



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

DATE: TUESDAY, December 4, 2018

TIME: 6:00PM

LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD

PUBLIC MEETING MINUTES

I. Call to Order

Chairman Donovan called the meeting to order at 6:00pm. In attendance were Selectmen, Robert S. Donovan Jr., Chairman, Lisa L. Gonyer, Vice-Chairman, Lawrence B. Foote, James L. Doggett, Matthew A. Burrill; Nancy J. Wrigley, Town Administrator and Diane M. Morin, Selectmen's Secretary. The non-public session was audio taped. The non-public session minutes were transcribed and typed by Nancy J. Wrigley. The public meeting was audio and video taped. The public meeting minutes were transcribed and typed by Diane M. Morin.

Nonpublic Session under RSA 91-A:3 II (a) – Disciplinary, Promotion

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

Selectman Burrill moved to close the non-public session at 6:51pm. Seconded by Selectman Foote with a unanimous roll call vote: Donovan – aye, Gonyer – aye, Foote – aye, Doggett – aye, Burrill – aye.

Selectman Doggett moved that the Board just came out of a non-public session under RSA 91-A: 3 II (a) - Disciplinary, Compensation 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 have Town Administrator Wrigley inform the Bookkeeper of pay roll changes. Seconded by Selectman Gonyer with a unanimous vote.

II. Approval of Minutes

**Selectmen's non-public and public meeting minutes dated November 20, 2018
Selectman Doggett moved to accept the non-public and public meeting minutes dated November 20, 2018 as written. Seconded by Selectman Gonyer with a unanimous vote.**

III. Scheduled Business

A. New Fire/Rescue Station

a. Project Update

Construction Manager (CM) Mike Pivero addressed the Board. He reviewed how the New Fire/Rescue Station project began. He stated that a building committee was established to investigate the needs of the Town. The committee recommended the Town's priority should be a new fire station. A second committee, Fire Station Building Committee, was formed to recommend and present to Town voters a design for a new fire/rescue station. In March of 2017 the Town voted to proceed with building a new fire/rescue station. At this point the Town hired an Architectural firm, Port One out of Portsmouth NH. The Architecture designed a building that was approved by the Board. The Board also had the Architecture worked on narrowing down the choices for a Construction Manager. The Board chose to work with Eastern Seaboard Concrete Construction which CM Pivero is the owner.

CM Pivero stated that he reviewed what was proposed for the building at public meetings held by the Selectmen in 2017. The proposed building is what was built. He also added that many of the contractors and sub-contractors donated materials, time and labor to keep the project under budget.

CM Pivero stated that at one time there was a proposal to install a radio tower but was never built. CM Pivero stated that the copula was installed to house the radio antennas and the cost was absorbed as part of the construction.

CM Pivero went on to speak about the sprinkler system that the Fire Station Building Committee discussed. Due to lack of municipal water supply and the cost of bringing 3-phase electricity to the building, the committee consulted with local authorities on how to resolve the issue. A design for the fire station was developed and presented during the deliberative sessions which included a non-compliant sprinkler system. The system that is installed was supposed to have State approval but for reason unknown the approval was never applied for.

CM Pivero stated that he did not heed the recommendation from the Architect to not continue with the construction until the sprinkler system was approved.

At this time Ms. Laura Hillard interrupted the meeting. Chairman Donovan requested that she wait until CM Pivero finished. Once he finishes, anyone in the audience would be allowed to address the Board.

CM Pivero reviewed the budget stating that there is still \$216,906.00 remaining and the project is not over budget.

Chairman Donovan stated that the Board will allow anyone in the audience to ask 1 question. They must speak at the table or podium, state their name and address as well as write it down on the paper provided. Once everyone has had a chance to ask a

question, then follow up questions will be allowed. The questions need to pertain to the building of the New Fire/Rescue Station.

Mrs. Cheryl Saunders of 4 Whittier Street asked who was responsible for getting the approval for sprinkler system? Selectman Burrill stated that the Board is still looking into where the ball got dropped. The law gives the Board the right to protect the reputation of person's who may have been involved and will not be discussed at this public meeting.

Selectman Gonyer stated that ultimately, it's the Board that has ownership of this misstep.

Mr. Andrew Whitty of 43 North Main Street asked, what exactly is the involvement of the Fire Chief in the budget and building committee for the new fire station and how much of it does he oversee? Chief Alcadinho stated that he has zero involvement in the fire station building budget.

Ms. Laura Hillard of 15 West Main Street stated that the communication about this project has not been forthcoming and has proved to be frustrating for some residents. Chairman Donovan stated that at every Board meeting since the start of the project there has been an agenda item for the project. It is at these meetings that information is passed along to the public and questions could be asked.

Ms. Hillard stated that she has reviewed the past 6 months meeting minutes and is asking about the items that were supposed to be covered by grants. She stated that some items are being paid out of other budget items such as the \$7,000.00 for door locks. Ms. Hillard quoted Selectmen Burrill from the Board's June 2018 about disservice to the Town for relying on grants. Selectman Burrill stated that he also said that the Board would not be going back to the Town for more funds but rather taking the funds from other approved areas of the budget. He stated that the Board will be more transparent and let the residents know what they are paying for and where the funds are coming from.

Ms. Hillard would like to know which grants were applied for other than the EOC grants.

Chief Alcadinho stated that the cell tower would have needed to be brought forth as a Town Warrant Article and due to the amount of time required to have a warrant article in the next town meeting, it would not have been feasible as the station was under construction. Waiting would have delayed the project for a year. He recommended that a copula be installed to hold the radio antennas instead of waiting for the Town to pass a warrant article that may or may not have passed. Without the radios, the station would not have 2-way communication capabilities.

Chief Alcadinho stated that he has applied for a grant in the amount of \$302,000.00 for SCBA (Self Contained Breathing Apparatus). He expressed concerns that a resident has called FEMA questioning the grant request. Ms. Hillard stated that FEMA has

received the SCBA grant but no other grant request. Chief Alcainho stated that the grant was re-submitted in November 2018 after being denied in 2017. Part of the grant money will be used to purchase a re-filling station for the SCBA tanks. Some will be used to replace the equipment that will go out of service in June of 2019. He stated that there was no grant put in for a ventilation system because the expectation was that there would be enough in the Bond to cover the ventilation system.

Chairman Donovan stated that through the process of getting the building built, the Fire Station Building Committee was able to cut the cost of construction to 1.6 million. This would provide the Town with a bare bones fire station.

Selectman Doggett stated that the installation of a radio tower would violate the Bond agreement because no part of the building or land can be rented or leased. The interest rate on the Bond would negate any rental income received from the cell tower.

CM Pivero stated that the Fire Station Building Committee took great care in designing the building by removing certain doors and window.

CM Pivero stated that grants were available for various ventilation systems that could be installed. However, the grants are only available once the building is completed. The station has a mechanical ventilation system that meets code for exchange rate and CFM. A CO2 sensor can be added if needed that will turn the fan on automatically. Currently, the fan is turned on using a switch that is set on a timer which will turn off after a specific time.

Mr. Richard Dupre of 16 Brenner Drive asked if the Fire Chief authorized the purchase of the copula. Selectman Gonyer stated that the Board authorized the purchase. Mr. Dupre went on to read from the International Building code for a ventilation system. CM Pivero stated that a CO2 sensor could be used to address the code. Building Inspector LeMere addressed the Board. He stated that the CM Pivero is correct in that there is a mechanical ventilation system. He proceeded to explain that there is more than just a fan that needs to be considered such as natural ventilation. He read from the International Building code book, codes that are applicable to the fire station. He explained which ones need to be adhered to and how they were interpreted by the Building Inspector and designer. As part of the final inspections, air pressure balance reports need to be completed. Once the Building Inspector receives the report, he can then determine if any additional measures need to be taken to ensure that exhaust from the vehicles does not get into the Administrative Office section and that the fumes are properly exhausted.

Chief Alcainho stated that at the old fire station the exhaust from the vehicles was recirculated through the heating system which had its air intake on the same level as the garage. This has been a concern for all Firefighters that worked in the building and one of the main reasons to move as quickly as possible to the new station.

Mr. James Fitzpatrick of 15 Walnut Farm Road stated that currently we are running under budget and would like to know what the cost will be to complete the project. Chief Alcainho stated that some of the funds will be placed back into the Fire Department budget once the grant funds for the EOC are received. CM Pivero stated that there is \$216,906.00 remaining in the New Fire/Rescue Station Bond. He is not able to state what the cost of the sprinkler system will be until the design is completed.

CM Pivero stated that the Town of Plaistow NH has offered to donate to the Town a diesel gas fire pump for the sprinkler system. The designer has the specs on the pump and is looking into whether it can be used for the sprinkler system.

Selectman Burrill stated that we are under budget and that the Board does not anticipate that the sprinkler system will break the budget. He went on to state that the project cannot go over budget per the voters' vote. CM Pivero stated that improvements were made to keep the operational cost down, but it came from the Bond as well.

Chairman Donovan asked CM Pivero why the back-parking lot was not paved. CM Pivero stated that it was never in the plan. It needs to remain un-paved to be in compliance with the Alteration of Terrain Permit. It needs to remain so that stormwater has a place to go.

Mr. Jim Baker of 1 Ridge Road asked if the cost for the sprinkler system includes the design. Selectman Burrill stated that it does include the whole system from design to installation and that the funds in the bond should cover the cost.

Ms. Annie Collyer of 1 Ridge Road asked what the grant for \$302,000.00 is for and is it being denied. Chief Alcainho stated that he hopes the grant will be approved. He once again reiterated the purpose of the grant. He asked that if anyone has a question to please reach out to him first.

Ms. Hillard returned to address the Board. She stated that Brentwood had the same exact problem with the sprinkler system. Chief Alcainho stated that when he first heard about the issue in Brentwood, it was with the Emergency Operations Center (EOC). He stated that he just recently heard that there is another issue with the sprinkler system. Chairman Donovan stated that Brentwood never installed a sprinkler system. Chief Alcainho stated that the station here has an operational sprinkler system in the Administrative Office area and the apparatus bay has the piping and mechanical equipment installed. CM Pivero went on to state that everything is setup to be connected once the design plan is finished. He also stated that between the apparatus bay and office area is a 3-hour rated fire wall.

Ms. Hillard once again interrupted the meeting asking why on the plans it states the sprinkler system is not up to code and why was it installed? CM Pivero stated that she should have sat on the Fire Station Building Committee. She responded with "I actually couldn't because my Commie Fire Chief wouldn't allow it". Chairman Donovan called

for order. While Ms. Hillard was exiting, she stated that a Selectman was paid to work on the project. Chairman Donovan chose to address this as he was the Selectman that worked on the project. He stated that he had some down time between jobs and offered to work for 2/3's of his normal salary to get the building buttoned up. He worked for 2 days on the job under contract with Eastern Seaboard Concrete Construction.

Selectman Burrill stated that if people would like to see the building to contact the Fire Department to schedule a visit. Chief Alcaldinho stated that one good thing to come out of all the negative comments on Facebook is that residents have stopped by to see the new station. The Chief held a Seacoast Fire Chiefs breakfast meeting at the station. They have received many compliments on the workmanship done by the CM Pivero.

Mr. Dupre asked the Board to reconsider ending the discussion. The Board agreed to allow more questions to be asked.

Chairman Donovan apologize for his outburst.

Mr. Craig Walker of 26 Quaker Street would like to know the answer to why the sprinkler system was installed even though it was not up to code. CM Pivero stated that the only reason the sprinkler system does not meet code is due to the lack of a water supply to fill the system in the apparatus bay. Should the need arise, the tanker would be used to pump water to the sprinkler system in the apparatus bay only. He reiterated that the piping and mechanical equipment inside the building is up to code and only needs to have a water supply which would be the fire pump offered to the Town.

Mr. Kevin Donegan of 52 Heath Street asked if the building was ADA compliant. CM Pivero stated that the modifications have been made to resolve the issues. Mr. Donegan stated that communications could have been much better. Selectmen Burrill stated that the Board will try to do better in communicating.

Mr. Thomas Cloutier 8 New Boston Road stated he would like to see people work together. He thanked all those that work for the Town.

Chief Alcaldinho stated that an email was sent from the Fire Marshall requesting a meeting. The Chief wished to express thanks for donations of goods, time and money from Wal-Mart, Mike Adams, TCS, Eastern Seaboard Concrete Construction, North Shore Bank, Port One Architects, and to the Committee members.

Mr. Cloutier asked if the siren that his father restored would be moved to the new station. Chief Alcaldinho stated that someone would need to volunteer or pay to have it moved.

Selectman Doggett stated that he has never seen such animosity in the Town. He expressed regret that a resident called FEMA regarding the grants, which may cause the Town to lose a \$302,000.00. Selectman Gonyer stated that we should not cross that bridge until we are sure the grant is denied. Chief Alcaldinho will call the US

Senators and Representative offices and explain the situation. If the grant is denied, he will place a warrant article for the cost of the SCBA equipment.

Mr. Ryan Higgins of 23 Crane Crossing Road stated that the SCBA was identified back in 2017 that they would expire in 2019. Chief Alcainho confirmed that. Mr. Higgins went on to ask why any funds hadn't been placed in a capital reserve fund to replace them. Chief Alcainho stated that the first year he was Chief, funds were placed in the capital reserve fund and the Board chose to purchase a tanker. The second and third year the Board chose to use the funds for the new fire station. The third year \$50,000.00 was placed in the Fire Apparatus and Equipment Fund for the Fire Department. Selectman Gonyer stated that the Board also decided to place the \$50,000.00 into the fund. All these decisions were based on recommendations from the Fire Department.

Mr. Higgins asked if there is a designated area for the firefighter's gear. CM Pivero stated that there is no designated area. Chief Alcainho stated that the gear is on wheeled racks that can be easily moved around.

Mr. Dupre stated that the Town was sold a new fire station and what was built was a garage with offices. Selectman Gonyer stated the design the Town chose to build was a bare bone, no frills, and just what was needed for fire station. This kept the cost of the construction to \$1.6 million where as other surrounding towns are spending triple that for new or additions to fire station.

Chairman Donovan called for a 5-minute recess at 8:28pm.
Chairman Donovan called the meeting back to order at 8:39pm.

b. Fire Pump

Selectman Gonyer stated that the pump is being evaluated to see if it will be a viable solution.

CM Pivero stated that the Board needs to authorize SFC Engineering to proceed with verifying that fire pump will work.

B. 2019 Budget Review

a. Highway Department

Road Agent Pivero stated that there have been no changes to the budget. Selectman Burrill asked what has been done with the funds from the Additional Highway Block Grant that the Town received last year. Road Agent Pivero stated that the all highway block grant money is placed in a Revolving Fund and he keeps 1 ½ years in reserve. Town Administrator Wrigley stated that Bookkeeper Hughes used the funds from the Additional Highway Block Grant first as they need to be used within a year.

Selectman Gonyer moved to include the 2019 Highway Department budget in the 2019 Town's draft budget. Seconded by Selectman Doggett with a unanimous vote.

b. Tree Warden

Selectman Doggett moved to include the 2019 Tree Warden budget in the 2019 Town's draft budget. Seconded for discussion by Selectman Gonyer.

Selectman Gonyer stated that the proposed budget is level funded and the purpose for this budget is take care of any trees. Should the money not be expended it will go back into the general fund.

The motion passed with a unanimous vote.

c. Transfer Station

Transfer Station Manager Pete Gagnon stated that he revised his budget and is asking for increase of \$8,450.00.

Selectman Doggett moved to include the 2019 Solid Waste Disposal budget in the 2019 Town's draft budget. Seconded by Selectman Gonyer with a unanimous vote.

d. Fire Department – Tabled until December 18, 2018

C. Letter from resident – Cheryl Killam – Postponed until December 18, 2018

D. Chief Jewett – Update on firearm disposal

Chief Jewett updated the Board on disposing of firearms taken in as evidence and is no longer required. Chief Jewett stated that the firearms can be auction off by a licensed firearms dealer or destroyed. There are over 100 firearms with various value.

Selectman Gonyer moved to authorize the Police Chief to have the firearms auctioned off as a lot by a licensed firearms dealer. Seconded for discussion by Selectman Foote.

The Board discussed how the process would work. The Chief will have different dealers look at them and provide a dollar amount for the entire lot. The Chief will choose the best offer.

The motion passed with a unanimous vote.

Chief Jewett stated that he will choose only reputable dealers.

E. 2019 Budget Review Continuation

e. Health Officer

Town Administrator Wrigley presented the proposed 2019 Health Officer budget. The funds will cover expenses incurred when no permit is issued.

Selectman Doggett moved to include the 2019 Health Officer budget in the 2019 Town's draft budget. Seconded by Selectman Foote with a unanimous vote.

f. Legal

Town Administrator Wrigley stated the budget is level funded.

Selectman Doggett moved to include the 2019 Legal budget in the 2019 Town's draft budget. Seconded by Selectman Foote with a unanimous vote.

g. Insurance

Town Administrator Wrigley reviewed the increases and decreases to the budget.

Selectman Gonyer moved to include the 2019 Insurance budget in the 2019 Town's draft budget. Seconded by Selectman Foote with a unanimous vote.

h. Street Lighting

Town Administrator Wrigley reviewed the budget.

Selectman Burrill asked if there was any movement on changing the lights over to LED. Three years ago, surrounding towns met to discuss converting to LED but no action was ever taken.

Selectman Doggett stated that the cost to convert the lights to LED would take 20 years to recoup the cost to convert.

Selectman Burrill moved to include the 2019 Street Lighting budget in the 2019 Town's draft budget. Seconded by Selectman Foote with a unanimous vote.

i. West Nile Virus

Town Administrator Wrigley reviewed the budget. The pest control was added to the budget for the Town properties.

Selectman Doggett moved to include the 2019 West Nile Virus and Pest Control budget in the 2019 Town's draft budget. Seconded by Selectman Gonyer with a unanimous vote.

F. Change to Medical plan for employees

Town Administrator Wrigley explained that for 2019 the cost of the current health plan would increase for both the Town and employee. A meeting with a Health Trust representative was held to review other plan options. It was narrowed down to 2 plans and the employees all agreed on which plan to select. The cost for both the Town and employees is less than the current plan.

Selectman Gonyer moved to authorize the Chairman to sign the new medical plan for employees. Seconded by Selectman Doggett for discussion.

Selectman Doggett wanted to confirm that the employees affected by this change were made aware of the new plan. Town Administrator confirmed that all of the employees agreed with the selection of the plan.

The motion passed with a unanimous vote.

G. 2019-2020 Amended Landscaping Contract for Town Properties

Secretary Morin reviewed the amended contract cost for 2019-2020. The amended contract has the old fire station removed and the addition of brush cutting at the Marshall House around the shed and barn. The yearly cost is \$31,140.00.

Selectman Gonyer moved to authorize the Chairman to sign the amended landscape contract for 2019-2020 with Granite Coast Inc. in the amount of \$31,140.00. Seconded by Selectman Burrill for discussion.

Selectman Doggett reiterated his position that the Town could hire an individual at the same cost as paying the landscaper.

Selectman Gonyer reiterated that it is not just an individual but the cost of the equipment as well and that more Town properties were added to the contract.

Donovan – aye, Gonyer – aye, Burrill – aye, Foote – aye, Doggett -- nay

H. Review quotes for printing Town Report

Town Administrator Wrigley recommended that we print 300 copies plus a copy go on the town website. Secretary Morin explained that MTL Printing Solutions proposes to print 100 copies with a spiral binding and 200 with a perfect binding. Selectman Burrill would like to offer RAM Printing to meet or beat the quote provided by MTL Printing Solutions. Selectman Burrill stated that the Town has used RAM for the past few years and knows the quality of work. Where as MTL quality is unknown.

I. Settlement Agreement – New England Telephone Operations

Town Administrator Wrigley explained the agreement is for abatement of taxes with New England Telephone Operations that was in place for 2012-2015. The settlement specifies that New England Telephone Operations agree to not pursue further tax abatements for tax year 2016 and 2017. The settlement was part of a state-wide consortium in which the Town participated in.

Selectman Gonyer moved to sign settlement agreement for tax abatement with New England Telephone Operations in the amount of \$9,283.00 for tax years 2012-2015 per court order. Seconded by Selectman Doggett with a unanimous vote.

J. Per RSA 31:95-b to accept and expend unanticipated funds to Food Pantry from Estabrook's Garage in the amount of \$250.00

Selectman Foote moved to accept and expend unanticipated funds to Food Pantry from Estabrook's Garage in the amount of \$250.00 with appreciation. Seconded by Selectman Doggett with a unanimous vote.

K. Per RSA 31:95-b to accept and expend unanticipated funds to Food Pantry from the Gale Library Trustees in the amount of \$60.00.

Selectman Foote moved to accept and expend unanticipated funds to Food Pantry from the Gale Library Trustees in the amount of \$60.00 with appreciation. Seconded by Selectman Gonyer with a unanimous vote.

L. Per RSA 31:95-b to accept and expend unanticipated funds to Food Pantry from Scott and MaryJo McCullough in the amount of \$500.00.

Selectman Foote moved to accept and expend unanticipated funds to Food Pantry from Scott and MaryJo McCullough in the amount of \$500.00 with appreciation. Seconded by Selectman Gonyer with a unanimous vote.

IV. Other Business

Selectman Burrill stated that the Recreation Commission will be holding a 5K Jingle Run on December 8, 2018 at the Safety Complex.

V. Sign Manifests, Abatements, Tax Credits

➤ Manifest

Selectman Doggett moved to sign vendor manifest dated December 4, 2018 in the amount of \$2,009,706.58 of which \$1,342,000.00 goes towards the December Sanborn Regional School District payment and \$531,356.00 goes towards the 2018 Rockingham County Warrant. Seconded by Selectman Gonyer with a unanimous vote.

Selectman Doggett explained that the County payment is the Town's portion that is used to run the County government.

Selectman Doggett moved to sign vendor manifest New Fire/Rescue Station dated December 4, 2018 in the amount of \$4904.74. Seconded by Selectman Gonyer with a unanimous vote.

Selectman Doggett moved to sign payroll manifest pay period November 11 – 24, 2018 with a pay date of November 29, 2018. Seconded by Selectman Foote with a unanimous vote.

➤ Tax Abatement

Selectman Gonyer moved to sign tax abatement for tax map 5-3-10 in the amount of \$626.88 for tax year 2018. Seconded by Selectman Doggett with a unanimous vote.

Selectman Gonyer moved to sign paper tax abatement for tax map 5-3-10 in the amount of \$112.55 for tax year 2018. Seconded by Selectman Doggett for discussion.

Selectman Gonyer asked what is a paper tax abatement? Town Administrator Wrigley explained a paper tax abatement is issued when the tax payer has not paid the tax bill. The abatement amount is deducted from the tax bill. Whereas a check is cut for the amount of the tax abatement and is sent to the tax payer if the taxes have been paid in full.

Motion passed with a unanimous vote.

➤ Veteran's Tax Credit

Selectman Burrill moved to sign Veteran's Tax Credit for tax map 8-3-11-28 beginning in tax year 2019. Seconded by Selectman Foote with a unanimous vote.

VI. Announcements

Selectman Doggett stated that he will be attending the Senior luncheon and representing the Board of Selectman on December 5, 2018.

VII. Adjourn

Selectman Gonyer moved to adjourn at 9:25pm. Seconded by Selectman Doggett with a unanimous roll call vote.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary