

**Town of Newport, New Hampshire
Board of Selectmen
6:30 pm Regular Meeting, Municipal Building
Minutes for December 21, 2015**

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

STAFF PRESENT: Shane P. O'Keefe, Town Manager; Heath Marsden, Airport Manager; Rick Kloeppel, Airport Manager; James Burroughs, Police Chief

COMMUNITY MEMBERS PRESENT: 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: was accepted as presented.

MINUTES FROM PREVIOUS MEETING: December 7, 2015. On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board approved the minutes of the December 7, 2015 meeting as presented. The motion passed 5-0-0.*

Minutes from Non-Public Session (NPS) #1 of December 7, 2015:

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; *the Board approved the minutes of the first NPS of December 7, 2015. The motion passed 5-0-0.*

Minutes from NPS #2 of December 7, 2015:

On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board approved the minutes of the second NPS of December 7, 2015 as presented. The motion passed 5-0-0.*

Town Manager O'Keefe stated the correct manner to address the NPS votes and stated that with the consent of the BOS the minutes would reflect it.

CONSENT AGENDA: On a motion by Selectman Hoyt, seconded by Selectman Wilmot; *the Board approved the Consent Agenda of December 21, 2015.*

Selectman Kessler stated that the items the BOS had signed on December 21, 2015 were not listed on the Consent Agenda. After consulting with Town Manager O'Keefe and Finance Director Brown, they were added to the motion.

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; *the Board approved the Consent Agenda of December 21, 2015 with two additions: Finance /December 21, 2015/ AP Manifest/ \$1,692,696.66 and Accounts Payable/ December 21, 2015/ AP Manifest/ \$ 274,026.51. The motion passed 5-0-0 (See attached).*

FORUM: None.

COMMUNICATIONS:

Board of Selectmen

Selectman Wilmot had nothing to share at this time.

Selectman Kessler informed the BOS that the School District had met on December 12, 2015 to create its 2016-17 budget proposal. It was revised on December 16, 2015. The Budget Advisory Committee will meet on December 28, 2015 at 6 pm in the Lou Thompson Community Room at the SRVTC to continue the review and revision of the school budget. Selectman Kessler stated that the options for the proposed budget had been published in the newspaper. He encouraged people to contact their school board members and informed the viewing public that creating a final proposed school budget was an ongoing process.

Selectman Fratzel had nothing to share at this time.

Selectman Hoyt addressed Town Manager O'Keefe and if the ambulance contracts had been signed. Town Manager O'Keefe stated that he would give an update on the contracts.

Chairman Nichols informed citizens that the New Hampshire Primary would be held February 9, 2016; that the Town Offices would be closed December 24 & 25 for Christmas and December 31 for the New Year Holiday. He stated there were new calendars with Town information put out by the Police Department. Last, he wished all a Merry Christmas (or happy holiday) and Happy New Year.

Town Manager O'Keefe informed the Board members that:

- ✚ He had not heard formally from the Towns of Goshen and Croydon on whether they would sign ambulance service contracts. He stated it was believed that Goshen might sign a contract, and he had not heard from Croydon. Town Manager O'Keefe stated that he would write to the two towns and relay that without a signed contract Newport would not respond to a call as of January 1, 2016.
- ✚ The discussions concerning the proposed crosswalk at the Sturm Ruger facility were going well. The Town and Company contract was being finalized by the attorneys.
- ✚ The part-time police details at the Sturm Ruger were going well since recently being established.
- ✚ He reminded all that there was an ordinance prohibiting overnight on-street parking between November 1st and May 1st.
- ✚ There was a new form providing notice to individuals interested in becoming a member on one of the Town's Boards, Committees or Commissions. It was available online or at the Town Office.
- ✚ The Oak Street Bridge would be closed January 4th and 5th 2016 to do borings in anticipation of the bridge reconstruction. Message boards and a police officer would be posted on the affected roads. There was a discussion with Police Chief Burroughs concerning the message boards and traffic control on the two days.
- ✚ The Board and viewing public were told that the Cheshire Superior Court had upheld the Newport Zoning Board of Adjustment decision in the Kelley vs Newport appeal case.
- ✚ He wanted to inform the townspeople that there was a company, American Water Resources, soliciting citizens to buy insurance for their connections to the Town's water and sewer lines or private septic systems. He stated that similar letters had been sent in the past and stressed that the company was NOT sponsored by the Town, and that he recommends that "buyer beware".

INFORMATIONAL:

NH Pass Signs

Town Manager O'Keefe addressed the BOS and stated the Town of Newport had been instructed to take down the eight New Hampshire Pass signs (located on the highway rights of way when entering Newport) by the NH Department of Transportation due to a ruling of the Federal Highway Administration (FHWA). The Newport Highway Department was prepared to remove them in short order, he reported. There was a short explanation for the reason and the cost incurred by the Town if the signs remained up. It was agreed

that the signs must come down right away and that plans to come up with alternative locations would be considered in the coming months.

Proposed reuse of 8 Airport Road Property

Town Manager O'Keefe stated the request for expressions of interest (REOI) for the development of 8 Airport Road had resulted in one interested party. The individual has not expressed his plans for the property, although he has asked for additional information on the building and land. There was a short discussion on the building height restrictions at the site due to Federal Aviation Administration regulations and Newport Zoning restrictions. The Airport Study Committee had recommended that the land remain open for lease and have the same lease agreement as the hangars on the airport property. The Board concurred that the Town should contact the interested individual and inquire what information he would like and the terms he would negotiate for the property. Town Manager O'Keefe was directed to meet with the interested individual.

In addition to the airport property REOI, there was discussion on the vandalism happening at the airport. Airport Manager Heath Marsden explained the vandalism to the runway lights and stated it was a Class B felony. He explained that the airport was now monitored and that if individuals were caught vandalizing the lights or anything else on the airport grounds they would be prosecuted. Airport Manager Rick Kloeppel read the citation: NH Aeronautic Act Section 422:29 V into the record. He concurred that the offense was a Class B felony. Mr. Marsden stressed that in February 2016 the airport would have an instrument approach analysis, making the lights on the runway even more critical to pilots. There was a short discussion between the Board members and managers on vandalism in Newport and the need for proactive community assistance as well as information on drones, community outreach by airport volunteers and general safety around the Newport airport.

ACTION ITEMS:

PUBLIC HEARING - Ambulance Billing Rates

Chairman Nichols opened the Public Hearing on Ambulance Billing Rate increases and read the posted Public Hearing announcement into the record.

He acknowledged Finance Director Paul Brown. Finance Director Brown stated that the dollar amounts on the papers he had passed out to the Selectmen showed different cost options than those they had received previously. Chairman Nichols addressed him and asked if he was proposing changes to what had been posted. Finance Director Brown stated yes and explained that the option discussed at the previous meeting was shown on the spreadsheet, and this is what was posted as a worst case rate in the hearing notice. He then described the breakdown of fees to the BOS and also the proposed collection rate percentage with each increased dollar amount. He answered all questions from the Board members concerning his calculations and predictions, as well as the dollar amount in Medicare and Medicaid payments that would be collected.

Chairman Nichols acknowledged Mr. Bert Spaulding. Mr. Spaulding asked the Board if the subject of out-sourcing the ambulance service for the needs of the Newport citizens had been discussed. He asked if the price had been considered and if it would be beneficial quality and cost wise. Mr. Spaulding asked if there was a figure the Town had from out-sourcing that the Board could use to compare the numbers that had been presented to them. Chairman Nichols stated no.

Mr. Spaulding again asked the BOS members if they had seriously considered out-sourcing the ambulance service for the Town of Newport. He asked if the BOS had considered all possibilities concerning the ambulance service for Newport citizens. The Chair explained to Mr. Spaulding that the

Public Hearing on December 21, 2015 was for public input concerning rates for calendar year 2016 and the proposed numbers that Finance Director Brown had presented to the BOS.

Mr. Spaulding reiterated that the BOS members should consider an alternative to increasing the price. Chairman Nichols and the Selectmen explained if the Town went with an outside service they would have no negotiating power over cost, it might be disadvantageous. They also explained that one aspect the BOS was currently looking at for the citizens of Newport was quality of service. If the Town went with a private service, they again would have no control. In addition, there would be no revenue from services; all monies would go to the potential private service. After further explanation, Chairman Nichols closed the Public Hearing.

There was discussion among the BOS members on ambulance rate increases and potential user fees and non-contracted town contracts, after which the Chair called for a motion.

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; ***the Board voted to adopt the following ambulance rates effective January 1, 2016:***

BLS: \$575.00

BLS-nonresident: \$725.00

ALS: \$700.00

ALS-nonresident: \$850.00

ALS 2: \$950.00

ALS 2-nonresident: \$1,100

Mileage: \$15.00

The motion passed 5-0-0.

Land lease extension:

Finance Director Brown explained the proposed land lease agreement with Peter Frank of Parcel 71, LLC regarding the Recreation Center that had been presented to the BOS members. He gave the history of the land lease and reminded them of information presented to them in earlier meetings. He reiterated that the land lease was paid by the Town through a tax abatement of the property. There was a short discussion on the land and its use by the Recreation Department. The owner had stated he would be willing to extend the lease (with the same tax abatement agreement) to March 31, 2016. On a motion by Selectman Kessler, seconded by Selectman Wilmot; ***the Board voted to extend the lease as presented and to authorize Town Manager O'Keefe to execute any documents necessary to effectuate this decision.*** Selectman Fratzel stated that this action prolonged the issue of the use of the land when potentially purchased. Chairman Nichols and Board members explained the necessity of the lease. The Chair called for a vote.

The motion passed 5-0-0.

Adopt amended Statement of Personnel Safety

Town Manager O'Keefe addressed the Selectmen and stated that one item from the recent inspection from the Department of Labor had been reestablishing the Joint Loss Management Committee. The Committee has met and elected Finance Director Brown as Chair. The first thing they have done was to look at changes to the Safety Rules to comply with the Department of Labor recommendations. They have recommended adding a reference to State of New Hampshire LAB 1400 Safety Rules and Regulations, a statement on Workplace Violence and an Appendix C (referenced in Town of Newport Statement of Personnel Safety). Town Manager O'Keefe stated that if the BOS adopted them the Town would be in full compliance with the Department of Labor inspection and would meet the compliance deadline of December 31, 2015.

On a motion from Selectman Kessler, seconded by Selectman Hoyt; ***the Board voted to adopt the amended safety rules. The motion passed 5-0-0.***

Town Manager O'Keefe stated that there was also a new Newport Safety Committee mission statement that would be presented at a future meeting with signature lines for the BOS to sign.

Public Works Mutual Aid Agreement

Town Manager O'Keefe explained the Public Works Mutual Aid Agreement that was in front of the BOS members for consideration. There was a discussion among Board members of any requirements mandated by signing the agreement. The Town Manager and Finance Director cited the destruction in the Town of Alstead and most recently in Henniker. All were reminded of how the neighboring town public works departments had assisted them.

Mr. Spaulding was recognized. He reminded them of Hurricane Irene and the devastation it caused in Vermont. Help from as far away as Maine came to assist. He explained his position to the Board.

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; ***the Board authorized the Town Manager to sign the Public Works Mutual Aid Agreement on behalf of the Town of Newport. The motion passed 5-0-0.***

Selectman Hoyt addressed Town Manager O'Keefe and asked that the BOS look at the Fire Department's Mutual Aid Agreement before they were re-signed. Town Manager O'Keefe stated he would get and relay them to the Board members.

NON-PUBLIC SESSION(S):

On a motion by Selectman Fratzel, seconded by Selectman Kessler; ***the Board voted by roll call to enter into non-public session (NPS) Non-public session(s) pursuant RSA 91-A:3II(i), Preparation for and the carrying out of emergency functions intended to thwart acts intended to cause widespread or severe damage to property or widespread injury or loss of life, RSA 91-A:3, II (d) Consideration of the acquisition, sale, or lease of real or personal property, and RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.***

The BOS entered NPS at 8:09 pm, pursuant RSA 91-A:3II(i), to discuss preparation for and the carrying out of emergency functions intended to thwart acts intended to cause widespread or severe damage to property or widespread injury or loss of life. Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, Town Manager Shane O'Keefe and Police Chief James Burroughs.

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 8:28 p.m.***

The Board did not vote to seal the minutes.

Chief Burroughs left the meeting at 8:28 p.m.

On a motion by Selectman Fratzel, seconded by Selectman Kessler; ***the Board voted by roll call to enter into non-public session (NPS) pursuant to RSA 91-A:3, II (d) Consideration of the acquisition, sale, or lease of real or personal property. The motion passed 5-0-0.***

The BOS entered NPS at 8:29 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 8:42 p.m.*

On a motion by Chairman Nichols, seconded by Selectman Kessler; *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 Hoyt, seconded by Selectman Wilmot; *the Selectmen voted by roll call to go into non-public session at 8:43 p.m. pursuant to RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.* Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt.

O'Keefe was invited to meet with the Board at 9:02 p.m.

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 9:28 p.m.*

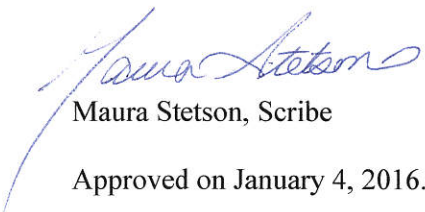
The Board did not vote to seal the minutes.

ADJOURNMENT:

There being no further business in the public meeting, on a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to adjourn at 9:29 pm. The motion passed 5-0-0.*

The next regular meeting of the Board of Selectmen is scheduled for Monday, January 4, 2016 at 6:30 p.m.

Respectfully submitted,



Maura Stetson, Scribe

Approved on January 4, 2016.

TOWN OF NEWPORT
Board of Selectmen
CONSENT AGENDA
December 21, 2015 - Amended

Department	Document Date	Document	Amount
Finance	December 7, 2015	AP Manifest	\$291,675.36
Finance	December 7, 2015	AP Manifest	\$198,004.48
Assessing	December 8, 2015	Prorated Assessment for Damaged Buildings - Refund	\$1,465.00
Assessing	December 9, 2015	Veteran's Credit Denial	\$0
Assessing	December 11, 2015	Timber Warrant	\$2,560.17
Assessing	December 16, 2015	Timber Warrant	\$6,951.68
Tax	December 11, 2015	Abatement #19	\$347.00
Tax	December 16, 2015	Abatements #20 & #21	\$3,015.54
Finance	December 21, 2015	AP Manifest	\$1,692,696.66
Finance	December 21, 2015	AP Manifest	\$274,026.51

Town of Newport, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #1 – December 21, 2015

On a motion by Selectman Fratzel, seconded by Selectman Kessler; ***the Board voted by roll call to enter into non-public session (NPS) Non-public session(s) pursuant RSA 91-A:3II(i), Preparation for and the carrying out of emergency functions intended to thwart acts intended to cause widespread or severe damage to property or widespread injury or loss of life. The motion passed 5-0-0.***

The BOS entered NPS at 8:09 pm. Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt, Town Manager Shane O'Keefe and Police Chief James Burroughs.

The Board discussed a proposal from the New Hampshire Department of Safety Information and Analysis Center to select Newport as one of a handful of communities to host a grant-funded Intelligence Liaison Officer (ILO). The purpose of the ILO position is to enhance information and intelligence gathering and sharing related to homeland security threats such as terrorism, and other specified precursor crimes.

Chief Burroughs provided ILO program guidance and grant application information for review, and explained that the grant is for a maximum of \$30,000 per year, which covers all salary and employment tax obligations. He added that the grant renews in August of each year, but there is no continuing obligation for the Town to take over the position if funding is terminated. He stated that it is quite an honor for the Town to be selected for this program, and it says a lot about the professionalism of the Department and the esteem to which it is held at the State level.

Selectman Nichols asked what the Town would be required to provide at its cost. Chief Burroughs explained that the Town would need to provide a laptop computer, work space, firearm and uniform for occasional use, each of which are already in stock or in place, and automobile mileage is not covered. It was explained that the position is stationed in Concord once per week and this travel would be a commute and therefore not reimbursable to the officer.

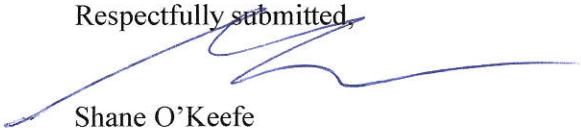
Chief Burroughs also explained that there are other responsibilities that the ILO can handle for the department.

Town Manager O'Keefe stated that in order for the Town to accept an unanticipated grant of \$10,000 or more the Board must first hold a hearing pursuant to RSA 31: 95-b. The consensus of the Selectboard members was to proceed with participation in the program and to schedule a hearing for the next regular Board meeting.

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 8:28 p.m.***

The Board did not vote to seal the minutes.

Respectfully submitted,



Shane O'Keefe
Town Manager

Approved on January 4, 2016.

Town of Newport, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #3 – December 21, 2015

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; ***the Selectmen voted by roll call to go into non-public session at 8:43 p.m. pursuant to RSA 91-A:3, II(a), Personnel Matters. The motion passed 5-0-0.*** Present were the Board members Gary Nichols, Todd Fratzel, William Wilmot, Jeffrey Kessler and David Hoyt. Town Manager Shane O'Keefe was invited to enter the meeting later on in the meeting.

Performance Evaluation

The Board discussed Town Manager O'Keefe's job performance over the past five months and developed a written performance evaluation.


O'Keefe was then invited to meet with the Board at 9:02 p.m., at which time the Board reviewed with him the evaluation. The Board members signed the written evaluation and O'Keefe signed as well to acknowledge its receipt.

There was a discussion about the need for written departmental policies, and O'Keefe was asked by the Board to prepare a plan for developing and adopting these policies for review at an upcoming meeting.

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 9:28 p.m.***

The Board did not vote to seal the minutes.

Respectfully Submitted,



Shane O'Keefe
Town Manager

Approved on January 4, 2016.