

**Town of Newport, New Hampshire  
Board of Selectmen**

**Minutes for Meeting of February 15, 2016  
6:30 pm, Municipal Building**

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

**STAFF PRESENT:** Shane P. O'Keefe, Town Manager; Larry Wiggins, Public Works Director; Andrea Thorpe, Library Director; PJ Lovely, Recreation Director; Becky Merrow, Recreation Supervisor; Paul Brown, Finance Director.

**GUESTS PRESENT:** Thom Marshall, Kleinfelder Engineers

**COMMUNITY MEMBERS PRESENT:** Nancy Wilmot, John Lunn, Brian Rossiter and Bert Spaulding, Sr.

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

**AGENDA REVIEW:** It was agreed to consider Action Item A (PUBLIC INFORMATIONAL MEETING – Oak Street Bridge Replacement) prior to the Open Forum.

**MINUTES FROM PREVIOUS MEETING(S):**

Minutes from regular meeting of February 1, 2016. On a motion by Selectman Kessler, seconded by Selectman Fratzel; *the Board approved the minutes of February 1, 2016 as presented. The motion passed 5-0-0.*

Minutes from Non-Public session (NPS) #1 of February 1, 2016. On a motion by Selectman Wilmot, seconded by Selectman Kessler; *the Board approved the minutes of the first NPS of February 1, 2016. The motion passed 5-0-0.*

Minutes from Non-Public session (NPS) #2 of February 1, 2016. On a motion by Selectman Wilmot, seconded by Selectman Hoyt; *the Board approved the minutes of the second NPS of February 1, 2016. The motion passed 5-0-0.*

Minutes of the budget review meeting of February 8, 2016. On a motion by Selectman Fratzel, seconded by Selectman Hoyt; *the Board approved the minutes of February 8, 2016 as presented. The motion passed 5-0-0.*

**CONSENT AGENDA:** On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board voted to approve the Consent Agenda for February 15, 2016. The motion passed 5-0-0.*

**ACTION ITEM:**

**PUBLIC INFORMATIONAL MEETING – Oak Street Bridge Replacement**

Chairman Nichols acknowledged Mr. Larry Wiggins and asked him to explain the public meeting and to introduce the speaker at the BOS meeting. Mr. Wiggins explained the public meeting was the second to be held on the Oak Street Bridge Replacement. Mr. Thom Marshall from Kleinfelder Engineers was in attendance to give a presentation on the study phase of the project and to answer any and all questions

from the BOS and public. Continuing, he stated that it was for the engineering phase of the bridge project. He then turned the meeting over to Mr. Marshall.

Mr. Marshall gave a short history of the Oak Street Bridge. He went on to explain its type and dimensions. Mr. Marshall provided statistical information concerning the bridge. His firm had met with representatives from the NH Division of Historical Resources and found that the bridge was eligible to be on the national register of historical places. Mr. Marshall indicated historic land holdings in the vicinity of the Oak Street Bridge, spoke about the water quality, potential Shoreland Protection permits and conservation land around the bridge.

Mr. Marshall stated he was presenting three rehabilitation alternatives as well as two replacement alternatives they would be considered one through five (a power point presentation explaining each alternative could be found on the Town website: [www.newportnh.net](http://www.newportnh.net) ).

Rehabilitation One would modify/repair existing bridge. The deck would be replaced with a similar deck, but would have limited load specifications. It would limit the type of vehicle that could travel over the bridge.

Rehabilitation Two would be a modification of the first proposed repair and would upgrade the load limit so the bridge would not need to be posted.

Rehabilitation Three would include widening the existing bridge trusses to 24 feet.

Mr. Marshall said they also had two alternatives for replacement of the bridge.

Alternative Four with Replacement, was called contact sensitive design. This would also widen the bridge to 24 feet.

Alternative Five with Replacement; the bridge would receive a new cover plate, replaced trusses and a conventional concrete abutment. By selecting Alternative Five for replacement the Oak Street Bridge would be 24 feet wide and be stream crossing compliant.

The roadwork to be done on either side of the bridge would include the following:

Alternate 1 matched the existing roadway width and accommodated the structure.

Alternates 1 & 2 created a positive drainage across the bridge (currently flat). The total project length was approximately 475 feet.

Alternate 2 increased the roadway width (24') and accommodated the structure

Alternates 3 & 4 created a positive drainage across the bridge, increased the profile needed to meet minimum hydraulic capacity requirements and eliminated the "Kink" on the east approach.

Mr. Marshall provided additional information to the BOS and public in attendance concerning the potential building alternatives they were considering. He provided the BOS and public in attendance with a document that showed the five alternatives, the cost incurred by each, and the work that would be done.

Mr. Marshall stated Alternative Four was recommended by the Kleinfelder Engineers because of: safety, Long-term cost and it was a good fit to the site.

There was a lengthy discussion between the Board members and Mr. Marshall on various aspects of the bridge project including incorporating a potential sidewalk over the bridge.

Chairman Nichols addressed the public in attendance and asked if anyone had a question or comment. Mr. John Lunn asked Mr. Marshall to explain what the different alternatives would mean for one and two lane traffic. Mr. Marshall explained.

A member of the public addressed Mr. Marshall and stated that alternative four had a 75 year lifespan. She asked him if all the alternatives had a 75-year lifespan. He stated no and explained. Mr. Marshall then held a short discussion with Board members concerning the lifespan of bridges.

Chairman Nichols acknowledged Finance Director Brown.

Finance Director Brown addressed the BOS and gave them historical data concerning the bridge bond. He then explained the amount of money available to the Town before they needed to return to the voters of Newport with a warrant article. The Chair and Board members asked Finance Director Brown specific questions concerning a new warrant article for the Oak Street Bridge replacement. The Board then held a general discussion concerning the information that Finance Director Brown had given them.

Mr. Larry Wiggins addressed the BOS and stated that they needed to decide on an option for the Oak Street Bridge replacement for the New Hampshire DOT. The next phase would be engineering for the bridge and a schedule needed to be put in place.

Mr. Brian Rossiter, Newport resident, addressed the Board. He presented a concern regarding the replacement of the Oak Street Bridge. He told the BOS members that the covered bridge in North Newport had a bow which restricted visibility for drivers. He was concerned that the new construction would similarly create restricted visibility for drivers on the Oak Street Bridge. Mr. Rossiter requested the Board to take that safety issue into consideration. Mr. Rossiter encouraged the BOS to adopt the fourth alternative for construction of the Oak Street Bridge.

Chairman Nichols addressed the Board members and asked for a motion. On a motion by Selectman Fratzel seconded by Selectman Kessler; ***the Board voted to approve the fourth alternative for construction of the Oak Street Bridge. There was no discussion. The motion passed 5-0-0.*** Chairman Nichols addressed Mr. Marshall and congratulated him. His engineering firm would begin their work on the engineering phase of the new Oak Street Bridge.

There was general discussion among the Board members, Town Manager O'Keefe's and Mr. Marshall concerning the Oak Street Bridge. Town Manager O'Keefe stated they would have continuing dialogue concerning the construction and would draft a warrant article for Town Meeting.

Chairman Nichols thanked Mr. Marshall for attending the meeting and giving his informative presentation.

Mr. Marshall and Mr. Wiggins left the meeting at 7:45 p.m.

#### **OPEN FORUM:**

Mr. Bert Spaulding, Sr. addressed the BOS. He explained his position concerning his perceived problems with the Planning Board. He passed out historical documentation dating to the 1980s to the BOS members. Mr. Spaulding focused his concerns on the Newport Planning Board actions, the Newport Planning Board Site Plan Review modifications made on October 15, 2015 and documents he had received through RSA 91-A:3 from Planning and Zoning Administrator Julie Magnuson to the Planning Board members. Continuing, Mr. Spaulding addressed the BOS and listed many items he felt were infractions made by Ms. Magnuson.

Mr. Spaulding stated he felt it was necessary to bring these infractions to the attention of the Board, since a Board member had stated in the previous meeting that Ms. Magnuson had done a good job. Mr. Spaulding gave an extensive dialogue on rules and procedures that had been followed which concerned him.

Mr. Spaulding accused the BOS of improperly overseeing the Planning Board. There was discussion between Selectman Fratzel and Mr. Spaulding as to the purview of the Planning Board.

Chairman Nichols addressed Mr. Spaulding and asked if he had completed speaking as he had had the floor for 20 minutes. Mr. Spaulding continued his dialogue reiterating many items he had stated earlier.

Chairman Nichols addressed Mr. Spaulding and requested that they close public forum at this time. It would be opened later during the meeting.

Public forum was closed at 8:13 p.m.

#### **INFORMATIONAL:**

##### **2017 Budget review and discussion**

##### **Richards Free Library**

Ms. Andrea Thorpe, Library Director; addressed the Board of Selectmen and introduced the library trustees who had accompanied her to the meeting. She then acknowledged Paula Johnson who had received the Volunteerism Award from the library and listed the various programs that would be held at the Richards Free Library in 2016. Ms. Thorpe stated that electronic book circulation had increased and explained the collaboration between the Newport Historical Society and the Richards Free Library in digitizing the Argus Champion newspaper.

The BOS and Ms. Thorpe then went through the library budget. Ms. Thorpe explained that the facility improvement monies had been used for a study for a new parking lot at the library. She also stated that on the recommendation of the Board of Selectmen, an inspector had toured the library building. They now had a document of everything that needed to be updated or renovated. Ms. Thorpe listed the most pertinent items to be taken care of.

Selectman Kessler asked a general financial questions concerning the library. Town Manager O'Keefe addressed Selectman Kessler and explained the line items in question. There was general discussion between the Board members, Town Manager O'Keefe and Ms. Thorpe including the topics of maintenance, phone systems and monitoring systems.

There was a short discussion on what would have been if the default budget passed Town Meeting.

There were no further questions concerning the library budget from the BOS. Chairman Nichols thanked Ms. Thorpe for attending the meeting.

Ms. Thorpe, Ms. Wilmot and Mr. Lunn left the meeting at 8:25 p.m.

##### **Recreation Department**

Mr. PJ Lovely, Recreation Director; addressed the Board of Selectmen and stated that there had been enormous support from the community during the 100<sup>th</sup> annual Winter Carnival in Newport. He credited the numerous local businesses, organizations, volunteers as well as Recreation Department employees Becky Merrow and Beth Rexford for the Carnival's success.

Mr. Lovely addressed the Board and spoke to the Recreation Department budget. He stated that the Rec Center currently had close to 100 volunteers. He gave statistics of the Recreation Center's activities to the Board and spoke to proposed capital improvement plans including the Department's van and the recently completed track. There was a very short discussion concerning increases and cuts made to the Department budget. Mr. Lovely was asked to provide more information concerning the number of participants in his programs.

He spoke concerning the maintenance that had been done and needed to be done in his department.

After a general discussion the BOS concerning the Recreation Center and its successes the Board thanked Mr. Lovely for attending the meeting and presenting his budget.

Mr. Lovely and Ms. Merrow left the meeting at 8:37 p.m.

### **Capital Outlay**

The BOS reviewed the items in the capital outlay section. The first item discussed was purchasing a tractor lawn mower vs. a smaller riding lawnmower. Finance Director Brown addressed the subject of purchasing lawn mowers. He stated that Mr. Ken Dennis, Building and Grounds Department, would be appearing before the BOS on February 29, 2016. He gave a synopsis of Mr. Dennis's proposal to the Board. Finance Director Brown then stated that Mr. Dennis and the BOS would discuss it further. The BOS and Finance Director Brown held a lengthy conversation on the merits of Mr. Dennis's proposal. They listened to input from Town residents Mr. Brian Rossiter and Mr. Bert Spaulding, Sr.

### **Police Phone System and Computer Upgrade**

There was no discussion by the BOS on this matter.

### **Maintenance of Public Works Department Equipment**

Board members asked Finance Director Brown for information concerning the maintenance and replacement costs of equipment in the budget. There was a request for the accumulated hours on the Town's loaders and excavator. The BOS, Town Manager O'Keefe, and Finance Director Brown went over the appropriate line items. They listened to input from Mr. Spaulding, which included recommendations for sampling equipment oil.

Mr. Spaulding made the following request under the "Right to Know Law": *the oil samples on the last truck you blew an engine on for at least three oil changes before the mileage you had read and a copy of the repair orders for the same time period.* He stated that if copies were made he would view them.

After further dialogue by Mr. Spaulding and general discussion of the BOS, members stated they needed to be more proactive instead of reactive in regards to all Town equipment.

### **Pages 34 and 35 of the Capital Outlay**

The Board directed questions to Finance Director Brown. He answered them all.

### **Sewer Section page 4**

Finance Director Brown answered all questions from the BOS.

The budget discussion concluded at 9:06 p.m. and the Board took a break until 9:12 p.m., during which Mr. Brown left the meeting.

**OPEN FORUM (continued):**

Mr. Spaulding continued his dialogue to the Board of Selectmen concerning the Planning Board and Planning and Zoning Administrator. He believed that the current Site Plan Review Regulation changes had been made without proper public hearing notification. Mr. Spaulding reiterated his concerns pertaining to the Planning Board's Rules of Procedure, monthly meetings, critiques of the meeting minutes and the improper procedures that had been followed.

Continuing, he referenced the TOPAZ budget meeting, giving input on various parts of the meeting. Mr. Spaulding concluded his dialogue by questioning employee performance and rhetorically asking what the BOS would do to improve the situation.

Public forum was closed.

**COMMUNICATIONS:**

Selectman Hoyt had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Selectman Wilmot stated that even with its challenging weather, people had a good time at the Newport Winter Carnival.

Selectman Kessler had nothing to share at this time.

Chairman Nichols concurred with Selectman Wilmot that people had had a good time at the Winter Carnival.

Town Manager O'Keefe agreed with the success of the Winter Carnival. Addressing the Primary held in Newport, he wanted to thank Town Clerk Liselle Dufort and her staff as well as the Selectmen that participated at the polls. Chairman Nichols added that the Newport polls had been visited by a representative from the Secretary of State's office. He listed the things the representative checked to ensure that Newport's polls were meeting all requirements. Chairman Nichols stated that the representative gave a positive report on the officials, volunteers and system that Newport used. Chairman Nichols concurred with Town Manager O'Keefe's positive credits of the Town Clerk, employees and volunteers.

There was general discussion among the BOS concerning the Primary and logistics for the Presidential election.

**NON-PUBLIC SESSION(S):**

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.*

The BOS entered NPS at 9:29 pm, pursuant to RSA 91-A:3, II (a) Personnel Matters. Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, and Town Manager Shane O'Keefe.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; *the Board voted to leave non-public session and return to public session. The motion passed 5-0-0. The non-public session ended at 9:30 p.m.*

On a motion by Chairman Fratzel, seconded by Selectman Wilmot; *the Selectmen voted by roll call to seal the minutes of the non-public session. The motion passed 5-0-0.*

On a motion by Selectman Wilmot, seconded by Selectman Fratzel; *the Board of Selectmen voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.*

The BOS entered NPS at 9:31 pm. Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, and Town Manager Shane O'Keefe.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; *the Board voted to leave non-public session and return to public session. The motion passed 5-0-0. The non-public session ended at 9:40 p.m.*

The Board did not vote to seal the minutes.

**APPOINTMENTS:**

Recreation Advisory Committee

Chairman Nichols stated that Mr. Richard A. Cota had applied for an open position on the Recreation Advisory Committee. The Board reviewed the Mr. Cota's application for appointment. On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to appoint Mr. Richard A. Cota to the Newport Recreation Advisory Committee as a student representative. His term would be effective immediately and end on June 30, 2017. The motion passed 4-0-1, with Selectman Nichols abstaining due to the applicant being a relative.*

**ADJOURNMENT:**

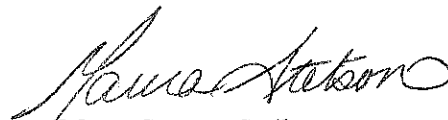
There being no further business in the public meeting, on a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to adjourn at 9:42 pm.*

**The next meeting of the Board of Selectmen (budget review) is scheduled for Thursday, February 18, 2016 at 5:30 p.m.**

Respectfully submitted,



Shane O'Keefe, Town Manager



Maura Stetson, Scribe

Approved on February 29, 2016

Town of Newport, New Hampshire  
Board of Selectmen

Non-Public Meeting Minutes #2 – February 15, 2016

On a motion by Selectman Wilmot, seconded by Selectman Fratzel; ***the Board of Selectmen voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.***

The BOS entered NPS at 9:31 pm. Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, and Town Manager Shane O'Keefe.

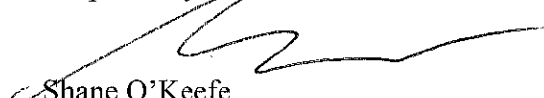
Performance Evaluation

The Board briefly referred to Town Manager O'Keefe's February 1, 2016 response to the Board's December 21, 2015 performance evaluation. Selectman Fratzel thanked O'Keefe for his thoughtful responses to the evaluation. He stated that oversight of departmental overtime has been lax over the years and that the Board should set a goal for the Town Manager to provide controls on overtime. There was general agreement on this concern.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; ***the Board voted to leave non-public session and return to public session. The motion passed 5-0-0. The non-public session ended at 9:40 p.m.***

The Board did not vote to seal the minutes.

Respectfully Submitted,

  
Shane O'Keefe  
Town Manager

Approved on February 29, 2016