

# TOWN OF NEWPORT, NEW HAMPSHIRE

## Board of Selectmen Minutes of December 4, 2023

Municipal Building, 15 Sunapee Street, Newport, NH 03773

Meeting ID: 829 5291 9637

Passcode: 900805

<https://us02web.zoom.us/j/82952919637?pwd=V3FCaEJaZkp1ZG5EL3ZFBHNoY3FSdz09>

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**SELECTMEN PRESENT:** Barry Connell, Chairman; James Burroughs, Vice Chairman; Jeffrey Kessler, and Jeffrey North, Keith Sayer

**SELECTMAN ABSENT:** None

**STAFF PRESENT:** Paul Brown, Interim Town Manager & Finance Director; Jonathan Flynn, Cemetery, Buildings and Grounds Manager

**COMMUNITY MEMBERS PRESENT:** Bert Spaulding Sr., Wayne Boardman, Christy Whipple, Dick Wentzel, Kurt Minich

**NCTV:** NCTV

**CALL TO ORDER:** Barry Connell called the meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. (Full meeting can be found on [www.nctv-nh.org](http://www.nctv-nh.org))

**ADGENDA REVIEW:** Selectman Burroughs requests to change to Action Item: ***Newport Montessori School Waiver of Opera House Use Fees (\$300.00 Custodial Fee; Rental Fee Reduction to \$150.00 to Non-Profit Rate)*** to just after Consent Agenda. Selectman Burroughs also adds Non-Public Session under RSA 91-A:3, II (a) Employee. Interim Town Manager Brown adds Action Item: January 1, 2024, BOS Meeting.

**MINUTES FROM PREVIOUS MEETING(S):** Minutes from September 18, 2023, Non-Public minutes were accepted by the board ***on motion made by Selectman Kessler, seconded by Selectman Burroughs. The Board voted 5-0-0.*** Minutes from October 2, 2023, Non-Public minutes were accepted by the board ***on motion made by Selectman Kessler, seconded by Selectman Burroughs. The Board voted 5-0-0.*** Minutes from November 6, 2023, Regular Business minutes were accepted by the board. Selectman Kessler requests a minor change on page 2. ***On motion made by Selectman Burroughs to accept amended minutes, seconded by Selectman North. The Board voted 5-0-0.*** Minutes from November 6, 2023, Non-Public minutes were accepted by the board ***on motion made by Selectman Kessler, seconded by Selectman Burroughs. The Board voted 5-0-0.*** Minutes from November 8, 2023, Regular Business minutes were accepted by the board ***on motion made by Selectman Kessler, seconded by Selectman Burroughs. The Board voted 5-0-0.***

**CONSENT AGENDA:** ***Selectman Kessler made a motion to accept the Consent Agenda, seconded by Selectman Burroughs, the board voted unanimously. 5-0-0.***

**ACTION ITEMS:** ***Newport Montessori School Waiver of Opera House Use Fees (\$300.00 Custodial Fee; Rental Fee Reduction to \$150.00 to Non-Profit Rate:*** Christy Whipple, Principal of Montessori School, thanked the board for allowing her to speak. She addressed the school in previous years have had their Winter Concert at the Opera House as it can accommodate more people. Whipple states they have been unable to have the concert the past couple of years due to COVID and renovations at the Opera House.

She adds the school has completed the necessary paperwork to reserve the space. Additionally, Whipple states in the past the Board of Selectman have voted to waive the fees as it is a non-profit school and is asking if that was a possibility for the upcoming event. Cemetery, Buildings and Grounds Manager, Jonathan Flynn, counters this request by stating this event is closely approaching and feels as though this should have been done long before. Additionally, he states he does not believe custodial, or service fees should be waived. He believes this is counteractive to the Cemetery, Buildings and Grounds Department, as there is nothing to counteract their services. Christy Whipple states the paperwork was filled out with the correct signatures in March. Bert Spaulding Sr. speaks in favor of this request. He states Montessori School costs \$0 for the town, and he states it is a small gift for the great gift the community gets back. Interim Town Manager Brown adds this discussion was scheduled for the canceled meeting of November 20, 2023, so it was not anticipated to be this late of a notice. Clean-up for this event would occur during the workday for the Cemetery, Buildings and Grounds Department, however they are responsible for opening and closing doors after hours. Selectman Jeff Kessler would rather see the rental fee be waived than the custodial fee as there is a direct cost for taking employees away from their regular duties. Christy Whipple stated she would help assist the staff with set-up and clean-up. ***On a motion made by Selectman Burroughs to waive the Opera House Use Fees (\$300.00 Custodial Fee; Rental Fee Reduction to \$150.00 to Non-Profit Rate) for the Newport Montessori School, with the understanding the Newport Montessori School will work with Buildings and Grounds on the set-up and clean-up of the space, seconded by Selectman Sayer. The board voted unanimously, 5-0-0.***

**INFORMATIONAL: Community Center Update:** Interim Town Manager Brown states the ambulance garage, Cemetery, Buildings and Grounds garage, and the dugout on Meadow Road are gone. Brown says the process is moving forward and concrete is scheduled to be poured in the middle of next week. He is looking to set up a groundbreaking ceremony sometime in the near future.

**Tax Rate:** Interim Town Manager Brown relays to the board the tax rate is set, and bills have been printed. He says they will be in the mail on December 8, 2023, due January 8, 2024. The current rate is \$23.58 with an increase of \$2.68. The town was up \$0.46 to \$7.62, which was projected to be \$0.48 at the previous town meeting. The school is up \$1.78 On local rate. The state education rate is up \$0.39. The county rate is up \$0.05. Brown reminds people who want to deduct them on their taxes should have them paid by December 31, 2023. Selectman Kessler clarifies the net local valuation the town has gone up \$1.5 million in one year due to construction.

**Concerns about Buildings and Grounds in the Area:** Chairman Connell raised concern about people expressing concern about various locations not looking appealing throughout the town. Interim Town Manager Brown has a list of thirty-five (35) zoning complaints, the majority of which consist of junk yards, consisting of two or more unregistered vehicles, and yard maintenance. Brown says six of those locations have been cleaned. Four locations have been brought to court and have received judgement to clean the location up. Brown states they are going to court with more locations and the town is making progress. Selectman Sayer asks if the town clean-up is at the town's expense. Brown states it is at the town's expense but then put a lien on the property. Selectman Kessler adds due to the towns success in court with getting judgments in the towns favor, it would be in the customers best interest to work with the town prior to court. Selectman Burroughs states they are being proactive and are trying to work with the landowners.

**ACTION ITEMS: Conservation Commission Resignation: Kenneth Dennis: *On a motion made by Selectman Kessler to accept the resignation of Kenneth Dennis from the Conservation Commission with regret, seconded by Selectman Burroughs. The board voted unanimously, 5-0-0.***

**Conservation Commission Resignation: Linda Dennis: *On a motion made by Selectman Kessler to accept the resignation of Linda Dennis from the Conservation Commission with regret, seconded by Selectman Burroughs. The board voted unanimously, 5-0-0.*** Selectman Burroughs stated he would like

to send both Kenneth and Linda Dennis a letter thanking them for their service to the town on the Conservation Committee on behalf of the board. Chairman Connell adds they have been a great asset to the Commission. Additionally, Chairman Connell states the Conservation Commission is an active group within the town where they are concerned about the community land and ensuring conservation land is protected. They are consulted by the Planning Board when new proposals arise that may affect wetlands. Selectman Kessler states one of the appeals of Newport is its natural resources, and the Conservation Commission is the steward for that. Selectman Burroughs encourages the public to ask questions regarding the duties of each committee and apply for the open positions on the town's website.

**Newport Farmers Market Waiver of Common Use Fees (\$100.00 Daily Rental Fee):** Interim Town Manager Brown states the board has waived the fees for the past few years. He adds these are great events for the town as it brings many people in. ***On a motion made by Selectman Kessler to waive the \$100.00 daily rental fee for use of the common for use of the Newport Farmers Market for the 2024 season, seconded by Selectman North.*** Selectman Kessler states the vendors at the Farmers Market have always been very respectful in the past, and he would like to see some new vendors to help the events gain more traction. Selectman Burroughs asks Interim Town Manager Brown if Allison Browning, the Economic Development Coordinator, can do to help promote the Farmer's Market. The board encourages the town to go out and support the Farmers Market. ***The board voted unanimously, 5-0-0.***

**Grader Purchase:** Interim Town Manager Brown relay to the board at town meeting last year there was \$200,000 put aside with the intention of that being the first payment towards a new grader. Chris Pelletier, Public Works Director, reviewed the budget and was given a proposal by Caterpillar that there is a grader in Vermont that is available. The grader is a 2013 available for \$133,000, net with the towns current grader where they are giving \$27,000 for it. Brown states they still need to review maintenance records. He is looking to see if the board is in support of purchasing a used grader. Bert Spaulding emphasizes the importance of getting all the proper documentation, including service checks, from the piece of equipment from the beginning of its life expectancy until present. Selectman Kessler asks what the anticipated maintenance and repairs would be for a ten-year-old machine, and how long the town would anticipate keeping the grader if purchased. The grader is being traded in for another machine though Caterpillar from a government in Vermont. Caterpillar is willing to go through the grader for an additional fee. Selectman Burroughs asks what the other options are. Brown responds by saying the new grader is estimated at \$389,000. Chairman Connell feels the board needs to consider all the aspects and compare more with other options. He adds he would like to see Cat's mechanics go through the machine as well as someone from the town. Interim Town Manager Brown states the town has the potential to miss out on this opportunity. He adds the town has roughly twenty-five miles of dirt roads and the grader will be used extensively, estimating four hundred hours in one year. ***On a motion made by Selectman Burroughs to authorize buying a used grader providing it passes inspection checks and has all appropriate documentation with maintenance history, seconded by Selectman Sayer. The board voted unanimously, 5-0-0.***

**January 1, 2024, BOS Meeting:** Interim Town Manager asks the board if they still wanted to keep the meeting scheduled for January 1, 2024. Brown does not believe there is anything urgent. The board voted no meeting by consensus.

**OPEN FORUM: Bert Spaulding Sr.** continues the conversation regarding the used grader by saying Caterpillar is a credible company. He thinks the town should act fast as this could be a missed opportunity. Additionally, Spaulding addresses the Chandlers Mill Road bridge. He is concerned about the island underneath the bridge causing erosion as the water is being forced elsewhere. Spaulding is impressed by the contractor as they are going to take the island out and place rip-rap material on the bank as a preventative measure. Next, Bert Spaulding asks the board for an update on the town

manager's search. Interim Town Manager Brown responds, they had eleven candidates, the committee interviewed six. They then sent four finalists to the Board of Selectman, where one withdrew. The board has interviewed the three remaining candidates and has invited the finalist for an in-person interview. Chairman Connell adds the candidate will be in town December 9, 2023. **Dick Wentzel** addresses the board by saying has done his research regarding insurance coverage if one broke the law but has yet to find a conclusion. Chairman Connell adds there would have to be a statement of truth that somebody broke the law before insurance comes in. Wentzel relates this back to the previous Town Manager where he thought he was abusing his power. This derives from easements on his property and him believing he was illegally taxed at his animal shelter. Chairman Connell responds by saying the previous Town Manager was not removed for cause, therefore he was entitled to certain elements outlined in his contract. Selectman Burroughs adds the current board and pervious boards have looked at Wentzel's issues and had them addressed. **Wayne Boardman** reminds the board and the public the Toys for Tots event is happening Wednesday, Thursday, and Friday in front of WCNL on Main Street.

**COMMUNICATIONS:** Selectman **Jeff Kessler** states the Opera House Association had the Glen Miller band here, and there was a good turnout and well received by the town. He also highlights the new business in town, Breaking Bread, and encourages people to go. **Selectman Jim Burroughs** highlights Village Pizza's new ownership. He thanked Effie, and family, for supporting the community, on behalf of the board, and wishes the new owners success. **Selectman Jeff North** comments on how good the first annual Ella Casey Tree Lighting outside the new Chamber of Commerce building looks and encourages people to go look at it. Selectman Keith Sayer adds he is getting excited about the new community center as the construction process has started. Interim **Town Manager Paul Brown** adds 'Twas the Night Before Christmas is taking place Saturday, from 4:00 p.m. to 7:00 p.m. There will be various community organizations will be there. The Chili Walk, put on by the Newport Recreation Department, starts at 4:00 p.m.

**NON-PUBLIC SESSION:** RSA 91-A:3, II (b) Hiring of Town Employees and RSA 91-A:3, II (a) *On a motion made by Selectman Kessler, seconded by Selectman Burroughs to exit the non-public session, 5-0-0.*

**ADJOURNMENT:** On a motion by Selectman Burroughs, seconded by Selectman Kessler, *the Board voted by roll call to go into Non-Public session at 8:28 p.m.*

On a motion by Selectman Burroughs, seconded by Selectman Kessler, *the Board voted to exit Non-Public session at 9:00 p.m.*

No Action was taken during Non-Public Session.

On a motion made by Selectman Burroughs, seconded by Selectman Kessler, *the Board voted unanimously to adjourn at 9:01 p.m.*

Respectfully submitted,



Riely Skarin, Recording Secretary

The next regular meeting of the Board of Selectman is scheduled for **December 18, 2023, at 6:30 p.m.**

*Approved on: December 18, 2023*