

TOWN OF NEWPORT, NEW HAMPSHIRE

Board of Selectmen

Minutes for Meeting of December 3, 2018 6:30 pm

Regular Business Meeting, Municipal Building

15 Sunapee Street, Newport, NH 03773

SELECTMEN PRESENT: Jeffrey Kessler, Chairman; Todd Fratzel, Vice Chairman; Barry Connell, William Wilmot, Jr.

SELECTMEN ABSENT: John Hooper, II

STAFF PRESENT: Hunter Rieseberg, Town Manager; Paul Brown, Finance Director; Tony Timbrell, P.E., Public Works Director

COMMUNITY MEMBERS PRESENT: Bert Spaulding, Sr.

GUESTS: Peter J. Pitsas, P.E. Project Manager; Underwood Engineers

NCTV: Louis Cassorla

CALL TO ORDER: Chairman Kessler called the regular meeting of the BOS to order at 6:30 p.m. followed by the Pledge of Allegiance. Chairman Kessler asked for a moment of silence for the passing of our 41st President, George H. W. Bush.

AGENDA REVIEW: Accepted as presented.

MINUTES FROM PREVIOUS MEETING(S): Minutes of November 19, 2018: On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to approve the minutes of the November 19, 2018 Board of Selectmen meeting as presented. The motion passed 4-0-0.*

Non-Public Session Minutes of November 19, 2018: On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted to approve the Board of Selectmen NPS minutes of November 19, 2018 as presented. The motion passed 4-0-0.*

Chairman Kessler asked (a procedural question) who was recording (secretary) for the meeting.

Town Manager Rieseberg answered the question.

CONSENT AGENDA: After checking that all monetary information was on the Consent Agenda, on a motion by Selectman Wilmot, seconded by Selectman Fratzel; *the Board voted to approve the Consent Agenda of December 3, 2018 as presented. The motion passed 4-0-0.*

OPEN FORUM: none

COMMUNICATIONS: Selectman Connell stated he had attended the Planning Board meeting on Tuesday. He spoke positively on their work to expand economic growth in Newport.

Selectman Fratzel had nothing to share at this time.

Selectman Wilmot:

- ❖ Thanked the Community Center Committee for hosting the BreadLoaf presentation.

- ❖ Stated he was asked to speak to two high school Civics classes on local government and law enforcement. The students asked a lot of great questions. They had reviewed the Town Report and had many questions about what they had read. Selectman Wilmot was very impressed.

Chairman Kessler stated that:

- Saturday December 8, 2018 is “T” was Just before Christmas”. He listed activities that would be held during the celebration.
- The Budget Advisory Committee (BAC) will be meeting on Tuesday, December 4, 2018. They will be joining the School Board at their meeting.

Town Manager Rieseberg had nothing to share at this time.

INFORMATIONAL: Introduction of New Public Works Director - Town Manager Rieseberg introduced Mr. Tony Timbrell, P.E. as the new Public Works Director. Mr. Timbrell gave a synopsis of his life, career and return to Newport, NH. The Selectmen welcomed him to Newport.

Storm Response by Town and Utility Companies - Town Manager Rieseberg told the BOS that there were many electrical outages in Town. The Town was back “on line” by the end of the weekend. There were lots of trees down; crews have been out cutting and clearing. There was no real infrastructure damage in Town. The crews have done an excellent job. Everything seems to be back in order.

Community Center Update - Selectman Fratzel told the BOS that BreadLoaf gave a presentation at the Wednesday, November 28, 2018 meeting.

BreadLoaf presented what they called the Schismatic Design Budget.

The original feasibility study was for a 30,000 sq. ft. building. The cost in the study was between \$9,000,000 and \$11,000,000.

BreadLoaf is currently proposing a 19,700 sq. ft. building. Estimated costs now are:

Site Construction	\$1,039,000
General Construction	<u>\$4,361,000</u>
General Construction TOTAL	\$5,400,000

Plus:

Their management fee	<u>\$162,000</u>
TOTAL	\$5,562,000

Plus:

10% contingency fee	\$556,000
Fees for final engineering	<u>\$249,550</u>
TOTAL	\$6,367,000

Plus:

Soft costs	<u>\$233,000</u>
TOTAL TODAY:	\$6,600,000

There is \$6,000-\$7,000 of contingencies now for unknowns.

The committee is trying to get the budget number below \$6,000,000.

Selectman Wilmot asked what soft costs were. Selectman Fratzel read from a list: independent construction inspections, builders risk insurance, Eversource fees, Performance and Payment Bond as well as costs to outfit the building including servers and computer equipment.

There was a general discussion on the originally proposed size and cost versus the current proposed size and costs.

Selectman Fratzel stated there would be regular updates; there would be a revised number again in late December 2018. The guaranteed maximum price would be available in January 2019. There will be a number at the beginning of the budget season for the BOS to use as a Warrant Article (at the 2019 Town Meeting).

Chairman Kessler addressed Town Manager Rieseberg and stated he (Town Manager Rieseberg) had been working on grants and donations. Town Manager Rieseberg concurred with his statement. Town Manager Rieseberg stated the Town website would have a link to the BreadLoaf website and the slide show presentation on the proposed Community Center.

Selectman Wilmot asked to discuss fund raising. He asked how and what the Town is doing fundraising-wise. He asked if the Town was accepting money or only requesting pledges. Selectman Fratzel stated that there would be a committee meeting to discuss fundraising. One item on the agenda would be how to process donations, keeping track of donations, returning donations if the Warrant Article failed. The logistics would be discussed and he would bring that information to the Board.

Selectman Wilmot asked about the matching pledge. Town Manager Rieseberg stated that there was an anonymous \$1,000,000 pledge if matched by \$2,000,000 in fund raising. There was a general discussion on donations by the Board.

Mr. Spaulding, Sr. asked if the match pledge was contingent on the Town raising \$2,000,000 (if they didn't raise the \$2,000,000, the pledge would "go away") or if it is a \$1 to \$2 pledge. He was told it was a 2 to 1 pledge (Town raises \$4, get an additional \$2).

There was a general discussion on fundraising by the Board.

Chairman Kessler requested ongoing updates. Selectman Fratzel stated he would bring updates to the BOS.

Update on progress of First, Second, Third, Fourth and Knoll Streets - Peter J. Pitsas, P.E of Underwood Engineering gave a synopsis of the progress of the First, Second, Third, Fourth and Knoll Streets project.

Chairman Kessler stated that citizens have waited for this project for a long time. They are dealing with less than ideal conditions. Mr. Pitsas concurred with the statement.

Status - Projected: The work was supposed to be substantially completed within 220 days. An additional 30 days was allotted to do the restoration.

As of November 30, 2018:

The contract time-they have used 145 days (66%)

Construction completed is 30-40%

At the end of the construction season 2018 will be close to 40%

We will have 70% of contract time used; 40% of project completed.

Challenges - Late start of the project

Extensive rain; substantial ground water in the area

1. Contract was signed on June 28, 2018; began laying pipe just after Labor Day 2018.
2. Contract was written explaining specific steps for work and how the work would be done begin/complete First Street; begin/complete Second Street; etc.
3. First contractor meeting was on August 21, 2018. The Contractor identified a paving date of November 30, 2018 if followed the proposed contract schedule. Contractor proposed new schedule; tentatively pushing the paving schedule up three weeks. The change was allowed.
4. Second Contractor meeting September 2018. Paving estimated on November 21, 2018.
5. Third contractor meeting on November 16, 2018. Paving estimate was still November 21, 2018.
6. Underwood Engineering assessed the work progress and the amount needed to be completed. The job would not be completed in the 2018 construction season.
7. Planned to have First and Second Streets as gravel and have contractor pave Knoll Street.
8. Had to change plans; all streets gravel for the winter 2018. Explained the reasons why.

Remaining work - Explained the roads and what still needed to be done before the contractor moved to the untouched streets. Mr. Pitsas listed work which would be done in the winter 2018 and during the construction season of 2019.

Complaints

- a) Minor complaints of water and sewer services. Resolved.
- b) Road driving surface. Ongoing.
- c) Open trenches in road. Contractor delayed; contractor was instructed to backfill trenches for Thanksgiving.
- d) Contractor still responsible for the road; not substantial completion of work; residents not happy with the plowing the contractor has done
- e) Problem with water in basement of 27 First Street.
- f) Two incidents of cars hitting stored (contractor) materials.

Has tried to do email updates to the neighborhood. Has received emails from the residents stating that what Underwood Engineering was saying about the contractor was not happening; the contractor was falling further behind from the stated emails each time.

In summary, the project is pretty far behind schedule. The contractor, United, is looking to work in multiple areas in the Spring of 2019 to get back on the schedule.

Underwood Engineering wants to meet with the Town to ask how they would like to proceed. He gave a current state scenario and a worst case scenario to the BOS.

Mr. Pitsas stated United Construction had bid on the project. The construction cost to the Town will not increase. The engineering costs to the Town will increase (inspections, etc.). He stated they would be using 160 days in 2018 with additional four months (April, May, June and July).

Chairman Kessler asked what an additional 60 days for an engineer cost the Town. He was told approximately \$18,000-\$20,000 per month.

Chairman Kessler asked what the residents would expect over the winter 2018. Mr. Pitsas said that he hoped they would have some decent gravel roads. They would have to deal with the thawing of the gravel road in the spring.

Mr. Pitsas listed items he had discussed with the contractor to complete before the winter and for the resident's safety.

Selectman Connell asked Mr. Pitsas about substantial completion of work and plowing. Mr. Pitsas stated it would be discussed with the contractor and Town.

Chairman Kessler asked Mr. Timbrell if he had any questions. Mr. Timbrell stated that all maintenance and upkeep of the road was the contractor's responsibility until substantial completion. He said that whatever the contract document states about substantial completion should be adhered to. Mr. Pitsas listed some items on the list. Mr. Timbrell concurred with them all being in the contractor's realm of responsibility. Mr. Timbrell stated he would have questions of the Town taking over plowing or any other maintenance until the contractor has reached substantial completion. He backed up his position with the scenario of truck or equipment damage on the streets in the project area. There was further discussion on the problem.

New Tax Rate - Finance Director Brown addressed the Board and gave the tax rate and its break down. He stated tax bills would be sent out December 10, 2018 and would be due on January 7, 2019. He answered all questions from the Board.

The Board had a general discussion on topics. Chairman Kessler asked Town Manager Rieseberg how the solar arrays were coming along. He was told that the company had had some unanticipated permitting problems which are delaying the project. Town Manager Rieseberg was told the array was on schedule for Spring and Summer 2019 completion. Chairman Kessler stated that the contract had the solar company picking up the Town electric bill as of January 1, 2019. He was told yes; Town Manager Rieseberg explained.

ACTION ITEMS: none

APPOINTMENTS: none

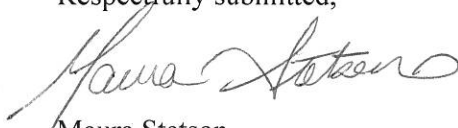
NON-PUBLIC SESSION (NPS): On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board voted by roll call vote to enter into NPS pursuant to RSA 91-A:3 II (a) Personnel at 7:39 p.m. The motion passed 4-0-0.*

The Board voted unanimously to exit the non-public session at 8:22 p.m.

No action was taken.

On a motion by all, seconded by all, *the Board adjourned at 8:23 p.m.*

Respectfully submitted,



Maura Stetson
Scribe

Approved on: December 17, 2018

The next regular meeting of the Board of Selectmen is scheduled for December 17, 2018 at 6:30 p.m.