

**Town of Newport, New Hampshire
Board of Selectmen
Minutes for Meeting of March 20, 2017
6:30 pm Regular Business Meeting
Municipal Building**

SELECTMEN PRESENT: Jeff Kessler, Chairman; Todd Fratzel, Vice Chairman; William Wilmot, Jr; John Hooper II

STAFF PRESENT: Hunter Rieseberg, Town Manager; Paul Brown, Finance Director; Larry Wiggins, Director of Newport Public Works Department

COMMUNITY MEMBERS PRESENT: Ella Casey, Executive Director, Newport Area Chamber of Commerce; Donna Mohair, President Newport Area Chamber of Commerce; Steve Smith, Newport Area Chamber of Commerce; Bob Saindon, Newport Area Chamber of Commerce; Bert Spaulding, Sr.

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

AGENDA REVIEW: Add: *Non-Public Session RSA 91-A: 3 II (c) Matters which may affect the reputation of another* (by Kessler), **ACTION ITEMS:** Budget and Warrant (by Rieseberg)

PUBLIC HEARINGS: Chairman Kessler read aloud the public hearing notice into the record: The Town of Newport will hold public hearings on Monday March 20, 2017, to address the following issues coming before the Town at the Annual Town Meeting:

The 2017-18 budget in accordance with NH RSA 32

Chairman Kessler opened the public hearing.

Finance Director Brown addressed the BOS and public in attendance and explained the summary of the Operating Budget for 2017-2018. Upon the request of Chairman Kessler, Finance Director Brown also gave a synopsis of the two Union Contracts as ratified at the March 14, 2017 BOS meeting. Finance Director Brown answered all questions from the BOS members.

Chairman Kessler opened the hearing to the public.

Mr. Bert Spaulding, Sr. made a Right to Know request for the cost items for both collective bargaining units under RSA 32:5 and 32:5(a). He explained the reason for his request. There was a discussion between the Chair, Town Manager, Finance Director and Mr. Spaulding, Sr. on the Town collective bargaining agreements and negotiated cost items.

The following questions were asked concerning the operating budget:

Clarification on the Recreation Facility Capital Reserve Fund

Clarification on the Communication Capital Reserve Fund

When will the water users begin to be billed for the water/ sewer project on 1st, 2nd, 3rd, 4th and Knoll Streets? When would construction on the project begin?

Finance Director Brown answered all monetary and general questions from the public.

Mr. Ed Karr stated his concern that some of the items in the budget were wants and not needs. He also stated his concern that several big projects would hit the tax roll at the same time. He requested that the Selectmen look at the spacing of project construction and payments by Town residents. He asked for clarification of other items in the budget summary.

Finance Director Brown answered all of Mr. Karr's questions.

Mr. Spaulding, Sr. spoke about negotiated items in the Newport School System budget.

Finance Director addressed the BOS and explained the Newport Town Default Budget. He answered all monetary questions from the BOS and public concerning the Town Default Budget.

Mr. Bert Spaulding, Sr. complimented the Selectboard, Town Manager and Finance Director on their work in producing the 2017-2018 Town Budget.

There was additional information given on the collective bargaining agreements by the Selectboard and Town Manager.

Finance Director Brown stated the BAC had reviewed the Budget and did not see any changes that needed to be made. The BAC would hold a public hearing on Wednesday, March 22, 2017 at 6 p.m. in the BOS room at which point they will finalize their recommendations.

Chairman Kessler closed the public portion of the hearing and reopened it to the Selectboard.

The following question was asked:

Why was revenue shown in the Public Works Union Contract?

Finance Director Brown answered this final question.

There being no further questions from the Board members, Chairman Kessler closed the public hearing on the operating budget.

Chairman Kessler opened the public hearing and read aloud the public notice into the record:

The issuance of an estimated \$110,000 bond under RSA 33:8-a for costs related to the engineering, land acquisition and construction of the Coon Brook Road Bridge Project.

Finance Director Brown gave a detailed review of the Coon Brook Road Bridge Project. He stated it would be reconstructed with a 80/20 grant from the State of NH and reviewed the monetary responsibilities of the State and Town.

Finance Director Brown stated the bond for the Coon Brook Road Bridge Project could be presented separately from the Oak Street Bridge Bond or combined. It would be a decision of the BOS.

Chairman Kessler asked how it would be worded in the Warrant Article. Finance Director Brown explained that the BOS do not commit to a term (length of bond). If approved at Town Meeting it would be an action of the Board of Selectmen. Brown explained the process to the BOS members.

Chairman Kessler opened the hearing to the public.

Finance Director Brown was acknowledged. Brown explained which bridge in Town the bond was for.

Chairman Kessler closed the public portion of the hearing and reopened it to the Selectboard.

The following question was asked:

Explain the monetary information on Brown's handout.

Finance Director Brown answered this final question.

Chairman Kessler closed the public hearing on the Coon Brook Road Bridge Project.

MINUTES FROM PREVIOUS MEETING (S): February 27, 2017 Non-Public #1; February 27, 2017 NPS #2, March 6, 2017; March14, 2017

Minutes from Non-Public Session (NPS) #1 of February 27, 2017:

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to table the minutes of NPS #1 to the April 3, 2017 BOS meeting. The motion passed 4-0-0.*

Minutes from Non-Public Session (NPS) #2 of February 27, 2017:

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to table the minutes of NPS #2 to the April 3, 2017 BOS meeting. The motion passed 4-0-0.*

Minutes from March 6, 2017:

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board approved the minutes of March 6, 2017 with the following correction: page 2, under INFORMATIONAL, Draft Warrant Articles . The last line of paragraph one should read: “March 22, 2017 through March 31, 2017 were the sign up dates for candidates of an elected position.” The motion passed 4-0-0.*

Minutes from March 14, 2017:

On a motion by Selectman Wilmot, seconded by Selectman Hooper; *the Board approved the minutes of March 14, 2017 as presented. The motion passed 4-0-0.*

Chairman Kessler addressed the BOS and asked if they would like to take action on the public hearing of the operating budget now or under **ACTION ITEMS**. There was a short discussion on the deadline for accepting the operating budget. Chairman Kessler asked for a motion on the 2017-2018 operating budget as heard in the public hearing.

Selectman Fratzel made a motion *to approve the 2017-2018 budget of \$10,620,725*. It was seconded by Selectman Wilmot. Chairman Kessler asked for discussion.

He acknowledged Finance Director Brown. Brown stated the operating budget’s proposed amount included \$100,000 for the Gilman Pond Project. He did not know if they (BOS) wanted to change it, remove it or make it a special article. There was only \$100,000 included in the budget for the project. The Town knew the amount was not enough to complete the job. Chairman Kessler asked, for clarification, if it came out of the Water Fund and what the updated necessary amount was. Finance Director Brown stated it did come from the Water Fund and that the updated estimate needed was \$330,000. Selectman Fratzel asked if the amount could be modified later. He was told yes. There was a discussion on the monetary increase and the tax rate for 2017-2018 by the Selectboard and public in attendance. Chairman Kessler called for a vote. *The motion passed 4-0-0.*

Chairman Kessler asked if they should review the Bond and Warrant Articles at this time. Finance Director Brown stated they would be discussed later in the agenda.

CONSENT AGENDA: On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to approve the Consent Agenda for March 20, 2017. The motion passed 4-0-0.*

OPEN FORUM: none

COMMUNICATIONS:

Selectman Wilmot had nothing to share at this time.

Selectman Hooper informed the Board and viewing public that there were two “citizen at large” positions still vacant on the Capital Improvement Plan (CIP) Committee. He urged individuals to apply for the positions.

Selectman Fratzel had nothing to share at this time.

Chairman Kessler stated that the annual meeting of NCTV would be held on Tuesday, March 21, 2017 in the ballroom of the Richards Free Library at 5:30 p.m. The public was welcome.

Town Manager Rieseberg had nothing to share at this time.

INFORMATIONAL:

Update on Water Ban/Gilman Pond

Mr. Wiggins addressed the BOS and informed them that the water was one foot below the spillway at the dam. He explained the packet with Town and DES information that had been sent to the Board members. The State continues to define the area as in “severe drought”. Newport is 13” down (20%) from its normal precipitation. He stated Newport was within the requirements for water restrictions at the same restriction level that we are now.

Update on the inlet project:

Mr. Wiggins gave a quick update of their original intent to draw more water from Gilman Pond. He stated that he has had problems in that: 1. They do not know what the current inlet looks like. There are no drawings on file (Newport or State). There are drawings from 1895 when the dam and the house that was built over the inlet in 1895, but they do not have any plans of any modification after the house was taken down. 2. They do not know how long the drought will continue 3. DES had specific ideas on how to do the work. Unknown was if the pond was owned by the Town or the State. He explained the process of finding out the question. Mr. Wiggins stated that the dollar amount of \$330,000 was a realistic, conservative estimate for the inlet project that needed to be done. He gave the BOS a less costly estimate for a temporary fix.

There was a discussion between the Chair and Mr. Wiggins on who ownership of the pond and different aspects of the inlet project.

Mr. Karr addressed Mr. Wiggins and asked for clarification if Newport was truly in a drought situation. He was told yes. Addressing the BOS, he stated it was a real serious problem and that there wasn't any money specifically set aside in the budget for the project. Mr. Wiggins explained the steps the Public Works Department had taken (concerning the water ban) beginning in the summer 2016.

There was a lengthy discussion on Town water, infrastructure and water restrictions in Newport by Chairman Kessler, Mr. Wiggins and Mr. Karr.

ACTION ITEM:

Newport Area Chamber of Commerce-Waiver for Fee for use of Common, Waiver for Fee for use of Opera House

Chairman Kessler addressed the Board members and stated that the Chamber of Commerce was requesting a waiver of the fee schedule for their organization's events on the Common and in the Opera House.

Chamber of Commerce President Donna Mahair addressed the BOS and introduced herself and others from the Chamber who had attended the meeting with her. She stated the Chamber of Commerce came every year to the BOS to request a waiver to use the Common for the events the Chamber holds. She

listed the events they annually put on. The Chamber of Commerce understood they were responsible for policing and cleaning up after them.

President Mahair stated that was the first request they had. The second request was a fee waiver for the Opera House. She listed the free events they sponsored. She explained the Chamber of Commerce paid the maintenance fee when using the Opera House and they would like to continue that process this fiscal year.

Selectman Wilmot asked what the BOS had done last year. He was told they had frozen the cost of the maintenance fee (\$125.00 per event). Selectman Wilmot asked if Mr. Dennis had been asked about the request. He was told no.

Selectman Wilmot made a motion *to do what they (BOS) did last year (2016) for the use of the Common*. It was seconded by Selectman Hooper. *The motion passed 4-0-0.*

(From the BOS minutes of June 20, 2016:

On a motion by Chairman Kessler, seconded by Selectman Hooper; *the Board voted to charge the Chamber of Commerce the same fees for the July 1, 2016-June 30, 2017 fiscal year at the same rate they are currently being charged for use of the Town Common. The motion passed 3-0-0.)*

Selectman Wilmot made a motion *to maintain the fee schedule for the Chamber from last year (2016) for their events such as T'was Just Before Christmas, Red Star Twirlers, Chamber Dinner, etc.* It was seconded by Selectman Fratzel. *The motion passed 4-0-0.*

(From BOS minutes of June 20, 2016:

On a motion by Chairman Kessler, seconded by Selectman Hooper; *the Board voted to waive applicable rental fees for the use of the Opera House by the Newport Chamber of Commerce for listed events during the July 1, 2016-June 30, 2017 fiscal year. The rental fees charged will be \$125.00 per event. The motion passed 3-0-0.)*

Steve Smith, Newport Area Chamber of Commerce-Request to Waive Ordinance Regarding Alcohol on Town Property (Brewfest)

Mr. Smith addressed the BOS and stated he was asking for a waiver of the Town Ordinance regarding alcohol on Town Property for the Chamber's 4th Annual Brewfest, June 17, 2017 from 11a.m to 4 p.m.

Selectman Wilmot asked if he had been in contact with Police Chief Burroughs. He was told no; but that the Chief had been in support of the Brewfest in previous years. Chairman Kessler concurred. There was a short discussion on the Brewfest. Finance Director Brown informed the Board that the Chamber carried separate insurance for the event.

Chairman Kessler asked for a motion. Selectman Wilmot made a motion *to allow the Newport Chamber of Commerce to hold its annual Brewfest on the Town Common Saturday, June 17, 2017 from 11a.m.-4 p.m. and to waive the Town Ordinance regarding alcohol on Town Property for that period of time.* It was seconded by Selectman Hooper. *The motion passed 4-0-0.*

(From the minutes of February 1, 2016:

On a motion by Chairman Kessler, seconded by Selectman Wilmot; *the Board voted to approve the Chamber of Commerce request to hold a Brewfest on Chamber Day, June 18, 2016, on the Town Common between the hours of 11 a.m. and 4 p.m. not to exceed 300 tickets sold, with the permit to be written by the Newport Police Chief and presented to the Chairman of the Board of Selectmen for signature. With the express understanding that it is being given for the promotion of the businesses in downtown Newport. The motion passed 5-0-0.)*

INFORMATIONAL:

Discussion of Welfare Services

Chairman Kessler stated he had asked Town Manager Rieseberg to compile information concerning welfare services. If state and local agency budgets were cut Newport would be responsible for the expenses. Finance Director Brown informed the BOS of potential expenses.

ACTION ITEMS:

Accept and expend Unanticipated Revenues (31-95:b)-Accept \$4,024.73 refund from Community Alliance of Human Services and pay the same to Southwestern Community Services for the Regional Transportation Program.

After a short discussion between the Board members and Finance Director Brown; Selectman Fratzel made a motion *to receive the unanticipated funds of \$4,024.73 from Community Alliance and to redistribute them to Southwestern Community Services.* It was seconded by Selectman Hooper. *The motion passed 4-0-0.*

Warrant Articles

Finance Director Brown stated that the Warrant Articles were still in draft form. The Planning Board would be finalizing their verbiage on Tuesday, March 21, 2017.

Chairman Kessler stated Warrant Articles 1-4 for the 2017 Annual Town Meeting were for candidates for an elected position. Filing dates were March 22, 2017 through March 31, 2017.

Warrant Articles 5 & 6 were Zoning Articles from the Planning Board. Selectman Hooper explained them briefly.

Warrant Article 7: Bond article for the Coon Brook Bridge. Finance Director Brown discussed the article and the requested verbiage stating the tax impact of each monetary article.

Warrant Article 8: Police Union Contract

Warrant Article 9: Public Works Union Contract. Selectman Fratzel asked if additional verbiage could be added to the explanation for this Bond Article to state what the estimated tax impact of this article would be in future years. *A typo on the tax impact was noted.*

There was a discussion on the historical and current order of the Warrant Articles as presented to the Selectmen and public. Finance Director Brown stated he would list them as the Selectmen preferred.

Warrant Articles 10: Operating Budget

Warrant Article 11: Communications Capital Reserve Fund

Warrant Article 12: Sewer Capital Reserve Fund

Warrant Article 13: Recreation Facilities Capital Reserve Fund. Selectman Fratzel requested that the name be verified for the warrant.

Warrant Article 14: RSA 41:14-a. To allow the BOS to buy and sell land. The Warrant Article was on the ballot in 2016 and failed. Selectman Fratzel requested the wording of the RSA be paraphrased. There was a discussion on the wording by the Selectboard and Finance Director Brown.

Warrant Article 15: Petition Article by West Central Behavioral Health \$5,000. There was a short discussion on the petition article by the BOS and Paul Brown.

Warrant Article 16: Petition Article Christmas decorations. There was a discussion on the petition article by Mr. Karr, Finance Director Brown and the BOS.

Chairman Kessler addressed the Board and asked for their recommendation/or not of the petition articles. Selectman Fratzel made a motion *to not recommend Petition Article 16*. It was seconded by Selectman Hooper. Chairman Kessler called for a vote. *The motion passed 3-1-0 (Kessler voted to recommend)*.

Selectman Wilmot made a motion *to recommend Petition Article 15*. It was seconded by Chairman Kessler. After a short discussion, Chairman Kessler called for a vote. *The motion failed 2-2-0 (Fratzel and Hooper voted to not recommend)*.

Finance Director Brown asked the BOS if they would like to pull the Gilman Pond monies in to a Warrant Article. There was a discussion among the Board, Finance Director and Town Manager. It remained as was written in the Operating Budget.

APPOINTMENT(S): Joshua Stevens, Capital Improvement Program Committee

After a short discussion on the appointment of CIP members, Chairman Kessler stated that Mr. Joshua Stevens name would be given to the Planning Board for their consideration at their March 21, 2017 meeting.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board of Selectmen voted by roll call to enter into non-public session(NPS) pursuant to RSA 91-A: 3 II (c) Matters which may affect the reputation of another at 8:26 p.m. The motion passed 4-0-0.*

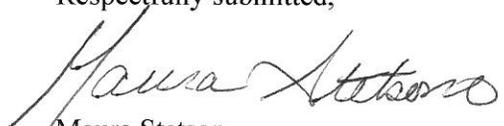
Present were Board members Jeffrey Kessler, Todd Fratzel, William Wilmot and John Hooper, and Town Manager Hunter Rieseberg.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to leave non-public session and return to public session. The motion passed 4-0-0. The non-public session ended at 8:51 p.m.*

The Board voted unanimously to adjourn at 8:52 p.m.

The next regular meeting of the Board of Selectmen is scheduled for Monday, April 3, 2017 at 6:30 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Approved on: April 3, 2017