

**TOWN OF NEWPORT, NEW HAMPSHIRE**  
**Board of Selectmen**  
**Minutes for Meeting of February 14, 2019 6:30 pm**  
**Budget Review & Business Meeting**  
**Municipal Building, 15 Sunapee Street, Newport, NH 03773**

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

**STAFF PRESENT:** Hunter F. Rieseberg, Town Manager; Paul Brown, Finance Director; Hamilton (Tony) Timbrell, P.E., Public Works Director; Todd Cartier, Water & Sewer Superintendent; William Scanlon, Highway Superintendent

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

**AGENDA REVIEW:** There were no changes made to the agenda.

**PUBLIC HEARING:** The Selectboard conducted the second of two public hearings, pursuant to RSA 41:14-a, relating to the proposed Eminent Domain acquisition of property located on Meadow Road, Map 114, Lot 159, also known as the Newport Youth Activities property in Newport, NH.

Chairman Kessler opened the public hearing to consider this question by asking Town Manager, Hunter Rieseberg, to give an overview of the proposal. Town Manager gave a brief history of the project by stating that the property has been a part of the Town's existing baseball field for decades – about ½ of the current field exists on Town owned land while the other ½ is situated on the lot in question.

When the Town began looking at this area in support of construction of a new Community Center and reorientation of the existing baseball field, it became clear that such an undertaking would require use of both the Town's lot as well as this particular lot (Map #114, Lot 159). When it became clear that the Town did not in fact own a portion of the existing baseball field, and that Newport Youth Activities was in fact the owner, that it would be important for the Town to pursue purchasing this property in support of the possible construction of a new Community Center and an associated baseball field.

Upon further research, it was discovered that Newport Youth Activity, an organization formed in the 1940's, had since ceased to exist without any remaining Board of Directors, heirs, assigns, or successors.

Accordingly, in an effort to clear the title and to insure the availability of the subject property for use in support of the Town's existing and ongoing recreational activities/needs, with or without a new Community Center, that it was in the Town's best interest to acquire this property. With advice of legal counsel, it was recommended that the Town rely upon the Eminent Domain process (RSA 41:14-a) to establish title to the property.

Accordingly, this question was submitted to both the Town's Conservation Commission and the Planning Board for review and comment. Both organizations have recommended that the Town pursue ownership of the subject parcel by virtue of Eminent Domain.

RSA 41:14-a requires that this question now undergo two Public Hearings by the Selectboard. The first such public hearing was held on February 4<sup>th</sup>, 2019. This would constitute the second of the required public hearings.

Following this public hearing, the question of the Town establishing ownership of the property would then pass to the State for final action and the Town would be required to pay to the State the suggested market value of \$10,000 for the property – as the lot had no other known owners.

Chairman Kessler asked if any member of the Selectboard had any questions. Hearing none, the Chairman invited questions from the public. Hearing none, the Chairman closed the Public Hearing on this matter.

Immediately thereafter, the Chairman asked for any motions relative to this question. It was moved by Selectboard member Fratzel, *pursuant to RSA 41:14-a, that the Town move forward to acquire title to said parcel of land located on Meadow Rd, (Map # 114, Lot 159), formerly belonging to Newport Youth Baseball, via the eminent domain process. Motion was seconded by Selectmen Wilmot. All in favor.*

**INFORMATIONAL:** Budgets – Public Works Department, Highway Department, and Water & Sewer Department.

**NON-PUBLIC SESSION:** A motion was made and passed unanimously by roll call, to enter into Non-Public Session under RSA 91-A:3, II (c) Reputation; and RSA 91-A:3, II (d) Real Estate at 8:13 p.m.

A motion was made and passed unanimously to come out of Non-Public Session at 8:52 p.m.

**There was no action taken during Non-Public Session.**

**ADJOURNMENT:** On a motion by Selectman Wilmot, seconded by Selectman Fratzel, *the Board voted to adjourn the meeting at 8:58 p.m. All in favor. The motion passed and the meeting was adjourned.*

Respectfully Submitted,



Hunter F. Rieseberg  
Town Manager/Scribe

Approved: March 4, 2019