

TOWN OF NEWPORT, NEW HAMPSHIRE

Board of Selectmen

Minutes for Meeting of August 27, 2018

6:30 pm Regular Meeting

Municipal Building

SELECTMEN PRESENT: Jeffrey Kessler, Chairman; Todd Fratzel, Vice Chairman; William Wilmot, Jr.; Barry Connell, John Hooper, II

STAFF PRESENT: Paul Brown, Finance Director; Hunter Rieseberg, Town Manager

COMMUNITY MEMBERS PRESENT: Reginald Dodge, Jr.; Ed Karr and Bert Spaulding, Sr.

NCTV: John Lunn

CALL TO ORDER: Chairman Kessler called the regular meeting of the BOS to order at 6:30 p.m. followed by the Pledge of Allegiance.

AGENDA REVIEW: was accepted as presented

MINUTES FROM PREVIOUS MEETING(S): Minutes of July 16, 2018: On a motion by Selectman Hooper, seconded by Selectman Fratzel; *the Board voted to approve the minutes of the July 16, 2018 Board of Selectmen meeting as presented. The motion passed 5-0-0.*

Non-Public Session (NPS) Minutes of July 16, 2018: On a motion by Selectman Hooper, seconded by Selectman Fratzel; *the Board voted to approve the NPS minutes of the July 16, 2018 Board of Selectmen meeting as presented. The motion passed 5-0-0.*

Selectman Connell inquired about voting to unseal the NPS minutes of July 16, 2018. It was explained that the minutes had been sealed until July 23, 2018. They were automatically unsealed after that date (at which time there was a Proclamation presented to Harrington Jewelers for their 70th anniversary).

Consent Agenda of August 27, 2018: On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to approve the Consent Agenda of the August 27, 2018 meeting as presented. The motion passed 5-0-0.*

OPEN FORUM: Ed Karr addressed the Board of Selectmen and stated that he was before them for a friend. He explained that the friend had filled out and presented a request form on August 8, 2018 to officially be put on the BOS agenda. He was told by personnel in the Town Office that the request did not need to go before the BOS.

Mr. Karr succinctly explained the request to have brackets to have weather resistant flags placed and displayed at the top of the lamps on the Main Street of town (all in following flag etiquette) from before Memorial Day until after Veterans Day. He stated the proposed location of the flags.

Mr. Karr stated that Mr. Gallagher and other patriots in town did not feel that banners were an acceptable substitution for the American flag. He asked that the Board members honor the agenda request and put it on the next BOS meeting agenda. Chairman Kessler stated that Mr. Gallagher was welcome to speak to the BOS at their next meeting on September 17, 2018. Chairman Kessler addressed the present and viewing public and stated that

the Board had decided a few years ago to reschedule the August and September meetings (due to the Labor Day conflict). He gave the summer schedule dates.

Continuing, Chairman Kessler stated that a discussion of displaying flags had been brought up at previous meetings.

Town Manager Rieseberg addressed Mr. Karr and stated he had tried to contact Mr. Gallagher by phone about his request. He stated that if it did not need to have a legislative decision (BOS) it could be resolved on an expedited schedule. Town Manager Rieseberg had not received a call back; he was willing to meet with Mr. Gallagher or a representative on the request.

After a general discussion on the request to display the American flag on the Main Street of Newport, Mr. Karr and Town Manager Rieseberg made tentative plans to meet the week of August 27, 2018-August 31, 2018.

Chairman Kessler addressed Mr. Karr and stated logistics the Town would be looking at:

- ❖ Where would they be placed
- ❖ How would they be placed
- ❖ In keeping with flag etiquette
- ❖ Maintenance costs to Town
- ❖ Use of Town personnel to put up and take down the flags

Explaining the financial aspects of the request, Chairman Kessler stated there might need to be a budget line item used to cover the costs.

Chairman Kessler stated that the process was to start with meeting with Town Manager Rieseberg. Town Manager Rieseberg would inform the BOS members of the meeting results.

Selectman Hooper stated that personally he did not think the BOS members were against the idea (flags). He gave his opinion of the current patriotic banners. Addressing Mr. Karr, he said to go in with their plan and get it done.

Mr. Spaulding, Sr. and the BOS held a short discussion about the procedure to take to approve the request without a vote needed by the BOS. He asked the BOS about the conditional approval they gave Town Manager Rieseberg to make the decision to put the American flag up on American soil.

Town Manager Rieseberg stated that the approval could be given as soon as Wednesday of the August 27, 2018-August 31, 2018 week.

In conclusion, Mr. Karr stated for clarification that:

- They would meet with Town Manager Rieseberg and get his (Town) approval.
- A meeting would be held by Mr. Karr and Town Manager Rieseberg on Wednesday, August 30, 2018.

Mr. Karr thanked the Board for their time.

Chairman Kessler addressed the Board and Town Manager Rieseberg and stated the conversation reminded him that the flag in the park by Jiffy Mart (Elm Street) was not illuminated at night. He asked Town Manager Rieseberg to look into it.

Mr. Reginald Dodge, Jr. addressed the Board and asked if his issue of the noise from the food truck was still being addressed.

Chairman Kessler told Mr. Dodge, Jr. that the issue had not been resolved and was still being addressed. Chairman Kessler stated he had brought it up at the July 2018 Zoning Board meeting and had read aloud from the minutes of the ZBA Food Truck Case. He explained what had been stated by the applicant and what the applicant was legally required to follow. The decibels of the generator were higher than was stated by the applicant. They were higher than what was approved by the Zoning Board. Mr. Dodge, Jr. asked when action would take place to quiet the noise from the food truck. Chairman Kessler explained the legal steps the Town needed to take.

Mr. Dodge, Jr. again asked when action would take place.

Town Manager Rieseberg addressed Mr. Dodge, Jr. and stated the steps he had taken to resolve the issue and that a course of action would be determined by the first part of the week.

Town Manager Rieseberg and Mr. Dodge, Jr. discussed the issue and procedure further.

Chairman Kessler assured Mr. Dodge, Jr. that the issue had not been dropped (by the Town).

Mr. Dodge, Jr. thanked the Board.

COMMUNICATIONS: Selectman Connell stated that the Richards Free Library Festival and the Apple Pie Crafts Fair held on the Common was one more thing that makes Newport special.

Selectman Fratzel informed the public that next Tuesday night, September 4, 2018 at 6:30 p.m. will be the kickoff meeting for the Community Center. In attendance will be BreadLoaf representatives and the Community Center group. The meeting is open to the public.

Selectman Hooper informed everyone that:

- School starts September 28, 2018.
- The Cheney Street sidewalk looks awesome.
- There is an article, “Ten reasons I love Newport” in the Kearsage magazine.
- From personal travels, Selectman Hooper stated there weren’t any towns like Newport. He explained.

Selectman Wilnot stated:

- ❖ He went to the Election Law training at the Newport High School on August 3, 2018. The room was packed with attendees; the training was very interesting.
- ❖ Congratulations to the staff and volunteers at Parlin Field for another successful ACE (Aviation Career Education) camp. It again brought an aviation experience to the youngsters in the community.
- ❖ Thanks to Town Manager Rieseberg for facilitating the visit by NH Governor Sununu to Newport on August 14, 2018.

Chairman Kessler:

- Listed items on the governor’s visit and the visit to Newport by U.S. Senator Shaheen and State Representative Irwin.
- The Board of Selectmen (BOS) met in a joint meeting with the Newport School Board (NSB) on August 9, 2018. The subject discussed was the renovation of their technical education center (CTE).
- Chairman Kessler stated the Apple Pie Crafts Fair and Richards Library Festival were both successes. There was beautiful weather for the events.
- Reiterating what Selectman Hooper said, Chairman Kessler reminded everyone that school started on Tuesday, the 28th. He asked that the public watch out for pedestrians and buses.

Town Manager Rieseberg added his congratulations to the organizers of the Apple Pie Crafts Fair Festival. He and his family had a great time and were very impressed. The Town should be very proud.

INFORMATIONAL: Solar Construction Update - Town Manager Rieseberg informed the BOS that permitting continues for Norwich Solar Technologies. Currently there is not a construction start date.

Year End Financials Report - Town Manager Rieseberg stated that the BOS members had been given a copy of the preliminary end-of-year report. Finance Director Brown was at the meeting to give an overview of the report to the Selectmen.

Addressing the Board, Finance Director Brown stated the financial report is preliminary depending on what the Board decided to do with the encumbered funds and also until the report is audited; it would not be final until then. He told the Board members there was an explanatory sheet that accompanied the report.

Finance Director Brown gave a summary of the report, listing deficits, appropriations and non-spendable funds.

Mr. Dodge, Jr. addressed Finance Director Brown and asked about the water income during summer months. People used more water during this time.

Mr. Dodge, Jr. was told there was a fixed cost for the running of the sewage treatment plant. The increased use has not changed the cost of running the plant.

Mr. Karr asked about the line item about the ambulance. The BOS had spent time downsizing the department. Finance Director Brown explained the deficits from the ambulance. Mr. Karr asked, for clarification, if there was danger of losing the service. Finance Director Brown said no.

Chairman Kessler added more information.

Finance Director Brown completed giving his report by listing requested uses of encumbered funds and answered questions on upcoming grants.

Town Manager Rieseberg answered questions by the Selectmen.

Selectman Fratzel stated his request was to return \$100,000 to the taxpayers and deposit money for the Community Center; the Community Center vote at Town meeting was close.

Selectman Hooper and Chairman Kessler stated a discussion on the use of the funds would be held at the next meeting.

Mr. Spaulding, Sr. addressed the Chair and stated that the total tax impact was unknown at this time. In order to decide what to do with the taxpayer's money the BOS should have all that information. Mr. Spaulding, Sr. then asked and was given explanations of line items on legal expenses. He stated the Board would be spending money collected from all the taxpayers, not one faction.

Chairman Kessler stated discussion of the encumbered funds would be on the agenda of the September 17, 2018 BOS meeting.

ACTION ITEMS: Adoption of Revision to the Slips, Trips, and Falls Prevention Policy and Procedures - Town Manager Rieseberg explained the reason for the proposed change to the Slips, Trips, and Falls Prevention Policy and Procedures. Chairman Kessler stated that the current policy mentions a Slips, Trips, and Fall Log. He requested that a sample log be attached to the revised Policy to detail what type of information the Town wants on the log. On a motion by Selectman Wilmot, seconded by Selectman Fratzel; ***the Board voted to amend the***

Slips, Trips, and Falls Prevention Policy and Procedure under III. PROCEDURES; Section 4. as indicated on the strikeout and red print. The motion passed 5-0-0.

A new policy would be printed up for the Selectmen to sign at a future date.

Newport Elite Tigers-Request for Waiver of Common Use Fees - Chairman Kessler acknowledged Ms. McAllister and Ms. Lord. They explained that the Newport Elite Tigers softball team was raising money to go to the National games to be held at Myrtle Beach, SC in June 2019. They then gave an overview of their request to waive the \$100.00 rental fee for the use of the Common for a fundraiser for Newport Elite Tigers expenses. They would clean up the Common after the fundraiser. Selectman Hooper made a motion ***to deny the request.*** Selectman Wilmot seconded the motion.

Selectman Hooper explained that his business, Pinnacle Sports, LLC would pay the rental fee. For discussion, Selectman Hooper stated that because it was not a Town or School function, the fee shouldn't be waived.

Town Manager Rieseberg asked Ms. McAllister and Ms. Lord what the total cost for the Newport Elite would be. He was told \$24,000. It would cover hotels and registration fees for team members and coaches. They currently have \$8,000.

Chairman Kessler called for a vote from the Board on the motion to deny the request. ***The motion passed 5-0-0.***

Accept the Terms of the Emergency Management Performance Grant and authorize Town Manager Rieseberg to Sign Any and All Related Documents - Town Manager Rieseberg listed the items that would be accomplished with the acceptance of the Emergency Management Performance Grant. He explained the financial obligations by the Town and the grant amount from NH DOS/HSEM. He requested that the BOS approve the Terms of the Emergency Management Performance Grant and authorize Town Manager Rieseberg to Sign Any and All Related Documents.

Selectman Wilmot made a motion that, ***the Town of Newport accept the terms of the Emergency Management Performance Grant as presented in the amount of \$38,015.00 for the purchase and installation of a generator and associated equipment at the Town's Emergency Operations Center and for the relocation of communications equipment from the Police Department's basement to the second floor radio room. Furthermore, this Board acknowledges that the total cost of this project will be \$76,030.00 in which the town will be responsible for a 50% match (\$38, 015.00). The Newport Board of Selectmen authorizes Town Manager Hunter F. Rieseberg to sign all documents related to the grant.*** It was seconded by Selectman Hooper. ***The motion passed 5-0-0.***

Town Manager Rieseberg then explained two similar grants that the Town has applied for.

Appoint Town Manager Rieseberg as Official Voting Delegate for 2019-2020 NHMA Legislative Policy Conference - Chairman Kessler called for a motion to appoint Town Manager Rieseberg as official voting delegate for 2019-2020 NHMA Legislative Policy Conference. On a motion by Selectman Fratzel, seconded by Selectman Hooper; ***the Board appointed Town Manager Hunter F. Rieseberg as official voting delegate for 2019-2020 NHMA Legislative Policy Conference. The motion passed 5-0-0.***

APPOINTMENTS: Cliff Richer-Conservation Commission, Alternate - On a motion by Selectman Fratzel, seconded by Selectman Connell; ***the Board voted to appoint Mr. Clifford Richer as an Alternate to the Conservation Commission with a term expiring on June 2021. The motion passed 5-0-0.***

Chairman Kessler stated, "Mr. Clifford Richer has served on Boards in Newport longer than I have been in town." Chairman Kessler thanked him for his years of service to the Town.

Jacqueline Cote-Airport Advisory Board (from alternate to Full Member) - On a motion by Selectman Wilmot, seconded by Selectman Hooper; ***the Board appointed Mrs. Jacqueline Cote to the position of Full Board Member (from Alternate) of the Airport Advisory Board (AAB) with a term expiring on June 2021. The motion passed 5-0-0.***

Town Manager Rieseberg stated that if there was no objection, term dates for appointments would be provided to the Board in the future.

Selectmen Pro Tem for Voting Day, September 11, 2018 - Chairman Kessler stated Mr. Larry Cote and Mr. Bert Spaulding, Sr. had volunteered for the position. Chairman Kessler asked Mr. Ed Karr if he would be interested in also volunteering. There was a short explanation of the duties of a Pro Tem. On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board appointed Mr. Larry Cote, Mr. Ed Karr and Mr. Bert Spaulding, Sr. as Selectmen Pro Tem for voting day, September 11, 2018. The motion passed 5-0-0.***

A spreadsheet will be sent to Mr. Karr with information concerning times needing Selectmen coverage.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted by roll call vote to enter into non-public session RSA 91-A:3 II (e) Litigation at 7:53 p.m. The motion passed 5-0-0.***

On a motion by Selectman Wilmot, seconded by Selectman Hooper; the Board adjourned NPS at 8:27 p.m.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot the Board adjourned the meeting at 8:28 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Approved on: September 17, 2018

The next regular meeting with public hearing of the Board of Selectmen is scheduled for Monday, September 17, 2018 at 6:30 p.m.