

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

**Minutes for Meeting of May 2, 2016
6:30 pm, Municipal Building**

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; Wayne Conroy, Fire Chief; James Burroughs, Police Chief; Julie Magnuson, Planning and Zoning Administrator; Liselle Dufort, Town Clerk, CTC; Adelaide Kozlik, Deputy Town Clerk, CTC; Heath Marsden, Co-Manager Airport; Arnold Greenleaf, Superintendent Waste Water Treatment Facility

COMMUNITY MEMBERS PRESENT: Candy Nichols, Chad Howe, Chad Howe, Jr.; Larry Cote, Historical Society Board Member; Virginia Irwin, Nancy Wilmot, Library Trustee; Andrea Thorpe, Library Director; Edmund Smith, Bert Spaulding, Sr. and Kurt Minick.

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

Vice Chairman Fratzel addressed Chairman Nichols and on behalf of the Board of Selectmen presented him with an engraved plaque thanking Chairman Nichols for his twenty two (22) years of public service to the citizens of Newport.

Chairman Nichols thanked the Board members.

Selectman Kessler addressed Chairman Nichols and presented him with a “selfie” stick to use in his retirement travels. He thanked Chairman Nichols for his years of service.

Mr. Bert Spaulding, Sr. addressed the Chair and asked if he could be recognized. Chairman Nichols gave him the floor. Mr. Spaulding, Sr. presented to Chairman Nichols a dart board, darts and photos of himself for mounting on the dartboard. He thanked Chairman Nichols for his years of service and for supporting the citizen’s right to freedom of speech in public governmental forums.

Town Manager O’Keefe addressed Chairman Nichols and stated that the 2015 Annual Town Report was being dedicated to him. Mrs. Virginia Irwin read the dedication to the public in attendance and viewing at home.

When asked, Chairman Nichols agreed it was his birthday. Mrs. Irwin presented a birthday cake and BOS members, Town Manager O’Keefe and those in attendance sang “Happy Birthday” to him.

Chairman Nichols thanked all the individuals both past and present that he had worked with while serving the citizens of Newport. He stated that he had learned over his many years that, “The citizens are always right.”

AGENDA REVIEW: Add Action Item C. “Decision on Waste Water Treatment Rates” (by O’Keefe)

MINUTES FROM PREVIOUS MEETING: April 18, 2016

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board approved the minutes of the April 18, 2016 meeting with the following corrections:*

1. *Page 5 under Pursuant to RSA 41:9-a IV, the establishment of amended and/or new fees for use of the Opera House paragraph three should read...Newport Opera House Association (NOHA). Additionally, paragraph four should have NOHA instead of OHA in two places.*
2. *Page 7 under Explore shared services with School District, the motion should read "...joint finance department proposal"...*
3. *Page 8 under NON-PUBLIC SESSION(S) the second, "Resident Bert Spaulding, Sr. entered the meeting" sentence be deleted. The motion passed 4-0-1(Nichols abstained).*

Minutes from Non-Public Session (NPS) #1 of April 18, 2016:

On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board voted to approve the minutes of the first NPS of April 18, 2016. The motion passed 4-0-1(Nichols abstained).*

Minutes from NPS #2 of April 18, 2016:

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to approve the minutes of the second NPS of April 18, 2016. The motion passed 4-0-1(Nichols abstained).*

CONSENT AGENDA: On a motion by Selectman Kessler, seconded by Selectman Fratzel; *the Board voted to approve the Consent Agenda for May 2, 2016.*

Selectman Fratzel asked about the Timber Tax line item that had been removed from the April 18, 2016 meeting Consent Agenda. Town Manager O'Keefe stated the line item was on the agenda for the present meeting under Action Items. There was no further discussion. Chairman Nichols called for a vote. *The motion passed 5-0-0.*

PUBLIC HEARINGS:

Proposed new wastewater treatment rates

Chairman Nichols asked for information on the proposed rate increase from Town Manager O'Keefe. Town Manager O'Keefe stated that the rate for hauled water had been discussed at previous meetings. The proposal was to increase the rate from \$0.01 per gallon to \$0.05 per gallon. The Public Works Department had stated that the Town was losing money by charging the \$0.01 per gallon rate.

Pursuant to RSA 41:9-a, IV, the establishment of amended and/or new Wastewater Treatment Facility fees as follows: Hauled Water to be increased from \$0.01 to \$0.05 per gallon.

Chairman Nichols read the Public Hearing Notice into the minutes of the meeting and opened the hearing to the public.

He acknowledged Mr. Edmund Smith, and then explained that only discussion on hauled water would be heard at this time because they were conducting a public hearing. Mr. Smith had nothing to add on the proposed rate increase.

There were no questions or comments from the public.

Chairman Nichols addressed Mr. Greenleaf and asked if there was additional information for the public. Mr. Greenleaf said no. He stated that Newport could continue to subsidize payment for the hauled water brought to the plant or they could increase the rate and financially "break even".

There were no other questions or comments on the proposed fee increase. Chairman Nichols closed the public hearing.

OPEN FORUM:

Chairman Nichols acknowledged Mr. Edmund Smith. Mr. Smith handed the BOS a paper listing questions on a variety of subjects. Chairman Nichols read each question aloud. Mr. Smith stated that some questions had been answered, but not satisfactorily. He was again requesting answers to the

questions. Chairman Nichols addressed Mr. Smith and stated the questions were RSA 91-A requests. He would forward the requests to Town Manager O'Keefe and that Mr. Smith would have answers to the questions in an appropriate amount of time. Chairman Nichols and Mr. Smith had a short discussion on the questions and answers he had previously received. Town Manager O'Keefe stated he would get the answers and contact Mr. Smith within five days. Mr. Smith stated that Town Manager O'Keefe had his email address and phone number. For clarification, he asked that all answers be in writing.

Chairman Nichols addressed the public in attendance and stated that they were free to leave due to the temperature of the room.

COMMUNICATIONS:

Selectman Wilnot had nothing to share at this time.

Selectman Kessler had nothing to share at this time.

Selectman Hoyt had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Chairman Nichols informed the public that the Montessori School would be having an electronic recycling day on May 14, 2016 from 10 a.m. to 4 p.m. It would be located at their school. He also recommended that townspeople check out the boards on the Common for upcoming activities in Town.

Town Manager O'Keefe stated that:

- ❖ There was a proposed donation of firearms and accessories from Sturm Ruger Company to the Newport Police Department valued at \$24,275. Because the proposed donation is over \$10,000 the gift required a public hearing for the Board to accept it. A public hearing has been scheduled to accept the gift at the May 16, 2016 BOS meeting. Chairman Nichols added that the Sturm Ruger Company had made similar donations every ten years over a fifty year timeframe. Neither the Town Police Department nor the county Sheriff's Department had had to purchase firearms over that period of time. The gift was greatly appreciated. Town Manager O'Keefe concurred.
- ❖ There had been a question concerning the rate that the farmer's market would pay during the 2016 season. O'Keefe stated that the Board's decision back in December 2015 indicated that the 2015 rates would apply.
- ❖ He had updated news from the NHDOT for the Main Street and Sunapee Street project. He had been informed that the little common and Sunapee Street project would not be done due to lack of funding.
- ❖ NHDOT's plans for spot repair of the catch basin on the Sunapee and Main Street intersection was also curtailed. Selectman Kessler stated that the catch basin project had been on hold waiting for paving and striping of the county parking lot. He requested that Town Manager O'Keefe check with the county to see if they were going to do that. Newport had planned on sharing the expense of the paving. There was a short discussion on the paving project.
- ❖ Department heads had met with Eversource on April 14, 2016 concerning improvements upgrading poles on Belknap Avenue and removal of lines past Pearl Street. He stated that the project was imminent and would last three to four weeks. There would also be upgrades to poles and line voltage on Sunapee Street east of Sturm Ruger Company up through Guild. There might be upcoming work on Whipple Street and Springfield Road. Work would go on through July 2016.

Kurt Minick addressed the Board and stated that the Richards School wanted to make a new entrance off Sunapee Street where the old work road was during the construction of the addition. He asked if there would be discussion with the State when the BOS discussed other Town

projects. Town Manager O'Keefe stated that Police Chief Burroughs had had discussions at the school board level. He gave general information that he had concerning the proposed project.

INFORMATIONAL:

Top Dog Contest drawing – Town Clerk

Town Clerk Liselle Dufort addressed the BOS and public, explained the 2nd Annual Top Dog Contest and how dog registration revenue had increased over the last two years. Addressing Chairman Nichols, she asked that he pick the three top dog winners. Chairman Nichols picked the three finalists as follows.

Third prize: Ricky, owner Brian Kelly

Will receive #3 dog tag and photo mounted in Town Office as well as gifts from Shaw's and Claremont Animal Hospital

Second prize: Baxter, owner Darlene Dodge

Will receive #2 dog tag and photo mounted in Town Office as well as gifts from Shaw's and Sugar River Animal Hospital and Tractor Supply

Top Dog prize: George, owner Ella Casey

Will receive #1 dog tag and photo mounted in Town Office as well as gifts from Pleasant Lake Veterinary Hospital, Claremont Pet and Aquarium and a gift bag from LaValley's Building Supply.

Mrs. Dufort said that the winners would be notified and dog tags and gifts presented to them. Chairman Nichols thanked her for her hard work.

Document restoration through Moose Plate Grant Program – Town Clerk

Town Clerk Dufort explained that last year her office had applied for and received a grant to restore old Town documents with a Moose Plate Grant through the New Hampshire State Library. She stated that her Deputy Clerk, Adelaide Kozlik was project lead. Mrs. Dufort and her father, Larry Cote, a member of the Newport Historical Society, assisted Mrs. Kozlik in collecting appropriate books from the 17-1800s. The Town had been awarded \$9,873.81 to conserve six books from the early 1800s. She explained the criteria they had to go through, stating that they opted to also have the books digitized so the restored information could be put on the Town website. She concluded her presentation to the Board explaining the process that was being undertaken to restore the original Town books and listing them by name. Mrs. Dufort then presented both the library and the historical society with CD copies of the Town's master digitized format.

Mrs. Dufort addressed the BOS and stated that Mrs. Kozlik was again writing an application for another Moose Plate Grant. Because the Town Clerk's Office was so busy, much of the work was done at home. Mrs. Dufort wanted to thank Mrs. Kozlik for taking on the responsibility of writing the grant. The Chair and Board members thanked Mrs. Kozlik.

Office of Planning & Zoning study

Town Manager O'Keefe stated he had hired Mr. Gerald Coogan, AICP planner; to review Newport's Office of Planning and Zoning and determine how well the needs of the community were being met. Town Manager O'Keefe reviewed the process Mr. Coogan undertook, the area communities he compared and the recommendations that Mr. Coogan gave.

Selectman Kessler commented on the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) discussions between towns that have building inspections and those that don't. He stated that some towns had stated they needed to begin code enforcement due to improper structures that were being built in their communities. It is an identified need at the UVLSRPC level.

Town Manager O'Keefe read from the recommendations:

"...Newport is working at an acceptable level consistent with the other nine towns surveyed. Local officials, applicants and the public are generally satisfied with the performance of the office and, in terms

of planning procedures and practices, there appear to be some shortcoming in the Boards and staff that could be worked on". Town Manager O'Keefe then went over the nine recommendations made by Mr. Coogan (Attachment 1).

Selectman Hoyt commented on the report, questioning the number of permits issued by Newport. He stated the numbers made it appear there was more building happening in Newport than there was. Town Manager O'Keefe stated that Newport issued permits differently from other communities. He asked Ms. Magnuson to explain. Ms. Magnuson stated that her office worked with contractors, especially those with deadlines. She stated that at times she has authorized "foundation only" permits and therefore split the building permits to assist the customer. Selectman Hoyt addressed Ms. Magnuson and asked whether the splitting of permits delayed the start of building. Ms. Magnuson stated no; that splitting permits did not. Selectman Hoyt asked if it might be the reason that Newport issued more individual permits than other communities. Ms. Magnuson stated it might be, she did not have that answer. There was a general discussion between the Board members and Ms. Magnuson on permits.

Town Manager O'Keefe thanked Mr. Coogan for an excellent and thorough job. He also wanted to help the other communities listed who helped compile information for the report. Town Manager O'Keefe would be sharing the report with those communities.

Cost of EMS study

Town Manager O'Keefe stated that he had put out an Request for Proposals (RFP) to study the Emergency Management Services. They are due on May 6, 2016. He explained there were currently two companies that had verbally offered ballpark figures for proposals. He would collect the proposals received and present them to the BOS for review at the May 16, 2016 meeting. Selectman Hoyt asked for a copy of the RFP. Town Manager O'Keefe stated he would send one to each member of the Board.

Center island parking on Main Street

Town Manager O'Keefe addressed the BOS and stated that he, Public Works Director Wiggins and Police Chief Burroughs had met concerning changing the parking at the south end of the center island on Main Street. The proposal was to alleviate blocking traffic where the road narrowed by creating four to five "compact car only" slots. The creation of the parking spaces would affect approximately eight parking spaces on the center island side only.

Police Chief Burroughs also addressed the BOS with the proposal to change parking on the center island on Main Street. For clarification, Chairman Nichols asked Police Chief Burroughs to explain the parking spots that would be affected. Police Chief Burroughs stated that starting at the southern end of the island parking, the four spaces going north on both sides would become "compact car only" parking spots.

Town Manager O'Keefe stated that in looking over the parking ordinances many had language that had to be rewritten. Therefore in Chapter 11 of the Town Ordinances there will be changes proposed. He projected the BOS June 6, 2016 meeting as the date to review them.

Selectman Hoyt commented that revisions of the center island parking had previously been tried. He stated pitfalls of trying it again and in his opinion the futility of trying it again.

There was a lengthy discussion on the subject between the Selectmen, Town Manager O'Keefe and Police Chief Burroughs.

ACTION ITEM:

Timber tax Abatement (Map 256, Lot 10-1)

Town Manager O'Keefe stated there had been questions when the item was on the April 18, 2016 Consent Agenda. He explained the timber tax abatement and reverenced letters from Newport Town

Forester Peter Rhoades and Jesse Bushaw, DRA Timber Tax Appraiser. He explained that the owners were requesting a tax abatement and recommended that the Board grant the tax abatement.

Chairman Nichols acknowledged Mr. Spaulding, Sr. There was a general discussion on the request of the tax abatement.

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; *the Board voted to approve the Timber tax abatement for land at Map 256, Lot 10-1. The motion passed 3-1-1 (Kessler voted no, Wilmot abstained as an abutter).*

Board member attendance at Town Meeting

Chairman Nichols stated that Tuesday, May 10, 2016 from 8:00 a.m. to 7:00 p.m. would be Town Meeting voting. He encouraged everyone to get out and vote. Selectman candidates were: Jeff Kessler, John Hooper and Jake Clarke. Voters will elect two of the three. There were also fifteen (15) Warrant Articles for citizens to vote on.

After a short discussion, Selectmen were appointed times to cover the polls. Town Manager O'Keefe added that the Town Newsletter was scheduled to go out in the mail on May 3, 2016.

Decision on Waste Water Treatment Rates

Chairman Nichols asked for a motion concerning the rate increase that had been discussed at the public meeting. On a motion by Selectman Wilmot, seconded by Selectman Fratzel; *the Board voted to adopt a new rate for hauled water of \$0.05 per gallon effective July 1, 2016. The motion passed 5-0-0.*

APPOINTMENTS:

Temporary Planning Board Representative

After a brief discussion, on a motion by Selectman Wilmot, seconded by Selectman Kessler; *the Board appointed Selectman Hoyt as temporary BOS Representative to the Planning Board. The motion passed 4-0-1 (Hoyt abstained).*

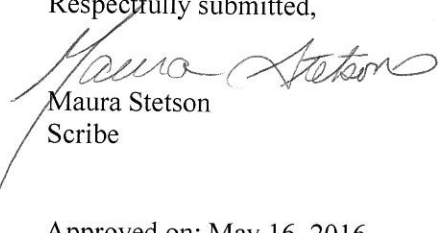
NON-PUBLIC SESSION(S): none

ADJOURNMENT:

There being no further business, on a motion by Selectman Fratzel, seconded by Selectman Hoyt; *the Board voted to adjourn at 7:52 pm. The motion passed 5-0-0.*

The next meeting of the Board of Selectmen is scheduled for Monday, May 16, 2016 at 6:30 p.m.

Respectfully submitted,


Maura Stetson
Scribe

Approved on: May 16, 2016