



**Office of the Board of Selectmen
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**NEWTON BOARD OF SELECTMEN
DATE: MONDAY, JANUARY 17, 2022
TIME: 7:00PM**

**LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD and
ZOOM CONFERENCE CALL**

PUBLIC HEARING MEETING MINUTES

Zoom Conference phone number 929-205-6099

Meeting ID 818 7979 5674

<https://us02web.zoom.us/j/81879795674>

I. Call to Order

Vice-Chairman Melvin called the public hearing to order at 7:00pm. In attendance were Selectmen, Lawrence B. Foote; Chairman, Charles R. Melvin Sr.; Vice-Chairman, Kathryn Michaels, Matthew A. Burrill, Edwin Crnolic, Town Administrator Nancy J. Wrigley, and Selectmen's Secretary Diane M. Morin. The public hearing was videotaped. The public meeting minutes were transcribed and typed by Secretary Morin.

Selectman Kathryn Michaels joined the meeting via Zoom. As per RSA 91-A:2, III: where attendance in person is not "reasonably practical" Selectman Kate Michaels is participating via zoom due to a health issue. Selectman Michaels stated that there were no other persons in the room with her.

Selectman Lawrence Foote joined the meeting via Zoom due to a work conflict. Selectman Foote stated that there were no other persons in the room with him.

II. Scheduled Business

Vice-Chairman Melvin read the following proposed 2022 warrant article.

To the inhabitants of the Town of Newton, N.H. in the County of Rockingham, in said State, qualified to vote in Town Affairs; you are hereby notified to meet for the **first session** of the annual meeting, which shall be for the explanation, discussion, and debate of each warrant article and the transaction of all business other than voting by official ballot **to be held at the Newton Town Hall on Saturday, February 05, 2022 at 9:00 AM**; the **second session to be held at the Newton Fire Station, 8D Merrimac Road** in said Newton, on Tuesday, the eighth day of March next, at eight o'clock in the forenoon, to choose all necessary Town officers for the ensuing year by official ballot, and to vote on all issues before the Town of Newton on the official ballot; the polls to be open at eight o'clock in the forenoon and to close not earlier than eight o'clock in the evening.

1. To elect all necessary Town Officers for the ensuing year.

2. Shall the Voters of Newton authorize the Planning Board to create and annually update a C. I. P. (Capital Improvement Program) in accordance with NH RSA 674:5?

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 7-0

Selectman Burrill read the following:

3. "Shall the Town of Newton raise and appropriate as an Operating Budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$4,000,375.00**. Should this article be defeated, the default budget shall be \$3,997,853.00, which is the same as last year, with certain adjustments required by previous action of the Town of Newton or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."

The estimated budget increase from the 2021 ACTUAL budget to the 2022 PROPOSED budget represents a tax impact increase of \$0.471 per \$1,000.00 of assessed value.

Default Budget would result in an estimated tax impact increase of \$0.467 per \$1,000.00 of assessed value.

Mr. Roger Hamel asked why the School Resource Officer (SRO) was included in the default budget. Selectman Burrill stated that it is included because it is a contractual agreement. Mr. Hamel asked if you add personnel, would their salary go into the next year default budget? Selectman Burrill confirmed that would be the case. Mr. Hamel stated that the voters do not really have a say in the default budget. Town Administrator Wrigley stated that the public is invited to discuss any of the budgets.

Selectman Melvin stated that the SRO is an agreement, and he does not consider it a contract. He stated that he does not believe it should be in the budget but rather a warrant article. Selectman Burrill stated that it is considered a contract. Both parties have the option to terminate the agreement/contract.

Selectman Melvin stated that the Town will pay 38% for the SRO. Selectman Burrill asked how he arrived at that figure. Selectman Melvin stated Newton pays 20%, Kingston pays 40% and the School District pays 40%. Selectman Burrill stated that 80% of the salary will be coming back to the Town in 2 payments. He suggested the money could be placed in the Police Department salary line item next year.

Mr. Hamel asked where the money will be put. Selectman Burrill stated it would go into the unassigned fund balance and then a warrant article in 2023 would be needed to have it applied to the salary line item.

Mr. Jamie Fitzpatrick addressed the Board. In response to Mr. Hamel's statement that the voter does not have a say in the budget, Mr. Fitzpatrick stated that the voters can exercise their right to amend the budget at the Deliberative Session.

Selectman Melvin reiterated that it is a contract and needs to be in the default budget. Mr. Fitzpatrick stated that at the Deliberative Session a motion could be made and accepted to reduce the proposed operating budget by \$120,000.00. Selectman Melvin stated that the funds would need to come from some other budget. Mr. Fitzpatrick agreed with that and stated that this was an example of how the voters can make changes to the default budget in response to Mr. Hamel's concern.

Selectman Burrill stated that this could happen to any other budget as well.

Selectman Burrill moved to does recommend warrant article number 3 as written. Seconded by Selectman Crnolic. Foote – aye, Michaels – aye, Burrill – aye, Crnolic – aye. Melvin – nay.

Selectman Crnolic read the following:

4. To see if the Town will vote to raise and appropriate the sum of **\$10,200.00 to be deposited into the Engineering & Renovation Capital Reserve Fund created in 2015; said funds to come from the Unassigned Fund Balance**. This represents the Rental Fees received at 8 Merrimac Road.
This article would result in no increase in the amount to be raised by taxes.

Selectman Burrill stated that this article takes the rent money received from 8 Merrimac Road and places it in the capital reserve fund.

Selectman Crnolic moved to does recommend warrant article number 4 as written. Seconded by Selectman Burrill. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

5. To see if the Town will vote to raise and appropriate the sum of \$157,000.00 to be deposited into the Town Buildings Capital Reserve Fund created in 2006, for the purpose of maintenance, repairs, and construction of Town Buildings. Said funds to come from the Unassigned Fund Balance.

This article would result in no increase in the amount to be raised by taxes.

Mr. Joe Simone stated that he is glad to see the Town placing funds in the reserve in order to address issues with town buildings.

Mr. Fitzpatrick asked if the funds would be in lieu of lowering the taxes. Selectman Burrill stated that \$57,000.00 is the remainder of the funds from the sale of the old fire station and the \$100,000.00 would come from the unassigned fund balance. There are still funds available that the Board could use to lower the tax impact once the 2022 tax rate is set.

Town Administrator Wrigley stated that the amount requested is to help repair town buildings. Selectman Melvin stated that the funds could be used to repair the siding on the police station.

Mr. Simone asked what the unassigned fund balance is. Town Administrator Wrigley stated that she does not have the exact number but believes it is over \$2 million.

Mr. Simone asked about the funds received from the meals and room taxes. Town Administrator Wrigley stated that is considered revenue and will has been used to offset the 2021 tax rate.

Selectman Crnolic moved to does recommend warrant article number 5 as written. Seconded by Selectman Burrill. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Michaels read the following:

6. Shall the Town modify and expand the purpose of the Inspection Fees Revolving Fund to include paying for all aspects of the Building Safety Department? This would include, but not be limited to, thirty percent (30%) or more of the Code Enforcement Officer's salary, and up to one hundred percent (100%) of the equipment and supplies needed for the operation of the Building Safety Department. Ninety Percent (90%) of permit fees from the Building Inspector, Plumbing Inspector and Electrical Inspector, and one Hundred Percent (100%) of permit fees from the Road Inspector and Health Inspector will be deposited into this fund. The money in the fund shall be allowed to accumulate from year to year and shall not be considered part of the town's unassigned fund balance. The Town Treasurer shall have custody of all moneys in the fund and shall pay out the same only upon the order of the governing body and no further approval is required by the legislative body to expend. This revolving fund was established in 2015 for the purpose of paying Inspector fees for permits.

This article would result in no increase in the amount to be raised by taxes.

Selectman Michaels moved to does recommend warrant article number 6 as written. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Melvin read the following:

7. Shall the Town modify and expand the purpose of the Police Special Details Revolving Fund to include the purchase and/or lease of equipment and vehicles for use in Police Special Detail

work? All revenues received for the police special detail will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year and shall not be considered part of the town's general fund unreserved fund balance. The Town Treasurer shall have custody of all moneys in the fund and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purposes for which the fund was created. This revolving fund was established in 2007 for the purpose of paying Police Special Detail costs.

This article would result in no increase in the amount to be raised by taxes.

Selectman Melvin moved to does recommend warrant article number 7 as written. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill read the following:

8. To see if the Town will vote to raise and appropriate, as proposed by the Police Chief, the sum of **\$25,000.00** to be deposited into the **“POLICE CRUISERS AND EQUIPMENT” Capital Reserve Fund created in 2021** for the purpose of maintenance, repairs and purchase of cruisers and equipment.

This article would result in an estimated \$0.038 increase per \$1,000.00 of assessed value to be raised by taxes.

Selectman Burrill moved to does recommend warrant article number 8 as written. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic read the following:

9. To see if the Town of Newton will **allow the Newton Fire Department to enforce a Life Safety initiative** that would require all buildings or structures occupied in whole or in part for residential purposes and or commercial purposes upon the sale, transfer, rental, and or retail businesses of such building or structure shall be equipped by the seller or owner with approved smoke detectors and approved carbon monoxide detectors as referenced in the National Fire Protection Association (NFPA) 72 & 101: RSA 153:10-a; Saf-C 6000. To include home occupations, home businesses, and accessory apartments before occupancy.

All commercial and or retail businesses shall be required to have annual life safety inspections as referenced in National Fire Protection Association (NFPA) 1, 101, 13, and 72

Any fees collected under this section shall be turned over to the Treasurer of the Town of Newton and placed into the “Uniformed Fire Watch Details” Revolving Fund for the Newton Fire Department established per warrant article 5 during the 2018 town warrant.

The Newton Fire Chief or his/her designee shall enforce the provisions of this town ordinance.

Mr. Fitzpatrick asked if a person selling their home would need to have detectors hardwired before they can sell? Selectman Foote stated that it would depend on the age of the home whether the detectors would need to be hardwired or battery operated.

Selectman Crnolic moved to does recommend warrant article number 9 as written. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Melvin read the following:

10. To see if the Town will vote, as proposed by the Fire Chief, to raise and appropriate the sum of **\$75,000.00 to be placed in the existing Capital Reserve Fund known as the “Fire Apparatus and Equipment / Refurbishment Fund”** voted in 2011.

This article would result in an estimated \$0.115 increase per \$1,000.00 of assessed value to be raised by taxes.

Selectman Melvin moved to does recommend warrant article number 10 as written. Seconded by Selectman Burrill. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill read the following:

11. Fire Alarms

This Town Ordinance is to regulate the use of fire alarms in the Town of Newton and to further regulate and control the false alarms that emanate therefrom. By definition, "alarm" is a signaling device of any description which is designed for the purpose of summoning the fire department of the Town of Newton. "False alarm" is an alarm that is activated and causes the response of the fire department of the Town of Newton where there is no valid cause or reason for the alarm to have been activated, including an alarm that is activated through mechanical failure, malfunction, improper installation, or negligence. An alarm shall not be considered a false alarm where it is activated by an act of God, including, but not limited to, power outages, hurricanes, earthquakes, and other uncontrollable circumstances.

Whenever an alarm is activated by whatever means with the result that there is a response by the fire department, a record of the alarm shall be made and kept by the fire department of the Town of Newton.

Whenever three (3) or more false alarms are caused within a twelve-month period (within the fiscal year January 01 through December 31), the owner(s) or person(s) in control of said alarm shall be subject to paying a fine of one-hundred and fifty dollars. Starting with the 4th occurrence and including each occurrence up to the 6th occurrence, the fine shall be four-hundred and fifty dollars, be it a business activation. Starting with the 7th and subsequent occurrences for the remaining fiscal year, the fine shall be seven-hundred dollars for each occurrence thereafter.

Any fines imposed and collected under this section shall be turned over to the Treasurer of the Town of Newton and placed into the "Uniformed Fire Watch Details" Revolving Fund for the Newton Fire Department established per warrant article 5 during the 2018 town warrant.

Any alarm installed subsequent to the effective date of the town ordinance, which is an audible type of alarm, shall be equipped with an automatic shut-off device that will shut-off the audible component of the alarm within thirty minutes of the activation.

Selectman Foote stated that the reason for this warrant article is to reduce the number of false alarms and to help cover the cost of the expense incurred by the Town.

Selectman Burrill asked if it was mainly for commercial buildings. Selectman Foote stated yes and it would include commercial apartment complexes as well. Residential residences are a small percentage of the false alarms.

Mr. Hamel asked what the fines collected could be spent on. Town Administrator Wrigley read the 2018 warrant article to establish the "Uniformed Fire Watch" Revolving Fund. Mr. Hamel stated that the false alarms are not creating a fire watch. He believes the fines should go into a different fund. The fire watch is paid by the entity where the watch is needed. Selectman Burrill explained that a false alarm could be a valid reason to have a fire watch detail until the issue is corrected. Selectman Foote provided a recent example of a situation where the sprinkler system pipes froze, and a fire watch detail was assigned. Mr. Hamel stated that he does not believe that scenario would be considered a false alarm. He does not believe the fines collected by a false alarm could be used for a fire watch detail.

Mr. Bob Marchand stated that the amount collected will probably be very little.

Secretary Morin stated that she agrees with Mr. Hamel and that the fines collected and placed into the Uniformed Fire Watch Details fund could only be used for a fire watch detail.

Selectman Burrill moved to does recommend warrant article number 11 as written. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Burrill – aye, Crnolic – aye. Michaels – nay.

12. To see if the Town will vote to raise and appropriate the sum of \$30,363.00 for the following

Community Services:

AREA HOMECARE & FAMILY SERVICES	\$ 3,800.00
CHILD ADVOCACY CENTER	2,000.00
DRUGS ARE DANGEROUS	2,500.00
HAVEN	3,050.00
NHSPCA	750.00
ROCKINGHAM COUNTY COMMUNITY ACTION	5,000.00
ROCKINGHAM NUTRITION MEALS ON WHEELS	2,927.00
ROCKINGHAM NUTRITION MEALS ON WHEELS TRANSPORTATION	700.00
SOROCK COALITION FOR HEALTHY YOUTH	4,936.00
VIC GEARY CENTER	2,700.00
WAYPOINT	<u>2,000.00</u>
	\$30,363.00

This article would result in an estimated \$0.047 increase per \$1,000.00 of assessed value to be raised by taxes.

Selectman Burrill stated that these organizations provide essential services to residents in need.

Selectman Michaels moved to does recommend warrant article number 12 as written. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Michaels read the following:

13. To see if the Town will vote to raise and appropriate, as proposed by the Recreation Commission the sum of \$4,500.00 for Recreational Programs and Trips for Newton Senior Citizens.

This article would result in an estimated \$0.007 increase per \$1,000.00 of assessed value to be raised by taxes.

Mr. Fitzpatrick stated that the difference in tax impact is negligible and should be supported.

Ms. Kuzmitski addressed the Board. As the organizer of these events, she supports this article.

Selectman Melvin moved to does recommend warrant article number 13 as written. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic read the following:

14. To see if the Town will vote to raise and appropriate, as proposed by the Recreation Commission, the sum of \$16,500.00 to hire four Part-Time Lifeguards, one Part-Time Supervisor of Lifeguards, and to purchase the necessary Safety Equipment, to oversee the safety of all swimmers at the Town Beach between May 2022 and September 2022.

This article would result in an estimated \$0.025 increase per \$1,000.00 of assessed value to be raised by taxes.

Mr. Simone would like to ensure a two-way radio is made available to the lifeguards. Selectman Burrill stated that they do have a radio.

Selectman Crnolic moved to does recommend warrant article number 14 as written. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Melvin read the following:

15. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$60,000.00** to be paid toward the **2022 SOLID WASTE DISPOSAL BUDGET** as an offset to the recycling and disposal costs, and to authorize the withdrawal of \$60,000 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose.

This article would result in no increase in the amount to be raised by taxes.

Selectman Melvin moved to does recommend warrant article number 15 as written. Seconded by Selectman Michaels. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

16. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$10,000.00 for the purpose of purchasing a Dirt Screener**, with the \$10,000.00 to come from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose.

This article would result in no increase in the amount to be raised by taxes.

Mr. Fitzpatrick asked what a “dirt screener” is. Selectman Melvin stated it was used to screen the dirt piles before putting it into the compost pile. Selectman Michaels stated it is used to sift the ash pile.

Selectman Crnolic moved to does recommend warrant article number 16 as written. Seconded by Selectman Burrill, Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill read the following:

17. To see if the Town will vote to raise and appropriate the sum of **\$10,000.00** to be deposited into the **Skateboard Park Expendable Trust Fund created in 2021 for the purpose of repairing, constructing / reconstructing, and maintaining the skateboard park located in Greenie Park.**

This article would result in an estimated \$0.015 increase per \$1,000.00 of assessed value to be raised by taxes.

Selectman Melvin stated that he and Selectman Foote met with the State and are looking at a grant for 50% of what would be needed to replace the skateboard park.

Selectman Burrill moved to does recommend warrant article number 17 as written. Seconded by Selectman Melvin. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Crnolic read the following:

18. By petition of 25 or more eligible voters of the Town of Newton to see if the Town will vote to **raise and appropriate the sum of \$2,000** to support a **Lake Host Program at the Newton Town Boat Ramp for the 2022 summer season**. The Lake Host Program is a collaborative effort between NH Department of Environmental Services, NH LAKES and local lake associations. It trains and employs individuals to provide courtesy boat inspections to prevent the spread of aquatic invasive plants, such as milfoil, from one lake to another thereby protecting public lake uses such as swimming, fishing, and boating.

This article would result in an estimated \$0.003 increase per \$1,000.00 of assessed value to be raised by taxes.

Mr. Fitzpatrick stated that this helps to keep the pond clean so that all residents can enjoy the pond.

In 2021 Country Pond Lake Association (CPLA) of Newton organized a Lake Host program that provided over 509 hours of inspection time at the Newton Town Boat Ramp. In 2022 CPLA plans to expand that to 565 hours of inspection time with a total cost of \$5,300. Funding for this program will come from town support via this warrant article, a matching NH LAKES grant and CPLA member donations. 6

Selectman Crnolic moved to does recommend warrant article number 18 as written. Seconded by Selectman Michaels. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Michaels read the following:

19. To see if the Town will vote to raise and appropriate, as proposed by the Trustees of Trust Funds, the of **One Hundred Fifty Dollars (\$150.00) for the purpose of increasing the stipend paid to the Trustees of Trust Funds** from \$750.00 to \$900.00. Monies to come from the general taxation. (Majority vote required.)

This article would result in an estimated \$0.000 increase per \$1,000.00 of assessed value to be raised by taxes.

Mr. Simone stated that there has been an increase in banking activity for the Trustees of Trust Fund which is requiring more of their time.

Selectman Crnolic moved to does recommend warrant article number 19 as written. Seconded by Selectman Burrill. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Selectman Burrill read the following:

Given under our hands and seal this 17th day of January in the year of our Lord Two Thousand and Twenty-Two. Lawrence B. Foote, Chairman, Charles R. Melvin Sr, Vice-Chairman. Selectmen Kathryn Michaels, Matthew A. Burrill, and Edvin Crnolic.

Mr. Fitzpatrick asked if a voter's guide will be made available. Selectman Burrill stated yes there will be one.

Adjourn

Selectman Burrill moved to adjourn at 8:05pm. Seconded by Selectman Crnolic. Foote – aye, Melvin – aye, Michaels – aye, Burrill – aye, Crnolic – aye.

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary