs and servers that are no longer useful. The company will provide a certificate of destruction for each device.

Chairman Burrill asked if there is a cost associated with the disposal. Secretary Morin state that there is no cost to the Town.

Selectman Marchand moved to authorize Secretary Morin to dispose of the old PCs properly using the vendor that was previously used. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

K. Open sealed bids for oil and propane – continued

Selectman Connolly stated that he reviewed the bids and the one from Palmer Gas and Oil expired on August 15, 2022. He stated that the bids are based on volume. He stated that it is unclear if the town is over or under that volume what the cost would be. He agreed with the other members that Haffner's Energy is the best bid.

Selectman Marchand revised his motion to be:

Selectman Marchand moved to accept the bid from Haffner's Energy for #2 oil and propane and to authorize Selectman Connolly to speak with Haffner's Energy to get clarity on the cost should the town be under/over the amount of oil and propane used. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

L. Marshall House – Insurance claim

Secretary Morin stated that Primex does not pay for employee to do the job if it is part of his/her job.

Selectman Marchand moved to accept the insurance settlement from Primex, claim number PR202230214, for water damage due to a leak in the roof at the Marshall House in the amount of \$5,759.69. Seconded by Selectman Connolly. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

M. Resignations

Chairman Burrill addressed the public and reminded them that most of the boards, commissions and committees are made up of volunteers who are not paid and are valuable assets to the Town. He asked that people treat them with respect and realize that they are doing the best they can. He is disappointed with having to accept this resignation.

Mrs. McCarthy stated that the Conservation Commission lost a member after their last meeting. The member was screamed at and brought to tears. The member had worked tirelessly for the town. Mrs. McCarthy asked that those who were at the meeting please come back and help out. For those that do not like the way things are done, they should step up and join a committee or commission.

Selectman Marchand stated that everyone deserves respect, dignity and honor that serves on any board, commission, or committee.

Selectman Connolly stated that on behalf of the town he would like to personally apologize for the inappropriate behavior at the Conservation Commission.

a. Conservation Commission and Ballot Clerk – Alicia Geilen

Selectman Marchand moved to accept with thanks, gratitude, and regret Alicia Geilen's resignation from the Conservation Commission and as a Ballot Clerk. Seconded by Selectman Connolly. Burrill – aye, Marchand – aye, Connolly – aye. Melvin – nay.

b. Fire Department – Abigail Smith

Selectman Marchand moved to accept with thanks and gratitude Abigail Smith's resignation as Firefighter/EMT. Seconded by Selectman Melvin. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

III. Other Business

Selectman Melvin asked BK Hughes about the \$49,000.00 that was put into the Police Department budget from the grant for the power stretcher. BK Hughes stated that it goes into the general fund and not a specific budget.

BK Hughes stated that she was approached by staff asking about employee evaluations when they will be taking place. Chairman Burrill stated that the Board is waiting for the new Town Administrator to come on board.

BK Hughes asked the Board if they are working on filling Secretary Morin's position. The Board stated that they are working on it but are at the beginning of the process.

Selectman Connolly stated that he is hoping to have the position filled before Secretary Morin leaves.

Mrs. McCarthy stated that the Board could hire a person before Secretary Morin leaves so she can train them. If the issue is funds to pay for the overlap, the Board can put in a request to DRA to allow the town to use unassigned funds to pay the extra salary.

A. Manifest

Selectman Melvin moved to sign vendor manifest dated August 16, 2022, in the amount of \$191,110.95. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to sign Inspector Fee Revolving Fund vendor manifest dated August 16, 2022, in the amount of \$308.00. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to sign Recreation Revolving Fund vendor manifest dated August 16, 2022, in the amount of \$2,314.00. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to sign payroll manifest pay period July 31 – August 13, 2022, with a pay date of August 18, 2022. Total payroll is \$56,746.58 which includes \$776.48 ARPA administrative costs. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

B. Requisitions

Selectman Melvin moved to sign Fire Department requisition # FD 2022-010 in the amount of \$11,191.45 for emergency repairs to Tanker 4. Funds to come from 2022 Fire Department Budget

line item 4220317 vehicle repairs Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to sign Fire Department requisition # 1050FD in the amount of \$9,558.00 for emergency lighting package and installation on the new vehicle. 50% of the fund to come from the 2022 Fire Department Budget line item 4220303 and 50% from line item 4220312. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

Selectman Melvin moved to sign Police Department requisition # 2022-1 in the amount of \$7,351.67 for the purchase of 4 tasers. Funds to come from 2022 Police Department Budget line item 42100303. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

IV. Approval of Minutes

Selectman Melvin moved to accept the non-public and public meeting minutes dated August 2, 2022, as written. Seconded by Selectman Marchand. Burrill – aye, Melvin – aye, Marchand – aye, Connolly – aye.

V. Announcements

Selectman Marchand announced that the State Primary Elections will be held on September 13, 2022, at the Fire/Rescue Station. The polls will be open from 8am to 8pm.

Chairman Burrill announced that the Senior BBQ will be held at Police Station on September 15, 2022, 5-7pm. Then on September 17, 2022, Olde Home Day will be held at the Memorial School from 11am to 4pm. To volunteer, please email the Recreation Commission at Recreation@NewtonNH.net.

VI. Adjourn

Selectman Marchand moved to adjourn at 8:10pm. Seconded by Selectman Melvin.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary