

**Town of Newport, New Hampshire  
Board of Selectmen**

**Minutes for Meeting of April 4, 2016  
6:30 pm, Municipal Building**

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**SELECTMEN PRESENT:** Gary Nichols, Chairman; Todd Fratzel, Vice Chairman; David Hoyt, William Wilmot, Jeff Kessler

**STAFF PRESENT:** Shane P. O'Keefe, Town Manager; Paul Brown, Finance Director; Larry Wiggins, Director of Public Works, Ken Dennis, Buildings and Grounds Manager; Heath Marsden, Airport Co-Manager; Rick Kloeppel, Airport Co-Manager

**COMMUNITY MEMBERS PRESENT:** Bert Spaulding, Sr.

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

**AGENDA REVIEW:** Remove **Informational A.** WWTF Septic Matters from agenda and move it to the April 18, 2016 meeting (by O'Keefe), add **Action Item D.** Authorize Engineering Contract for Coon Brook Road Bridge (O'Keefe) and add non-public session (NPS) ***RSA 91-A:3, II(a) Personnel*** (by O'Keefe).

**MINUTES FROM PREVIOUS MEETING:** March 7, 2016 NPS; March 21, 2016; March 21, 2016, NPS 1,2 &3 March 21,2016; March 25, 2016

Minutes from Non-Public Session (NPS) #1 of March 7, 2016:

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to approve the minutes of the non-public session of the March 7, 2016 meeting as presented. The motion passed 5-0-0.*

Minutes from Non-Public Session (NPS) #1 of March 21, 2016:

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board approved the minutes of the first NPS of March 21, 2016. The motion passed 5-0-0.*

Minutes from NPS #2 of March 21, 2016:

On a motion by Selectman Wilmot seconded by Selectman Hoyt; *the Board approved the minutes of the second NPS of March 21, 2016. The motion passed 5-0-0.*

Minutes from NPS #3 of March 21, 2016.

On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board approved the minutes of the third NPS of March 21, 2016 as presented. The motion passed 5-0-0.*

Minutes from NPS #4 of March 21, 2016.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; *the Board approved the minutes of the fourth NPS of March 21, 2016 as presented. The motion passed 5-0-0.*

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board approved the minutes of the March 21, 2016 meeting as presented. The motion passed 5-0-0.*

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board approved the minutes of the March 25, 2016 meeting as presented. The motion passed 5-0-0.*

**CONSENT AGENDA:** On a motion by Selectman Hoyt, seconded by Selectman Kessler; *the Board voted to approve the Consent Agenda for April 4, 2016. The motion passed 5-0-0.*

## **PUBLIC HEARINGS:**

Accept and expend \$120,000 grant from the NH Department of Transportation State Bridge Aid Program for repair or replacement of Coon Brook Road Bridge Hearing per RSA 33:8-a for Oak Street Bridge Project, per RSA 31:95-b

Chairman Nichols read the Public Hearing Notice into the minutes of the meeting.

Town Manager O'Keefe explained that by state law, anytime the Town received a gift or a grant it had to be formally accepted by the BOS. A recent law had recently been passed stating if the amount was over \$10,000 the BOS was required to hold a Public Hearing. After this public hearing the Town would be able to proceed with the proposed Coon Brook Road Bridge project. He requested that Finance Director Brown and Mr. Wiggins provide additional information.

Finance Director Brown clarified that the money from the grant was for the engineering phase of the project only. The \$120,000 was the 80% of the project. Newport had raised their required \$30,000 for the project in 2014. He reiterated that the money was for the engineering phase and that in 2017 additional money would be asked of townspeople to complete the project.

Mr. Wiggins addressed the BOS and clarified that they would be proceeding with the engineering phase of the project. He explained that the State Bridge Aid Program had three phases: the engineering study, the preliminary design and the final design, then the construction. Continuing, he stated that the portion under consideration for contract was the engineering portion only. Mr. Wiggins explained what the engineering portion would encompass. He then answered all questions posed by the Selectmen.

Chairman Nichols opened the Public Hearing to the public. There were no questions or comments from those in attendance. Chairman Nichols closed the Public Hearing.

Chairman Nichols addressed the BOS members and stated the acceptance of the \$120,000 would be voted on under Action Item D. There was general discussion on the project among the Board members and Mr. Wiggins. Finance Director Brown informed the Board that the total monies (\$150,000+) would potentially have some leftover funds that could be used toward the preliminary design, but not the construction. There was a general discussion on options for the project.

## **OPEN FORUM:**

Mr. Bert Spaulding, Sr. spoke to the BOS and Town Manager O'Keefe concerning the protocols of the Right to Know laws, embargoing information of BOS meetings and other rules of order he had recently experienced. He also publicly complimented Town Manager O'Keefe on his communications.

## **COMMUNICATIONS:**

Selectman Wilmot had nothing to share at this time.

Selectman Kessler reminded the public that the Town Deliberative Session would be held on Tuesday, April 5, 2016 at 6:00 p.m. at the Newport High School gymnasium concerning the Warrant Articles to be voted on at the May 10, 2016 Town Meeting.

Selectman Hoyt had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Chairman Nichols read an open invitation for the 15<sup>th</sup> Annual Comcast Cares Day and Jake Maxfield Connection which would be held on Saturday, April 30, 2016 between 8:00 a.m. and 2:00 p.m. The 2016 service project will be to repair eighty one (81) feet of the wooden boardwalk and trails in the Town forest behind the high school. He reiterated details of the Deliberative Session and encouraged citizens to attend.

Town Manager O'Keefe stated that at the Deliberative Session on April 5, 2016 handouts explaining the different Warrant Articles would be available for attendees. He also informed the BOS that health insurance rates for Town employees would be less than the estimated 12.5 % increase; it would be a 9.5 % increase. There was a short discussion on the price differential of the 2017 Town health insurance.

He also expressed his appreciation to the Highway Department employees for their efforts to clear the roads during the late season snowfall.

Chairman Nichols addressed Mr. Wiggins and asked whether the Public Works Department would be stockpiling sand. Mr. Wiggins explained the process the Public Works Department was taking to accomplish this within the budget that the BOS had allotted them.

Selectman Kessler asked Chairman Nichols to explain the reason the Deliberative Session would be at the high school gymnasium instead of the Opera House. Chairman Nichols asked Selectman Hoyt to explain. Chairman Hoyt explained that the current week was tech week for the play, "Oliver" which would be held the upcoming weekend (April 8-10). The Town was therefore holding the Deliberative Session at the high school. Selectman Hoyt then gave information on the play including dates, times and ticket availability.

#### **INFORMATIONAL:**

WWTF Septage matters: moved to April 18, 2016 meeting.

#### Hazardous Properties

Town Manager O'Keefe stated that the BOS had been discussing specific properties for a while. Building Inspector Allen Chase had inspected the properties and compiled an Inspection Report with photos for the BOS concerning the properties. They had been deemed unsafe structures. It was at the Board's discretion to authorize Town Manager O'Keefe to move forward in ordering the buildings repaired or removed pursuant to RSA155:B.

On a motion by Selectman Kessler, seconded by Selectman Fratzel; ***the Board voted to authorize Town Manager O'Keefe to execute the required notices to 24 Sullivan Street and 12 Ash Street. The motion passed 5-0-0.***

There was discussion on the 324 Bradford Road property that had been of concern. Town Manager O'Keefe explained that the Town was working with the owner. Selectman Hoyt and Selectman Fratzel requested that there be a time limit set to clean the property. Town Manager O'Keefe stated the Town would issue a notice of violation and the Town would work on having it cleaned up within the next few months.

Mr. Spaulding, Sr. addressed the Chair and asked him to clarify their discussion. Chairman Nichols complied with his request.

#### Former Lil Red Baron property

Town Manager O'Keefe stated that because the former Lil Red Baron property was a real estate matter he would like it discussed in non-public session. The Chair concurred with the request.

#### Tax Deed and other Town properties

Town Manager O'Keefe stated that a list of all the tax deeded properties in Newport had been compiled and had been presented to the BOS for its consideration. Additional information on the properties was available for the Board members if they desired.

Finance Director Brown gave historical information concerning lots that had been created during the last remapping of the Town and the attempts to find the owners through letters to the abutters. There was a discussion among the BOS and Finance Director Brown on the properties labeled owner "Unknown", the action that would be taken to find them and the Town's right and ability to sell the property as its own.

Mr. Spaulding, Sr. informed the BOS of his research into one of the "owner unknown" lots.

Chairman Nichols addressed Finance Director Brown and asked for direction on how to proceed with the lots. Finance Director Brown stated the action of contacting the abutters was one way and gave advice on not acting on some of the properties. There was a discussion on procedure; Town Manager O'Keefe asked to look into the matter further and bring it back to the BOS at a later date. The Chair concurred with his request.

#### Parlin Field Airport-Protection from water/ice damage

Town Manager O'Keefe stated that consideration of this matter had been suggested by Mr. Spaulding, Sr. He also stated he had seen a letter to the NH Department of Environmental Services from Co-Manager Heath Marsden. He asked Mr. Marsden to explain. Mr. Marsden gave a detailed account of the procedure the airport had taken in erosion control on the southern end of the paved runway (Runway 36). The Airport Study Committee had investigated it as well. He listed the state and local agencies and groups that had assisted the airport with the affected land and the contributions they had made. He explained he had sent an email to NHDES on April 4, 2016 concerning the permitting process for mitigation at the airport and reported the permitting cost to the BOS.

After general discussion, the BOS requested that Mr. Marsden contact the City of Claremont to inquire about the potential costs of the project. Staff will report back on this matter in a month.

#### **ACTION ITEM:**

##### Cemetery Rates

Chairman Nichols stated that Mr. Dennis had attended the March 21, 2016 BOS meeting with recommended increases in cemetery rates. He was at the April 4, 2016 meeting to formally present the rates. After preliminary approval of the BOS the Town would hold a Public Meeting on the increases. Mr. Dennis reviewed the process he had taken to compile the increases he had recommended to the BOS. He stated the increases proposed (Attachment 1) would start on July 1, 2016 and would bring Newport on par with neighboring communities of similar size and population.

Selectman Kessler asked if the BOS had to hold a Public Hearing on the increases. Town Manager O'Keefe stated it was not clear in the statute for cemetery rates, therefore they would hold one to be on the safe side.

Finance Director Brown stated that a Town Meeting vote stipulated that the BOS could change the rates after a Public Hearing on them.

After a short discussion on a motion by Selectman Kessler, seconded by Selectman Hoyt; ***the Board voted to accept the rates as recommended and to bring them to the public at a Public Hearing at the April 18, 2016 Selectboard meeting. The motion passed 5-0-0.***

#### Opera House rental rates

Mr. Dennis addressed the BOS and reviewed and explained his recommended increases (Attachment 2). Finance Director Brown addressed the BOS and explained financial questions. There was a discussion among the BOS members on the fees as well as the historical nature of the Opera House. Similar to the cemetery fee changes, the Opera House rental increases would start on July 1, 2016. There was a lengthy discussion on the fees and the use of the Opera House by non-profit organizations.

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; ***the Board voted to increase the set up/clean up fee to \$100. The motion passed 5-0-0.***

Finance Director Brown spoke concerning the fees and the use of the Opera House by the schools and non-profit organizations. He asked that they consider these waivers and make a decision on them. There was a discussion on the practice and who would be responsible for the decision of a waiver. There was consensus among the Board members that the public school would not be charged for its use of the Opera House.

There was further discussion on the use of the Opera House by the BOS and Mr. Dennis concerning the use by non-profit organizations and the extra labor it often involved. Selectman Fratzel asked if specific language could be added to the contract to state who exactly was exempt from a rental fee.

A Public Hearing would be held on April 18, 2016 concerning the increases in the Opera House rental fees. To clarify, Town Manager O'Keefe stated that from the discussion, the one exemption would be the public school. Mr. Dennis addressed the BOS and stated that if a group did plan to go before the Board for an exemption, if they would contact him for input. Chairman Nichols stated a footnote could be added to the contract that any requests for exemptions would need to be appealed to the BOS. Mr. Dennis' input would be requested for any appeal.

The Board discussed the increased rates for the Town Common and asked about the Farmer's Market. It was stated that the current rate was locked in for their 2016 rental.

On a motion by Selectman Kessler, seconded by Selectman Wilmot; ***the Board voted to accept the fees proposed as recommended (with the \$100 setup/clean up fee) and to hold a Public Hearing on the increased rates for the Opera House and Town Common at the April 18, 2016 Selectboard meeting. The motion passed 5-0-0.***

#### Warrant assignments for Deliberative Session

The BOS members were appointed specific Warrant Articles to read at the Town Deliberative Session scheduled for April 5, 2016 at the Newport High School.

#### Authorize Engineering Contract for Coon Brook Bridge

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; ***the Board voted to authorize Town Manager O'Keefe to enter into a contract with Kleinfelder Engineers in the amount of \$39,100.*** There was a short discussion of the \$39,100 and the \$120,000 discussed during the meeting. Finance Director Brown explained and then answered all questions. ***The motion passed 5-0-0.***

**APPOINTMENTS:** none

## **NON-PUBLIC SESSION(S):**

On a motion by Selectman Wilmot, seconded by Selectman Hoyt; *the Board voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II(a), Personnel Matters; and RSA 91-A:3, II (d) Consideration of the acquisition, sale, or lease of real or personal property. The motion passed 5-0-0.*

The Board took a break for a few minutes.

The BOS entered NPS #1 at 7:45 p.m., pursuant to *RSA 91-A:3, II (d) Consideration of the acquisition, sale, or lease of real or personal property.* Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, Town Manager Shane O'Keefe and Finance Director Paul Brown.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to leave non-public session and return to public session. The motion passed 5-0-0. The non-public session ended at 8:15 p.m.*

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Selectmen voted by roll call to seal the minutes of the non-public session. The motion passed 5-0-0.*

Finance Director Brown left the meeting.

On a motion by Selectman Wilmot, seconded by Selectman Fratzel; *the Board of Selectmen voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.*

The BOS entered NPS #2 at 8:16 p.m. Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, and Town Manager Shane O'Keefe.

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to leave non-public session and return to public session. The motion passed 5-0-0. The non-public session ended at 8:30 p.m.*

On a motion by Selectman Wilmot, seconded by Selectman Kessler; *the Selectmen voted by roll call to seal the minutes of the non-public session. The motion passed 5-0-0.*

## **OTHER MATTERS:**

The Board discussed particulars of Fire/EMS Department data collection and protocols. There was discussion about whether the extensive reporting capabilities of the New Hampshire Trauma and EMS Information System (TEMSIS) used for EMS statistical analysis was available for analysis of Fire services as well.

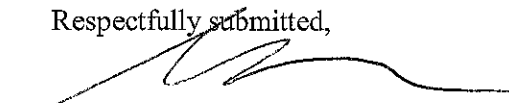
The Board briefly reviewed a list of Town property leases that was prepared by Finance Director Brown in response to right-to-know request from Bert Spaulding, Sr.

## **ADJOURNMENT:**

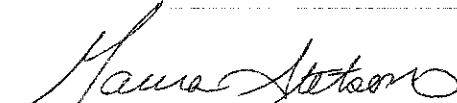
There being no further business in the public meeting, on a motion by Selectman Hoyt, seconded by Selectman Kessler; *the Board voted to adjourn at 8:42 pm.*

**The next meeting of the Board of Selectmen is scheduled for Monday, April 18, 2016 at 6:30 p.m.**

Respectfully submitted,



Shane O'Keefe  
Town Manager



Maura Stetson  
Scribe

Attachment 1  
Attachment 2

Approved on: April 18, 2016

TOWN OF NEWPORT  
Cemetery Fee Rates  
PROPOSED INCREASES (Effective 7/1/16)

Attachment #1

4/4/2016

	<u>Current</u>	<u>Proposed</u>
<b><u>GRAVE LOTS:</u></b>		
Single Grave Full Size:		
Resident	250.00	350.00
Non-Resident	500.00	600.00
Cremation Lot (FLAT STONES ONLY):		
2 Burial:		
Resident	100.00	250.00
Non-Resident	200.00	500.00
4 Burial:		
Resident	125.00	250.00
Non-Resident	250.00	500.00
6 Burial:		
Resident	150.00	250.00
Non-Resident	300.00	500.00
<b><u>INTERMENTS:</u></b>		
Full Size:		
Summer :		
Weekday	400.00	450.00
Weekend	550.00	600.00
Winter:		
Weekday	575.00	650.00
Weekend	725.00	800.00
Cremations & Infants:		
Summer :		
Weekday	150.00	250.00
Weekend	175.00	350.00
Winter:		
Weekday	200.00	400.00
Weekend	250.00	500.00
<b><u>DISINTERMENTS:</u></b>		
Full Size	1,000.00	1,000.00
Cremation & Infant	150.00	500.00



TOWN OF NEWPORT  
Opera House/Town Common Rental Fees

Attachment #2  
4/4/2016

	<u>Current</u>	<u>Proposed</u>
<b>OPERA HOUSE:</b>		
Security Deposit	250.00	250.00
Rental Fees:		
Hall Rental (per day):		
(To Town Hall Improvements Fund)		
Weekday	200.00	300.00
Weekend	300.00	300.00
User Fee (per day):		
(To General Fund)		
Custodial *	100.00	
Lighting	25.00	
Total	<u>125.00</u>	<u>300.00</u>
Set-up/Cleanup	50.00	50.00
<b>TOWN COMMON:</b>		
Security Deposit	150.00	150.00
Rental Fees (per day)	50.00	100.00
(To General Fund)		

\$100 per  
BOS vote  
on 4/4/16

\* Average custodial salary & benefits = \$32/hr RT; \$36 OT