

TOWN OF NEWPORT, NEW HAMPSHIRE
Board of Selectmen - Minutes for Meeting of February 1, 2021
Regular Business Meeting
Municipal Building, 15 Sunapee Street, Newport, NH 03773
Remote Access: Zoom.com - Meeting ID: 825 0080 2372 Passcode: 753448
+1 (253) 215-8782 US (audio only, long-distance fees may apply)

SELECTMEN PRESENT: *BOS Room:* Jeffrey Kessler, Chairman Todd Fratzel, Vice Chairman; Herbert Tellor, Jr. *Via Zoom:* Barry Connell, John Hooper, II

SELECTMEN ABSENT: none

STAFF PRESENT: *BOS Room:* Hunter Rieseberg, Town Manager; Todd Cartier, Director of Public Works; Brent Wilmot, Chief of Police; Paul J. Brown, Finance Director

COMMUNITY MEMBERS PRESENT: *BOS Room:* Bert Spaulding, Sr.; Malory Tetreault, Mindy Newcomb

GUEST PRESENT: *Via Zoom:* Alex Belensz, Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC)

NCTV: John Lunn

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

AGENDA REVIEW: accepted as presented.

Because there was a Selectman attending via zoom, all votes were by roll call.

PUBLIC HEARING: The Board of Selectmen of the Town of Newport, New Hampshire will hold a public hearing on Monday, February 1, 2021 at 6:30 p.m. at the Newport Town Offices at 15 Sunapee Street, Newport, New Hampshire to hear public comment on a proposed enactment of an ordinance for *Weight Limits for Motor Vehicles Upon Town Highways*.

Chairman Kessler read the full Public Hearing Notice into the record, noted where the notice had been posted and asked Town Manager Rieseberg if the Town had received any comments or questions. He was told no. Chairman Kessler then acknowledged Police Chief Wilmot to review the proposed ordinance. (For full public hearing, view at: www.nctv-nh.org Board of Selectmen meeting of February 1, 2021).

Police Chief Wilmot stated the enactment of the proposed ordinance would serve to alleviate the problems with overweight trucks traveling on Bradford Road. It is a posted 10,000 weight limit on the Newport end (beginning at the traffic lights on South Main Street) and the Sunapee end. The proposed ordinance would also include Maple Street. The Bradford Road posting is a collaborative undertaking between Sunapee and Newport to address the issue of overweight trucks that travel on the connecting road (Bradford Road). Police Chief Wilmot's predecessor, James Burroughs, had contacted GPS companies to request rerouting trucks away from Bradford Road. His attempts at correcting the situation were not successful. Police Chief Wilmot reiterated that the proposed ordinance addressed the complaints on Bradford Road. Maple Street will be posted for the same reason. He hoped to begin an informational and educational public campaign to inform people that the two roads are posted with weight limits.

Police Chief Wilmot informed the Selectboard that he and Public Works Director Cartier “cleaned up the language” of the present ordinance in relation to seasonal posted roads. All seasonal postings are six tons during mud season. To emphasize the need for the revised ordinance, Police Chief Wilmot stated over the last six months he has had numerous complaints concerning over-weight trucks traveling on Maple Street and Bradford Road. The Town of Sunapee has had complaints concerning overweight trucks on the Bradford Road at their end.

Chairman Kessler asked what the roads were currently posted. He was told 11,000 pounds (5 tons). The ordinance increases it to 12,000 pounds (6 tons). Chairman Kessler asked what could be done differently than what has been done in the past. He was told:

- Maple Street was not posted-it will be posted.
- There needed to be a good plan for signage. Currently there is a small sign (at the busy intersection). He was told it was impossible for a CDL driver to change direction if they missed the turn north onto Main Street.
- It will require communication with the drivers.
- A coordinated effort by the Newport Police Department in conjunction with the Sunapee Police Department.

Chairman Kessler asked if the electronic sign that had been used in the summer 2020 had helped with the truck traffic. He was told yes.

Selectman Fratzel stated he had heard complaints for years. If the state allowed a sign on the “mast” at the traffic intersection, it would be perfect to hold an informational sign. Selectman Fratzel suggested trying to work with the state. He explained. Selectman Fratzel also asked about the seasonal postings and asked if the proposed ordinance was different from the current one. He was told it included every road on Newport’s current ordinance. Public Works Director Cartier said that postings were typically six tons during mud season.

In discussion, Public Works Director Cartier stated that (bulk) fuel trucks going on Bradford Road were not consistent with what the road was built for. When the ordinance is implemented, truckers will learn that the road is posted; they will be fined and they will pass the information on to others. Exemptions to the rules of the ordinance were listed under Section 7-Exemption; pages one and two.

Selectman Tellor asked if the postings would bring Newport in line with the state postings and make roads more consistent. He was told the proposed ordinance would make the postings more consistent.

Selectman Connell had no questions. He agreed with the proposed ordinance if Police Chief Wilmot did.

Chairman Kessler asked if residents of Bradford Road with recreational vehicles (RVs) that were over the posted weight limit would be in violation of the ordinance if they drove on Bradford Road. He was told that limiting its use to homeowners on Bradford Road was not the Spirit of the Ordinance. Chairman Kessler asked that Elm Street be included on the list of posted and enforced roads.

Mrs. Malory Tetreault stated she was a land owner on Bradford Road. Would the ordinance prohibit her from having a family business with one or two trucks (that were over the 12,000 posted limit)? Because of the verbiage of the proposed ordinance, she wanted clarification. Police Chief Wilmot stated he believed that scenario was covered under exemption 7. to keep in the spirit of the ordinance. The goal was to stop through traffic of overweight trucks.

Mr. Spaulding, Sr. addressed the Board, police chief and department head and listed changes he believed were needed in the proposed document. There was a short discussion on each proposed change.

Mrs. Mindy Newcomb asked, for clarification, if the ordinance was for through traffic only. If a business vehicle had a destination on the road, would traveling over it be exempt from the ordinance. She was told yes, they would be exempt because they were going on the road for a specific purpose (a delivery).

There was further discussion by the Selectmen, Mrs. Newcomb, Mrs. Tetreault, Mr. Spaulding, Sr. and Public Works Director Cartier on the use of Bradford Road by residents and businesses when it was posted in the spring. None of the scenarios were addressed in the proposed ordinance and would have to be added.

After additional discussion on the questions posed by community members present, the Board members stated revisions were needed before they could adopt it. They requested Police Chief Wilmot and Public Works Director Cartier rewrite parts of the proposed ordinance document to state corrected and clarified information and show the spirit of the ordinance.

At 7:20 pm; on a motion by Selectman Fratzel, seconded by Selectman Tellor; ***the Board voted by roll call vote to continue the Public Hearing on the proposed ordinance for Weight Limits for Motor Vehicles Upon Town Highways to the February 15, 2021 BOS meeting. The motion passed 4-0-0 (Hooper was not in attendance for the vote).***

MINUTES FROM PREVIOUS MEETING(S): January 18, 2021 - On a motion by Selectman Fratzel, seconded by Selectman Tellor; ***the Board voted by roll call to approve the minutes of the January 18, 2021 BOS meeting as presented. The motion passed 4-0-0 (Hooper was not in attendance at this time).***

CONSENT AGENDA: On a motion by Selectman Fratzel, seconded by Selectman Tellor; ***the Board voted by roll call to approve the Consent Agenda of the February 1, 2021 BOS meeting as presented. The motion passed 4-0-0 (Hooper was not in attendance at this time).***

OPEN FORUM: Mr. Spaulding, Sr. addressed the BOS and expressed his displeasure of the school board's decision to keep the date of the Deliberative Session and voting on the school budget and warrant articles. A postponement date was made available by Executive Order #83 (signed January 22, 2021). Mr. Spaulding, Sr. stated Town election officials have expressed their concerns of not using Executive Order # 83. He said that they were following the House Bill 1129 process; it was legal but the House Bill was not favorable to the voters in Newport. Mr. Spaulding, Sr. said that the school board has been short sighted with their decision to follow House Bill 1129 in its strictest form. In the school's next fiscal year they will be asking taxpayers for additional money for the renovation of the Career and Technical Education (CTE) building. Mr. Spaulding, Sr. gave additional negative comments about the school system and school board. Mr. Spaulding, Sr. informed the Selectboard and viewing audience that he has signed up for a position on the school board and is running uncontested. He thanked the Board for allowing him to speak.

Mr. John Lunn and Mr. Spaulding, Sr. concurred that there was an article on the ballot in which a voter could negate the process. If you say you do not agree, the voter negates all the questions (operation budget and warrant articles) there was no way to vote for a default budget.

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

Selectman Tellor wished the town crew well if it snowed tonight (Monday, February 1, 2021).

Selectman Fratzel had nothing to share at this time.

Chairman Kessler thanked the Superintendent for the snow day on Tuesday. It created a "normal" day out of so many ones that have not been normal for the students.

Town Manager Rieseberg had nothing to share at this time.

INFORMATIONAL: UVLSRPC; Alex Belenz – Ten-Year Road Surface Maintenance Strategy - Mr. Alex Belenz presented a PowerPoint presentation concerning the UVLSRPC's work in Newport developing a ten-year road surface maintenance strategy. (For full PowerPoint presentation, view at: www.nctv-nh.org Board of Selectmen meeting of February 1, 2021).

The PowerPoint presentation included a Field Assessment, Pavement Condition Analysis (PCI), and Development of a long-term Road Maintenance Strategy and the cost in the budget by year for a Paved Road Maintenance Strategy in Newport. He asked for any questions.

Chairman Kessler asked for comments or questions from the Board and Public Works Director Cartier.

Public Works Director Cartier stated he had no questions of Mr. Belenz. He had worked with Mr. Belenz on the strategy. Public Works Director Cartier and Town Manager Rieseberg thought the document reflects what the Town believes is needed.

Selectman Fratzel was impressed that the data in the report fits the annual road repair work done in Newport. He reviewed data about the major work that needs to be done which could be paid off in three years. He wished the Town had the same amount of money for the water and sewer needs in Newport.

Selectman Tellor said he had no questions. The report gave the Town a direction to go in.

Selectman Connell said he was very impressed with the presentation, it was an excellent job. He agreed with Selectman Fratzel that the report reflected what Newport believes is needed to be done.

Mr. Belenz said he is available to answer any questions, don't hesitate to reach out to him or his office. Chairman Kessler thanked Mr. Belenz for the excellent job and for joining the Selectmen at the meeting.

SRW Environmental Consulting, LLC-Phase I Environmental Site Assessment Report; 19 Depot Street, Newport, NH - Town Manager Rieseberg stated the assessment report was concerning the Action Item on the BOS agenda. It explained the Phase I Environmental Site Assessment Report done by SRW Environmental Consulting, LLC for the donation from Bar Harbor Bank. It has been found the property is clear of any contamination and ready for the Selectboard's consideration. Chairman Kessler asked what the (extensive) report cost the Town. Town Manager Rieseberg stated \$2,100. Chairman Kessler said it was a good investment. There were no comments from the Board members.

At 7:56 pm. Selectman Hooper addressed the Board and stated he had been admitted to the zoom BOS meeting at 7:01 pm.

Budget and Budget Calendar Review - Chairman Kessler stated that the BOS would start the budget review on Thursday, February 4, 2021 at 6:30 p.m. He asked if Finance Director Brown and Town Manager Rieseberg could give a short overview for the BOS.

- ❖ Town Manager Rieseberg stated he has an overview (letter) for the BOS. It was not complete for the BOS meeting; he would have it completed for Tuesday, February 2, 2021. He was happy with the budget. With no new resources, the Town has repurposed and prioritized the Town funds. It addresses Town capital equipment needs, employee needs and continues to provide money for maintenance on Town properties. The Town is beginning to be able to be proactive instead of only reactive. The budget will have little or no impact on the tax rate (within 2% of the projected rate). Town Manager Rieseberg and Chairman Kessler had a short discussion on what the budget would include.
- Finance Director Brown stated there is currently no schedule for the budget hearings. He would make a schedule by Tuesday, February 2, 2021. The Selectboard asked Finance Director Brown

to inform them as soon as possible what departments would be discussed on Thursday, February 4, 2021. Finance Director Brown had nothing to add.

Review and Approval of Changes to Rules and Regulations of the Newport Cemetery Department- After a short discussion on the Action Item, the Board agreed to table the new Rules and Regulations of the Newport Cemetery Department as well as discussion on an increase of internment rates until the first BOS meeting in March (Monday, March 1, 2021).

Chairman Kessler stated a request had been sent by the Newport Farmers Market to waive rental fees and security deposits. It was tabled as an Action Item to the next meeting (Monday, February 15, 2021).

ACTION ITEMS: Acceptance, by the Town, from Lake Sunapee Group, Inc., C/O Bar Harbor Bank and Trust of Property at 19 Depot Street known as Map 114 Lot 167 - Selectman Teller made a motion *to accept, by the Town, from Lake Sunapee Group, Inc., C/O Bar Harbor Bank and Trust the Property at 19 Depot Street known as*. It was seconded by Selectman Fratzel who requested rewording for clarification of the motion. It then read: Selectman Teller made a motion *to accept, by the Town, from Lake Sunapee Group, Inc., C/O Bar Harbor Bank and Trust the Property at 19 Depot Street; Map 114 Lot 167*. It was seconded by Selectman Fratzel. *The motion passed by roll call vote 5-0-0.*

There being no further business during the BOS public meeting, on a motion by Selectman Fratzel, seconded by Selectman Teller; *the Board voted unanimously by roll call vote to adjourn at 8:18 p.m.*

Respectfully submitted,



Maura Stetson
Scribe

The next regular meeting of the Board of Selectmen is scheduled for February 15, 2021 at 6:30 p.m.

Approved on: February 18, 2021