

**TOWN OF NEWPORT, NEW HAMPSHIRE**  
**Board of Selectmen - Minutes for Meeting of August 17, 2020**  
**Public Hearing and Regular Business Meeting**  
**Municipal Building, 15 Sunapee Street, Newport, NH 03773**  
**Remote Access: Zoom.com - Meeting ID: 838 4773 1244 Password: 137643**  
**+1 (253)215-8782 US (audio only, long-distance fees may apply)**

---

**SELECTMEN PRESENT:** *BOS Room:* Jeffrey Kessler, Chairman; Todd Fratzel, Vice Chairman; Barry J. Connell, Herbert R. Tellor, Jr. *Via Zoom:* John Hooper, II; *Via Telephone:* none

**SELECTMEN ABSENT:** none

**STAFF PRESENT:** *BOS Room:* Hunter Rieseberg, Town Manager; Paul J. Brown, Finance Director; Todd Cartier, Director of Public Works; Tom Lambert, Newport Water and Sewer Superintendent; Cody Morrison, Economic Development Coordinator; *Via Zoom:* none

**COMMUNITY MEMBERS PRESENT:** *BOS Room:* Kathy Hubert, Peter Franklin, Jenna Darling and Bert Spaulding, Sr.; *Via Zoom:* Marc Tremblay, Melinda Thorpe, Virginia Irwin, Town Moderator

**GUESTS PRESENT:** Peter J. Pitsas, P.E. Underwood Engineers; Margaret Blank, P.E. Underwood Engineers *Via Zoom:* Katie Zink, DES; Sharon Nall, DES; Daniel D. Lewis

**NCTV:** John Lunn

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

Chairman Kessler explained that all voting would be done by roll call vote because one Board member was attending the meeting via zoom and not physically in the BOS room.

**PUBLIC HEARINGS:** The Town of Newport will hold public hearings The progress of the Town's Workforce Childcare Feasibility Study

a. The progress of the Town's Riverbend Wastewater Pump Station Emergency Generator Project

**PUBLIC HEARING ONE:** Chairman Kessler opened the public hearing to hear public comment on the acceptance by the Town of the former Newport Youth Activities property on Meadow Road known as Map 114 Lot 159. Chairman Kessler stated the notice had been posted in the Union Leader newspaper, at the Newport Town Office, the Richards Free Library and the Sullivan County Commissioner's Building as well as on the Town website: [www.newportnh.gov](http://www.newportnh.gov). The Town had not received any written comments from the public.

Chairman Kessler acknowledged Town Manager Rieseberg and asked him to speak to the hearing. Town Manager Rieseberg stated that when the Town was preparing to address a warrant article concerning the proposed Community Center, they had learned that the outer portion of the existing baseball field was still owned by the Newport Youth Activities (NYA). The Town searched for the NYA to acquire the land for the construction of the Community Center and found that the NYA was defunct since the 1940s; there were no successors. The Town of Newport petitioned the state to acquire the title of the property (by "quieting the title") through the Secretary of State and the Attorney General's office. A Warrant Article (#15) was passed at Town meeting (2020) to enable the Selectboard to accept gifts from wills and trusts.

Since the property (Map 114 Lot 159) has reverted to a trust with the State, the Town BOS now has the authority to accept this property from the state trust (for the Town's use). Counsel has given the procedure to take to acquire this property (a public hearing). The land will revert to the Town and the Town can use it as it sees fit (as the current ballfield or a new ballfield).

Chairman Kessler opened the public hearing to the Board, then public. There were no comments from the Board members or from the public in person or on zoom. Chairman Kessler closed the public hearing. He asked for a motion on the public hearing request.

Selectman Fratzel made a motion *as authorized by RSA 31:19 and Article 15 of the 2020 Town Meeting, the Selectmen of the Town of Newport accept property located on Meadow Road, identified as Map 114 Lot 159 (to have no impact on tax rate). The parcel was formerly owned by Newport Youth Activities, a dissolved charitable organization, and was authorized and approved to be distributed to the Town for recreational purposes, by Final Order of the Sullivan County Probate Court (Docket #320-2019-EQ-00323).* It was seconded by Selectman Connell. Chairman Kessler called for a roll call vote. *The motion passed 5-0-0.*

**PUBLIC HEARING TWO:** Chairman Kessler opened the public hearing to hear public comment on the progress of the Town's Workforce Childcare Feasibility Study. Chairman Kessler stated the notice had been posted in the Union Leader newspaper, at the Newport Town Office, the Richards Free Library and the Sullivan County Commissioner's Building, as well as on the Town website: [www.newportnh.gov](http://www.newportnh.gov). The Town had not received any written comments from the public.

Chairman Kessler acknowledged Cody Morrison, Newport Economic Development Coordinator to speak to the public hearing. (For the whole presentation and discussion, go to: [www.nctv-nh.org](http://www.nctv-nh.org). Mr. Morrison gave the grant history. In 2019 the Town of Newport had received two grants totaling \$17,000 to conduct a Town wide feasibility study to study the need of off-shift childcare services for the workforce in Newport. In an effort to support the local businesses the Town sought to be an active partner in solving the issue with the goal of expanding the childcare services which would help to bring younger people and families into Newport. The Town's objective in the project is to support the predevelopment efforts by: working with a local childcare facility, assisting with expanding grant writing, site selection, developing corporate sponsorships, and the partnering childcare center would be self-owned. Four companies in the region were surveyed: Fuji Film, Hypertherm, Sturm Ruger Company and the Sullivan County Nursing Home. Mr. Morrison read aloud the statistics of the study to the Selectboard. He then gave the BOS statistical estimates concerning constructing and operating the facility. A non-profit or for-profit facility would be a major deciding factor in some estimates.

Next step: Cinnamon Street (daycare) and Sturm Ruger had stated they would like to partner with the project. There are remaining funds from the grant that could be used toward engineering or site development costs. He gave an overview of the input necessary by the Town to make it "shovel ready" and (future) grant ready. Mr. Morrison asked if there were any questions.

Questions and comments from the Board:

- 1) Is there currently that space in Town? Mr. Morrison listed the potential building locations.
- 2) What is the next step in the project? Agree to a daycare, do a site and a preliminary design, cost assessment, get the project shovel ready to acquire grants to assist with construction.
- 3) Where was the study? Mr. Morrison said he had it available.
  - o It would have been nice for the Board to see it before the hearing.
  - o The next step should be to make the study public
  - o See if there is a pool of people that want to participate, not to focus on one facility.

- 4) How old is the study? It was completed in March 2020 before the pandemic restrictions.
- 5) What are the employee needs of the companies surveyed? Mr. Morrison stated the needs were all documented.

Chairman Kessler opened the hearing to the public. Mr. Spaulding, Sr. asked if it (daycare) would be government run or privately run. Mr. Morrison said it could be either, and explained. Mr. Spaulding, Sr. said that he believed Mr. Morrison should stress the privately run daycare facility. He said there needed to be an advertisement to daycare facilities to see if they want to participate. Chairman Kessler explained the original purpose for the grant to Mr. Spaulding, Sr. Mr. Spaulding, Sr. stated that Sullivan County Nursing Home was included in the study. He asked if the funds were for Newport or Sullivan County. Mr. Morrison stated the funds were for Newport. The consultant hired had reached out to area businesses (with night shifts), too. Chairman Kessler stated the study needed to be posted on the Town website. He asked Mr. Morrison to email the Board copies of the study.

Chairman Kessler addressed participants on zoom and asked if they would like to comment or question. Chairman Kessler asked the public if they would like to comment or question. Mr. Spaulding, Sr. suggested one procedure to take to get the input of private day care centers. He did not believe the Town website would be sufficient for public input; not many people visited it. Chairman Kessler suggested that Mr. Morrison distribute the study (directly) to local daycares. There was a general discussion concerning the feasibility study. Mr. Morrison stated there was a handout available concerning Public Hearing One.

Chairman Kessler closed Public Hearing Two.

**PUBLIC HEARING THREE:** Chairman Kessler opened the public hearing to hear public comment on the progress of the Town's Riverbend Wastewater Pump Station Emergency Generator project. Chairman Kessler stated the notice had been posted in the Union Leader newspaper, at the Newport Town Office, the Richards Free Library and the Sullivan County Commissioner's Building. The Town had not received any written comments from the public (For the whole presentation and discussion, go to: [www.nctv-nh.org](http://www.nctv-nh.org)). Chairman Kessler acknowledged Mr. Morrison to speak on the public hearing.

Mr. Morrison stated the Town had learned in 2019 that the emergency generator was in disrepair. An emergency CDBG grant of \$125,925 had been awarded Newport for the Purchase of a new generator, site work and installation of the generator at the Riverbend Wastewater Pump Station in Guild, NH. The companies that Newport has worked with to complete the project were: SRW Environmental Consulting, Underwood Engineering, United Construction and Pratt & Smith Electric. Mr. Morrison gave a synopsis of the work done to complete the project as well as the importance of the replacement of the generator. The generator has been delivered, it is expected to be installed and ready for use in September 2020. Chairman Kessler asked for clarification on the startup date for the generator. Mr. Morrison said it will be before September 2020. Mr. Peter Pitsas, Underwood Engineers; stated that the startup date is August 26, 2020.

There being no questions or comments from the Board members, public in attendance in the room or individuals on zoom, Chairman Kessler closed Public Hearing Three.

**AGENDA REVIEW: MOVE ACTION ITEM: ADD INFORMATIONAL:** Jenna Darling, School Board Representative with update on school proceedings. **MOVE:** Marc Tremblay-Permission to Build Home on a Class VI Road at 80 Old Gove Road, Map 221, Lot 008 to after Agenda Review (Kessler).

Marc Tremblay-Permission to Build Home on a Class VI Road at 80 Old Gove Road, Map 221, Lot 008 - Chairman Kessler addressed and acknowledged Mr. Tremblay via zoom telephone. Addressing Town Manager Rieseberg Chairman Kessler stated, for clarification, that the Town was going to run some items

through legal counsel before the BOS took any action on the agenda item. Chairman Kessler asked if it had gone before Planning Board. Town Manager Rieseberg stated he believed it had, he had not received copies of the signed documents. Continuing, Town Manager Rieseberg said that Town counsel is recommending that the BOS do not accept the proposed release of liability at this time. They would like a different format to be used than what Mr. Tremblay has released. It can be done in the next few days. Chairman Kessler asked if it was something that would have to wait to their next BOS meeting (September 21, 2020) or could approval be conditional on the change. There was a discussion of the expediency of approving the liability document. Chairman Kessler asked the pleasure of the Board. They concurred that any process to speed things up would be best. Mr. Spaulding, Sr. addressed the Board, handed out a road maintenance agreement, signature pages, etc. He asked the Board to accept the documents he had presented and to approve them that night. Town Manager Rieseberg recommended it be subject to counsel approval. Mr. Spaulding, Sr. continued with his advocacy of Mr. Tremblay's case.

Selectman Tellor addressed the Chair and stated that it seemed as though the Town was becoming part of a maintenance agreement on a private road. Chairman Kessler explained it was a Town road. The land owners on the road were responsible for the maintenance of it. The Town needed a maintenance agreement and liability waiver reviewed by counsel. That is what the approval would be conditional on. Once the Town attorney signed off on it, it would be legal. He explained the procedure the BOS would take. Mr. Spaulding, Sr. made statements about documents and the actions the Board should take.

Selectman Fratzel made a motion *to grant permission to build a home on a Class VI Road at 80 Old Gove Road, Map 221, Lot 008 contingent upon successfully recording and documenting the Town of Newport agreement lease and also the maintenance agreement pending approval from our Town counsel.* It was seconded by Selectman Connell.

In discussion, it was stated that if the Town lawyers have questions, the BOS should listen to them; the question of the length of time it will take was brought up. They were told August 19<sup>th</sup> or 20<sup>th</sup>. There was a general discussion on future requests and the recommendation of having a policy for them. Question asked was if the entire board needed to sign off on the current document or an authorized individual. Town Manager Rieseberg stated the BOS could authorize the Chairman to sign it (Chairman Kessler requested that Vice Chairman Fratzel's name be added to the motion as well). Selectman Fratzel amended his motion to:

Selectman Fratzel made a motion *to grant permission to build a home on a Class VI Road at 80 Old Gove Road, Map 221, Lot 008 contingent upon successfully recording and documenting the Town of Newport agreement lease and also the maintenance agreement pending approval from our Town counsel and to authorize Chairman Kessler or Vice Chairman Fratzel to sign on behalf of the Board of Selectmen.* Selectman Connell agreed to the amended motion. It was seconded by Selectman Connell. Chairman Kessler called for a roll call vote. ***The motion passed 5-0-0.***

When asked, Chairman Kessler explained the final process to Mr. Tremblay who was listening to the meeting over zoom telephone and answered Mr. Tremblay's questions.

**MINUTES FROM PREVIOUS MEETING(S):** August 3, 2020 - On a motion by Selectman Fratzel, seconded by Selectman Tellor; ***the Board voted by roll call vote to approve the minutes of the August 3, 2020 BOS meeting as presented. The motion passed 5-0-0.***

**CONSENT AGENDA:** On a motion by Selectman Connell, seconded by Selectman Fratzel; ***the Board voted by roll call vote to approve the Consent Agenda of the August 17, 2020 BOS meeting as presented. The motion passed 5-0-0.***

**OPEN FORUM:** none

**COMMUNICATIONS:** Selectman Tellor had nothing to share at this time.

Selectman Hooper applauded the Chamber of Commerce for their hard work organizing an event in Newport in the fall of this year.

Selectman Fratzel had nothing to share at this time.

Selectman Connell congratulated Selectman Hooper and his wife on their sixteenth wedding anniversary.

Chairman Kessler had nothing to share at this time.

Town Manager Rieseberg had nothing to share at this time.

**INFORMATIONAL:** Jenna Darling, School Board Representative - Ms. Darling thanked the BOS for the invitation to the August 17<sup>th</sup> meeting. She stated the school board voted unanimously to implement a choice model of instruction. Parents could choose to send their children back full time or use a full remote option. To clarify, the choices of the remote option are: full remote with Newport teachers or the State's virtual learning platform.

Surveys:

1. Parents had until August 12, 2020 to inform the school of their choice of education for their children. The SAU received answers from 700 students. 15-20% are choosing the full remote option. The rest (of the students) will be in school instructed.
2. The schools are reaching out to those they have not heard from. The school informed parents that if they did not respond (to the survey) the school would assume their children would be in school instructed.
3. Administration and staff are working to make the buildings Covid-19 compliant.
4. Since March and over the summer the school delivered 8,800 meals.
5. The Thursday, August 20<sup>th</sup> school board meeting (at 4 pm) will have a presentation on sports.
6. Transportation (bus): has been worked out for those students that have responded. Those that did not respond are the question.
7. Pop up tents are being purchased for outdoor learning in the fall (to help with the Covid-19 compliance). A school representative will speak with Town Manager Rieseberg concerning their use.

Questions: What is the "soft opening"? The reason for it is to get students and teachers adjusted to the new regulations in place in the school: social distancing, masks in the hallways, one-way hallways. School will start on September 8, 2020 (Pre-K will start on the 9<sup>th</sup> of September). Selectman Fratzel thanked the school board and staff, stating that many communities did not make the choice (of reopening in person). He thanked them for it and listening to the community. Ms. Darling said that everyone has done a fabulous job. Superintendent Minnihan has been great. Many attended the two sessions they held. Mr. Spaulding, Sr. stated that he had listened to Superintendent Minnihan's presentation. He was impressed. Mr. Spaulding, Sr.'s opinion was that it projected a positive attitude. Mr. Spaulding, Sr. gave his opinion of the importance of not requiring the children to wear masks. Ms. Darling gave the practices the school will be implementing on the use of masks. Teachers have the right to ask their students to wear a mask. The same expectations on mask practices apply to the teachers and students. Mr. Spaulding, Sr. thanked Ms. Darling for attending the meeting and commended the school for their in-person instruction this fall. He said the failure of the online teaching will be felt for years.

Sewer/Storm water Asset Management Program-Underwood Engineers; DES - Representatives from Underwood Engineers attended the BOS meeting and gave an informational presentation to the Board members as a part of Newport's Asset Management Program for Wastewater and Stormwater. Ms. Margaret Blake gave a PowerPoint presentation on the Sewer Water and Storm Water Asset Management Program. (For the full presentation and question and comments by the DES visit: [www.nctv-nh.org](http://www.nctv-nh.org). Included in her presentation she gave information on Newport's Goals:

- ❖ The Components of the Asset Management Plan
- ❖ What had been accomplished to date
- ❖ Their Priority Projects
- ❖ Asset Inventory
- ❖ 20-year financial planning
- ❖ 100-year project and financial planning
- ❖ Wastewater and/or Stormwater SRF Principal Forgiveness
- ❖ Level of Service
- ❖ Implementation and Communication

Ms. Blake stated that a draft Asset Management Plan had been delivered to the Town on August 17, 2020. She requested comments from the Town by August 24, 2020. Underwood Engineering would then have a draft review meeting to address all comments and make a final submission to the NHDES and the Town of Newport by August 28, 2020.

Board questions:

- 1) Chairman Kessler asked if Underwood Engineering had done an Asset Management Plan in other towns. Ms. Blake said yes.
- 2) Chairman Kessler asked how typical the conditions in Newport were compared to others in New England. He was told Stormwater: typical. Sewer: She said the Town had a lot of old clay pipe. It is unusual to see so much. There was a short discussion on the disadvantages of clay pipe and the replacement of it between Ms. Blake, Mr. Pitsas and Chairman Kessler.

Mr. Todd Cartier, Director of PWD, told the Board of the progress his staff has made with "lining" of pipes on Town streets. He told the Board that he had been involved with the Underwood Engineers while they compiled information.

Following Ms. Blake's presentation, representatives from the NH Department of Environmental Services (DES) asked the following questions:

Katie Zink, DES: What was the Town involvement and how did they plan to use the program going forward?

Ms. Blake stated that the Town:

1. Provided all the record drawings for the sewer system,
2. Underwood and the Town talked about future plans for Capital Projects and concerns that would feed into that
3. Access GIS was being used (for updating)
4. Town staff accompanied the Underwood Engineer staff for quite a bit of the assessment

Did Underwood train the staff on how to fill out the forms (for DES) so they could continue with the program going forward? Will they be able to update periodically? Ms. Zink was told the Town staff could update GIS (access GIS). They have already used it; that is how they will do their updates. Chairman Kessler addressed Mr. Cartier and asked if he and his staff were familiar with access GIS. Mr. Cartier said yes. He was asked if he used it regularly and updated it. Mr. Cartier said that they keep track of things but entering the data is slower than acquiring the data.

Sharon Nall, DES: Commended Mr. Cartier for his work and continuing to use DES. Ms. Nall wanted to make sure that the Town staff knows what they are doing with the program. The DES really wanted the

Town to use it as an Asset Management Program, not a plan that sits on the shelf. It needs to be used and updated on a regular basis. Ms. Nall explained the active use of the program and its data collection to help prioritize projects and add them to the Town's CIP. Ms. Nall said that she has sat in on a presentation on Newport's drinking, stormwater and sewer water. Newport has a lot of work to do. She emphasized that the Town needed to prioritize the projects. Ms. Nall said that one other (new) source of funding for projects is through Homeland Security. They look for "shovel ready" projects. She gave examples of projects that would be covered under this funding. She encouraged the Town to look into qualifying for a Homeland Security funding project (money granted annually). Continuing, Ms. Nall stated Mr. Cartier had reached out to DES for an energy audit. DES will be going to Newport for pump station and WWTP audits. Mr. Cartier has done everything needed to get on the schedule. Ms. Nall gave additional information to the Board on the Asset Management Program and its importance to Newport (loans) as well as a rate study of water and sewer billing.

When asked, Ms. Blake told the Board if she heard of any additional grants, she would notify them.

Update of Selectboard Retreat: no information at this time

NCTV Agreement: Selectman Connell addressed the Board and said he had met with NCTV representatives. Mrs. Kathy Hubert, Mr. Peter Franklin and Mr. John Lunn, NCTV Executive Director; were in attendance at the meeting. Selectman Connell stated the group had gone over the agreement.

- It was very wordy; he would like it rewritten.
- There were things included that the BOS was looking for
  - The Town was purchasing equipment in order to broadcast on our own
  - It was not just for governmental meetings but also for interdepartmental meetings
- The Town is asking for change in the franchise fees (Town wants \$5,000 annually except for the first year)
- Asked for a shorter agreement; NCTV would like to see a three-year agreement (Selectman Connell stated it gives them stability)

Selectman Connell said there was a lot that did not need to be in the agreement. Chairman Kessler said that they needed to meet again and discuss cable access versus broadband. He explained what the franchise fee would be used for on the access channel. Selectman Connell said it was an ongoing process. There would be no negotiating in the public meeting. Mr. Lunn addressed the Board and stated that it was fine that the Town create another system (for their meetings). He stated that the access that the Town will be offering will be through zoom, not NCTV. The Town's outlet will be to a different audience-only those with computers. The cable franchise will not cover the zoom access. The Board and Mr. Lunn discussed the costs of the zoom access and the cable access and NCTV streaming through the cable network as well as the negotiating of a franchise fee. Mrs. Hubert stated she had contacted Town Manager Rieseberg concerning maintenance fees for NCTV. Chairman Kessler stated what the franchise fee has traditionally been used for. There was a general discussion on the coverage of the Town meetings, a capital plan, and reinvestment in NCTV equipment. Mrs. Hubert said that NCTV was the last of the local news/information outlets with the Argus gone. Two part time employees with volunteer time mans the station. It is unique to Newport. She wants to preserve it. Selectman Connell reiterated it was an ongoing process. There would be no negotiating in the public meeting. The Town has to negotiate with NCTV to ensure that all governmental meetings are broadcast. There was a discussion with the past problems, future meeting broadcasts and who pays for the NCTV viewers. Ms. Melinda Thorpe (NCTV Board member) addressed the Board and stated she spent many years working with high tech. She appreciates what Mr. Lunn is doing at NCTV. She informed the Board that the "smart cameras" for zoom (BOS is looking into them) are problematic. Mr. Spaulding, Sr. asked if Board of Selectmen, Planning Board and Zoning Board meetings have not been successfully produced (like the glitches they experienced when Ms. Thorpe tried to address the Board over zoom). Chairman Kessler stated many people said that during the transition they could not view it live, the recorded program was fine. He



expressed his past concerns of the live programming. Mr. Spaulding, Sr., Chairman Kessler and Selectman Connell continued a general discussion on NCTV. Mr. Lunn addressed the Board and answered all of Mr. Spaulding, Sr. questions.

Elections Location/Voting Update (For the full presentation, questions and comments visit: [www.nctv-nh.org](http://www.nctv-nh.org). Town Moderator Irwin addressed the Board via zoom. She listed the following:

- The Primary was on September 8, 2020. Voting will be held in the Wheeler Gym (Towle School)
- Town Moderator Irwin asked what the plan was to notify the community about the change of location.
- The Town will get the emergency signboards up, possibly the High School digital sign & put information on NCTV to inform the public.
  - Polling hours on September 8<sup>th</sup> will be 8 am to 7 pm; 7 am to 7pm in November 2020.
  - Polling place set up: Marking Wheeler Gym for Social Distancing (discs Town office uses for marking). Town is discussing use of the mat coverings used at high school gym
  - PPE for election officials and clerks delivered by the National Guard. Town Clerk Dufort will be inspecting the shields to see if size is correct
  - Manning the polls
  - Parking: End of Common? BOS has not considered it; ADA parking; worker parking
  - Traffic officer at Belknap Street and North Main Street

Discussed:

- ❖ Pre-opening of absentee ballot envelopes (explained posting, the process and what is done)
- ❖ Ramps/ADA accessibility at Towle School. Selectman Fratzel stated they are still working on four different plans. Town Manager Rieseberg gave information he had on the ADA lift and its readiness for election day
- ❖ Potential ADA voting room

Mr. Spaulding, Sr. asked what the voter criteria, etc. was. Mr. Spaulding, Sr. asked what the requirement will be for non-masked voters. He was told all voters will be required to wear masks.

For clarification, Town Moderator Irwin said that:

- 1) Both workers and voters will be required to wear masks.
- 2) Town Moderator Irwin said if a voter stated he or she did not wish to wear a mask, they could vote in the room potentially set aside for ADA voters. There will be a ballot box, Assistant Moderator and election worker in the room.
- 3) Ballots will be cast as a regular ballot, not absentee.
- 4) All persons on the “floor” will be masked; workers, voters, and observers from the County parties.
- 5) No one will be turned away because they do not wear a mask; they will just vote in the other room.
- 6) Town Moderator Irwin said it was exactly as in other towns, that is why other towns are setting up outside tents (for voting). In those towns using tents the non-masked voters have to vote absentee. She explained the positive aspects of the setup in Newport.

Selectman Fratzel stated Newport’s town counsel has already advised (separating non-mask wearers) against it. He did not think the State Attorney General will vote for it. It is unlawful. It will be a huge problem. Selectman Fratzel expressed his opinion on separating non-mask wearers from masked wearers as well as Town Moderator Irwin’s authority. Mr. Spaulding, Sr. gave his opinion of non-masked wearers rights and the edits of voting. Town Moderator Irwin addressed the Board members and said she would be happy to send emails from other Town Moderators and the set up they have enacted for the health and safety of their community members and workers. No one will be denied the right to vote. Chairman Kessler stated the Town needed to take into consideration the beliefs of masked wearers and



non-masked wearers. Town Moderator Irwin concurred. Town Moderator Irwin and Mr. Spaulding, Sr. discussed further his opinion and of his planned proposed Primary Day election activity. Town Moderator Irwin stated that on Thursday, August 20, 2020 there would be a call with the Attorney General and Secretary of State. Hopefully there will be definitive answers to all mask requirement questions. Chairman Kessler said that whether one wears a mask or doesn't, he expects voters to respect others. Town Moderator concurred, stating it was a personal choice. Mr. Spaulding, Sr. and Selectman Fratzel continued to discuss their opinions concerning the Primary and General Election. Town Moderator Irwin told the Board and public that the state moderators have been waiting for two months for a definitive answer. It was not a Newport issue; it was a statewide issue. There was a general discussion on the rules of voting statewide.

Changes in Meeting Schedule to Accommodate the Labor Day Holiday on September 7, 2020 - Chairman Kessler stated they may need a Selectman pro temp appointment meeting. Mr. Lunn informed the Board that he had been informed that the swearing in (of a Selectman pro temp) was good for one year. He would be willing to be a Selectman pro temp. Mr. Larry Cote was also able to work in this capacity. Selectman Fratzel made a motion ***to appoint Mr. John Lunn and Mr. Larry Cote as Selectmen pro temp for the September 8, 2020 Primary.*** Mr. Spaulding, Sr. said that he intends to protest (because he is a non-mask wearer). Chairman Kessler stated he understood his position. The motion was seconded by Selectman Tellor. Chairman Kessler asked for a roll call vote (in room and zoom). ***The motion passed 5-0-0.***

Selectman Fratzel asked Town Manager Rieseberg if there was a town counsel decision. There was discussion on the decision. Mr. Spaulding, Sr. asked for a 91-A Right to Know request of the Town counsel opinion concerning masks to be worn at the Newport September 8, 2020 Primary election, any other documents concerning it and Town Manager Rieseberg's request to the attorney. There was discussion on the attorney's opinion of not having to wear masks.

Old Courthouse Repainting - Town Manager Rieseberg stated the Town will be having all the trim and steeple on the Old Courthouse repainted. Some of the Newport staff is making repairs to the courthouse at this time. The Town was awarded some grants to assist with the work. Painting will begin in mid to late September before the close of the construction season. It is part of the ongoing maintenance of the Newport Town buildings.

**ACTION ITEMS:** Zoning Board of Adjustment Resignation-Melissa Saccento - Selectman Fratzel made a motion ***to regrettably accept the resignation of Melissa Saccento from the Zoning Board of Adjustment.*** It was seconded by Selectman Connell. Chairman Kessler called for a roll call vote. ***The motion passed 5-0-0.*** A letter will be sent thanking Ms. Saccento for her service to the Town.

On a motion by Selectman Fratzel, seconded by Selectman Connell; ***the Board voted unanimously by roll call vote to adjourn at 9:45 pm.***

Respectfully submitted,



Maura Stetson, Scribe

**The next regular meeting of the Board of Selectmen is scheduled for September 21, 2020 at 6:30 p.m.**

Approved on: September 14, 2020