

TOWN OF NEWPORT

Board of Selectmen

6:30 pm Regular Meeting & Public Hearing, Municipal Building Minutes for May 4, 2015

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

STAFF PRESENT: James Burroughs, Acting Town Manager; Julie Magnuson, Planning and Zoning Administrator; Larry Wiggins, Director of Public Works; Liselle Dufort, Newport Town Clerk

COMMUNITY MEMBERS PRESENT: Larry Cote, Newport Historical Society (NHS), Jackie Cote (NHS), Virginia Irwin, (NHS); Dick Gassett (NHS), Kathryn Baird (NHS), Dean Stetson (NHS), Rita James (NHS), Jerry Hagebusch (NHS), Priscilla Hagebush (NHS), Jayna Hooper (NHS), Walter Elhardt, Sullivan County ATV Club (ATV Club); Dianne Harlow (ATV Club), Ken Harlow (ATV Club), Mark Carrier (ATV Club), Ken Dufort, Edmund Smith, Sharon MacDonald, Bill MacDonald

CALL TO ORDER: Chairman Nichols called the meeting to order at 6:30 pm followed by the Pledge of Allegiance. Chairman Nichols explained to those present and the viewing audience that Town Manager Brown was out of town. Acting Town Manager James Burroughs was sitting in for him on the Board.

TOWN REPORT DEDICATION:

Chairman Nichols began by stating that individuals would want to read the In Memoriam for Mr. Bill Hoyt in the 2014 Town Report written by Ann St. Martin Stout.

Chairman Nichols then gave a synopsis of the Town Report dedication and the historical society's accomplishments. He addressed Larry and Jackie Cote and stated that the report was dedicated to them. He read the last line of the dedication out loud, *"For their untiring, unceasing, unsung dedication to this community-its past, its present, and its future-the town of Newport is pleased to publicly honor Larry and Jackie Cote"* written by Jayna Hooper. The Cotes were presented with a copy of the 2014 Town Report. Jackie Cote was presented flowers from the Board of Selectmen and the Board members of the Historical Society. The Cotes thanked the Board of Selectmen. Mrs. Cote stated that they would not want to live anywhere else. For the population of the Town, one would not find as many dynamic people and institutions anywhere else. Chairman Nichols asked Kathryn Baird, Board President to speak. She said the Town Report couldn't have been dedicated to a more wonderful couple. The NHS was proud to be honored as well.

AGENDA REVIEW: add: Top Dog Contest Selection (Nichols), Voting Coverage (Burroughs)

item was taken out of order

Top Dog Contest Selection

Mrs. Liselle Dufort, Town Clerk, explained the Top Dog contest for the Board and viewing public. She stated that Newport had 1,496 dogs. The Town was encouraging owners to register their dogs, the contest being one way to do this. As of April 30th, 497 dogs had been licensed. 123 owners had submitted their dog(s) names for the contest. The Top Dog prize consisted of a \$100.00 gift certificate to Pleasant Lake Veterinary Hospital, a large dog door donated by LaValley's Building Supply and the number one (1) dog tag. The winner of the first annual Top Dog Contest was Sheba (a German shepherd), owned by Lynn

Boudreau. Mrs. Dufort congratulated Ms. Boudreau. Mrs. Dufort then explained to the Board her continued plans for the Top Dog contest for this and next year. There was a general discussion between the Board, public and Mrs. Dufort about the census for dogs in Newport. Mrs. Dufort concluded by stating that the month of May is a grace period for registering a dog in Newport. All late fees would be waived.

MINUTES FROM PREVIOUS MEETING: April 20, 2015.

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board approved the minutes of the April 20, 2015 meeting as presented. The motion passed 5-0-0.*

CONSENT AGENDA: On a motion by Selectman Wilmot, seconded by Selectman Hoyt; *the Board voted unanimously to approve the Consent Agenda of 05.04.15. The motion passed 5-0-0 (Attachment 1).*

It was pointed out that the subject of yard sales had not been put on the 05.04.15 agenda. It would be placed on a future agenda after more information had been collected. ATM Burroughs requested that a date not be specified. There was a short discussion.

PUBLIC HEARING: Oak Street Bridge

Chairman Nichols read the notice of the Public Hearing into the record. He then opened the Public Hearing. Chairman Nichols addressed Mr. Larry Wiggins, requesting that he give an overview of the bridge project.

Mr. Larry Wiggins addressed the Board of Selectmen and public in attendance and summarized the Oak Street bridge (green truss bridge) project. He explained to the public that he was currently in negotiations with the engineer in regards to the engineer study phase. They will look at rehabilitation and replacement options. He stated that currently the Town was planning to rehab or replace the bridge without a temporary bridge. Traffic would be detoured (per the BOS wishes) around Barton Whitney Road. This would keep traffic off the Corbin Bridge and keep a limit of 6 tons at all times. He also stated the BOS had stated that a detour through Croydon and Croydon Brook Road was not an option.

He emphasized for the public that discussions had been held with (former police chief) Selectman Hoyt, Police Chief Burroughs, all Town department heads with emergency service vehicles as well as the school system. Mr. Wiggins stated that he had asked the Board of Selectmen if they were aware of the stipulations of the use of the Corbin Bridge and said that from the last meeting (04.20.15) it was the Board of Selectmen's decision that the 6 ton limit would continue to be enforced, Croydon Brook Road was not a viable detour alternative and the detour would be via Barton Whitney Road. Concluding, he stated that the Public Hearing was being held for any input on the detour and any temporary issues.

The hearing was then opened to the public.

Mrs. Jackie Cote asked if the Corbin Bridge was currently 6 tons and if the Town was talking about big vehicles (not using the bridge). She inquired if passenger vehicles would still be able to travel through the Corbin Bridge. Mr. Wiggins stated that the bridge is posted 6 tons. Passenger vehicles could travel through the bridge.

Mrs. Virginia Irwin asked when and for what length of time the bridge would be out of commission. She asked what the duration of the detour would be. She was told it was tentatively scheduled for 2018. It would be closed for a year-March 2018 to December 2018 (one construction season). There was a short discussion on the timetable between Mrs. Irwin and Mr. Wiggins. Mrs. Irwin asked if a school bus used the bridge. She was told yes. The school had been informed of the construction and had stated rerouting would not cause a hardship.

Mr. Bill MacDonald, Blueberry Ridge Road, asked what would be the percentage of increased traffic rerouted through the Barton Whitney/Blueberry Ridge Road. He also asked if there would be improvements made to the roads (large pot holes and frost heaves). *Since Police Chief Burroughs was at the meeting he wanted to inform him that the area was becoming a racetrack. He stated that it would become worse with an increase of traffic.*

Police Chief Burroughs thanked Mr. MacDonald for the information. Continuing, he stated that there would be a traffic study done for traffic using the (green) bridge. There would be a pre-construction study of the traffic using Corbin Road and Barton Whitney Road. There would be another study while the detour was in effect. The traffic studies measure the time of day, vehicle direction and speed. The police department will be able to address speeding during this time.

Police Chief Burroughs requested that the question of road reconstruction be answered by Mr. Wiggins. Chairman Nichols explained the expenditure of monies for rehab and maintenance of roads in Newport and how the fiscal years allotments would be used. Selectman Kessler addressed Mr. Wiggins and inquired as to any possible 80/20 grants if improvements were required on Barton Whitney Road (due to the detour). Mr. Wiggins stated he would look into it, but could give no promises. There was a short discussion.

Chairman Nichols stated that there was limited space (at the site) for a temporary bridge. It was also cost prohibitive.

Mr. MacDonald asked if the Greenwood Road Bridge would be opened again. He was told no.

Mr. Jerry Hagebusch asked about the detour problem. Chairman Nichols explained. Paradise Road was not fixed because it was cost prohibitive.

Mrs. Priscilla Hagebusch asked again for the dates that the bridge would be closed. She was told 2018. She asked if the public could use the bridge up to 2018. She was told the bridge would be open unless it degraded further and the state came and closed it. Mrs. Hagebusch had a short statement on the increased traffic on Barton Whitney.

Mrs. Jackie Cote asked if the new bridge would be one lane or two. Mr. Wiggins stated that the new bridge would match what was currently there. He explained the different construction, rehabilitative and new.

There was a discussion between Mr. MacDonald, Mr. Wiggins and the Board on other bridges and culverts in the area.

Mrs. Sharon MacDonald asked Mr. Wiggins what the cost of a temporary bridge was. He stated an estimate of \$400,000. She then asked the proposed cost of the permanent bridge. Mr. Wiggins stated that an estimate would be over two million dollars (\$2,000,000). Selectman Fratzel addressed the public in attendance and explained the logistics of constructing a temporary bridge at the site; the feasibility and liabilities. Mr. Wiggins addressed Mrs. MacDonald and elaborated.

Selectman Wilmot asked that the ability of fire apparatus going over the Corbin Bridge be explained. Acting Town Manager Burroughs stated that Fire Chief Conroy had indicated that fire apparatus could go over the Corbin Covered Bridge. Mr. Wiggins explained further, stating that all apparatus except the ladder truck could use the bridge. They had alternate routes to use. There was a discussion on the use of the Corbin Bridge and the 6 ton weight limit on it as well as the detour route of Barton Whitney Road.

There being no further comments or questions, Chairman Nichols closed the public hearing. There was no action taken. Chairman Nichols thanked the public for attending the hearing.

Chairman Nichols addressed Mrs. Irwin and asked when the BOS would be able to have a legislative update. It was set for the first BOS meeting in June.

FORUM:

Mr. Walter Elhardt, Sullivan County ATV Club addressed the Board of Selectmen. He stated that the Club was requesting the use of a portion of Kelleyville Road to Satterlee Road for the summer. He explained the reasons for their request, stating that Claremont had shut down the use of the ATV trail on Washington Street for the summer. The use of the road would give the ATVs an access from Claremont to Newport. He listed the precautions and work the club would do if they were allowed the use of the roads. He stated the ATV club had had success in Claremont without any issues and they were asking the Town of Newport for their assistance now (he gave each Selectman a handout from the club). Chairman Nichols asked for clarification; if it was for the entire summer. Mr. Elhardt stated yes. Continuing, Mr. Elhardt explained the responsibilities and liabilities that the club would assume. Chairman Nichols asked what part of the rail/trail was closed in Claremont. He was told the city section. There was a lengthy discussion on the use of the trail between the ATV club members and the Board.

The town of Newport had granted the club a day use of the Satterlee, Blueberry Ridge and Kelleyville Road for two years for their annual Poker Run fundraiser with no adverse experiences. There was a lengthy discussion between the Board members, Mr. Wiggins, Police Chief Burroughs and the club members. The club members stated that insurance would be purchased for landowners and trail. The club members would post the trail with appropriate speed limits and other signage. They requested that the area be available to them from May 23-November.

Mr. Bill MacDonald asked for clarification of the Newport roads affected. He then addressed the club members and asked if they would be assisting Mr. Wiggins with the road maintenance. He asked what the additional ATV traffic would do to the roads. There was a discussion on road maintenance, costs and the proposed timeframe. The club members agreed that if their proposal was granted, they would limit the timeframe from the end of May to the second week in October. There was a continued discussion with Mr. Wiggins. Mr. Mark Carrier, President SC ATV Club, addressed the Board members and stated that legally ATVs stopped at the first snow fall. He explained. There was further discussion.

Acting Town Manager/Police Chief Burroughs addressed the club and stated pros and cons to their request. He also stated potential long-term affects if their request was granted.

Chairman Nichols recommended that the Board give Police Chief Burroughs and Mr. Wiggins time to look at the request. He asked that they wait until the May 18, 2015 BOS meeting for a decision by the Board. Selectman Kessler asked if there should be a Public Hearing. Police Chief Burroughs reminded the Board that the club members had gone door to door and explained the ATV activity for the Poker Run. He asked for a Public Hearing. There was a detailed discussion. A Public Hearing was set for 05.18.15.

Mr. Edmund Smith addressed the Board of Selectmen. He submitted two papers (*Attachment 2 & 3*). One was a printout of his original questions concerning Parlin Field with Town Manager Brown's answers. A second paper listed whether Mr. Smith was satisfied with the answers received and his rebuttals. Mr. Smith stated he would like to have Town Manager Brown again answer the questions. After a short discussion with the Board, Mr. Smith stated that he would return at the next BOS meeting and resume his questioning.

COMMUNICATIONS:

Board of Selectmen

Selectman Wilmot had nothing at this time.

Selectman Kessler informed the Board and viewing audience of a Public Hearing at Mt. Sunapee concerning the expansion plan. Those individuals with questions that are unable to attend the hearing should submit them to DRED. Selectman Kessler also informed the Board and viewing audience that sample ballots were on the town website to view before voting day (May 12, 2015).

Selectman Hoyt stated that he was at the Little Red Baron restaurant when Presby Environmental had gone to inspect their septic system. Selectman Hoyt described the problems found in both the kitchen and bath septic systems. Selectman Hoyt stated he had requested that a copy of their official report be sent to the Town Manager and Selectmen. There was a short discussion between Mrs. MacDonald and Selectman Hoyt on the Red Baron and the septic system liability.

Selectman Fratzel had nothing at this time.

Chairman Nichols reminded the viewing public of Town voting on Tuesday, May 12, 2015 from 8 am to 7 pm. He encouraged all to vote. Chairman Nichols stated that he wanted to explain the warrant on the ballot concerning the budget. He explained the difference between the default and the regular proposed budgets. He explained the consequences of voting for the default budget.

Chairman Nichols also stated that the 3 newly cast rifles for the veteran's monument on the Common (to be placed at the 2015 Memorial Day ceremony) would be on display in the Opera House on voting day. Last, Chairman Nichols addressed concerns by citizens not following the Newport dog ordinances. Police Chief Burroughs explained some infractions, the fines incurred and asked for a public watch for problems. He stated that recurring problems should be reported to the Newport police department. Police Chief Burroughs stated that most dog owners were polite, responsible and obeyed the ordinances. There were a few that did not.

Acting Town Manager Burroughs stated that on May 9, 2015 Newport would hold the Sunshine 5K. The start/finish would be at the Corbin Covered Bridge. The road around Corbin Covered Bridge would be closed to through traffic for approximately 1 ½ hours, starting at 9:30 am. Police would be at the site to ensure safety.

Selectman Kessler stated that also on May 9th, at Parlin Field, the airport and Car Nutz would be hosting "Wings and Wheels" from 11am to 3 pm. He described the event and those participating. The proceeds from the event would go to the Newport Rotary and Parlin Field. Canned goods would be collected for the Newport food pantry.

INFORMATIONAL:

Town Manager Search

Selectman Wilmot addressed the Board and brought them up to date on the search process. He explained the process that the committee was now undergoing and that the final selections were almost complete. At their May 11th meeting they would have their final candidates that would be submitted to the Board of Selectmen. There were no questions from the Board.

Septic Issue

Chairman Nichols read into the record a memo sent by Ms. Julie Magnuson (TOPAZ), on the current septic discussion in Town (*Attachment 4*). There will be a special meeting of the Planning Board on 05.05.15 concerning a zoning amendment prohibiting the proposed practice. Selectman Kessler asked that it be put on the next BOS meeting's agenda.

Sunapee and Canal Street Overnight Parking

Acting Town Manager/Police Chief Burroughs addressed the Board and stated that there had been citizen complaints concerning commercial trucks parking overnight in the small parking lot on Sunapee/Canal

Street. There was a lengthy discussion on the cons of allowing the large vehicles to park in the lot, the amount of time that the trucks should be allowed to remain in the lot, the restrictions and hardships imposed on surrounding residents with vehicles who use the lot, and the problems incurred in winter months when commercial vehicles park there (the Town uses the area for a snow dump). Police Chief Burroughs stated that currently there isn't any signage, which made prohibiting commercial parking difficult for the police department to enforce. He stated that in Newport the Board of Selectmen could establish a parking ordinance. There was a lengthy discussion among the Board members. Selectman Wilmot made a motion, seconded by Selectman Kessler; to limit parking of commercial vehicles to 30 minutes in the Sunapee/Canal St. parking lot. There was discussion among the Board to impose a stricter limitation. Selectman Wilmot withdrew his motion, Selectman Kessler withdrew his second. There was a short discussion. On a motion by Selectman Fratzel, seconded by Selectman Hoyt; ***the Board voted to authorize the Public Works Department to post signs stating no parking of commercial vehicles in the Sunapee/Canal St. parking lot. The motion passed 5-0-0.*** Mr. Larry Wiggins was instructed to order and post (2) signs in the parking lot entrances.

ACTION ITEMS:

Voting Coverage

Voting coverage by Board members (Selectman Fratzel was ineligible) was assigned by the Chairman and Board members.

APPOINTMENTS: none

ADJOURNMENT:

There being no further business in the public meeting, on a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted unanimously by roll call vote to go into Non-Public Session RSA 91-A:3 II (c) Reputation of another.***

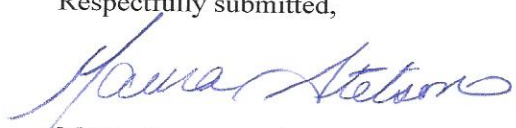
The public meeting adjourned at 8:01 pm. Chairman Nichols announced a five minute break before the NPS.

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; the Board voted to exit the NPS at 8:35 pm. No action was taken.

On a motion by Selectman Hoyt, seconded by Chairman Nichols; the Board voted to adjourn at 8:35pm.

The next regular meeting of the Board of Selectmen is scheduled for Monday, May 18, 2015 at 6:30 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Attachments (4)

TOWN OF NEWPORT
Board of Selectmen
CONSENT AGENDA
May 4, 2015

Department	Document Date	Document	Amount
Assessing	April 20, 2015	Disability Exemption Application	\$15,000.00
Assessing	April 22, 2015	Yield Tax Warrant	\$8,181.77
Finance	April 22, 2015	AP Manifest	\$668,618.42
Finance	April 22, 2015	AP Manifest	\$208,340.61

1. Airport in 2012 the budget was \$133,023.00. (\$196,000.00 Over Budget) This information is on the Newport website, www.newportnh.net. How does one find the budget and minutes to the airport advisory board?

The website has some current airport budget information, but the best source for budget information is the Finance Office in Town Hall. Minutes of the Advisory Board are maintained at the Airport, but are available for review at the Town Office with a days notice.

2. Capitol reserve paid \$24,483.81 to the airports budget- who's money was that?

The Capital Reserve Fund was established by Article #11 of the 2009 Town Meeting, for the purpose of future repair, maintenance, or improvements at the airport, with the Board of Selectmen as the agents to expend. The funds were transferred to the Fund from the General Fund. The funds consist of the municipal share of the property taxes generated by the construction of hangars on the leased land at the Airport (\$11,544 in 2009 and \$12,746 in 2010, plus \$193.81 in accumulated interest from the fund. The Board of Selectmen approved the transfer of those funds from the Capital Reserve Fund to the Airport Fund at their 2/21/11 meeting.

3. General fund paid \$20,310.00 to the airports budget- who's money was that?

In the 2012 Operating Budget, there was a Transfer to the Airport Fund in the amount of \$20,310. The funds consist of the municipal share of the property taxes generated by the construction of hangars on the leased land at the Airport in the 2011 fiscal year.

4. Did the airport receive \$166,345.90 was this taxpayers money?

In 2012, there were expenditures for paving the runway in the amount of \$166,345.90. There was no specific transfer of funds raised by property taxes for this project. Revenues for that year amounted to \$164,843, of which \$20,310 was from the taxpayers, as noted in question #3, and \$24,483.81 from the Capital Reserve Fund as noted in question #2.

5. The runway is 3,500 ft, who's equipment, material and labor that put down the loam on the sides of the runway, how much did that cost and who paid for it?

The project to loam the sides of the runway was performed by a combination of airport volunteers and Town DPW staff. The material was taken from the airport property. The cost of the DPW staff's effort has not been determined.

6. On 2/26/2015 who posted RSA 635 & 422? Why?

The postings were recommended by the NH DOT Bureau of Aeronautics as a safety precaution given the open access to the airport. The signs were provided by NH DOT AB.

7. The airport website says Pilots only can camp out that camp out at the airport, does the airport need a permit from DES?

I am looking into the requirements regarding camping on the property to see if the Town needs to do anything further in this regard.

8. The airport is owned by the residents of Newport but yet they are being restricted and can not camp on Town owned property why is that?

I have not heard of citizens who have asked to camp at the Airport, and accordingly, I have never addressed it. I do know the Boy Scouts have camped on the property in the past as a special event. I would not like to see the Airport opened up to camping on a regular basis.

9. We would like the selectmen of Newport to allow the residents to camp at the airport also, not just Pilots, when would we receive an answer?

I know the Board has heard this request, but there has been nothing scheduled relating to this issue. I do not believe the Board will take any action until we have the information from the State.

10. When the Red Baron pays their rent, to the town, where does that money go?

The rent from the Red Baron is deposited into the Airport Fund as the building is part of the airport property.

11. When the pilots pay their taxes on their hangers, where does that money go?

Property taxes paid on the hangars is deposited to the General Fund like those of any other property in Town.

12. After the last selectmen's meeting I attended there are more people that would like to see the airport advisory board on camera at the selectmen's room, would the board have them meet there so the public will be more informed where all this money is going?

I know the Board heard this request at the last meeting, but nothing has been scheduled to address the issue. I also know that the Board has been working on having the land use boards televise their meetings in accordance with the direction of the 2013 Town Meeting vote.

Questions to ask at Selectman's Meeting May 4th 6:30pm

12 questions and have not received correct answers to some of them.

1. At their meeting they said all the minutes and budgets were posted on the web site - where are they? After not finding it on the web site I went to the Town Office and they wanted to charge me .25 cents a copy, after we were told at the meeting that the budget and minutes were on this web site
2. You do not agree because 2012 revenue and expenses report does not agree with Paul's answer.
3. So there is more money that goes into the Airport fund that has been identified.
4. Expense account for 2012 shows that there is \$196,581.00 in the red needs to be explained.
5. Question has not been answered, they use screened loam and town equipment and labor.
6. When was this recommended by DOT and why?
7. Still waiting for an answer. Pilots that are not residents of Newport are given the code numbers to get into the office so they may use the facilities they are not handicapped accessible, this being Town Property I believe the town is in violation.
8. Waiting for an answer
9. Waiting for an answer
10. Would like to see all the money that is put into the Airport
11. The money paid is said to go right back to Airport
12. Other boards are mandated to go to the Town Office to be taped

MEMORANDUM

FROM TOPAZ

COPY

Date: May 4, 2015
To: Gary Nichols, BOS Chairman
From: Julie M. Magnuson, Planning & Zoning Administrator *Jmm*
Subject: Land Application of Septage

You requested that I update you as to the status of the recent "septage discussion".

The concern is that this particular land use could be permitted with a DES permit anywhere in Newport that farming is allowed. Knowing that has prompted a broader discussion regarding whether or not it should be allowed in any zoning districts in Newport.

I have been asked to bring this topic to the Planning Board for discussion regarding a possible zoning amendment pertaining to this use. I have done extensive research over the past few weeks on the topic and have scheduled a discussion under Administration at tomorrow night's Planning Board meeting (6pm).

If the Planning Board votes to move forward with a zoning amendment, it will be up to the Board of Selectmen as to when it should be voted on by the registered voters. Our two choices will be in May of 2016 or at a special town meeting whenever it can be scheduled.

I am currently working on compiling information from other towns across the state and their regulations pertaining to the land application of land-spreading, stockpiling or using human septage, sludge and biosolids.