

TOWN OF NEWPORT
Board of Selectmen
6:30 pm Regular Meeting, Municipal Building
Minutes for July 20, 2015

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

STAFF PRESENT: Paul J. Brown, Town Manager; Mr. Larry Wiggins, P.E. Director of Public Works; Fire Chief Wayne Conroy, Captain/Paramedic Kenneth Carleton, EMS Division

PUBLIC PRESENT: Shane O'Keefe, new Newport Town Manager; Richard Colburn, Robert Ingalls, George Nemeth, Bert Spaulding, Sr.

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

AGENDA REVIEW: add under Informational Storm Update. Before other business and action items Campground Tax Bill; also requested to move action items up before informational (by Brown), add NPS RSA 91-A:3, II (a) Personnel; (c) Reputation of Another (by Nichols)

MINUTES FROM PREVIOUS MEETING: July 6, 2015.

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to approve the minutes of the July 6, 2015 meeting as presented. The motion passed 5-0-0.*

CONSENT AGENDA:

On a motion by Selectman Kessler, seconded by Selectman Fratzel; *the Board approved the Consent Agenda of July 20, 2015 as presented. The motion passed 5-0-0* (Attachment 1).

Items were taken out of order throughout the meeting.

FORUM:

Chairman Nichols introduced and welcomed the new Town Manager, Shane O'Keefe. Mr. O'Keefe addressed the public in attendance and those viewing from home. He thanked the Board and stated that he looked forward to serving the community as its new Town Manager and working with the department heads, staff and Paul Brown through the transition into the position. Mr. O'Keefe stated that he was excited to be in Newport; he and his wife had had a meet and greet (07.20.15), and he looked forward to starting and serving the community next week.

Mr. Bert Spaulding, Sr. addressed the Board of Selectmen and expressed his ire with the TOPAZ office and its personnel concerning the way in which procedure has been handled and in his opinion how their actions have distorted and tainted the case on a proposed septage ordinance. Citing the "Right to Know Act" he listed documentation concerning the septage case (Case #1028) held in the TOPAZ electronic files. He asked that Town Manager Brown comply with his request and give them to him. He reiterated information (he had given at previous meetings) about the appellant's case and his feelings on the constitution.

Mr. George Nemeth was acknowledged by the Chair. Mr. Nemeth, owner of North Star Campground, addressed the Board of Selectmen and stated that he abuts the property that Mr. Spaulding had been talking about. Addressing Chairman Nichols, Mr. Nemeth said that the state of Wisconsin had been very active in using human waste as fertilizer on their fields. The whole state has discontinued the practice. He admitted to not knowing the whole debate in Newport. Mr. Nemeth stated that if his campground got odor from the spread of human septage, he wanted it in writing that the owners would respond and go smell the odor. Reiterating, Mr. Nemeth stated that the owners (of the Unity Road property) were going to have to go to his property if he called them. The Chair thanked him.

Mr. Richard Colburn addressed the Board. He reminded them that he had been to a previous meeting.

The inclusion of the Forum minutes from the June 15, 2015 meeting has been included for clarification.

(FORUM from the minutes of June 15, 2015: Mr. Richard Colburn addressed the Chair and Board members and explained the reason he was attending the BOS meeting. He had questions regarding the taxation on his vehicle. He stated that Town Manager Brown had told him that the BOS would not approve an abatement to him. He disagreed with the Board's interpretation of the law to exempt recreational vehicles with a current registration. He stated that in prior conversations he had been told that in Newport, NH both local and state registration as well as property tax would have to be paid by RV owners located at seasonal sites. Mr. Colburn stated he felt it was double taxation and he did not believe the law allowed it. He asked the BOS to comment. There was no comment. Mr. Colburn explained his case to the Board. Addressing the Board he again requested that the tax bill be abated or dismissed. Town Manager Brown addressed Mr. Colburn and the BOS and explained the process that would transpire with local as well as NH and out of state owners of RVs should now do.

Mr. George Nemeth, owner of North Star campground, stated that he had received a letter from the Town assessor. He asked the Board how the clients knew they would get a tax bill. The Chair told him it referenced a NHRSA and that Mr. Nemeth was supposed to have passed the information on to his clients.

Mr. Robert Ingalls read from a state law that stated an RV owner would have to pay registration on their RV or pay taxes (whichever is cheapest). He addressed the Board and told them that owners did not know the tax until they received a bill. The registration was handled by the towns, on the owner's birth months, which most times did not coincide with the taxation (timeline) of property. They therefore requested an abatement or exemption be made for them. There was a lengthy discussion between the Board, Mr. Ingalls and Mr. Colburn.

There was another extremely lengthy discussion on the taxation change with the Chair and Mr. Colburn, with Mr. Colburn explaining the difference in seasonal RV and one put in a permanent location. Mr. Colburn addressed the Chair and restated his concerns.

The Board was then asked about subsequent taxation in 2015. There was a discussion.

Selectman Wilmot requested a clarification of the problem. What did it cost to register an RV? Similar to a car: year, make, etc. There was a discussion. What was the RV taxed? He was told. There was further discussion. They then explained the cost of registering vs. taxing the RV. Selectman Wilmot thanked the Board.

There was a lengthy dialogue between the RV owners and Board members. The owners felt it was an unfair taxation; a double whammy. They requested an exemption (abatement) of the property tax bill.

Selectman Kessler asked if there was anything that could be done to assist the (RV) owners. There was a lengthy discussion. The RV owners brainstormed a compromise of the registration costs and taxation. They were told no to each of their suggestions. There was a lengthy discussion.

Town Manager Brown addressed the Board and the RV owners. He stated he wanted to know how many individuals besides the two in attendance at the meeting were affected. Selectman Kessler repeated his inquiry of assistance. Selectman Wilmot addressed Mr. Nemeth and asked how many people from his campground would be affected. He told the Board approximately 20 out of 30 at his campground. Town Manager Brown suggested to the Board that Mr. Colburn and Mr. Ingalls meet with him and they would discuss and come to a resolution. The Chair requested that the men meet with the Town Manager. If nothing was resolved, the Chair requested that they return to the BOS meeting on July 6th.)

Mr. Colburn stated he had four questions for the Board of Selectmen. If his first was answered satisfactorily then the others would be moot. Mr. Colburn stated that he had received a tax bill for real estate tax for his RV. The State of NH law specifically outlined what an RV was and that it was not taxed as real estate. Mr. Colburn stated he had had numerous discussions with Town Manager Brown. His question to the Board of Selectmen was: Would there be an abatement or would his tax be rescinded since his RV was registered?

Chairman Nichols gave historical information about the tax and the responsibilities of campground owners. Mr. Nemeth (campground owner) stated he had received a letter, but it had not stated he was responsible to contact RV owners. Mr. Colburn reiterated arguments from the June 15, 2015 meeting. He gave additional information justifying his case. Mr. Colburn then asked if he would be receiving an abatement or not.

Chairman Nichols stated the Board had to discuss and vote on the matter. Mr. Colburn addressed the Board members and gave further information to justify his case.

COMMUNICATIONS:

Board of Selectmen

Selectman Wilmot had nothing at this time.

Selectman Kessler had nothing at this time.

Selectman Hoyt had nothing at this time.

Selectman Fratzel had nothing at this time.

Chairman Nichols had nothing at this time.

Town Manager Brown announced there was still an opening on the Memorial and Monuments Committee for a citizen at large. Anyone interested should contact the Town Manager's office.

(from the minutes of the July 6, 2015 meeting: On a motion by Selectman Wilmot, seconded by Selectman Fratzel; the Board of Selectmen voted to reestablish the Memorial and Monuments Committee consisting of a member of the BOS, a member from the public (citizen at large) and a member from the Heritage Commission. The motion passed 5-0-0.)

ACTION ITEMS:

Campground Tax Bill

Town Manager Brown explained that he and Mr. Colburn had had several discussions and stated that 2015 had been a transitional year. He explained. Town Manager Brown recommended to the Board that

they call 2015 a transitional year and anyone who was registered as of April 1, 2015 be abated if they showed proof they had registered their RV. He explained.

There were questions and discussion among the Board and Town Manager.

Selectman Kessler made a motion for the Board to abate the property tax of RVs if registration was paid before 04.01.15. Selectman Hoyt seconded.

Selectman Fratzel addressed the Chair. He asked about the individuals who had been waiting to see what the BOS decided before they either registered or paid a property tax. He asked how it could be simplified and fair for all.

Town Manager Brown stated that his standpoint was that the individuals who have questioned the bills had made a good faith effort to register their RVs; they were registered. They had not avoided paying it.

Selectman Fratzel stated that some people (viewing) had not registered because they didn't know what the decision of the Board would be. He asked again for a simpler way to do it.

Selectman Kessler offered to change his motion to state the date of 07.31.15 (instead of 04.01.15). It would give people two weeks to register their RVs. The seconder concurred with the change.

On a motion by Selectman Kessler, seconded by Selectman Hoyt; ***the Board voted that the Town of Newport would abate the property tax on any RV which is registered as of 07.31.15.***

Selectman Fratzel stated that it would only be for 2015. Chairman Nichols concurred, stating they would have to be registered or be taxed.

Mr. Robert Ingalls addressed the Board and for clarification gave a scenario as to how to avoid getting a property tax bill. The Board stated his scenario was correct.

Mr. Colburn addressed the Board and stated that his name was listed as owning property. He wanted, for clarification, to know that his name would be taken from the list. He also wanted, for clarification, to know if from this year forward that all he would have to do was register his RV.

Town Manager Brown addressed Mr. Colburn and stated his name would come off. He expressed difficulties with computer software. Town Manager Brown assured Mr. Colburn that his name would get off the list and that it would not be on there in 2016.

Selectman Fratzel asked how the process would work. Town Manager Brown stated that each year the campground owners would send a list of unregistered RVs to the Town office. The Town would then add the property/parcel into the system. Chairman Nichols addressed Mr. Nemeth and suggested that he recommend to the RV owners that they display their plates.

Chairman Nichols called for a vote. On a motion by Selectman Kessler, seconded by Selectman Hoyt; ***the Board voted that the Town of Newport would abate the property tax on any RV which is registered as of 07.31.15. The motion passed 5-0-0.***

The RV owners thanked the Board; the Board thanked them for attending the meeting.

Discretionary Easement Effective Date April 1, 2015

Town Manager Brown gave a general description of the easement. He expressed he neglected to specify it was to begin with this tax year. On a motion by Selectman Kessler, seconded by Selectman Hoyt; ***the***

Board voted to make the discretionary easement effective April 1, 2015. The motion passed 5-0-0.

Health Trust Membership Agreement

Town Manager Brown stated that Newport was a member of Health Trust for health insurance for all employees. Every few years Health Trust required the Town to sign a membership agreement. The Town Manager needed to be duly authorized to sign (the agreement) by a vote of the BOS.

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; ***the Board authorized Town Manager Brown to sign the Health Trust Membership Agreement. The motion passed 5-0-0.***

INFORMATIONAL:

Storm Update

Town Manager Brown said there had been a debilitating storm in Newport. He asked Fire Chief Wayne Conroy (also in charge of Emergency Management) to elaborate.

Chief Conroy gave the following statistics:

- ❖ About 1,000 people were still without power
- ❖ Estimated repair time would be Monday 07.20.15 at midnight
- ❖ 18 crews were working in the area, 8 crews were in Newport
- ❖ NWS gave estimated wind gusts of <60mph, >90 mph
- ❖ State emergency management contacted Conroy five times between Sunday night and Monday morning

Town Manager Brown relayed the following statistics:

- Thirty two (32) roads were closed
- Up to sixty (60) individual events closed roads
- Fifteen (15) homes reported structural damage
- Six (6) vehicles were damaged
- No injuries reported
- Several crews from all departments were out
- Monday 07.20.15 crews from public works, grounds and building were out

Mr. Larry Wiggins, Director of Public Works added:

- As of 4:30 pm on 07.20.15 Prospect Street was not open; Beech Street was open at the bottom of the hill

Town Manager Brown stated that the Town continued to work on roads and would work on gravel roads. Mr. Wiggins concurred, stating roads would have to be recrowned, etc. The chief problem would be with debris. He requested that Town Manager Brown make an announcement on the brush pile.

Town Manager Brown addressed the Board and viewing public and stated that the brush pile had been closed one year ago due to abuse by some commercial operations. Due to the significance of the damage, the brush pile had been opened for one week. He requested that an extra half day, Saturday, be added. The area would be attended at all times. Town Manager Brown was asked where the brush pile was. He gave the area, stating it would be open from 7 am to 3:30 pm.

Mr. Wiggins stated that per the fire department, brush no larger than 5" in diameter could be burned. Town Manager Brown stated that individuals have contacted him and stated they would take free wood left near the curbing and out of the right of way.

Chairman Nichols acknowledged Selectman Kessler. Selectman Kessler wanted to thank everyone who responded to the event. He praised Mr. Wiggins, Mr. Dennis, Fire Chief Conroy and Police Chief Burroughs and their crews.

Chairman Nichols asked if there were any further questions.

Mr. Wiggins asked what the proposed hours on Saturday would be (for the brush pile). Town Manager Brown and the Board decided on 9 am-1pm.

The Chair thanked Mr. Wiggins for attending the meeting.

Ambulance Billing Update

Town Manager Brown explained to the Board that Captain Carleton had compiled billing information from the 2014 and 2015 (January through April) calendar years. Captain Carleton handed out two pages of billing summaries (Attachment 2, Attachment 3). Town Manager Brown explained the handouts to the Board members.

Captain Carleton thanked the Board for the opportunity to talk to them. He explained the billing, coverage area, 2014 mutual aid, local area and contract areas. He gave percentages for transport and collected calls and additional detailed information. Captain Carleton asked the Board if they had any questions.

Selectman Hoyt asked about the unbillable calls. Captain Carleton explained. Town Manager Brown stated that usually the department was 60-75% billable. He said 2015 showed a realistic statistic.

Selectman Fratzel asked about the totals in the column on the right of the page(s). Selectman Fratzel stated he did not understand the page layout or the accounting. He wanted the summaries of billing information to be redone (so he could understand it).

Selectman Kessler asked if some information (Selectman Fratzel did not understand) was what Newport billed and what Medicare would pay. He was told yes. Addressing another line item indicating commercial health insurance, he asked if companies had a fixed amount they would pay. He was told some, yes.

Selectman Fratzel continued to complain about the content of the handout. Chief Conroy tried to explain one itemization. Selectman Fratzel did not accept it.

There was further discussion between the Board members, Town Manager Brown, Captain Carleton and Chief Conroy.

Chairman Nichols asked Captain Carleton to rewrite his report. He asked that he reformat it, state total billed, show total uncollectible as a deficit, total outstanding, Town contracts, school contracts. Town Manager Brown addressed the Chair. He explained part of the accounting process and why information (Chairman Nichols had itemized) would not be listed. He requested that he work on the summaries and itemizations the Chair had asked for. Chairman Nichols concurred.

Selectman Fratzel insisted he wanted to see expenses vs revenue. Newport vs Newport with contracted towns.

The Selectmen and Town Manager Brown held another discussion on liabilities, finances and billable services.

Town Manager Brown told the Selectmen he would get the revised summaries to them.

Captain Carleton addressed Selectman Kessler and stated he had looked into calls to Newport EMS, a 1st, 2nd and 3rd call all at the same time (the primary went out and then they had another or two other calls). He explained that it only happened occasionally; he had different numbers from month to month.

The Selectmen contested among themselves about responding to calls that were out of town as opposed to in town. Captain Carleton explained the minute scenario where the calls would all be lengthy. He stated that in the FY 2014 Golden Cross covered for Newport six times. Twice because they did not have a second crew, two times due to vehicle failure, the last two were because they were a 4th or 5th call. Newport only has three ambulances. He assured the Selectmen that none of the calls that were "farmed out" were in Newport.

The Selectmen reiterated arguments from last year concerning in and out of town coverage, down time of ambulances, the new ambulance and the old ambulance.

Total number of calls in 2015 thus far was approximately 840.

Amount of time for run (with transport) was two hours.

Amount of time for run (no transport) was one hour/one hour and fifteen minutes.

There were no further questions from the Board. The Chair thanked Captain Carleton and Fire Chief Conroy.

APPOINTMENTS:

Committee & Board Appointments

None.

ADJOURNMENT:

There being no further business in the public meeting; on a motion by Selectman Fratzel, seconded by Selectman Hoyt; ***the Board voted by roll call to go into non-public session: RSA 91-A:3, II (a)***

Personnel; (c) Reputation of Another; (d) Real Estate and (e) Litigation.

The public meeting adjourned at 7:56 pm. Chairman Nichols announced a five minute break before NPS. He stated that Mr. Shane O'Keefe would attend the NPS.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to exit NPS at 8:30 pm. The motion passed 5-0-0.***

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted unanimously to adjourn at 8:31 pm.***

The next regular meeting of the Board of Selectmen is scheduled for Monday, August 3, 2015 at 6:30 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Attachments (3)

TOWN OF NEWPORT
Board of Selectmen
CONSENT AGENDA
July 20, 2015

Department	Document Date	Document	Amount
Finance	July 8, 2015	AP Manifest	\$187,058.57
Finance	July 8, 2015	AP Manifest	\$63,918.10
Water & Sewer	July 9, 2015	Water & Sewer Abatement List	\$309.00

Summary of Billing for Newport Fire -EMS 2014 Calendar Year

Town	Zone	Number of Calls	Number of Billable Calls	Number of No Transport Calls	% of Transport Calls	Amount Billed	Amount Collected from Insurance and or from Patients	% of Collected	Amount Outstanding	Uncollectible Medicare/Medicaid and Commercial Health Insurance
Croydon	NFEMS	71	36	35	50.70%	\$27,080.00	\$18,815.47	69.48%	\$2,829.77	\$5,434.76
Goshen	NFEMS	57	32	25	56.14%	\$22,961.60	\$16,317.61	71.06%	\$2,252.10	\$4,391.89
Newport	NFEMS	1063	489	574	46.00%	\$337,127.60	\$203,725.22	60.43%	\$56,279.50	\$77,122.88
Mt Sunapee	NFEMS	47	43	4	91.49%	\$33,522.80	\$27,217.54	81.19%	\$4,590.40	\$1,714.86
Sunapee Half	NFEMS	92	46	46	50.00%	\$32,954.80	\$25,077.63	76.10%	\$2,768.19	\$5,108.98
Total		1330	646	684	48.57%	\$453,646.80	\$291,153.47	64.18%	\$68,719.96	\$93,773.37
Lempster	Marlow	37	22	15	59.46%	\$17,660.80	\$11,372.64	64.39%	\$1,587.27	\$4,700.89
Claremont	GCA	7	1	6	14.29%	\$656.40	\$485.67	73.99%	\$0.00	\$170.73
New London	NLAS	29	15	14	51.72%	\$8,244.40	\$5,555.43	67.38%	\$1,073.20	\$1,615.77
Grantham	NLAS	29	8	21	27.59%	\$5,623.20	\$4,981.24	88.58%	\$0.00	\$641.96
Sunapee	NLAS	5	4	1	80.00%	\$2,570.80	\$1,728.49	67.24%	\$593.60	\$248.71
Springfield	NLAS	7	3	4	42.86%	\$2,284.00	\$2,277.00	99.69%	\$0.00	\$7.00
Sutton	NLAS	3	1	2	33.33%	\$723.60	\$0.00	0.00%	\$723.60	\$0.00
Newbury	NLAS	9	4	5	44.44%	\$3,011.60	\$2,114.80	70.22%	\$144.49	\$752.31
Total		82	35	47	42.68%	\$22,457.60	\$16,656.96	74.17%	\$2,534.89	\$3,265.75
NFEMS		1330	646	684	48.57%	\$453,646.80	\$291,153.47	64.18%	\$68,719.96	\$93,773.37
Lempster		37	22	15	59.46%	\$17,660.80	\$11,372.64	64.39%	\$1,587.27	\$4,700.89
Claremont		7	1	6	14.29%	\$656.40	\$485.67	73.99%	\$0.00	\$170.73
NLAS		82	35	47	42.68%	\$22,457.60	\$16,656.96	74.17%	\$2,534.89	\$3,265.75
Total		1456	704	752	48.35%	\$494,421.60	\$319,668.74	64.66%	\$72,842.12	\$101,910.74
2014 Town Contract Agreements										
Sunapee						\$15,135.00		Total Collected		\$319,668.74
Croydon						\$11,460.00		Total Uncollectible		-\$101,910.74
Goshen						\$12,150.00		Total Outstanding		\$72,842.12
Total						\$38,745.00		2014 Town Contract Agreements		\$38,745.00
School Sports Reimbursements										
								School Sports Reimbursements		\$1,585.84
								Total Billed Plus Town Contract Agreements		\$534,752.44

Summary of Billing for Newport Fire EMS -January 1, 2015 through April 30, 2015

Town	Zone	Number of Calls	Number of Bilable Calls	Number of Transport Calls	% of Transport Calls	Amount Billed	Amount Collected from Insurance and or from Patients	% of Collected	Amount Outstanding	Uncollectible Medicare/Medicaid & Commercial Health Insurance	
Croydon	NFEMS	17	7	10	41.18%	\$5,083.60	\$2,506.32	49.30%	\$1,579.48	\$997.80	
	NFEMS	27	14	13	51.85%	\$10,177.60	\$6,304.49	61.94%	\$2,365.92	\$1,507.19	
	NFEMS	385	317	68	82.34%	\$152,055.80	\$76,586.45	50.37%	\$46,688.38	\$28,780.97	
	NFEMS	38	35	3	92.11%	\$26,955.60	\$16,636.76	61.72%	\$7,594.84	\$2,724.00	
	NFEMS	43	20	23	46.51%	\$13,343.60	\$7,960.61	59.66%	\$3,774.19	\$1,608.80	
Total		510	393	117	77.06%	\$207,616.20	\$109,994.63	52.98%	\$62,002.81	\$35,618.76	
Lempster	Marlow	10	7	3	70.00%	\$5,842.80	\$2,546.08	43.58%	\$2,678.10	\$618.62	
Claremont	GCA	1	0	1	0.00%	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	
Grantham	NLAS	4	2	2	50.00%	\$1,451.60	\$1,233.17	84.95%	\$81.72	\$136.71	
	NLAS	10	7	3	70.00%	\$3,710.40	\$2,444.60	65.89%	\$602.22	\$663.58	
	NLAS	1	0	1	0.00%	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	
	NLAS	1	0	1	0.00%	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	
	NLAS	7	4	3	57.14%	\$2,584.00	\$1,560.71	60.40%	\$695.08	\$328.21	
Total		23	13	10	56.52%	\$7,746.00	\$5,238.48	67.63%	\$1,379.02	\$1,128.50	
NFEMS		510	393	117	77.06%	\$207,616.20	\$109,994.63	52.98%	\$62,002.81	\$35,618.76	
Lempster		10	7	3	70.00%	\$5,842.80	\$2,546.08	43.58%	\$2,678.10	\$618.62	
Claremont		1	0	1	0.00%	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	
NLAS		23	13	10	56.52%	\$7,746.00	\$5,238.48	67.63%	\$1,379.02	\$1,128.50	
Total		544	413	131	75.92%	\$221,205.00	\$117,779.19	53.24%	\$66,059.93	\$37,365.88	
2015 Town Contract Agreements											
Sunapee								Total Collected		\$117,779.19	
Croydon								Total Uncollectible		\$37,365.88	
Goshen								Total Outstanding		\$66,059.93	
Total								Total Billed as of April 30, 2015		\$221,205.00	
										2015 Town Contract Agreements	\$44,625.50
										Total Billed Plus Town Contract Agreements	\$265,830.50