

**TOWN OF NEWPORT**  
**Board of Selectmen**  
**6:30 pm Regular Meeting & Public Hearing, Municipal Building**  
**Minutes for May 18, 2015**

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**SELECTMEN PRESENT:** Gary Nichols, Todd Fratzel, David Hoyt, William Wilmot, Jeffrey Kessler\*  
\*arrived late

**STAFF PRESENT:** Paul J. Brown, Town Manager; James Burroughs, Newport Police Chief

**COMMUNITY MEMBERS PRESENT:** Walter Elhardt, Vice President Sullivan County ATV Club; Ken Harlow, ATV Club; Edmund Smith, Lester Rossiter, Steven Swensen, Elizabeth Rossiter, Jane O'Clair, Susan Gregory, Keith Gregory, Bert Spaulding, Sr.

**CALL TO ORDER:** Town Manager Brown called the meeting to order at 6:30 pm followed by the Pledge of Allegiance. He then led the election of the office of Chairman of the Board. On a motion by Selectman Wilmot, seconded by Selectman Hoyt; *the Board voted to appoint Mr. Nichols to the office of Chairman. The motion passed 4-0-0.* Town Manager Brown handed the meeting to Chairman Nichols. Chairman Nichols then asked for nominations for the office of Vice Chairman. On a motion by Selectman Hoyt, seconded by Selectman Wilmot; *the Board voted to appoint Mr. Fratzel to the office of Vice Chairman of the Board. The motion passed 4-0-0.* Both men were congratulated. Chairman Nichols thanked the Board for his reelection. He announced to the Board and public that after this year (2015-16) as a Selectman he would be retiring from the Board.

Board of Selectmen Operating Guidelines & Handbook

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; *the Board voted to reaffirm the Board of Selectmen Operating Guidelines & Handbook. The motion passed 4-0-0.*

Ethics Policy

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to reaffirm the Ethics Policy. The motion passed 4-0-0.*

**EMERGENCY MEDICAL SERVICES WEEK:** Chairman Nichols read the proclamation: "Emergency Medical Services Week May 17-23, 2015 Town of Newport, NH" in full (Attachment 1). It was signed by the Board. Chairman Nichols spoke highly of the emergency medical services providers who work and volunteer for the Town of Newport. He stated that Newport depends on its volunteer EMT personnel to provide a high quality of service. He encouraged anyone interested in volunteering to contact Captain Ken Carleton or Fire Chief Wayne Conroy at the fire station.

Chairman Nichols announced that he had neglected to site proclamations for the law Enforcement Week and National Emergency Dispatch Week on their respective dates. He apologized for the oversight.

**AGENDA REVIEW** agenda was approved as presented.

**MINUTES FROM PREVIOUS MEETING:** May 4, 2015

On a motion by Selectman Wilmot, seconded by Selectman Hoyt; *the Board voted to approve the minutes of the May 4, 2015 meeting as presented. The motion passed 4-0-0.*

**CONSENT AGENDA**

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; *the Board approved the Consent Agenda of May 18, 2015 as presented. The motion passed 4-0-0*(Attachment 2).

**PUBLIC HEARING: Sullivan County ATV Club**

Chairman Nichols read the public hearing notice into the record. He then opened the hearing. Chairman Nichols acknowledged Police Chief Burroughs. Police Chief Burroughs gave a synopsis of his activities since the ATV club's request. He stated that residents on the proposed impacted roads had been personally notified of the public hearing; he had spoken to them and photos of the roads had been taken. Police Chief Burroughs stated the RSAs that gave the Board of Selectmen the authority to open a road to ATVs. Continuing, he explained the precedence of this happening in Newport. Police Chief Burroughs stated that recently the Town of Newport had granted two, one day permits to the ATV Club for a charity Poker Run they had held. The permitted use was on the same roads as are being requested now. He explained.

Police Chief Burroughs stated that he had a number of concerns about opening up the proposed sections of the roads.

- They would be open to ATVs seven days a week, twenty four hours a day for an unknown length of time vs one day, in daylight hours and in a controlled environment.
- Dusty conditions created by the ATV traffic.
- Safety issues with poor line of sight on the sharp corners (he explained).
- Speed. The PD is currently conducting traffic studies.
- No road shoulder on Satterlee Road.

Residents had expressed quality of life (noise, safety, etc.) concerns to Police Chief Burroughs.

Chairman Nichols asked that the ATV Club address the Board and audience with their request. Mr. Walter Elhardt, Vice President of the Sullivan County ATV Club, addressed the BOS and public in attendance (Mr. Harlow, ATV Club trail administrator, passed out handouts to the Board). Mr. Elhardt stated that he had information that would help with the safety issues that were brought up. The club had calcium chloride that they would put on the dirt roads to keep the dust down. The club had access to road signage to post speed limits, warn of corners, etc. He gave examples of wording on some signage. He stated that the police doing the traffic study in the area was a positive thing. Individuals on ATVs would be deterred from adverse conduct. He told the Board there would be two other groups patrolling the trails and the proposed roads: the Trail Patrol members and a NH Fish and Game Officer. He continued, stating that any resident that had issues would be encouraged to call the ATV Club. Addressing concerns of motorists, Mr. Elhardt gave examples of signage in Claremont that had worked well.

Chairman Nichols asked if there was anyone from the public that wished to speak.

Mr. Lester Rossiter, Old Kelleyville Road, addressed the Board of Selectmen and stated he was not in favor of opening the roads as a trail. Mr. Rossiter stated it had been tried a few years ago. The residents had issues with dust, speed and ATVs riding side by side. Clarifying for the Board and club members, he stated that the infractions were not done by all of them (ATV riders); but by a majority of them. Continuing, he said that he was concerned with the issues on Blueberry Ridge Road. Concluding, he reiterated that he was against it.

Chairman Nichols thanked Mr. Rossiter.

*Selectman Kessler joined the meeting at this time.*

Mr. Steven Swensen, Old Kellyville Road, addressed the Board of Selectmen and stated his concern of speed. An example was the existing rail trail to Claremont that is posted. Mr. Swensen stated that few individuals follow the speed limit. Another concern was the condition of the trail. If the state did not



maintain it the trail would be rutted from the ATVs ("raising Cain"). Last, the noise. He did not want it on his road. Concluding, Mr. Swensen stated that he was against it.

Mrs. Susan Gregory, Old Kelleyville Road, addressed the Board of Selectmen and stated that she and her husband were "dead set against" allowing the ATVs to use the proposed town roads. The extra traffic would be a safety hazard. She told the Board that the club members were respectful. They traveled through the area quietly and obeyed the speed limits, the laws, etc. It was other ATV riders that did not follow the rules. She gave examples. Mrs. Gregory stated that they (the Gregorys) owned the property at the end of the trail that the ATVs would have to cross over it; they were not opening the land to the proposed use. Mrs. Gregory stated that they had opened their property to the club for their charity runs and they would continue to do so-for the club. Citing a previous attempt (was mentioned earlier); Mrs. Gregory stated that there had been damage to their property. They would not be allowing passage across their property.

Selectman Wilmot addressed the Chair and asked if the ATV Club request was moot if the Gregorys did not give their consent to allow ATVs across their land.

There was a short discussion between Mr. Elhardt, Gregorys and the Board concerning a different parcel of land that could potentially be used instead of the Gregorys for access to the Old Kelleyville and Satterlee Roads. Work that would be necessary for its use was discussed.

Mr. Elhardt asked for permission to use the paved road for the off-road vehicles. He stated it would cut down on the concerns being expressed at the meeting (noise, dust, misbehavior of some ATV riders). There was a discussion between Mr. Elhardt, Police Chief Burroughs and Board members concerning alternative routes and the safety issues with each. Mr. Elhardt gave a lengthy discourse advocating the ATV Club's request.

Mrs. Jane O'Clair, Blueberry Ridge Road, addressed the Board of Selectmen and stated that cars were speeding on her road. She told the Board that if the ATVs and cars were both on the road it would create a very dangerous situation. Mrs. O'Clair stated that she witnessed the current situation with just having cars. She was against the proposal.

There was a lengthy exchange by Police Chief Burroughs to Board members concerning the various routes being introduced, additional (potential) Public Hearings and the request in general. There being no further comments from the public, Chairman Nichols closed the Public Hearing.

Chairman Nichols addressed the Board and asked for comments or questions. Selectman Wilmot stated that a new Public Hearing would need to be held for the use of the newly proposed route. Selectman Hoyt agreed. Selectman Hoyt also stated that he had safety concerns using the alternate route proposed at the (05.18.15) meeting. Chairman Nichols addressed Police Chief Burroughs and asked him to explain any concerns he had on the new route. He gave them.

Selectman Fratzel addressed the club members and stated he understood why they were pursuing the alternate route, but he did not see any good coming from opening the Newport roads to the ATVs. He listed the cons of the request.

Chairman Nichols asked for the pleasure of the Board. He asked if the Board wanted the Club to come back with a new proposal, or if it the consensus of the Board that the proposed and alternate route would not be favorable. Chairman Nichols polled the Board: Hoyt, no to both; Fratzel, no to both; Kessler, no to both. Selectman Wilmot explained his misgivings. He stated that he would like the ATV Club to return with a better plan. Chairman Nichols addressed the club members and stated that the proposal as given

(05.18.15) could not be accepted. He explained. Continuing, he stated the polled Board did not show support using the Oak Street alternative. They could return with another presentation.

The ATV Club members in attendance stated that they did not want to beleaguer the process of a decision by the Board. They requested that the BOS take a vote at the 05.18.15 meeting.

The Chair called for a vote. On a motion by Selectman Hoyt, seconded by Selectman Fratzel; *the Board voted not to approve the requested plan (of the Sullivan County ATV Club) as presented. The motion passed 5-0-0.*

Mr. Elhardt and Mr. Harlow thanked the Board of Selectmen for their consideration and time. Chairman Nichols thanked the club and citizens for coming to the meeting and for their time.

#### **FORUM:**

Mr. Edmund Smith addressed the Board of Selectmen and stated that he had not received answers to his questions concerning the airport finances (questions had been presented 04.21.15 and 05.04.15 to the Board). He reiterated his request for answers to his questions. He then told the Board of a TV interview and broadcast on Channel 5 concerning Parlin Field and the vote on Town Meeting 2015. He stated he had been interviewed for the story as well as Mr. Kloeppel (pilot and co-manager of airport). Mr. Smith told the Board of Selectmen that Mr. Kloeppel had given incorrect financial information during the TV interview. Mr. Smith provided the web link (to the TV interview) to the Board. He reiterated his questions concerning airport finances and again asked that the Town Manager answer them. He gave the Board additional questions concerning fuel sales at the airport. Mr. Smith had no further questions. He thanked the Board. Chairman Nichols invited Mr. Smith to stay for more information.

#### **COMMUNICATIONS:**

##### Board of Selectmen

Selectman Wilmot had nothing at this time.

Selectman Kessler stated he was disappointed in the low numbers at Town Meeting voting. He stated that town meeting and the deliberative session were times when voters could give their input on Town issues.

Selectman Hoyt had nothing at this time.

Selectman Fratzel had nothing at this time.

Chairman Nichols thanked those voters that did vote. He told the viewing audience that Monday, May 25<sup>th</sup> Newport would celebrate Memorial Day and events would be held on the common. He invited all to attend.

Town Manager Brown had nothing at this time.

#### **INFORMATIONAL:**

##### Town Manager Search

Selectman Wilmot addressed the Board and audience and stated that the Search Committee had culled the Town Manager applicants from twelve to four. The names of the four finalists had been presented to the Board of Selectmen. The Board had been given a synopsis of the Committee's work from beginning to end. The Board of Selectmen would be interviewing the four candidates on Tuesday, May 19, 2015. Chairman Nichols, on behalf of the Board of Selectmen, thanked the Search Committee members. He gave special thanks to Selectman Wilmot for chairing the committee and doing a stellar job. Selectman Wilmot thanked the Chair and as Chairman of the Town Manager Search Committee, he thanked the committee members.



## Town Meeting Wrap Up

### Elections

Town Manager Brown congratulated Charen Urban for her election as Library Trustee. He congratulated Selectman Fratzel for his reelection to the Board of Selectmen. Finally, he thanked the citizens for electing him (Brown) as Trustee of Trust Funds. He stated that due to the fact that he is Town Manager, he would have to decline the position. He could accept the post as finance director, but not town manager. He asked the Board how they would like him to proceed, giving them various scenarios. He would be calling other write-in candidates to see if they would be able to accept the position until July 1, 2015.

### Airport

Town Manager Brown stated the warrant article for the airport failed by 11 votes. He explained the vote and request and asked how the Town should proceed. Mr. Bert Spaulding, Sr. addressed the Board and asked that they bypass the vote because it was so close. He felt that the voters in Newport did not understand the question in the article. He asked that a special committee be formed to look into the present and past finances of the airport. He asked that all leases be reviewed and checked to see if they were in compliance.

Mr. Spaulding then raised questions on the Airport Master Plan, questioned whether the pilots had received tax abatements, as well as other questions. There was a very lengthy discussion on the airport between Mr. Spaulding and the Board. Mr. Spaulding was frank and stated more than once that the current administration and volunteers at the airport were doing an excellent job. He stated that his concerns were on the finances and he repeated his request of an independent committee to look into the finances and the irregularities between cited revenues and expenditures.

There was another extremely lengthy discussion between Board members and Mr. Spaulding. Items discussed included:

- Mowing and plowing at the airport.
- The hangars and leases at the airport.
- The accounting (financial) at the airport.
- The selling of fuel at the airport.
- Employees and volunteers at the airport.

Mr. Spaulding asked (before any further discussion) that a vote be taken to form the special committee to look into the finances at the airport. He was told that discussion would be held before a vote. Mr. Spaulding stated additional concerns on:

- The airport website

Mr. Spaulding reiterated his request for a special committee and a vote by the Board.

Selectman Fratzel addressed Mr. Spaulding and asked him to explain what he felt would be a good committee to explore the airport finances.

Mr. Spaulding stated his desire that an expedited committee be formed to provide answers to his questions. There was a lengthy discussion among the Board and Mr. Spaulding. The "Right to Know" law was voiced by Mr. Spaulding as the quickest way to receive the information. Mr. Spaulding requested that the Board set up the committee, participants, number, etc. He could always openly object to the members that the Board chose. There was discussion.

Town Manager Brown stated that there would be appointments and reappointments to the various Boards, Commissions and Committees the first week of June. He asked if the BOS would consider the appointment and details of a study committee be presented on June 1, 2015. There was an exchange on the proposed committee and the items to be studied. A lengthy discussion followed.

Selectman Fratzel made the following motion; *that the Board vote to appoint a committee, yet to be determined, to study the complete finances, all leases, all property and facilities (at the airport). That committee would report back to the Board of Selectmen with a detailed review of those items so that we (BOS) can determine the next course of action.*

Discussing the motion, Selectman Fratzel stated that the committee would provide a framework of the Town's options and how to proceed with the budget for next year. Part one would be to do a full in-depth analysis of the current finances (answering questions from the public on finances). All the leases would be reviewed to see if both parties are meeting their obligations and to review the property issues that came up during the deliberative session. He explained.

Chairman Nichols asked if it could be a seven member committee. Selectman Fratzel agreed, stating that he would also agree to have Town Manager Brown come to the Board and give his suggestion. In the interim, committee member positions could be advertised

Selectman Kessler stated he would second the motion, but he wanted to add what the economic impact (of the airport) was. Mr. Brown stated that the Town did not have qualified personnel to undertake that study and there was no money available. There was a lengthy discussion.

Selectman Fratzel repeated his motion for the record:

*That the Board vote to establish a committee to review the complete finances, all leases, all property, all facilities and the current Master Plan of the Newport municipal airport (Parlin Field).* There was discussion. *Selectman Kessler seconded the motion.* The Chair called for a vote. *The motion passed 5-0-0.*

Selectman Fratzel requested a complete review of the airport webpage to make sure that the Town was in compliance with all federal and state laws, and anything be removed that did not belong there. He asked that any such items be taken down by Tuesday, May 19, 2015. There was discussion.

Selectman Hoyt stated that the whole Town website needed to be updated. There was discussion. The complete update would wait. There was discussion.

Applications for the special committee members would be made available immediately. Appointments would be made on June 1, 2015.

Chairman Nichols acknowledged Mr. Spaulding. Mr. Spaulding made a "Right to Know" request.

- ❖ Copies of all leases for all airport property (old and new; 2010 to present)
- ❖ All expenses in detail: utilities, internet costs, who they are dispersed to and what for, all rent received from any identity on the property.
- ❖ Every fuel purchase, every gallon sold.

Selectman Hoyt asked for clarification, asking if he was requesting fuel purchased by the airport. Mr. Spaulding rephrased it to:

- ❖ Every gallon (of fuel) purchased from a supplier; every gallon sold by the airport.

Chairman Nichols asked, for clarification, if Mr. Spaulding wanted information on each individual sale. Mr. Spaulding stated yes. He stated he would go through all sales personally. He continued dialogue on his requested information. There was a lengthy discussion between Board members and Mr. Spaulding. Mr. Spaulding added to his list of requests:

- ❖ All applications of people on the Airport Advisory Board.
- ❖ All abatements given (to the pilots) in 2010 to the present (if any).

Mr. Spaulding stated he believed he had covered all expenses, all revenue and personnel.



Continuing, Mr. Spaulding asked why the BOS had allowed the AAB to have so many out-of-town members. There was further dialogue. Selectman Fratzel addressed Mr. Spaulding and referred to the motion he made to form a committee. He asked if the next meeting (June 1, 2015) was soon enough to fill member positions. He reminded Mr. Spaulding of the BOS process with all committees.

There was a lengthy discussion between Selectman Fratzel and Mr. Spaulding about the formation of the special committee and Mr. Spaulding's requests through the "Right to Know" law. Mr. Spaulding apologized to the Board and withdrew his requests. Chairman Nichols addressed Mr. Spaulding and explained the strategy for setting up the special committee. There was an extremely lengthy discussion among the Board members and Mr. Spaulding about the airport and committee. Mr. Spaulding then gave another extensive discourse on the airport and discrepancies. When asked, Mr. Spaulding agreed that the information he had requested through the "Right to Know" law was on hold. Both parties reiterated the formation of a committee and what would be investigated.

#### Other

Town Manager Brown stated that the proposed budget for the FY 2015-16 passed. He stated that two new cruisers were leased and delivery would be Tuesday, May 19, 2015. Board members addressed Police Chief Burroughs and asked about the replacements. He described the new vehicles and explained the rotation of vehicles from primary to secondary usage. He also told the Board members about the warranties on the new vehicles.

#### Septage Issue

Town Manager Brown addressed the Board of Selectmen and relayed information on the land application of septage to land on Unity Road. The TOPAZ Administrator had made a decision that it would require a Variance (as a commercial operation in a rural area). The individual was appealing to the Zoning Board of Adjustments. The appeal would be held on June 11, 2015 at 6:30 PM.

Town Manager Brown informed the BOS that the Planning Board would hold a Public Hearing on May 26, 2015 at 6 PM in the Lou Thompson Room at the SRVRTC. It would be regarding a proposed zoning ordinance amendment to prohibit the land application of septage throughout Town. There was discussion of the areas in Town that were potentially affected.

#### **ACTION ITEMS:**

##### Board of Selectmen Committee & Board Assignments

Chairman Nichols appointed a BOS representative to each Board and Committee as needed (Attachment 3). On a motion by Selectman Hoyt, seconded by Selectman Fratzel; *the Board approved all appointments. The motion passed 5-0-0.*

#### **APPOINTMENTS** none

**NON-PUBLIC SESSION:** On a motion by Selectman Hoyt, seconded by Selectman Fratzel; *the Board voted by roll call vote to enter non-public session under RSA 91-A:3, II (d) Real Estate; (e) Litigation; (c) Reputation of Another; (b) Hiring A Public Employee.* Police Chief Burroughs was asked to attend the non-public session.

The public meeting adjourned at 8:40 pm. Chairman Nichols called for a five minute break before non-public session.

Chief Burroughs left the non-public session at 9:05 pm.

On a motion by Selectman Wilmot, seconded by Selectman Fratzel, the Board unanimously voted to exit the NPS at 10:01 pm. No action was taken.

On a motion by Selectman Wilmot, seconded by Selectman Fratzel; the Board unanimously voted to adjourn at 10:02 pm.

**The next regular meeting of the Board of Selectmen is scheduled for Monday, June 1, 2015 at 6:30 p.m.**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Maura Stetson".

Maura Stetson  
Scribe

Attachments (3)



## Emergency Medical Services Week May 17 – 23, 2015

### Town of Newport New Hampshire

## A Proclamation

**Whereas,**

emergency medical services is a vital public service; and

**Whereas,**

the members of emergency medical services teams provide lifesaving care to those in need 24 hours a day, seven days a week; and

**Whereas,**

access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**Whereas,**

emergency medical services providers have traditionally served as the safety net of America's health care system; and

**Whereas,**

emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

**Whereas,**

approximately two-thirds of all emergency medical services providers are volunteers; and

**Whereas,**

the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**Whereas,**

Americans benefit daily from the knowledge and skills of these highly trained individuals; and

**Whereas,**

it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating emergency Medical Services Week; and

**Whereas,**

injury prevention and the appropriate use of the EMS system will help reduce national health care costs.

**Now, Therefore,** the Newport Board of Selectmen, in recognition of this event do hereby proclaim the week of May 17 – 23, 2015 as

### Emergency Medical Services Week

Signed this 18<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
Gary Nichols, Chair

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David Hoyt, Selectman

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Todd M. Fratzel, Vice Chair

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William Wilmot, Jr., Selectman

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Jeffrey Kessler, Selectman

**TOWN OF NEWPORT**  
**Board of Selectmen**  
**CONSENT AGENDA**  
**May 18 2015**

Department	Document Date	Document	Amount
Water & Sewer	May 4, 2015	Abatement List	\$98.64
Assessing	May 5, 2015	Solar Energy Systems Exemption	\$29,750.00
Finance	May 6, 2015	AP General Fund	\$382,428.53
Finance	May 6, 2015	AP General Fund	\$59,888.41
Assessing	May 11, 2015	Veteran's Credit Application	\$500.00
Assessing	May 13, 2015	Abatement Applications – 5 Denials	\$0
Assessing	May 13, 2015	Abatement Application - Granted	\$169.67
Assessing	May 13, 2015	Abatement Application - Granted	\$506.83
Assessing	May 13, 2015	Jeopardy Tax Warrant	\$348.00
Water & Sewer	May 15, 2015	Water & Sewer Tax Levy	\$663,418.00
Assessing	May 15, 2015	Current Use Application	



