

**TOWN OF NEWPORT, NEW HAMPSHIRE**  
**Board of Selectmen**  
**Minutes for Meeting of March 4, 2019 6:30 pm**  
**Regular Business Meeting, Municipal Building**  
**15 Sunapee Street, Newport, NH 03773**

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

**SELECTMEN ABSENT:** none

**STAFF PRESENT:** Hunter Rieseberg, Town Manager; Paul Brown, Finance Director; Lee Dufort, Town Clerk

**COMMUNITY MEMBERS PRESENT:** Steve Smith, Board of Directors Newport Chamber of Commerce; Ella Casey, Executive Director of Newport Chamber of Commerce; Donna Mahair, President, Newport Chamber of Commerce; State Senator Ruth Ward, Fred Ward, David Spydell, Corale Spydell, Tobin Menard, Bert Spaulding, Sr.

**NCTV:** Louis Cassorla

**CALL TO ORDER:** Chairman Kessler called the regular meeting of the BOS to order at 6:31 p.m. followed by the Pledge of Allegiance.

**AGENDA REVIEW:** Move State Senator Ruth Ward to after Agenda Review (by Kessler).

State Senator Ruth Ward: State Senator Ward informed the BOS and public that she had received communications concerning the Newport School Budget. She looked into the Newport School District's budget and had an opportunity to speak to Governor Chris Sununu. After discussion with him, State Senator Ward asked if it was possible to get money for the Newport School District, specifically the program for autism and the fire alarm system. Governor Sununu informed her that he had it in his budget (\$280,000).

Concluding, State Senator Ward informed the BOS and public that it was in the Governor's budget, now it needed to get through the Finance Committee. She was talking to people on the Finance Committee to persuade them it was an important thing to pass. She was at the Board meeting to make the BOS and Newporters aware of what she had done (on their behalf).

Selectman Fratzel asked State Senator Ward what the timing on the voting will be. He was told it was unknown.

Chairman Kessler asked State Senator Ward what her thoughts were on the State's thoughts of how the public schools were funded. He was told that special education funding in the communities was being closely looked at.

Selectman Fratzel again asked when the State budget would be approved (before or after Newport's Town Meeting). State Senator Ward did not know. She would find out the date.

Chairman Kessler asked if there was anything else happening in Concord that might affect the Town. State Senator Ward listed:

1. School funding
2. School safety
3. Pet Vendors (transfers of kittens and dogs)
4. Marijuana legalization

After making sure the Board members had her card, she told Selectman Fratzel that she would find out the date of the vote on the budget for him.

Chairman Kessler thanked State Senator Ward for attending the BOS meeting.

Mr. Bert Spaulding, Sr. was acknowledged. He reminded the BOS that State Senator Ward had missed none of the 250+ votes in Concord last year. He thanked her for her work.

**MINUTES FROM PREVIOUS MEETING(S):** Minutes of February 4, 2019: On a motion by Selectman Connell, seconded by Selectman Fratzel; *the Board voted to approve the BOS minutes of the February 4, 2019 meeting as presented. The motion passed 5-0-0.*

NPS Minutes of February 4, 2019: On a motion by Selectman Connell, seconded by Selectman Fratzel; *the Board voted to approve the BOS NPS minutes of the February 4, 2019 meeting as presented. The motion passed 5-0-0.*

Minutes of February 14, 2019: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the BOS minutes of the February 14, 2019 meeting as presented. The motion passed 5-0-0.*

NPS Minutes of February 14, 2019: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the BOS NPS minutes of the February 14, 2019 meeting as presented. The motion passed 5-0-0.*

**CONSENT AGENDA:** On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board voted to approve the Consent Agenda of March 4, 2019 as presented. The motion passed 5-0-0.*

**OPEN FORUM:** Mr. Bert Spaulding, Sr. spoke concerning the finances of the school district.

**COMMUNICATIONS:** Selectman Connell had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Selectman Hooper had nothing to share at this time.

Selectman Wilmot warned the viewing public that skunks are out.

Chairman Kessler stated that school voting will be Tuesday, March 12, 2019 in the Opera House from 8 a.m. to 7 p.m. He encouraged everyone to go out and vote.

Town Manager Rieseberg had nothing to share at this time.

**INFORMATIONAL:** Disposition of Municipal Records Committee-Lee Dufort: Mrs. Liselle Dufort addressed the Board and stated that for several years the Town Clerk's office had been working on:

1. Cataloging records (seeing what the Town had and needed by law)
2. Inventory of records
3. Wrote and have been awarded grants to restore and digitize old records
4. Have asked other departments what records they have, and where they are kept

Town Clerk Dufort read aloud NH RSA:33-A:3. It stated a member of the BOS was to be a member of the required committee. Mrs. Dufort stated the Town should create this committee and explained the role/work of the committee.

Town Clerk Dufort told the BOS that she would like to see the vault in the basement of the Town Office improved for the storage of catalogued and restored documents. It needed a climate controlled area (she listed grants and the procedures that her office was pursuing). She listed other requests of items to be acquired in the future.

She concluded, saying she was asking the BOS for permission to organize the Municipal Records Committee. The BOS could designate a Board member to be on the committee.

Chairman Kessler asked if a representative was required from the BOS. He was told yes. Town Manager Rieseberg was on the committee as the tax collector. After a short discussion, a decision to appoint a designee from the BOS was tabled.

Other news from the Town Clerk office: Filing period is March 27, 2019-Friday, April 5, 2019. The Town Clerk will be open until 5 p.m. for:

- Two Selectmen (positions are up for reelection)
- One Trustee of Trust Funds

Dog licenses are due by April 30, 2019. Payment can be made online; licenses will be mailed to owners.

Spyders Sandwich Shack Use of Common-David Spydell: Mr. David Spydell addressed the Board and stated that he had had his food truck at the Newport Motel last year. Due to a complaint from a neighbor, he was investigating setting up in a different location in Town. He was asking permission of the BOS members to set up on the north end of the Common on Park Street; he asked for the use of electricity from the outlet there. The Town could charge him for it. He stated that the city of Lebanon had spaces around their Common for this purpose.

Chairman Kessler asked Mr. Spydell if he had looked into getting electricity at the Motel. Mr. Spydell stated it was not cost effective (\$2000) for them.

Chairman Kessler asked for the Board members opinions.

Selectman Hooper stated he was not in favor of it. It was not the image that he wanted to see for the Common and does not set a good precedent for what he wanted to see on Main Street. Also, that Newport area is congested with a lot of youth sports on the Common. Selectman Hooper offered other Newport sites he might try.

Selectman Wilmot asked if there was a complaint other than the noise from the generator. He was told no. Selectman Wilmot asked if Mr. Spydell plugged into an electrical unit he would eliminate the problem. He was told yes.

Selectman Connell stated he agreed with Selectman Hooper; they had to watch congestion. Having a food truck would be desirable, but not in that spot.

Selectman Hooper added that he works in Walpole and there is a vacant spot with a large parking area. There is a food truck there from April to October. They do a big business in Walpole; they have a lot of parking area. He suggested asking about going into the Newport Shaw's Plaza where the Pizza Hut used to be.

Selectman Fratzel stated he understood Selectman Hooper's point, but the Town has a farmer's market on Friday. The car congestion is worse than what the food truck would create. He asked for Police Chief Burroughs opinion. He also asked if by providing power, if the Town is subsidizing the business. He almost wanted to try it with a caveat.

Mr. Spydell stated that the BOS was having an open discussion; they could impose limitations (days/times) and he would abide by them.

Town Manager Rieseberg stated that if the BOS was interested in pursuing this activity on the Common; he would look into it and work out the details with Mr. Spydell. He listed some of the concerns raised by the Board members.

After a short discussion, the Town Manager was directed to research and work on it with Mr. Spydell.

Sidewalk Tractor Status: There was a discussion on the sidewalk tractor, the loaner Newport had and next year's projection. Town Manager Rieseberg stated that the Town still had a 3 year lease on the current sidewalk tractor. He explained future purchases of equipment and getting away from long term leases.

Agenda items were taken out of order to accommodate individuals.

**ACTION ITEMS:** Chamber of Commerce Waiver of Fees for Rental of the Common and the Opera House Fee Waivers for use of Town property - Newport Chamber of Commerce: President Donna Mahair addressed the BOS, gave a list and short synopsis of the events they put on. She explained they paid the maintenance fee when using the Opera House but did not pay for the use of the Common for (free) Concerts on the Common. She gave financial information to the BOS.

She said that the Chamber of Commerce was asking the BOS to waive the fees for the Common, they were asking to waive the fees for the use of the Opera House for T'was Just Before Christmas (second Saturday in December 2019) and a non-profit rate for the Chamber Dinner (first Thursday in February 2020).

Chairman Kessler called for a motion. Selectman Wilmot called for two motions; one for the Common and one for the Opera House events (2).

A motion was made by Selectman Connell *to waive all applicable rental fees for the use of the Town Common for Concerts on the Common for the 2019 year.* Selectman Wilmot seconded the motion. ***The motion passed 5-0-0.***

A motion was made by Selectman Wilmot *to charge the Chamber of Commerce the non-profit rate for those two events (T'was Just Before Christmas and Chamber Dinner) in the Opera House.* Selectman Hooper seconded the motion.

Chairman Kessler asked what the non-profit rate was. He was told it was \$150.00 per event. Chairman Kessler called for a vote. ***The motion passed 5-0-0.***

President Mahair thanked the Board for their time.

Request to Waive Ordinance Regarding Alcohol on Town Property- Steven Smith, Newport Chamber of Commerce Brewfest June 15, 2019: Mr. Steve Smith addressed the BOS and stated he was asking for a waiver of the Town Ordinance regarding alcohol on Town property (the Common) for the Chamber's 6<sup>th</sup> Annual Brewfest, June 15, 2019. He was requesting the waiver from 11 a.m. to 4 p.m.

There was a short discussion on the Brewfest, number of participants (he was asking for a cap of 500 participants) and Nano brewers involved. Brewfest would be from 11 a.m. to 3 p.m. Clean-up would be from 3 p.m. to 4 p.m.

On a motion by Selectman Wilmot, seconded by Selectman Fratzel; ***the Board voted to allow the Newport Chamber of Commerce to hold its annual Brewfest on the Town Common on Saturday, June 15, 2019 from 11***

*a.m. -4 p.m. and to waive the Town Ordinance regarding alcohol on Town Property for that period of time. The Newport Chamber of Commerce will provide the Town a certificate of insurance.*

Mr. Smith stated the Chamber has a certificate of insurance anyways. Chairman Kessler called for a vote. *The motion passed 5-0-0.*

Selectman Hooper suggested Mr. Smith contact Cody Morrison to assist with advertising.

**INFORMATIONAL: Budget Discussion:** Finance Director Brown stated that the:

- ❖ Budget Hearing will be Monday, March 18, 2019.
- ❖ The BOS will finalize the budget after that.
- ❖ The budget needs to be posted March 25, 2019.
- ❖ BAC is going to go over it on Monday March 11, 2019.
- ❖ If there is no decision at the March 4<sup>th</sup> meeting, the Town Manager's budget will go to the BAC.

Chairman Kessler asked if there were questions of the BOS based on the Town Manager's budget.

There was a general discussion on line items in the proposed Town Manager's budget.

Chairman Kessler asked for clarification that the Budget Hearing was on March 25, 2019. He asked if the BOS could make changes after the hearing. Finance Director Brown stated they should make changes after the public hearing. He explained the process to Chairman Kessler.

Chairman Kessler asked when the last time they could change the budget. Finance Director Brown stated the proposed budget needed to be posted by March 25, 2019. It needed to be printed and entered into the State system by then. If the BOS did not accept it on March 18, 2019; they should meet that week and make final changes.

Selectman Fratzel asked the date of the Deliberative Session. He was told April 2, 2019.

Chairman Kessler asked about deadlines for Warrant Articles. He was told Warrant Articles are included in the budget. There was a short discussion on RSAs and any need for a hearing.

Selectman Fratzel stated the BOS really needed to nail down the draft language for the Community Center Warrant Article. Legal counsel needed to look at it.

There was a discussion on the wording, dollar amounts and Bond interest and length for the Warrant Article for the proposed Community Center.

1. Does the Board support the position
2. Legally can the BOS write it in the proposed fashion? After discussion with Finance Director Brown, writing two articles for the proposed Community Center was considered.

Selectman Fratzel asked the opinion of the Board members. Chairman Kessler polled the Board members.

Selectman Wilmot stated he liked Selectman Fratzel's theory.

Selectman Hooper said he would like to see the Town raise half (1/2) the money. Selectman Fratzel disagreed with him.

Selectman Connell said he liked Selectman Fratzel's idea.

Selectman Hooper said he wondered if it was a Warrant Article that should be brought up this year. It was a good gauge of the community's acceptance of it. But he was fine with the BOS decision.

Selectman Connell said that at first he didn't know if the proposal would "fly".

Mr. Bert Spaulding asked how much money has been raised by the Town for the proposed Community Center. Town Manager Rieseberg stated about 1.5 million dollars. Mr. Spaulding, Sr. asked if the Town had ½ million dollars to go. He was told no. Mr. Spaulding, Sr. rephrased his question: how much had the Town raised on their side? He was told almost \$500,000. He was told that there were more requests out to solicit funds.

Finance Director Brown stated there would be a 2.6-2.7 million dollar Bond Article for the Waste Water Treatment Plant. He would have a better number on March 18, 2019. There was a discussion on what the money would cover.

An additional Bond would be for Knoll Street (if the BOS wanted to include it). There was a short discussion on the inclusion of the Bond.

There is a Petition Article for VT/NH VNA; West Central has not submitted one yet. Deadline for Petition Articles is March 12, 2019.

**ACTION ITEMS:** SWP Grant: Selectman Hooper made a motion *to approve and accept the 2019 Local Source Water Protection Program Grant SWP-308; and to authorize Town Manager Hunter Rieseberg to execute the grant on the Town water district's behalf.* It was seconded by Selectman Fratzel. *The motion passed 5-0-0.*

**APPOINTMENTS:** none

**NON-PUBLIC SESSION (NPS):**

On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board voted by roll call vote to enter into NPS pursuant to RSA 91-A:3 II (a) Personnel at 8:18 p.m. The motion passed 5-0-0.*

On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board voted unanimously to exit the non-public session at 8:47 p.m.*

No action was taken.

On a motion by Selectman Wilmot, seconded by Selectman Connell; *the Board adjourned at 8:47 p.m.*

Respectfully submitted,



Maura Stetson, Scribe

**The next regular meeting of the Board of Selectmen is scheduled for March 18, 2019 at 6:30 p.m.**

Approved on: March 18, 2019