

TOWN OF NEWPORT, NEW HAMPSHIRE
Board of Selectmen
Minutes for Meeting of May 18, 2020 6:30 pm
Public Hearing and Regular Business Meeting
Municipal Building, 15 Sunapee Street, Newport, NH 03773
Remote Access: Zoom.com - Meeting ID: 879 5162 1071 Password: 298444
+1 (253)215-8782 US (audio only, long-distance fees may apply)

SELECTMEN PRESENT: *BOS Room:* Jeffrey Kessler, Chairman; Todd Fratzel, Vice Chairman
Via Zoom: Barry Connell, William Wilmot, Jr., *Via Zoom Telephone:* John Hooper II

SELECTMEN ABSENT: none

STAFF PRESENT: *BOS Room:* Hunter Rieseberg, Town Manager

COMMUNITY MEMBERS PRESENT: *Via Zoom:* Virginia Irwin, Town Moderator; *BOS Room:* Bert Spaulding, Sr.; Michael Christian, Jr.; Jenna Darling, School Board Representative

NCTV: John Lunn

CALL TO ORDER: Chairman Kessler called the meeting of the BOS to order at 6:33 p.m. followed by the Pledge of Allegiance.

Chairman Kessler read aloud a prepared statement explaining that due to the coronavirus the BOS was holding their meeting pursuant to the Governor's Emergency Order #12. Individuals were allowed to participate in person at the BOS room, via telephone or via Zoom. He explained that all voting would be done by roll call vote as outlined in Emergency Order #12.

Chairman Kessler did a roll call attendance. All Board members were in attendance.

AGENDA REVIEW: **Add:** Jenna Darling, School Board Representative to update the BOS on school end of year plans. Her topic was placed on the agenda after the minutes (by Kessler); **Add Action Item:** Acceptance of Emergency Management Performance Grant (by Kessler); **Add:** NPS 91-A:3 II(e) Litigation (by Kessler).

On a roll call vote, *the Board members unanimously approved the revised agenda (three additions).*

MINUTES FROM PREVIOUS MEETING(S): March 30, 2020: On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted by roll call vote to approve the minutes of the March 30, 2020 BOS meeting as presented. The motion passed 5-0-0.*

May 4, 2020: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted by roll call vote to approve the minutes of the May 4, 2020 BOS meeting as presented. The motion passed 5-0-0.*

Chairman Kessler acknowledged Vice Chair of the Newport School Board, Jenna Darling. Addressing the BOS, she stated she wanted to give an update of where they were with remote learning at the school. The school was very proud to have delivered 3,600 meals to students (breakfast & lunch; Monday through Friday).

Ms. Shannon Martin is planning a tentative graduation on June 10, 2020 for the 2020 graduates. The Police and Fire Chiefs are in on the tentative plans. The plan has gone to the NH Commissioner of Education legal counsel and Newport is waiting for guidance from the State. At this time the state is not approving or disapproving any local plans; they are waiting for Governor Sununu.

The school is working on extended school year plans. They are:

- ❖ Continuing to collect work from students
- ❖ Log interaction with remote learning.
- ❖ Looking into what the fall may bring
- ❖ Designing different models for teaching students.

When Governor Sununu tells the state what to expect for a teaching forum for the fall 2020, Newport will be ready.

Chairman Kessler asked who parents should contact if they wanted to get involved to help design these models. He was told they should contact Superintendent Brendan Minnihan at the SAU.

Ms. Darling was asked: What the last day of school was? She stated: preschool is May 28, 2020. K-12 is June 4, 2020. Tentative graduation date is June 10, 2020.

Selectman Connell congratulated all the people who worked very hard feeding Newport students during this time. They have done a great job. He also wanted to thank the teachers, students and parents on a job well done. Stay Strong!

Selectmen Wilmot and Hooper concurred with Selectman Connell.

Mr. Spaulding asked how the online education is going; is it a success or a failure.

Ms. Darling said that overall, she would say it was successful. For the middle schoolers (6 & 7 graders) participation rate was 67-70 %. For the middle school 8th graders participation rate was 50% Phone calls and letters have been sent to all. 8th grade parents warning that the next three weeks are critical. If the students do not make up work, they will have work over the summer or not pass on to high school. High school students have been a challenge. For the high schoolers (9-12 graders) participation is 52%.

Ms. Darling stated that the school district has learned a lot and that overall it has been a success.

Mr. Spaulding and Ms. Darling discussed the school method, success or failure and the fall model.

Selectman Connell stated he was really disappointed in hearing the participation rates of the students. If the students are not participating, they are not being educating. He was glad to hear there would be ramifications; but in the fall there will be issues of students being at various points especially if they have not participated. He hoped they don't claim they were homeschooled. He asked the school to take a hard line with the students and get the students back in school. Find some way to do it.

Ms. Darling agreed with Selectman Connell. She informed him that student's expectations and competencies have not changed. The school district would love to be back in the school building, but can't now. The teachers and administration want the students to do better than they are. She emphasized the difficulties that students and their parents are undergoing at this time.

Selectman Connell said that he appreciated what she said. When he was a principal, he told his students that learning was their job. Some students needed to get back to "work" and do their "job". That needed

to be stressed. He reiterated his thanks to the parents and students who were working hard at the remote learning.

Mrs. Virginia Irwin asked two questions.

- 1) Were the percentages going to be the determining factor for the Average Daily Membership (ADM) that the state will return when Newport has to report? *Chairman Kessler stated that ADM is the number sent to the state and determines how much aid Newport gets through state and federal programs.* Ms. Darling stated that she did not know the answer about the ADM. She will send an email to the Superintendent and get an answer.

- 2) Do you know anything about the waiver for food for the summer 2020 because Got Lunch! Newport is now feeding 180 children and will continue, but if the school isn't going to do the lunch and breakfast throughout the summer, it will make a huge difference on the amount of money that Got Lunch! Newport has to raise. Ms. Darling stated that Mrs. Charen Urban was waiting to hear from the SAU about the waivers (the SAU was waiting for the state, state waiting to hear from the federal government). No one has the answer, an application has been sent to the federal government by the State of NH. Ms. Darling stated she would contact Superintendent Minnihan for an updated answer.

Chairman Kessler asked if the school has looked into the state paying for summer school this year due to the increase of students because of the pandemic. Could that be looked into? Ms. Darling would get the information for Chairman Kessler.

Chairman Kessler thanked Ms. Darling for attending the meeting. He asked that she relay a thank you to the rest of the school board for everything they have done.

CONSENT AGENDA: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted by roll call vote to approve the Consent Agenda of the May 18, 2020 BOS meeting as presented. The motion passed 5-0-0.*

OPEN FORUM: Mr. Michael Christian, Jr. addressed the Board. He understood that Allen Street was scheduled for improvements in 2020. As a resident on Allen Street he has asked all the landowners if they would agree to have the road paved. As the only road in the area that is not tarred it would make it easier for the Town to maintain. He requested that the Town consider upgrading it from the surface it is now to an asphalt surface. Chairman Kessler stated Town Manager Rieseberg and Public Works Director Cartier would look into having it paved and the impact of the change. Town Manager Rieseberg will contact Mr. Christian, Jr. with their decision. There is no guarantee; Mr. Christian, Jr. has made them aware of it. Chairman Kessler thanked him for the request. Town Manager Rieseberg asked Mr. Christian, Jr. to call him on May 19, 2020 to give his contact information. Mr. Christian, Jr. agreed to his request and thanked the BOS.

Mr. Bert Spaulding, Sr. addressed the Board members and gave his opinion on the rights of personal freedoms and government regulations in this time of a pandemic.

Chairman Kessler addressed Mr. Spaulding, Sr. and stated that he also had to respect the rights of other people and their opinions.

Mr. Spaulding, Sr. stated he has asked for documentation of the Town's involvement of shutting down of any business in Newport.

Mr. John Lunn asked to be acknowledged. Mr. Lunn stated that Mr. Spaulding, Sr. had listed items and practices that are not contagious as personal freedoms. The coronavirus is a highly contagious disease that has been spread worldwide in a very short time and could get worse quickly. Mr. Spaulding, Sr. had said he is taking responsibility for himself. The fact that he is taking other people's lives into his hands by not being socially distanced causes others harm and that is problematic.

Mr. Spaulding, Sr. rebutted Mr. Lunn and gave his opinion on other Covid -19 issues.

COMMUNICATIONS: Selectman Fratzel had nothing to share at this time.

Selectman Wilmot had nothing to share at this time.

Selectman Connell had nothing to share at this time.

Selectman Hooper lost connection and left the meeting at this time.

Chairman Kessler had nothing to share at this time.

Town Manager Rieseberg had nothing to share at this time .

INFORMATIONAL: Town Moderator Virginia Irwin-Deliberative and Voting Sessions: Mrs. Virginia Irwin explained that the reason for her wearing a mask (on Zoom) was to ask Chairman Kessler and Town Manager Rieseberg why public employees (PD, DPW) were not wearing masks. She appreciated Mr. Spaulding, Sr.'s remark about wearing a mask, what he said has some merit, but as a community with municipal employees who are in the public and subject to being infected; they should be wearing a mask. It was explained when municipal employees wore masks. She thanked the Board for the information.

Moderator Irwin stated she was in attendance at the May 18, 2020 meeting to talk about 2020 Deliberative Session and elections. There have been discussions with Town Clerk Lee Dufort on how to proceed with the Town sessions and the fall elections.

1. Governor Sununu has issued Executive Order #43. People can change parties by mail. The Town can put a notice up on the website. June 2, 2020 is the last day a person can change their party for the fall primary. There will again be same day changing at the polls. Chairman Kessler asked, for clarification, if people have two weeks. He was told he was correct. Chairman Kessler asked, for clarification, if people did not have to do it in person. Again, correct. Chairman Kessler said a notice will be put on the Town Clerk webpage. Questions are to be addressed to the Town Clerk's Office. There will be a form on the website. A person can print the form, fill it out and mail it to the Town Clerk. The Town Clerk has to have the form in hand on June 2. It needs to be witnessed, but not notarized. Chairman Kessler stated that the Town Office has a drop box in the back of the building (is a green mailbox). Town Clerk Dufort will put the form up on the website. There will also be copies by the back door and people can put their witnessed forms in the "mail box".
2. Deliberative Session and Town Meeting. How and where will it be held? Moderator Irwin stated that she has looked to other towns the size of Newport. The Towns of Bow and Conway had a digital (ZOOM) deliberative session and drive-by voting. They stated it was successful. Newporters also had the option of voting by absentee ballot. There was much discussion among the Board members and Town Moderator Irwin concerning logistics at the polls including: location, poll workers, the need to acquire PPE, masks, disposable pens, setup of booths and children in polls. Moderator Irwin requested that all expenses be sent to the state for coronavirus reimbursement.

Town Moderator Irwin stressed there were many things that needed to be decided and there wasn't a lot of time. She was addressing the BOS on May 18, 2020, things needed to be in place for the Deliberative Session on June 9, 2020. Moderator Irwin said if Governor Sununu did not lift the Stay at Home Order or gatherings of no more than 10 people, Newport may have to postpone Deliberative Session again.

Chairman Kessler stated the important date would be the Deliberative Session. He asked how other towns of comparable size had done theirs. Town Moderator Irwin briefly explained and stated there was a way to amend the Warrant Articles over ZOOM. People received the amended ballot and did drive by voting. She would get more detailed information.

Moderator Irwin also informed the BOS that in the fall elections the absentee ballot voting will be huge. There is a discussion in NH to make the ballot flat and provide a larger envelop. This will hopefully alleviate jamming in the voting machines that occurs with the absentee ballots. Newport could do the same thing for the local SB2 voting. Many people will be voting by absentee ballot. There will be further discussion on that.

The election officials were recommending posting the 2020 Checklist in the Police Station lobby. Other public venues were not available in 2020.

Town Manager Rieseberg listed all the agencies in the State the Town has been in touch with for clarity for SB2 voting. Newport has received no direction from the state or Governor's office specific to SB2 on Deliberative Sessions or voting. It seems Newport could hold the Deliberative Session in a large gym with the floor clearly marked for social distancing. If it was in the school, there would need to be a designated room for overflow with the ability to provide video feed and participation in the meeting. Newport is in touch with the state daily for a decision.

Town Moderator Irwin stated that they were in contact with the Governor's Commission on Elections. They are supposed to be making the recommendations for towns that have not had their annual meeting. The Commission is instead focused on the fall elections and considering towns that have had school and town elections to vote again because of the pandemic and shortfall of revenue.

After a lengthy discussion among the Board members and Town Moderator Irwin, the following is the tentative plan for the Deliberative Session:

- Location: Town Common, with tent and social distancing
- Audio: NCTV or hired company
- Post checklist at Police Department in lobby
- Notification on the Town website about how to change party affiliation and the form.
- Continuously posting how the Deliberative Session will be held and how the voting will be held.
- Continue to work with Concord, NH regarding SB2 towns

Venue for voting: Opera House or High School Gym (depending on construction at the Opera House). Town Manager Rieseberg listed the items the Town would take on for the Deliberative Session. Town Moderator Irwin asked him to follow-up on the PPEs for the poll officials and workers.

Chairman Kessler asked that Town Manager Rieseberg update the BOS on his progress concerning the Deliberative Session. Town Manager Rieseberg agreed he would.

Town Moderator Irwin thanked the BOS for their time and good thinking on planning.

ACTION ITEMS: Local Source Water Protection Grant: After a short explanation of the grant, on a

motion by Selectman Fratzel, seconded by Selectman Connell; ***the Board voted by roll call vote to approve and accept the proposed 2020 Local Source Water Protection Grant (SWP-318) in the amount of \$17,200 and as otherwise stated in the letter dated April 27, 2020 from the NH Department of Environmental Services, and further authorize Town Manager Rieseberg to sign all necessary documents required. The motion passed 4-0-0.***

Emergency Management Grant - After a short explanation of the grant the Town is pursuing, Selectman Fratzel made the following motion: ***the Selectboard, on a majority vote, accept the terms of the Emergency Management Performance Grant presented in the amount of \$13,300 to purchase a message board. Furthermore, the Board acknowledges that the total cost of this project is \$26,000 in which the Town will be responsible for a 50% match of \$18,300.*** It was seconded by Selectman Wilmot. ***The Board voted by roll call vote. The motion passed 4-0-0.***

APPOINTMENTS: none

On a motion by Selectman Fratzel, seconded by Selectman Connell, ***the Board voted unanimously by roll call vote to enter into nonpublic session pursuant to RSA 91-A:3II(e) Litigation at 8:05 pm. The motion passed 4-0-0.***

Present were Selectboard members Jeffrey Kessler and Todd Fratzel in the BOS Room. Present via Zoom were Bill Wilmot and Barry Connell. Town Manager Hunter Rieseberg was also in attendance in the BOS Room.

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; the Board exited NPS at 8:27 pm.

No action was taken.

On a motion by Selectman Connell, seconded by Selectman Fratzel; the Board voted unanimously to adjourn at 8:27 pm.

Respectfully submitted,



Maura Stetson, Scribe

The next regular meeting of the Board of Selectmen is scheduled for June 1, 2020 at 6:30 p.m.

Approved on: June 1, 2020