

**TOWN OF NEWFIELDS SELECT BOARD
MEETING MINUTES
April 2, 2024**

Select Board Present: Chairman Michael Sununu, Hoby Harmon & Mark Kasper
Others Include: Jeff Buxton, Jeff Couture, Natalie & Win Fream, Kent Lawrence, Bill Meserve, Amy Sununu, Alison Watts, Police Chief Young & Jerry McKay – Toyne Representative

The Select Board reviewed and approved the following items:

Checks Dated	03/22/24:	Accounts Payable Manifest	\$16,256.81
Checks Dated	03/29/24:	Payroll Manifest	\$32,805.18
Checks Dated	03/29/24:	Accounts Payable Manifest	\$ 7,203.76
Checks Dated	04/05/24:	Accounts Payable Manifest	\$10,770.89

Michael called the meeting to order at 7:00.

Board Representatives

Michael initiated a discussion with fellow Board members on the representation for each Town Board. Hoby declined Mark’s suggestion that Hoby be the Select Board Chair. Hoby then motioned to select Michael. Michael seconded. All were in favor and the motion carried.

The Board then decided that Mark would be the Conservation Commission’s representative, Michael will be the representative for the Planning Board and Hoby will continue as a representative for Town Welfare.

Fire Truck Contract

Fire Chief Jeff Buxton first introduced Toyne’s representative Jerry McKay to the Board and then discussed the contract for the purchase of the new fire truck. Mr. McKay said the contract’s higher price of \$884,654.98 was due to the new year’s increase in the cost for the body and chassis. He said the contract does include contingency funds which if not used will be refunded back. Jeff warned that the cost would increase by \$55k if the Town postpones the purchase until next year. Jeff believes he can sell the two older fire trucks for a total of \$50-55k. Michael mentioned to Jeff that a warrant article will be discussed in more detail during the Fall budgeting process. Another warrant article would be required to utilize the proceeds from the sale of the older trucks to be used towards the new purchase. Michael motioned, seconded by Hoby, to sign the fire truck purchase agreement. All were in favor and the motion carried.

Vernon Farm Certificate of Occupancy

Jeff informed the Board that the Vernon's Certificate of Occupancy is due in May. Michael said currently, the attorneys are discussing whether a proposed VFF structure is exempt under section 10.3.1 of the Town ordinances with regards to farm structures. We will have more information available in May.

175th Celebration

Amu Sununu, a representative for the Celebration Committee, requested the Board approve the transfer of the \$10k raised from the previous years' warrant articles to the Celebration Committee fund to pay for expenditures. Michael motioned, seconded by Hoby, to approve the transfer of the \$10k from the trust fund to the general fund for the 175th celebration. All were in favor and the motion carried.

Eversource Decorative Pole Attachment Agreement

Amy discussed her intention to place 175th celebration flags on some of the Main Street utility poles. The Town has flown flags on the poles for many years, but the new flags have different hardware and require the approval from Eversource. Amy asked the Board to sign Eversource's decorative pole attachment agreement which states the Town will take responsibility for any damage to the poles. Michael motioned, seconded by Hoby, to sign the agreement. All were in favor and the motion carried.

Pole License – Mast Road

Michael motioned, seconded by Hoby to accept, and sign Eversource's pole license which requests the Town's permission to install a utility pole on Mast Road. All were in favor and the motion carried.

Citizens Bank Signature Card

The Board signed the 2024 signature card for Citizen's bank.

EPA Letter

Bill Meserve said his drafted letter to the EPA was discussed in prior meetings and needs to be signed. Bill Meserve provided some background information for those in the room. The Town is in the fourth year of the EPA contract for stormwater mitigation. The EPA has many voluntary reporting regulations to which Newfields has been complying with. In response to the EPA's December 19, 2023 letter, Bill wrote a letter summarizing the steps Newfields has taken. He believes the Town is in good shape. Since the letter was signed previously by Michael and Hoby, Michael gave the letter to Mark to take home to read and sign off if he is so inclined.

Mark asked Bill about the runoff at Newfields Elementary School and Town Hall and asked if any grants were available to mitigate the costs. Bill replied that the Town has applied & received for grants for the Town Hall and Library for the rain gardens which he hopes construction will be started in the Fall. Bill said the schools' driveway plans did surprise him. If the school paves the grass area, they will need to collect the runoff and have a retention pond. Hoby asked if the school is aware of this requirement. Michael responded that he hopes so and that there are some experienced personnel at the SAU who know about

this subject matter. Michael said he had a conversation with the school's engineer and the design included a retention pond at the entrance area and a larger containment treatment under the parking lot for stormwater. This is the \$1.8 million project. Under the State guidelines, stormwater runoff from a property is no longer allowed.

Hoby voiced his concern in the event the parking lot project does not get approved. Michael said if it does not go through, the Town's initial plans will address the issues.

Joanie Harmon asked if the sidewalk safety issue which started the whole driveway project would be addressed. Michael said it is a separate issue from the stormwater runoff.

Hoby asked Bill for the status on the Town Hall stormwater project. Bill said it has been going slowly due to the State. He is ready to get started on the Summer/Pleasant streets project. Michael said the Town should be good to go once they receive the information from Hoyle & Tanner. Bill anticipates construction to start in spring of 2025. Bill expects the Town Hall/Library project to start this Fall.

Beaver Dams – Conservation Commission (CC)

Alison Watts, a Conservation Commission representative, discussed the destruction of the beaver dams & lodges in December that run along the rail trail and one on the Otis Trail Pond which does not impact the trails. The CC believes it may be someone from Rails and Trails (R & T) destroying the dams and lodges but does not know for sure. They reach out to them, but no one has taken responsibility for it.

Michael told Alison that he spoke with someone from R & T earlier regarding a different issue but was informed by R & T that they are concerned with the safety of the trails, which is a potential liability for the Town. Michael said there are State statutes which regulate who may address these types of issues.

Alison and the CC discussed better ways of managing the beavers and are looking into employing beaver deceivers which would be a better solution to bulldozing beaver dams on conservation land.

Hoby asked if an excavator was brought in to remove the dams. Alison confirmed this to be true, but no one knows who did it.

Mark asked if Fish and Game had any solutions. Alison said no.

Michael said he will continue to make inquiries, but the Town cannot ignore safety concerns. The Town needs to be proactive and come up with a solution.

Hoby asked about whether an abutter could have removed the dams. Alison suggested sending a letter to residents who abut the area, but Jeff Couture recommended waiting for a response to the letter the CC sent to Jeff Bleichaczyk at the NHDES Wetlands Bureau on March 18th.

Veteran's Exemption

Michael motioned, seconded by Mark, to approve the Veteran's Exemption for map 104/37. All were in favor and the motion carried.

Town Clerk Training Notification

The Town Office will be closed on May 15th for the Town Clerk Spring Workshop.

Eagle Scout Thank you Letter

Michael motioned, seconded by Hoby, to send a letter thanking Eagle Scout Aiden Kenison for building a kayak and canoe rack for the Town Landing. All were in favor and the motion carried.

Abatement

The Board received notification from the Town Assessor, Rod Wood, of an abatement application that he denied. He determined that his initial assessment of the property was correct. Michael motioned, seconded by Hoby, to agree with the Town's Assessor's denial of the abatement application for map 205/14. All were in favor and the motion carried.

Town Hall Rental

A rental application for the Town Hall for March 24th was received in between Select Board meetings and required approval via email. Per Michael, the email chain will be attached to the minutes for this meeting. Michael motioned, seconded by Hoby, to formally approve the rental application. All were in favor and the motion carried.

Appointments

Decisions on the appointments were deferred until the next meeting.

Live Streaming of Other Board Meetings

The Board discussed live streaming of the other board meetings for which \$3k was budgeted for this year to cover the extra cost. Additional audio was estimated at \$6-7k and was postponed due to budget cuts. Hoby will reintroduce it for the next budget. Mark will complete the video training for the other Boards.

Halls Mill Tree Trimming

Eversource will be tree trimming along the roads in Town in the next few weeks. Since Halls Mill Road is a scenic road and needs the Town approval prior to trimming or removing trees, Michael drove through the Town with an Eversource representative to mark the trees in need of trimming or removal. Michael will also speak with the Road Agent about the trees behind the Town Hall that need to be trimmed. Hoby mentioned another tree that Michael will inform the Road Agent about that may need to be taken down.

Miscellaneous

Michael thanked Munch for re-shingling the Paul Revere Bell steeple and some other Town Hall repairs. Michael thanked the Newfields Community Fund who generously paid for the repairs.

Town Landing Tree Pruning Quotes

Win Fream notified the Board of the quotes received for the trimming and installation of a cable system for the large Red Maple at the Town Landing trees are Seacoast Tree Care - \$4,200 & Urban Trees -\$3,582. Michael asked Win to forward the quotes to the Board. Win also asked to have the Road Agent place more gravel down at the landing. Michael will reach out to the Road Agent.

Audit Questionnaire

Michael advised Mark that he would need to review the audit questionnaire now that he is on the Board.

Rugg Property

Jeff Couture mentioned to the Board that they will have some upcoming deadlines regarding the purchase of the Rugg property. Michael said he spoke with Lynnette Batt earlier in the day and that it will have to be placed on the next agenda to grant the Board authority. Michael explained that last year the Board voted for him to take the lead on addressing the grant proposals and acting as the Board representative to sign documents as they are always timely and sometimes cannot wait until an upcoming Board meeting. Michael added that in light of the past election and the information that was put out in the community by the advocates of the Rugg property calling him a liar and saying he was corrupt, that he has a financial interest in it, and that his request that the advocates rein it in were ignored, he is going to step aside. This matter will be placed on the agenda for Tuesday, and the Board will decide who will take on the role.

Joanie Harmon added that comments were also made to all members of the Board.

Mark commented that a lot of it is perception and people will spout off things when they do not have the information in front of them. He feels that if information is pushed out regularly there will be a lot less erroneous comments made. He said he will do his best to help that along.

Michael said he appreciates that, but it goes beyond that, and it is a personal attack on him, accusing him of being a corrupt official. He does not care what information one has before them, unless there is actual evidence, it is entirely inappropriate to do that to anyone. He does not care if he has a difference of opinion with an elected official. If someone calls another person corrupt, they need evidence of it, or it is slander and that is exactly what occurred. There were accusations that he had a financial interest in not having the Rugg property acquired. Most disappointing was that no one who was supporting this acquisition said this is incorrect, this is not how this should be handled, or addressed. So given that, there is zero reason to continue to run point and spend his time and effort on something that he still has tremendous number of questions on. He said he will still act as a Board member

to ensure that all the t's are crossed, and l's are dotted and that the process is done properly but he will no longer take personal time to run lead on this material.

Hoby added that he also was subjected to personal attacks. People accused him of not doing his homework and not knowing the facts based solely on a difference of opinion. Personal attacks are not acceptable. You may disagree but it should be peaceful and respectful. He said he was taken off a community page because he put out information and it is unacceptable.

Mark suggested they put information out on a centralized platform using the Town website on a more regular basis.

Michael said they cannot use public resources to advocate for a defeat or support of a warrant article.

Kent Lawrence stated his observation that the camera has been on for these meetings when the Rugg information was discussed. Kent continued to say that Michael attended the Planning Board as the representative and was aware of the strikes and failures that came before the Planning Board. Kent said the other Select Board members were most likely aware of this information too. All the Rugg information was available for residents to review. People chose not to look at it.

Michael added that there were numerous discussions and public hearings on the Rugg property. The information was posted on the Town website after each meeting. Anyone who wanted to review either side of the issue had ample opportunity to review the information and attend meetings. Michael believes this to be less about the information that was available and more of a personal reason.

Hoby told Mark the information is available either by watching the meeting videos, reading the minutes, or attending in person. It is incumbent upon the citizens to be engaged. When they are not engaged, they rely upon innuendos.

Letters Received

Hoby informed the Board of two letters addressed to the Board, one from the Girards and one from Mr. Partikian. The Board deferred the Girards until the next meeting. Hobo will draft a response letter to Mr. Partikian.

Minutes

The 3/11 minutes were deferred until the next meeting.

Kent Lawrence

Kent discussed his difference of opinion with Attorney Durbin. Kent said he made a request to Attorney Durbin to make a comment about case citations. He would not give him an opinion about citations that were in an application. Alternatively Kent spoke with Steve Buckley from the Municipal Association. Steve told Kent that he should be able to get the

opinion on case law from the Town attorney. Kent then forwarded the text conversation to Attorney Durbin, but he has yet to respond to him. Kent said the ZBA is a quasi-judicial body within the Town and Attorney Durbin said he did not want to influence the decision. Kent said that he should be able to state case law and not be able to influence the decision.

Michael asked Kent if the Rockingham Planning Commission in Exeter would be able to provide the information. Kent said he did not know. Michael asked Kent to forward the information to him and he will reach out to Rockingham Planning Commission tomorrow. If that avenue does not work, he will have a conversation with Attorney Durbin or another legal counsel that can answer it.

Kent says he feels this case will be pivotal for future decisions. Michael agreed the case could have a long-term implication.

Michael motioned, seconded by Hoby, to adjourn the meeting at 8:28pm. All were in favor and the motion carried.

Respectfully submitted,

Kisha Therrien