

TOWN OF NEWPORT
Board of Selectmen
6:30 pm Regular Meeting & Public Hearing, Municipal Building
Minutes for November 2, 2015

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

STAFF PRESENT: Shane P. O’Keefe, Town Manager; Heath Marsden, Airport Co-Manager; James Burroughs, Chief of Police

PUBLIC PRESENT: Bert Spaulding, Sr.

CALL TO ORDER: Chairman Nichols called the meeting to order at 6:30 pm followed by the Pledge of Allegiance.

AGENDA REVIEW: add non-public session (NPS) RSA 91-A:3, II(e), Litigation (by O’Keefe)

MINUTES FROM PREVIOUS MEETING: October 19, 2015

On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board voted to approve the minutes of the October 19, 2015 meeting as presented. The motion passed 5-0-0.*

Non-Public Session minutes of October 19, 2015.

On a motion by Kessler, seconded by Hoyt; *the Board voted to approve the non-public session minutes as presented. The motion passed 5-0-0.*

CONSENT AGENDA

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board approved the Consent Agenda of November 2, 2015 as presented. The motion passed 5-0-0* (Attachment 1).

FORUM: Chairman Nichols acknowledged Mr. Bert Spaulding. Mr. Spaulding addressed the Board of Selectmen (BOS) and expressed his displeasure concerning the Office of Planning and Zoning, Town employees, Boards and cases some Boards are hearing.

COMMUNICATIONS:

Board of Selectmen

Selectman Wilmot had nothing to share at this time.

Selectman Kessler informed the public that the SAU 43 Board would meet on Monday, November 9, 2015 at 6 pm in the Lou Thompson Room. They would be holding a hearing on their budget for the upcoming year. He encouraged people to attend or listen to the meeting on NCTV.

Selectman Kessler stated the Governor and Executive Council would be coming to Newport on November 4, 2015. He asked the Town Manager for more details. Town Manager O’Keefe reiterated the date, stating the Governor and Executive Council would be meeting at the Richards Elementary School at 10 am. He stated that the School would participate; their band and chorus would be performing. Town Manager O’Keefe encouraged people to attend.

Selectman Hoyt stated he had received a phone call concerning the lights on the runway (at the airport). They were on continuously. He inquired as to the reason. Airport Manager Heath Marsden stated that the airport had switched to LED lightbulbs. They require 1/5th of the power of incandescent lightbulbs. He explained the old system of pilot control and the new system of photoelectric LED lighting differed. Selectman Hoyt asked, for clarification, if there was a power savings. Airport Manager Marsden stated yes. There was a short discussion between Board members and Airport Manager Marsden concerning the costs incurred with the runway, taxiway and other lights on the airport grounds.

Selectman Fratzel had nothing to share at this time.

Chairman Nichols had nothing to share at this time.

Town Manager O' Keefe stated Newport had received the Department of Labor inspection report. Newport was found to be in violation of some minor infractions which included the securing of some items in storage areas.

Major infractions were:

- ❖ The Public Works Department (DPW) would need to have a welding booth installed
- ❖ It was recommended that the Fire Station, EMS garage and DPW be evaluated for proper ventilation of carbon monoxide emissions in order to prevent potential carbon monoxide hazards. The Town will do an analysis of the emissions, installation of potential ventilation systems and the costs that would be incurred.
- ❖ The Town of Newport needed to reestablish the Joint Loss Management Committee. New members had been selected. The safety plan would need to be revised to include State labor provisions in its mission statement. It also needs to be reviewed on an annual basis.

Town Manager O'Keefe stated he had to reply to the Department of Labor by December 1, 2015. He stated that he would do so.

Town Manager O'Keefe stated that the Town was moving into Budget Season. He wanted to know how the BOS wanted to proceed. The Town employee health insurance rates would increase 8.65%. There were scheduled raises of 3%. Because of the RSA 91-A information requests it had been discovered that the Town needed to make an upgrade in hardware and software technology. He stated that there was a fund balance that would cover the immediate costs. Town Manager O'Keefe stated that he would flag the fund for the BOS to discuss in the future.

Town Manager O'Keefe stated that he did not know what direction the BOS wanted to pursue with the expenditure of money for technology. He stated that they could talk about it during the November 2, 2015 meeting or the meeting of November 16, 2015. The Board concurred that they would discuss it during the November 16, 2015 meeting. Chairman Nichols also requested that Finance Director Brown prepare and submit a report of the effects of the 8.65% health insurance increase and the 3% pay increase to the budget so the BOS could examine the costs. There was a general discussion on revenues and expenditures within the Town departments.

His last item was concerning the Croydon Fire Department and its assistance or lack thereof. Town Manager O'Keefe and Fire Chief Conroy would contact Croydon on how to remedy the situation.

INFORMATIONAL:

Recap of meeting with Newport School Board

The Newport School Board meeting was held Thursday, October 29, 2015. Chairman Nichols stated he thought it was a very productive meeting. He gave a short statement on the proceedings and stated the School also found health insurance to be a major issue in their budget when looking at employees costs and salaries.

There was a discussion among Board members concerning the CIP plans. Town Manager O'Keefe stated that they would be reestablishing the joint CIP committee. There were further questions about the meeting from Board members. Review of draft minutes from the School Board/BOS meeting would be included on the agenda of the November 16, 2015 meeting.

Disposition of Town property - Former Red Baron Restaurant

Town Manager O'Keefe passed out a draft he had written of a Request for Expressions of Interest (REOI) to Develop the former Parlin Field Airport manager's house located at 8 Airport Road in Newport, NH. He stated that the proposal for the property was taken from the vote at the 2015 Town Meeting. Selectman Kessler stated that he did not believe that a sale of the property was a requirement for the development. Selectman Kessler stated that Article 6 authorized but did not require the BOS to sell the property. He explained his positions with various scenarios and stated that the BOS should not state that selling the property was a requirement; it might dissuade potential developers. There were suggested revisions to Project Requirement (c) of the REOI draft.

Town Manager O'Keefe stated he would make revisions and return to the November 16, 2015 meeting for BOS approval and authorization to go forward with the REOI.

ACTION ITEMS:

Amend Selectboard Operational Guidelines & Handbook

Chairman Nichols addressed the BOS and stated that at the October 19, 2015 meeting the Town Manager had distributed recommended changes to the Board handbook. Selectman Kessler stated that one proposed change in the proposed Operational Guidelines and Handbook dealt with the BOS agenda and specifically "Citizen's Concerns". He said that after years of sitting on and speaking at Boards, he had a serious concern about putting a restriction on the ability or time a citizen could come and speak to the BOS. He explained his position further.

Town Manager O'Keefe stated that the reason g. "Concerned Citizens" was in the document was due to the fact that Informational Items and Action Items many times included individuals with time restraints and distances to travel. One illustration was the meeting with the NHDOT District Engineer. He was on the meeting agenda and was kept waiting for twenty to thirty minutes while a speaker during the Public Forum spoke. He stated that if a citizen has a concern, he could inform the Board (within the proposed time limit) and the problem could be dealt with expeditiously. The Forum would remain in the agenda after the Action Items.

Selectman Kessler stated that the Newport School Board had moved their Forum to the end of their meetings. He was against duplicating that approach in the BOS meeting or initiating a time restraint.

There was a general discussion on the Board members opinions and preferences. Chairman Nichols asked for the pleasure of the Board.

A motion was made by Selectman Fratzel to strike the time limit on page 7, section P. subsection 1. letter e. "Citizen Concerns".

There was a discussion among the Board. Mr. Spaulding asked to speak. Chairman Nichols acknowledged Mr. Spaulding. He stated that the Board could move agenda items out of order if needed to accommodate individuals. He then gave his viewpoint on restricting citizens wishing to speak to the BOS.

Chairman Nichols asked Selectman Fratzel to repeat his motion. He then asked for a second. Selectman Kessler seconded the motion.

Chairman Nichols asked if there was a discussion on removing the time limit on Page 7, section P. subsection 1. Letter e. Concerned Citizens. It would not move the Forum, it would only remove the time limit. Selectman Kessler stated that what the motion did was create two slots for Forum. Selectman Wilmot asked if the BOS could identify the differences between the first and second forum. The BOS held a discussion on the proposed changes.

Town Manager O'Keefe read from the Selectboard Operational Guidelines & Handbook. Under Agenda Management on page 9, letter f. of the document he read, "The Board may vote to suspend the rules concerning agenda management upon a majority vote."

Chairman Nichols addressed Selectman Fratzel and asked if he wished to withdraw his motion and return Forum to its original location in the agenda. Selectman Hoyt said to leave the Forum as it was currently. Chairman Nichols again addressed Selectman Fratzel and asked if he agreed to withdraw his motion. He did. Chairman Nichols addressed Selectman Kessler and asked if he agreed to withdraw his second. He did.

Selectman Fratzel moved that on page 8, subsection (1) letter e. be renamed Citizens Forum with no time limits and to strike on page 9, subsection (1) letter i. Open Forum completely. He stated that the letters j. and k. would be moved in the outline as required. Selectman Kessler seconded the motion.

Town Manager O'Keefe asked the proposed revisions to be repeated for clarification. Chairman Nichols did, and stated that the result would keep the agenda as it currently was.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; ***the Board voted that page 8, subsection (1) letter e. be renamed Citizens Forum with no time limit and to strike on page 9, subsection (1) letter i. Open Forum completely. The letters j. and k. would be moved in the outline as required. The motion passed 5-0-0.***

Town Manager O'Keefe expressed that the BOS had agreed to create an agenda management process. It was listed on pages 8 and 9 subsection (2) Agenda Management. There was a short discussion on the addition. Town Manager O'Keefe stated that the whole document would be included on the Town website.

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; ***the Board approved the Selectboard Operational Guidelines & Handbook as revised. The motion passed 5-0-0.***

Approve proposed 2016 ambulance contracts (Towns of Croyden & Goshen)

Town Manager O'Keefe addressed the BOS and stated that there were only two ambulance contracts before them because the Town of Sunapee was contracting their whole town with New London Hospital. Selectman Kessler asked for clarification if the two contracts went into effect on January 1, 2016. Town Manager O'Keefe stated yes. He stated the contracts had been drawn up with the highest dollar figure the BOS had been given at the previous regular meeting. What they had been presented were contracts for the entire 2016 calendar year. Selectman Wilmot asked the effect of Newport increasing the contract amount and the two towns not having their Town Meeting until March 2016. Their citizens could turn it down.

There was general discussion on dates, billing and payment.

Inserting the applicable RSA explaining #2 on page one was discussed. The explanation of dispatch services was explained by Police Chief Burroughs.

Chairman Nichols addressed Town Manager O'Keefe and asked if the Town of New London had been notified of the change in Sunapee's contract from Newport to New London. He requested that a letter be sent to the Town of New London informing them that as of January 1, 2016 Newport would not be covering Sunapee.

Town Manager O'Keefe asked if the BOS would like to see the finalized contracts before they were sent to the contracted towns. He was asked to provide a new draft to the Selectmen.

There was a general discussion concerning the responsibilities of host and contracted towns.

Authorize agreements for NH Route 11/103 crosswalk (NHDOT & Sturm Ruger)

Town Manager O'Keefe stated that Sturm Ruger was proposing to install a push button activated crosswalk from their main gate to their parking area. The road it would cross was a State highway and they needed State permission. The caveat was that the Town had to enter into a maintenance agreement with the State. The Town would in turn enter into an agreement with Sturm Ruger stating that all maintenance would be the company's responsibility. Town Manager O'Keefe had investigated and found that this had been done in other towns around the state with similar scenarios. The Town had drawn up an agreement and it was being discussed by both parties. He requested Board authorization to execute the State agreement and also the Ruger agreement which was drafted by the Town attorney. It absolved the Town of all liability, maintenance responsibilities, etc.

Sturm Ruger would like to get the crosswalk up and running before snowfall in 2015. There was a discussion concerning the two contracts. Town Manager O'Keefe clarified points of concern. Police Chief Burroughs fielded all questions concerning the crosswalk and its use.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to authorize Town Manager O'Keefe to sign the agreements with the NHDOT and with Sturm Ruger. The motion passed 5-0-0.***

There were additional questions for Police Chief Burroughs.

APPOINTMENTS: none

NON-PUBLIC SESSION(S):

On a motion by Selectman Kessler, seconded by Selectman Fratzel; ***the Board voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II (e) Pending Litigation, and RSA 91-A:3, II (a) Personnel.*** Town Manager O'Keefe and Police Chief James Burroughs were asked to attend the first NPS.

Chairman Nichols announced a five minute break.

The BOS entered NPS at 7:47 pm. Present were Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, along with Town Manager Shane O'Keefe and Police Chief James Burroughs.

On a motion by Selectman Kessler, seconded by Selectman Wilmot; ***the Board exited the NPS at 8:13 pm and returned to public session. The motion passed 5-0-0.***

On a motion by Chairman Nichols, seconded by Selectman Kessler; *the Selectmen voted unanimously by roll call to seal the minutes of the non-public session.*

Chief Burroughs left the meeting at 8:13 p.m.

On a motion by Selectman Wilmot, seconded by Selectman Kessler; *the Board voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II (a) Personnel.* Present were Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, and Town Manager Shane O'Keefe. The BOS entered NPS at 8:14 pm.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board exited the NPS at 8:55 pm and returned to public session. The motion passed 5-0-0.*

On a motion by Chairman Nichols, seconded by Selectman Fratzel; *the Selectmen voted unanimously by roll call to seal the minutes of the non-public session.*

OTHER BUSINESS:

Zoning Ordinance Amendment – The Board discussed the proposed Zoning Ordinance Amendment regarding land application of septage, which was passed by the Planning Board on October 20, 2015, an official copy of which was provided to the Board. The Board discussed whether to have the ballot vote on the proposal decided at the May 2016 Town Meeting or at the upcoming Primary election in February 2016.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; *the Board voted to hold the ballot vote on the adoption of the proposed Zoning Ordinance amendment at the May 2016 Town Meeting. The motion passed 4-0-1, with Selectman Nichols abstaining.*

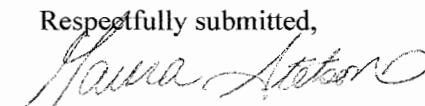
Unsafe properties – O'Keefe was asked by the Board to report back at the next meeting on the properties located at 12 Ash Street, 24 Sullivan Street and 324 Bradford Road.

ADJOURNMENT:

On a motion by Selectman Kessler, seconded by Selectman Fratzel; *the Board voted unanimously to adjourn at 9:03 pm.*

The next regular meeting of the Board of Selectmen is scheduled for Monday, November 16, 2015 at 6:30 pm.

Respectfully submitted,


Maura Stetson
Scribe

Attachment (1)

Approved on: November 16, 2015