

## **TOWN OF NEWPORT, NEW HAMPSHIRE**

**Board of Selectmen Minutes for Meeting of December 19, 2022 - Regular Business Meeting**  
**Municipal Building, 15 Sunapee Street, Newport, NH 03773**

**Remote Access: Zoom.com - Meeting ID: 858 6872 8806    Passcode: 861792**  
**+1 (253) 215-8782 US (audio only, long-distance fees may apply)**

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**SELECTMEN PRESENT:** Jeffrey Kessler, Chairman; Herbert Tellor, Jr.; James Burroughs, Keith Sayer, Barry Connell, Vice Chairman

**SELECTMEN ABSENT:** none

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

**COMMUNITY MEMBERS PRESENT:** *BOS Room:* Bert Spaulding, Sr.; Scott McCoy, Laura Finke, Kurt Minich, Geraldine Black, Mary Schissel, Lawrence Schissel, Mary Kate Menard, Larry Huot, Thomas Brenner

**79-E APPLICANT (via zoom):** Jon Livadas

**NCTV:** John Lunn, NCTV

**CALL TO ORDER:** Chairman Kessler called the meeting of the BOS to order at 6:30 p.m. followed by the Pledge of Allegiance (For full meeting, go to: [www.nctv-nh.org](http://www.nctv-nh.org) )

**AGENDA REVIEW:** accepted as presented

**PUBLIC HEARING (continued):** The Board will gather comments on the Community Revitalization Tax Relief Incentive Program (RSA 79-E) application being submitted by developer Jon Livadas in regards to the redevelopment of former Dexter Richards and Sons Woolen Mill (Ruger Mill, currently owned by 169 Sunapee Street LLC) property, located at 169 Sunapee Street, Newport NH into multifamily rental apartments.

Chairman Kessler opened the public hearing and read aloud the Public Notice into the record. He said it was a continuation of the public hearing which started December 5, 2022 at 6:30 p.m. Chairman Kessler asked Mr. Livadas if he had an update on his project. Mr. Livadas said they had heard from NH Housing Authority concerning funding. It was good news; all the funding is lined up for the project. He has done research on the school age children and other broad topics that were discussed at the December 5, 2022 hearing. Chairman Kessler asked that Mr. Livadas give the Board and public the information he had acquired. Mr. Livadas said they had done a project in Lebanon, NH. It was also a renovation of a mill building. A fiscal analysis was required for that project. The analysis concentrated on school age children (SAC) and was done by an independent firm. They researched renovated mills in the area to see the number of children living in an apartment in the mill complexes. After looking at eight different mill sites, they had an analysis of less than one child per 1000 units. Mr. Livadas used that number to figure an approximate number in Newport to be anywhere from zero to ten SAC. The numbers are nowhere near the numbers discussed on December 5, 2022. Mr. Livadas said there was a lot of data; people needed to know what they were doing. He said there was a website, "keys to the valley" [www.keystothevalley.com](http://www.keystothevalley.com) that showed the need for housing. He reminded the public they were taking a vacant building, a historic building with ties to the Town and providing residences in a needed market. Chairman Kessler opened the hearing to the public. The public in attendance repeatedly asked for documentation about the project at the mill. *The BOS did not supply any.* Repeatedly asked for:

The type and number of apartments:

1. *2 three bedroom apts.,*
2. *29 two bedroom apts.,*
3. *6 single bedroom apts.;*
4. *33 studio apts.*  
*70 apartments*

The funding stack Mr. Livadas was using

- 1) *NH Housing Authority*
- 2) *Invest NH*
- 3) *Community Development Block Grant (CDBG grant)*
- 4) *Low Income Housing tax credit (some of the equity is through a separate partner; tax credits created by the structure)*

A proposed number of school aged children (SAC) at the mill; what the cost to the school district would be; transparency by the Board and the applicant. Abatement questions:

- Number of years he was requesting for an abatement (application said he could get up to 13 years)
- When the abatement would start. *Explained.*
- How long the abatement would last. *As long as the BOS determined.*
- If the abatement was transferrable (to a different, future owner of the mill). *No.*
- The Board couldn't revisit an extension of the abatement later. *Correct*
- The breakeven point. At what point the project was not viable (5, 10 years?).

During the public hearing; Mr. Spaulding, Sr. asked what the federal funds (funding stack) were. He made an official request of all the funds Mr. Livadas has lined up: the amounts, the agency they come from and all the statistical information that backs up the numbers Mr. Livadas used at the December 19, 2022 Public Hearing to convince the public to allow the abatement of taxes. Other items brought up:

- What the Town originally said the use of 79-E was for. *Explained.*
- Name of management company: *Elm Wood Grove Property Management*
- Renting qualifier: *60% AMI (\$40,000-\$50,000/ year with no subsidy)*

Mrs. Black said that the comments at the public hearing were not meant to be negative. The Selectboard had been elected to represent the people. They wanted to make sure they had researched before they voted. What was said was due to frustration, not negativity (she explained).

Chairman Kessler closed the hearing for Board Deliberations.

There was a lengthy discussion among the Board on the redevelopment project tax abatement. They agreed they needed to grow the Town the best they can. They discussed a reasonable length of time for an abatement. Mr. Livadas was asked questions to clarify major points during their deliberations.

Selectman Teller made a motion ***to approve a request for RSA 79-E abatement for Dexter Richards and Sons Woolen Mill, applicant Mr. Jon Livadas, for a period of three years.*** It was seconded by Selectman Connell. Selectman Burroughs said that three years will give them time to see the impact on the Town. He was comfortable with the motion for three years. Selectman Sayer concurred. Selectman Burroughs also said the public was not aware of some information the Board had concerning the request because it was not public information. Their decision was based on more information than could be given. Chairman Kessler called for a roll call vote. ***The motion passed 5-0-0.***

Chairman Kessler addressed Mr. Livadas and stated he had three years. Mr. Livadas thanked the Board. Chairman Kessler thanked the public for attending and participating.

**MINUTES FROM PREVIOUS MEETING(S):** December 5, 2022 - On a motion by Selectman Tellor, seconded by Selectman Sayer; *the Board voted to approve the minutes of the November 21, 2022 BOS meeting as presented. The motion passed 5-0-0.*

**CONSENT AGENDA:** On a motion by Selectman Burroughs, seconded by Selectman Connell; *the Board voted to approve the Consent Agenda of the December 19, 2022 BOS meeting as presented. The motion passed 5-0-0.*

**OPEN FORUM:** Mr. Thomas Brennen addressed the Board and told them that if the proposed four story 96-unit apartment building adjacent to the airport was built, it would be the only 4 story building within 1000' of an airport in the United States. He said that some plane operators will not be able to fly into Parlin Field if it was allowed to be constructed. There was a lot of other land in Newport to build on. Town Manager Rieseberg said that it was an appropriate discussion for Planning and Zoning Board meetings. Mr. McCoy said that Newport Airport Management has sent documentation on how the development would be detrimental to the airport. He asked if the Planning and Zoning Office had received them; if not, he was sure the managers would resend the information to them. Mr. McCoy stated that on December 5<sup>th</sup> there was a bridge issue. It has been rectified. He thanked them. Mr. Larry Schissel asked who would be taking care of the maintenance on the Corbin Road trees. Chairman Kessler directed Town Manager Rieseberg to contact the state to assess the trees on Corbin Road.

**COMMUNICATIONS:** Selectman Connell informed the Board that he was no longer Chairman of the Conservation Commission. Mr. Donald Schagen is now Chairman; he believed Mr. Schagen will do a fabulous job. He had had a nice talk with Mr. Brenner about his concerns and the airport. Selectman Sayer thanked the Fire and Police Departments for all their work during the recent snowstorm. Town Manager Rieseberg stated the Public Works Department would be cleaning snow off Main Street (December 19<sup>th</sup>) Selectman Burroughs asked Selectman Connell to forward information concerning the Planning Board and the proposed 96 unit apartment building adjacent to the airport. He also thanked the Fire, EMS and Police Personnel who worked outside in the storms and cold; as well as the Public Works crews for all their hard work moving (plowing) the heavy snow. He thanked the utility crews for all their hard work, too. Selectman Tellor thanked the Fire, EMS and Police Departments; as well as the Public Works crews and utility crews for all their hard work. He wished everyone a Happy Holiday. Chairman Kessler agreed with the rest of the Selectboard in his thanks and appreciation.

**INFORMATIONAL:** Community Center Update - Chairman Kessler stated the Town is waiting on the Center bid documents. Chairman Kessler said that he had been part of a conference call with outgoing Executive Councilor Kenney. He said that Newport has the support of two Executive Councilors in Concord; the outgoing and the new Councilor representing Newport, Ms. Warmington. The vote on the application for the \$1 million of Governor's Office for Emergency Relief and Recovery (GOFERR) will be going to the Executive Council's next meeting. Selectman Tellor said that he had heard the federal budget has not yet been passed; they have until Friday. Town Manager Rieseberg said that Friday will be the determining factor of whether the construction will be put off another year. Chairman Kessler said that the federal budget needed to pass with the earmarked (Shaheen) funds.

January 2, 2023-Board of Selectmen Meeting Scheduled on Town Holiday (New Year's) - After a brief discussion, the Board members concurred to cancel the January 2, 2023 BOS meeting. They will convene if items of importance come up.

**ACTION ITEMS:** Maple Street Infrastructure Project - \$870,000 ARPA funds were granted to Newport for the replacement of water lines in Maple Street. In discussion with the engineers that will be working on the project, they stated that the best way to do the project would be to replace all the utilities (at once); not just the water mains. The water mains alone (following their specifications) would cost

approximately \$500,000. Doing all the items necessary is cost prohibitive (\$6-8 million). To use the American Rescue Plan Act (ARPA) money, the Town would have to complete construction by 2026 on Maple Street. Town Manager Rieseberg stated there are currently two important (BOS approved) bonds for the voters at the 2023 Town meeting in May:

1. North Newport well; needs a \$500,000 bond
2. Waste Water Treatment Plant-bond vote

He did not believe a third bond on the ballot would pass. After a discussion on the lifespan of the water mains on Maple Street, their condition and current maintenance, the Board concurred to postpone the construction to, "do it once and do it right". Town Manager Rieseberg requested a motion and vote to officially withdraw from the Maple Street construction ARPA grant.

On a motion by Selectman Connell, seconded by Selectman Burroughs; ***the Board voted to withdraw from the Maple Street Construction Project and return the (ARPA) money to the state. The motion passed 5-0-0.***

Town Office Department of Energy (DOE) Grant - Town Manager Rieseberg told the Board members there are 100 windows in the Town Office building. The original cost for replacement of the windows and installation of ten to twelve HVAC (heating, ventilation, air conditioning) air conditioners was \$250,000. Town Manager Rieseberg stated that the Town had gotten a quote for the project two years ago for \$250,000. They submitted a grant application for the work; which was routed through federal (DOE) appropriations. Newport found itself in a grant program which required a local match (10-50%). Newport was recently granted money for \$250,000 which needs a local match of 50%. (In two years the cost has increased from \$250,000 to \$300,000 and the availability of product is now approximately 9 months). The Town is currently negotiating with the Department of Energy for a 20% match instead of 50%. If the Town accepted the project it would cost \$60,000. He asked for the Board's concurrence to the current offer and get the windows in this spring (2023). There was a brief discussion on the project and local match payments, and in-kind work for partial local match payment. Selectman Burroughs asked the Town Manager to save the old windows; there will be buyers for the 100+ year glass. Chairman Kessler asked for the pleasure of the Board. The Board concurred to go ahead with the project.

Thank you letters to Executive Councilors (Kenney and Warmington) - Selectman Connell made a motion ***to send a thank you and welcome letter to the Executive Councilors.*** It was seconded by Selectman Teller. ***The motion passed 5-0-0.*** A thank you will be sent to (outgoing) Councilor Kenny and a welcome to Councilor Warmington, the new Executive Councilor representing Newport.

There being no further business in the public meeting, on a motion by Selectman Teller, seconded by Selectman Sayer; ***the Selectmen voted by roll call to enter into non-public session(NPS) pursuant to RSA 91-A: 3II(e)Litigation at 8:58 p.m. The motion passed 5-0-0.***

Respectfully submitted,



Maura Stetson, Scribe

**The next regular meeting of the Board of Selectmen is scheduled for January 16, 2023 at 6:30 p.m.**

Approved on: January 16, 2023