

AMENDED AND APPROVED
Town of Newport, New Hampshire
Board of Selectmen
Minutes for Meeting of February 6, 2017
6:30 pm, Municipal Building

SELECTMEN PRESENT: Jeffrey Kessler, Chairman; Todd Fratzel, Vice Chairman; David Hoyt, William Wilmot, John Hooper II

STAFF PRESENT: Hunter Rieseberg, Town Manager; Larry Wiggins, Director, Public Works Department; Julie Magnuson, Planning and Zoning Administrator

COMMUNITY MEMBERS PRESENT: Bert Spaulding, Sr.; Tammy Freckleton

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

PUBLIC HEARINGS:

1. Recommendation to accept and expend donations towards the purchase of Police Department body and vehicle cameras.

Chairman Kessler read aloud an interoffice memo concerning private donations for the Newport Police Department Cruiser/Vest Cameras.

He stated that the total cost of the body and vehicle cameras was \$41,215.16. \$22,500 had been raised from individuals and firms (Chairman Kessler noted the donators). The balance of this purchase, \$18,715.16 would be funded using existing departmental funds.

Chairman Kessler opened the hearing to the public. Mr. Bert Spaulding, Sr. addressed the Board and asked questions concerning policies and procedures. Town Manager Rieseberg answered questions from Mr. Spaulding, Sr. There were further dialogues between Board members, the Town Manager and Mr. Spaulding, Sr. on the use and potential abuse of their use. Mr. Spaulding, Sr. made a Right to Know request for the Policies and Procedures that would be used with the cams. Chairman Kessler explained to Mr. Spaulding that the Policies and Procedures would then go before a public hearing and also before the Board of Selectmen for their approval. He requested that any further questions be asked of Police Chief Burroughs. After additional discussion, Mr. Spaulding, Sr. withdrew his Right to Know request. He concluded by stating that the cams were a great idea if used properly. Selectman Hoyt and Mr. Spaulding, Sr. held an additional conversation on the current law. Chairman Kessler closed the public hearing. He then asked for a motion. Selectman Hoyt made a motion *to accept the donations totaling the amount of \$22,500 from the following companies or individuals: Carrol Concrete, Roy Malool Foundation, LaValley Building Supplies and Harold and Geraldine LaValley*. It was seconded by Selectman Wilmot. *The motion passed 5-0-0.*

Chairman Kessler thanked the individuals and corporations that have chosen to support the Town and Newport's police department. Chairman Kessler asked that letters of thanks be sent to each donator. Town Manager Rieseberg stated there were letters drafted for each one.

The following Action Item was taken out of order to accommodate the representative.

Opera House Rental Fee Waiver-Sullivan County Cares for Troops

Ms. Tammy Freckleton addressed the Board members and explained the new nonprofit organization Sullivan County Cares for Troops. She was requesting a waiver of the rental fee for the Newport Opera House.

There was a general discussion among Board members on the current rental fees. After discussion by the Board members and Ms. Freckleton, on a motion by Selectman Hoyt, seconded by Selectman Fratzel; ***the Board voted to not waive the rental fees at the Opera House for the Sullivan County Cares for Troops organization. The motion passed 4-1-0 (Kessler no).***

The Chair thanked Ms. Freckleton for attending and wished her luck.

LEGAL UPDATE: Attorney H. Bernard Waugh, Jr.; Gardner, Fulton and Waugh
Attorney Waugh addressed the Board, staff members and public in attendance and reviewed a twenty-six page handout which contained 2016 municipal law updates concerning Boards, Commissions and Selectmen. To view the entire legal update review, go to the February 6, 2017 BOS meeting on vimeo at: <http://vimeo.com/channels/newportnhselectmen>

Some topics reviewed were:

1. Accessory Dwelling Units Must Be Permitted
2. Filing Time for Planning Board Application
3. Lot Mergers (for Planning Board applicants)
4. Subbing-Out Selectman's Election Duties
5. Non-Public Sessions
6. Optional Tax Credit for all Veterans
7. Law Enforcement, Body Worn Cameras
8. Successive Board Applications (for Planning Boards and Zoning Boards)
9. Right to Know, Act II

AGENDA REVIEW: Action items had been completed in the public hearing and before the Legal Update.

MINUTES FROM PREVIOUS MEETING(S): January 9, 2017; January 23, 2017; January 23, 2017
Non Public #1

January 9, 2017

Selectman Hooper II made the following correction: Under SELECTMEN PRESENT delete John Hooper II (he was absent).

Selectman Wilmot made a motion ***to approve the amended minutes of the January 9, 2017 meeting.*** It was seconded by Selectman Hoyt. ***The motion passed 3-0-2*** (Hooper and Kessler abstained).

January 23, 2017

On a motion by Selectman Wilmot, seconded by Selectman Fratzel; ***the Board voted to approve the minutes of the January 23, 2017 BOS meeting. The motion passed 5-0-0.***

January 23, 2017 Non-Public #1

Chairman Kessler stated Non-Public #1 was approved with the public minutes of January 23, 2017.

It was brought to the Chairman's attention that the January 9, 2017 BOS meeting minutes did not have the necessary NPS information included in them.

It was also brought to the Chairman's attention that at the January 9, 2017 BOS meeting the following correction was inaccurately directed to be made to minutes: Selectman Hooper II should be Selectman Hooper III. Selectman Hooper's title should remain Hooper II. It will be changed in the minutes.

Chairman Kessler stated that the necessary NPS information was contained in the January 9, 2017 minutes. Selectman Wilmot rescinded his motion and Selectman Hoyt rescinded his second. After a short discussion, the Chair stated the minutes of the January 9, 2017 BOS meeting would be addressed at the February 27, 2017 meeting.

CONSENT AGENDA: On a motion by Selectman Hoyt, seconded by Selectman Fratzel; *the Board voted to approve the Consent Agenda of February 6, 2017. The motion passed 5-0-0.*

OPEN FORUM:

Mr. Spaulding, Sr. addressed the Board and asked where his voluntary/involuntary merger was. Town Manager Rieseberg stated that Mr. Spaulding's request had been sent to the tax department for review. Town Manager Rieseberg said he believed it was being reviewed by Town counsel and were awaiting a response from them.

COMMUNICATIONS:

Selectman Hoyt stated that the 101st Winter Carnival will start February 8, 2017. The queen pageant will be held on Friday, February 10, 2017 at the Opera House. Tickets were sold out (with a waiting list). There would also be an 80's Prom at the Opera House on Saturday, February 11, 2017. Tickets were still available.

Selectman Fratzel had nothing to share at this time.

Selectman Wilnot stated that Thursday, February 2, 2017 the Newport Chamber of Commerce had their annual meeting. He wanted to congratulate award recipients for this year:

Student achievement awards went to Tyler Hall and Bethany Boone. The Distinguished Citizen Award went to Larry and Jackie Cote and The Distinguished Business Award went to New London Hospital.

Selectman Hooper stated that the Library Arts Center would be hosting a showing of handbags and art from native, Kent Stetson. The opening would be held on February 9, 2017. He asked for appropriate signage concerning the local ordinance for Meadow Park and not obeying the Town ordinance to clean up after their animals. There was a discussion between Board members on correcting the problem.

Chairman Kessler addressed the Board and public and reminded them that the School District would be holding their Deliberative Session in the high school gym on Tuesday, February 7, 2017 at 6 pm.

Town Manager Rieseberg had nothing to add at this time.

INFORMATIONAL:

Gilman Pond

The water level has not changed.

Third Source Water Project

Town Manager Rieseberg reminded the BOS and public that the Town was looking for a new water source to augment the existing sources. The Public Works Director and he continue to work to that goal and have been having active conversations with land owners.

Town Manager Rieseberg was asked if the Newport Water Ban had helped with the water usage. He stated no, that they had not noticed significant drop in water use.

Oak Street Bridge

Town Manager Rieseberg stated that he and the Public Works Director Wiggins had met with engineers in the State. Newport is on schedule for the project to begin bids in September 2017. A funding opportunity not previously available to Newport had been found. The PWD is therefore trying for funding that is one year earlier than was originally scheduled for the project. Town Manager Rieseberg gave a general overview of their progression.

Gun Range

Town Manager Rieseberg stated Newport now had State approval for the gun range. All necessary design changes had been corrected by Newport engineers. He hoped to have construction begin in Spring 2017.

Tax Deeded Properties

Town Manager Rieseberg stated Newport had twenty four tax deeded properties. He explained the staff had done an excellent job researching them. He stated that a list of the properties and staff recommendations would be given to the Board members in spring 2017. There was a general discussion on the tax deeded properties between Mr. Spaulding, Sr. and Town Manager Rieseberg. Board members asked questions on the properties. Town Manager Rieseberg answered all questions.

CIP Committee Formation Update

There was a general discussion among the Board members and Town Manager Rieseberg concerning vacancies on the CIP Committee. A plea went out to the public for citizen at-large positions. The CIP was explained to the public. Selectman Hoyt stated they needed at large members in order to call a complete committee. Further discussion on the CIP was held.

Mr. Spaulding, Sr. took several minutes to discuss the upcoming Planning Board public hearing on Accessory Dwelling Units.

County Parking Lot Project-Lighting Selection

Town Manager Rieseberg stated that the Town of Newport was working with the County to revamp the lot. He passed out three handouts depicting the proposals for the lighting layout in the county parking lot. There was a general discussion on the best layout and design for the lamp posts.

Town Manager Rieseberg was asked to look into potential designs of lampposts at the meeting. The Town Manager asked the Board if:

1. They wanted to continue with the same lamp posts as on Main Street. The Board stated yes.

Chairman Kessler asked if it was necessary for the design to go before the Heritage Commission given its location in Town. Town Manager Rieseberg would ask the appropriate individual.

Municipal Sidewalk Agreement had not been put on the agenda.

The Board of Selectmen was given a copy of a standard MUNICIPAL SIDEWALK AGREEMENT between the Town of Newport and the New Hampshire Department of Transportation (NHDOT) and Sullivan County. There was a short discussion on the agreement. Town Manager Rieseberg stated that the sidewalk agreement was a standard one issued by the NHDOT. He explained what the agreement entailed. The Board members and Town Manager held a general discussion on the sidewalk agreement and parking lot. The BOS concurred to approve the proposed agreement at the February 6, 2017 BOS meeting.

Selectman Wilnot made a motion, *to instruct a majority of the Board of Selectmen to sign any documents required to form an agreement with the State and the County for the Sidewalk Maintenance Agreement.* It was seconded by Selectman Fratzel. There was no discussion. Chairman Kessler called for a vote. ***The motion passed 5-0-0.***

ACTION ITEMS:

Farmer's Market-2017 Season

Chairman Kessler stated the Farmer's Market wanted the same agreement as 2016. After a short discussion, it was decided that Mr. Ken Dennis would be consulted concerning the Farmer's Market use of the Common. The Action Item was tabled to the February 27, 2017 BOS meeting.

APPOINTMENTS: none

91-A:3 II(a) Negotiations would be discussed in a non-meeting.

On a motion by Selectman Hoyt, Seconded by Selectman Fratzel; *the Board voted unanimously by roll call vote to go into and NPS 91-A:3 II (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community at 8:42 p.m. The motion passed 5-0-0.*

Present at the non-public session were Selectmen Kessler, Fratzel, Hoyt, Wilmot and Hooper. Also in attendance was Town Manager Hunter Rieseberg.

The Board members discussed the sale and lease of Town-owned real estate.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot, *the Board voted to exit the NPS.*

The Board reconvened in public session at 9:57 p.m.

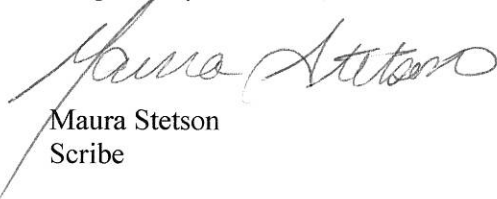
On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board voted unanimously by roll call to seal the minutes of the NPS. The motion passed 5-0-0.*

The Board adjourned at 9:58 p.m.

RSA 91-A:3 II(a) Negotiations was discussed in a non-meeting.

The next regular meeting of the Board of Selectmen is scheduled for February 27, 2017 at 6:30 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Approved on: February 27, 2017