

AMENDED
Town of Newport, New Hampshire
Board of Selectmen

Minutes for Meeting of October 3, 2016
6:30 pm, Municipal Building

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

STAFF PRESENT: James Burroughs, Acting Town Manager; Heath Marsden, Co-Manager Airport; Larry Wiggins, Director of Public Works

COMMUNITY MEMBERS PRESENT: Wayne Michaud, Bert Spaulding, Sr.

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

AGENDA REVIEW: accepted as presented.

MINUTES FROM PREVIOUS MEETING(S): August 15, 2016 Non-Public Minutes #3; August 29, 2016; September 12, 2016 Non-Public Minutes #1; September 19, 2016; September 19, 2016 Non-Public #1 and #2.

Minutes from Non-Public Session (NPS) #3 of August 15, 2016:

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to approve the minutes of the third NPS of August 15, 2016. The motion passed 5-0-0.*

Minutes of August 29, 2016:

Chairman Kessler tabled the minutes of August 29, 2016 until the October 17, 2016 meeting.

Minutes from Non-Public Session (NPS) #1 of September 12, 2016:

Chairman Kessler tabled the minutes of NPS # 1 of September 12, 2016.

Minutes of September 19, 2016:

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; *the Board voted to approve the minutes of September 19, 2016. The motion passed 5-0-0.*

Minutes from Non-Public Session (NPS) #1 of September 19, 2016:

On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board voted to approve the minutes of the first NPS of September 19, 2016. The motion passed 5-0-0.*

Minutes from Non-Public Session (NPS) #2 of September 19, 2016:

Chairman Kessler tabled the minutes of NPS # 2 of September 19, 2016.

CONSENT AGENDA: On a motion by Selectman Wilmot, seconded by Selectman Fratzel; *the Board voted to approve the Consent Agenda for October 3, 2016. The motion passed 5-0-0.*

OPEN FORUM:

Mr. Wayne Michaud, Unity, NH addressed the BOS and stated that as all were aware, the area was in a drought. He explained that his well (only source of water) had gone dry and that he had been acquiring

water from the Gilman Pond outlet in Newport for his needs. On Friday Mr. Michaud had gone over to Gilman Pond to get more water; the outlet had been shut off per the order of the Newport Town Manager. Water was no longer available to individuals outside the municipal water system. He had come before the BOS to ask if they would turn the water back on.

Chairman Kessler addressed Mr. Michaud and stated that usually the Selectboard would, but probably not in this case. An agenda item for the meeting was in response to the drought situation and the water concerns Newport has found itself in. Continuing, Chairman Kessler stated that Gilman Pond was 20+” below normal levels and stated he did not know how much water was used by Unity residents.

Mr. Larry Wiggins addressed the Chair and stated that Newport did not know how many (Unity) people or how much water was used from the Town water supply. There was not a meter; in a regular year the Water Department would not know.

Mr. Michaud said that there were at least six people that he knew that availed themselves of the water from Gilman Pond. He only took what he needed.

Mr. Wiggins stated it was a good topic to discuss now at the BOS meeting for clarification for all. Addressing Mr. Michaud and the Board, he stated he had come prepared for the discussion because of other inquiries.

Selectman Wilmot asked Mr. Michaud what kind of outlet Newport had where he got his water. Mr. Michaud stated it was a spigot. Selectman Wilmot addressed Mr. Wiggins and asked if trucks were backing up to the spigot and taking thousands of gallons of water from Gilman Pond. Mr. Wiggins stated no, but that there was at least one who would take 200-300 gallons of water daily. The spigot was not manned or monitored so the PWD did not know how many people were availing themselves of the water.

Mr. Wiggins stated it was up to the Selectboard to decide how much water Newport could afford to lose from Gilman Pond. It cost the taxpayers money to produce it.

Mr. Spaulding, Sr. asked if what was being taken was filtered water or pond water. Mr. Wiggins stated the water was filtered and treated.

Selectman Hoyt addressed Mr. Wiggins and stated for clarification that there was a cost to produce the water. Mr. Wiggins stated yes.

Mr. Michaud asked about an understanding between Newport and Unity that allowed Unity residents the use of the water in Gilman Pond. Mr. Wiggins stated he was not aware of anything in writing. If Mr. Michaud could produce it, he would live by it. He had never seen it; Mr. Wiggins did not know how it would work.

Mr. Michaud gave his opinion of Newport shutting off the spigot to people outside of Newport.

Chairman Kessler addressed Mr. Wiggins and asked what the status of Gilman Pond was.

Mr. Wiggins stated that the Pond was 29” below normal. It has been dropping regularly and the Department had been supplementing the pond water with water from the well (quite regularly) to try and offset the drop. If the Department had not used the well, Mr. Wiggins was not sure where the Gilman Pond water level would be.

Mr. Wiggins stated that the points were:

- ❖ Newport was in a drought.

- ❖ The DES has recognized the state to be in a drought and has asked all municipalities to initiate voluntary or mandatory water restrictions statewide.
- ❖ Gilman Pond is down 29" from the top of the dam and has been dropping on a regular basis.
- ❖ Newport has been using one of its wells to supplement the water from Gilman Pond (to offset the dropping water level).
- ❖ The well being used is supposed to be for reserve and backup in case of mechanical failure; it is not designed to be online regularly.
- ❖ A previous water study had shown that the combined use of Gilman Pond and the reserve well was not going to be able to meet Newport's peak demand (which is why the Department has asked for an additional water source).
- ❖ In the current drought conditions, 1" of rain would be absorbed into the ground. 8-10" of rain would be required to raise the level of Gilman Pond 1" or less.

Mr. Wiggins addressed the BOS and asked when they should say they were in trouble; when the Water Department could not get any more water from the pond? He explained further and backed up his information with information from NH DES. Mr. Wiggins stated he felt it was his responsibility to tell the BOS where Newport stood with its water source and that the BOS could then make any decisions they deemed necessary.

Chairman Kessler addressed Mr. Wiggins and asked if there had been a reduction in water usage with the voluntary restrictions imposed a few months ago. Mr. Wiggins stated no; and that that was the reason for the mandatory restrictions. He hoped if it was in the newspapers that people would understand the seriousness of the situation.

Mr. Wiggins read aloud from a prepared statement on water concerns. He then read the mandatory outside water restrictions as recommended by David Brennan, Interim Water and Sewer Superintendent. There was a discussion between the Board and Mr. Wiggins about the restrictions. Selectman Hoyt asked if in the future a meter could be attached to the spigot at Gilman Pond. Mr. Wiggins stated it could be tried; he was leery of doing it due to vandalism.

Mr. Spaulding, Sr. gave his opinion of metering the spigot.

Chairman Kessler polled the Board members on their opinion of the water crisis. Acting Town Manager Burroughs asked if there was a way to do both: meter and monitor the water daily as well as look into the agreement that Mr. Michaud had told the BOS of. There was a general discussion by Burroughs and Wiggins about the spigot and its original intent as well as the agreement mentioned. There was further general discussion on the water problem among the BOS and Mr. Wiggins.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to approve the mandatory outside water restrictions as submitted by David Brennan, Interim Water and Sewer Superintendent in his September 27, 2016 memo. The motion passed 5-0-0.***

Chairman Kessler asked the BOS if they would like to delay the shut-off and give the area residents time to find an alternative source of water. Selectman Hooper voiced his opinion to keep the spigot open for one more week, shutting it off on Friday, October 7, 2016. Chairman Kessler agreed with the plan.

On a motion by Selectman Hooper, seconded by Chairman Kessler; ***the Board voted to delay (until Friday, October 7, 2016) turning off the public spigot from Gilman Pond which provided water to individuals not in the Newport municipal water system. The motion did not pass. The vote was 2-3-0 (Wilmot, Hoyt and Fratzel voted no).***

Selectman Wilmot addressed the Board and Mr. Wiggins and stated a citizen had asked him about names of vendors who trucked in water; he asked Board members for recommendations. The individual wanted to “recharge” a well.

Mr. Wiggins stated he had seen tractor trailers with “water” on the side. He did not know where they were out of. Mr. Spaulding, Sr. stated that DES had a list of suppliers. He suggested that the water problem needed to be given to Unity and other small towns to find a vendor for the citizens of their respective towns. There was a short discussion on the desire of the towns to assist with water needs. It was reiterated that NH DES had a list of water vendors.

Mr. Bert Spaulding, Sr. addressed the Board of Selectmen (BOS) and read aloud excerpts from a NH Supreme Court committee document. Mr. Spaulding, Sr. also addressed the BOS with his opinion of negligence concerning a customer doing business with the Town of Newport.

COMMUNICATIONS:

Selectman Wilmot addressed the Board and stated:

- ❖ He had attended a meeting of the Rec. Advisory Council. There hadn’t been a quorum, therefore a meeting could not be held. He told the members present at the Rec. Advisory Council that he would ask interested individuals viewing the BOS meeting to fill out an application for the volunteer Council online (www.newportnh.net) or by calling the Town manager’s office at 863-1877.
- ❖ 2016 Sarah Josepha Hale Award recipient Sharon Olds spoke at the Opera House on October 1, 2016. Selectman Wilmot congratulated the Richards Free Library and the Hale Award Committee for their annual selection for the Hale Award. Kudos to the Town of Newport; again.

Selectman Hooper stated:

- Newport had been in the Valley News with a lengthy article on the Newport Historical Society’s Program on Billy B. Van. The book on Billy B. Van was selling well.
- The Library Arts Center event “Casablanca” went very well at the Parlin Field Airport. It was very well attended.
- United Way held their Golf Tournament at the Newport Golf Club. Hooper won the award for “Most Honest” which meant he was in last place.
- It had been brought to his attention that the Town could do a better job communicating events taking place; Chairman Kessler stated that at the Chamber and Rotary had tried such advertising in the past to no avail.

Mr. Archie Mountain (Argus Champion) gave his input on the problem. Mr. Mountain stated that for years Newport organizations have not communicated upcoming events to the paper. He had repeatedly requested information on events and had not been given information by organizations.

There was a general discussion between the Board and Mr. Mountain about the good things that happened in Town that were not reported due to this lack of communication.

Selectman Hoyt had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Chairman Kessler addressed the Board and viewing public and stated that the general election was approaching: November 8, 2016. He stated there were important political races that would be held on the Local, State and National levels. He encouraged everyone to go out and vote.

Acting Town Manager Burroughs informed people that:

Posting political signs on Town property was prohibited. He also informed people of the proposed Ordinance amendment and change in signage on School Street. The school day had been lengthened and the signage would reflect this. The proposed wording for the School Street signage would be brought before the BOS at the October 17, 2016 meeting.

INFORMATIONAL:

Dedicating Ski Jump

A request came in from Mr. Skip Nolan representing the Mt. Sunapee Area Ski Club to dedicate the 30' ski jump to "Coach" Ron Beaudet. Currently the jump area is named the "Roland Tremblay Ski Jump Complex". The jump itself is not named. After a short discussion, it was the consensus of the Board to send the request to the Memorials and Monuments Committee.

Joint Town & School Board Meeting

A conversation had been held with the Newport Superintendent of Schools for a joint Town (BOS) and School Board meeting. The date of Monday, October 24, 2016 was suggested with the venue at the Lou Thompson Room in the Sugar River Valley Technical Institute, 245 North Main Street, Newport, NH. The School Board was hoping to conduct the joint meeting before they become involved in budget meetings in November. It was the consensus of the BOS to meet jointly with the School Board on October 24, 2016 in the Lou Thompson Room at 6:30 p.m.

Shooting Range Update

Acting Town Manager Burroughs informed the Board that the Town had been in contact with Ms. Jamie Colby, a DES representative regularly. Interim Town Manager Brown had explained to the DES the importance of the project to the Town and one of the State's larger employers. During a phone conversation on Friday, the DES stated they were actively reviewing the application. Although there were no details at this time, there will be additional items for the Town to address. DES knows the Town's position and the urgency to get it completed.

Selectman Hooper addressed the Board members and stated he had been down to Concord and had met with a DES representative about the gun range. Hooper had expressed how critical the proposed gun range is and expressed the urgency of the DES review. Selectman Hooper was told that Newport should expect their final thoughts (on the gun range) this week.

Tax Deeding

The BOS was told by Acting Town Manager Burroughs that the deed for 198 Summer Street has been processed. Due to a technicality, the deeding process for 133 Sunapee Street needed to be restarted. Letters had been sent out Monday, October 3, 2016 with the last date for payment being November 2, 2016.

Staffing

Acting Town Manager Burroughs made the BOS aware of three new employees:

Corey Bartlett-Fire/EMS

Brian Lull-Police

Benjamin Clarke-Public Works Laborer

The position of Permanent Water and Sewer Superintendent remains open.

Acting Town Manager Burroughs stated there was currently an opening for a full time patrol officer. The Police Department had been interviewing for the position. Selectman Hooper asked if the Police Department was also hiring part time patrol officer(s). Selectman Hooper asked to speak to Burroughs after the meeting.

Airport Advisory Board (AAB) Resignation

On a motion by Selectman Fratzel, seconded by Selectman Wilmot, ***the BOS accepted the resignation of Edmund Smith from the Airport Advisory Board (AAB). The motion passed 5-0-0.*** Mr. Smith's resignation creates a vacancy on the AAB.

Acting Town Manager Burroughs read aloud the list of vacancies on the various volunteer boards, committees and commissions in Newport. Acting Town Manager Burroughs asked interested individuals to fill out an application online (www.newportnh.net) or by calling the Town manager's office at 863-1877.

ACTION ITEMS:

Outdoor Water Restriction

Agenda item was covered in Open Forum. The notice will be posted on the Town website.

Revaluation Contract

At the September 19, 2016 meeting the BOS approved contracting with Avitar Associates for the 2017 revaluation, but did not authorize anyone to sign the contract. On a motion by Selectman Wilmot, seconded by Selectman Fratzel, ***the Board authorized Chairman Jeff Kessler to sign the contract. The motion passed 4-0-1(Kessler abstained).***

Chairman Kessler signed the contract at the meeting and gave it to Acting Town Manager Burroughs.

Building Assessment Project

On Thursday, Interim Town Manager Brown, Police Chief Burroughs and Building Manager Ken Dennis interviewed the recommended firm. The proposal given to Newport is:

\$74,500 for the condition assessment (Phase 1)

\$34,750 for the functionality assessment (Phase 2)

It is recommended that the Town contract the firm for Phase 1 at this time. There will be a proposal for Phase 2 in the upcoming budget. The Town currently has \$80,000 budgeted for the buildings assessment project.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to accept and sign the contract provided by Corzilius Matuszewski Krause Architects, P.A.(CMK Architects) for a total of \$74,500. The motion passed 5-0-0.***

The question of who would be the individual authorized to sign the contract was raised. Acting Town Manager Burroughs stated that the final contract needed minor revision work. Tonight's request was for the funds to be approved at this meeting. The contract will be forthcoming. The Chairman will be the authorized person to sign the contract when it is completed. Selectman Fratzel amended his motion; Selectman Wilmot agreed to amend as the second.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to accept the contract provided by Corzilius Matuszewski Krause Architects, P.A.(CMK Architects) for a total of \$74,500 and to authorize Chairman Kessler to sign the contract when it was available. The motion passed 5-0-0.***

Dental Insurance Request

Former Town Manager O'Keefe contacted the Town and requested that Dental Insurance be included in the extension of health benefits given to O'Keefe at the time of his separation of employment. The cost of including dental insurance is \$436.05.

After a discussion among the Board members, on a motion by Selectman Wilmot, seconded by Chairman Kessler; ***the Board voted by roll call to add dental insurance benefits to O'Keefe's negotiated settlement. The motion passed 3-2-0 (Hoyt and Fratzel voted no).***

Personnel Plan

Acting Town Manager Burroughs explained the process in amending the Personnel Plan that had been presented to the BOS at the September 19, 2016 meeting. Staff comments had been submitted to the Town Manager to be passed on to the BOS. Unfortunately they were not at the meeting. Acting Town Manager Burroughs asked that the agenda item be tabled so that employee comments could be heard on the Personnel Plan.

There was a discussion on the employee comments and participation. Burroughs stated he did not think the BOS would take any action without the opportunity to review staff comments. Not having the employee input, Burroughs did not feel it was appropriate for the BOS to take action on the Plan since they did not have all the information. There was a general discussion on the agenda item among the Board members. Selectman Fratzel stated he wanted a deadline of October 12, 2016 to receive the employee comments before the October 17th meeting. Burroughs would pass the request to the Interim Town Manager.

Burroughs asked for proposed plans for the personnel plan.

Chairman Kessler requested that employees with concerns attend; especially those with concerns on holiday pay and holiday time off. There was a general discussion among the BOS members about the amount of changes needed and the amount of meeting hours.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted by roll call to enter into non-public session pursuant to 91-A:3 II (b) Hiring a Public Employee at 7:57 pm. The motion passed 5-0-0.***

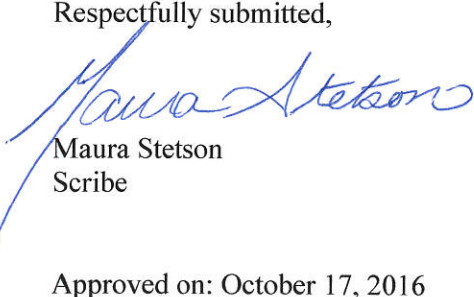
On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to come out of NPS at 8:09 p.m. The motion passed 5-0-0.***

On a motion by Selectman Wilmot, seconded by Selectman Hooper; ***the Board voted to adjourn at 8:10 p.m.***

No action was taken.

The next regular meeting of the Board of Selectmen is scheduled for October 17, 2016 at 6:30 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Approved on: October 17, 2016