

**Town of Newport, New Hampshire
Board of Selectmen
Minutes for Meeting of February 5, 2018
6:30 pm Regular Business Meeting
Municipal Building**

SELECTMEN PRESENT: Jeffrey Kessler, Chairman; Todd Fratzel, Vice Chairman; John Hooper II, Barry Connell

STAFF PRESENT: Hunter Rieseberg, Town Manager; Paul J. Brown, Finance Director; Julie Magnuson, Planning and Zoning Administrator

COMMUNITY MEMBERS PRESENT: Dan O'Neil, Tobin Menard, Bert Spaulding, Sr.

GUEST: Steven P. Schneider, Executive Director; Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC)

CALL TO ORDER: Chairman Kessler called the regular meeting of the BOS to order at 6:32 p.m. followed by the Pledge of Allegiance.

AGENDA REVIEW: Accepted as presented.

MINUTES FROM PREVIOUS MEETING (S): January 8, 2018 Regular Minutes and Non-Public Minutes; January 22, 2018 Regular and Non-Public Minutes; January 29, 2018 Non-Public Minutes

Minutes of January 8, 2018:

On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the minutes of the January 8, 2018 BOS meeting as presented. The motion passed 3-0-1(Hooper abstained).*

NPS Minutes of January 8, 2018:

On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the NPS minutes of the January 8, 2018 BOS meeting as presented. The motion passed 3-0-1(Hooper abstained).*

Chairman Kessler asked if the Board needed to embargo the NPS minutes of January 8, 2018. There being no reason to embargo them, the NPS minutes were now public minutes.

Minutes of January 22, 2018:

On a motion by Selectman Connell, seconded by Selectman Hooper; *the Board voted to approve the minutes of the January 22, 2018 BOS meeting as presented. The motion passed 3-0-1(Fratzel abstained).*

NPS Minutes of January 22, 2018:

On a motion by Selectman Connell, seconded by Selectman Hooper; *the Board voted to approve the NPS minutes of the January 22, 2018 BOS meeting as presented. The motion passed 3-0-1(Fratzel abstained).*

Chairman Kessler stated the NPS minutes of January 22, 2018 were now public minutes.

NPS Minutes of January 29, 2018:

On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board voted to approve the NPS minutes of the January 29, 2018 BOS meeting as presented. The motion passed 4-0-0.*

Chairman Kessler stated the NPS minutes of January 29, 2018 were now public minutes.

CONSENT AGENDA: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the Consent Agenda of January 5, 2018 as presented. The motion passed 4-0-0.*

OPEN FORUM:

Mr. Dan O'Neil addressed the Board of Selectmen and stated he wanted to make a comment on the 79-E Proposal. Chairman Kessler requested that he wait for the agenda item to come up. Mr. O'Neil then stated he would like to discuss items and ask questions of the BOS. He understood the pressure of sitting with the Board. Among the items and questions Mr. O'Neil asked were:

- The posting of minutes online, the absence of 2018 minutes and the absence of NPS minute information that had to do with personnel, compensation and land as well as the time sensitivity of minutes.
- The Town contracting with a consulting firm on a wage study. *He was told yes.*
- He asked who the consulting firm was. *He was told Municipal Resources, Inc. (MRI).* And the cost of the study. *\$15,000.* Mr. O'Neil asked general questions about the firm and contract by the Town.
- Mr. O'Neil asked if the Town had a digital copy of the study. *He was told the study was a work in progress.*
- Mr. O'Neil asked general questions concerning the written study and the draft. *Mr. O'Neil was told he could see the final report.*

Town Manager Rieseberg and Mr. O'Neil had a lengthy discussion on the report and personnel positions that might be affected by the study.

Town Manager Rieseberg gave a lengthy explanation of his decision and recommendation to the BOS to terminate the position of Planning and Zoning Administrator. It was recommended to go to a three day a week Zoning Administrator position and to contract for planning services. It would be a \$20,000 savings to the Town of Newport. Contracted services could be provided by UVLSRPC at a cost of \$60/hr.

- Mr. O'Neil made a RSA 91-A request for the copies of the pay ranges for the department heads as they now exist (and) just to see what they came to.

He then gave a hypothetical explanation of how the BOS has come to the decision to terminate the position of Planning and Zoning Administrator. Town Manager Rieseberg responded to his statement.

- Mr. O'Neil made a brief statement on the duties, responsibilities and limits of the BOS members versus the responsibilities and limitations of the Town Manager.

Selectman Fratzel addressed Mr. O'Neil and stated the BOS had discussed reducing the hours in Planning and Zoning for four or five years. An unfounded attack against the Board was disgraceful. Selectman Fratzel stated the reality was the Town did not have the workload for a full time Administrator. He expressed the BOS responsibility to the taxpayers of Newport.

Chairman Kessler further clarified Selectman Fratzel's statement. He stated the BOS had just received the budget handbooks with the Town Manager's recommendations and the BOS has not had any discussion on the Town Manager's budget yet. He gave general information about the study and responsibilities of the BOS.

Mr. O'Neil agreed but stated there had been an independent study of the Planning Office and it had stated the office was working fine. The BOS actions are not consistent with what the previous study stated. He stated he had nothing further to add.

There was an additional discussion between Board members and Mr. O'Neil.

Town Manager Rieseberg addressed Mr. O'Neil and stated the BOS had little input with his decision on reducing the hours of the staff position; there were several positions that were overstaffed. It was in his budget recommendation; not the BOS.

Mr. O'Neil thanked him for that information.

Town Manager Rieseberg continued, stating the statutes and his philosophy involved with creating the annual budget.

After additional discussion with Mr. O'Neil, Town Manager Rieseberg concluded the discussion stating that:

- ❖ The reduction in hours for the position in question was his (Town Manager's) alone; the Board did not ask him to do it.
- ❖ No one is being terminated; his recommendation was to adjust hours.

Anything else is a rumor.

Mr. O'Neil thanked Town Manager Rieseberg.

Selectman Connell stated his position (as a new Board member) on the subject for the record. He wanted to make it clear that for him it was a matter of a program, not a person. He wanted anyone concerned to understand that.

Chairman Kessler asked if there was anyone else from the public who wanted to speak during Open Forum.

Mr. Bert Spaulding, Sr. addressed the Board and voiced his concern on the school budget as it is being proposed. It will be \$3.89/1,000. The default budget would be an increase of \$2.58/1,000. He stated that no matter what efforts the BOS took to maintain or lower the tax rate would be for naught due to the school's budget. It becomes a difference between the school and the town appropriations.

Mr. Spaulding, Sr. continued, giving examples of the hardships of Newporters both young and senior citizens on Medicare.

Speaking at length Mr. Spaulding, Sr. gave additional information on the proceedings, financial information and a Right to Know request he had made to the School Board.

He encouraged the public to go to the School Deliberative Session on Tuesday, February 6, 2018 at 6 p.m. at the high school. He stated that usually 40 people show up; he encouraged everyone to show up.

Mr. O'Neil addressed the Board and gave a statement agreeing with Mr. Spaulding, Sr.

Selectman Connell stated that some very important information had been given at the BOS meeting. He was upset that the public could not hear it due to lack of NCTV coverage.

Mr. Spaulding, Sr. concluded his statements to the BOS by giving ratings of the Newport school grade groupings compared to the state ratings. He stated that Newport was among the lowest rated school district.

Chairman Kessler encouraged the public to go to the School Deliberative Session on Tuesday, February 6, 2018 at 6 p.m. at the high school.

COMMUNICATIONS:

Selectman Connell had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Selectman Hooper had nothing to share at this time.

Chairman Kessler had nothing to share at this time.

Town Manager Rieseberg had nothing to share at this time.

INFORMATIONAL:

Discussion of Adopting the Provisions of NH RSA 79-E Community Revitalization Tax Relief

Planning and Zoning Administrator Julie Magnuson stated her disappointment that there was no NCTV coverage at the February 5, 2018 BOS meeting because 79-E was a subject that Newporters needed to understand. Ms. Magnuson stated she had invited Mr. Steve Schneider from UVLSRPC to attend the BOS meeting because he is the former town manager of Enfield, NH and they had adopted 79-E during his tenure. She believed Mr. Schneider would be able to answer historical or technical questions on 79-E for the Board members. Ms. Magnuson stated she had already been before the Board twice concerning 79-E. Town Manager Rieseberg had asked her to draft a Warrant Article to present to the BOS on 79-E. A draft Warrant Article was located on the last page of the Selectboard's 79-E packet. The draft had not gone to the Town attorney, but the wording was exactly what Enfield, NH had used as their Warrant Article. Ms. Magnuson then indicated the map which identified the historical districts that would comprise the 79-E District. She explained the map overlay of the properties to the Board members.

Ms. Magnuson stated that adopting 79-E would be a beneficial tool for Newport to attract developers. She explained it as tool to reinvest in Newport.

Mr. Schneider stated that Enfield, NH had adopted 79-E right after the state adopted it in approximately 2007. He explained the reason for a 79-E district and how Enfield had adopted and used it. Mr. Schneider stated that the Board would decide what a public benefit was and whether an applicant would receive a time limited tax abatement or not. He then explained the tax abatement and potential Town benefits to the Board and public in attendance.

Selectman Hooper spoke in favor of adopting 79-E. He then asked about the area that was eligible in Newport. He would like to see it encompass a larger area of the Town.

When asked, Mr. Schneider stated that the district and buildings had to be in a downtown or public center.

Ms. Magnuson stated that it was also for historic structures, which the Newport Mills was. She would be happy to expand the 79-E District map draft to include the Selectmen's wishes.

Mr. Dan O'Neil addressed the Board and stated he felt the same as Selectman Hooper; the district area should be as broad as possible. The BOS wanted the ingresses to the Town to be as nice as possible and having this tool might be one way of achieving this.

Mr. Spaulding, Sr. addressed the BOS and spoke against the adoption of 79-E. He gave reasons why it should be denied in Newport. He stated that lot 32, in his opinion, should not be a part of the 79-E District.

Mr. O'Neil rebutted Mr. Spaulding, Sr. opinion to lot 32 and the project being undertaken there.

Mr. Steve Schneider addressed the BOS and spoke to the tax abatement through 79-E in order to help clarify what was being discussed.

Chairman Kessler acknowledged Ms. Magnuson. Ms. Magnuson stated that she had spoken to the developers and Town Manager Rieseberg on February 5, 2018 and they had told her that without the 79-E abatement there was no project (at the Newport Mills). She was relaying the information from the developers to the BOS.

Mr. Spaulding, Sr. stated his opinion of the Newport Mills project and the proposed adoption of 79-E.

Ms. Magnuson read aloud from the 79-E packet and the explanation of how the Town would benefit. After commenting on the usefulness of 79-E, Ms. Magnuson stated that she would amend the proposed map to reflect the Board's wishes. She further stated that time was of the essence if the BOS wanted to get this before the voters at Town Meeting 2018. They could start with a small area to be delineated as a 79-E District and then increase or decrease its size in subsequent years at Town Meeting.

Chairman Kessler stated for clarification that each applicant would need to be approved separately by the BOS. Ms. Magnuson concurred, stating it was like going before the ZBA.

Selectman Fratzel stated for the record that he wanted to publicly recuse himself from the discussion because the company he worked for has been doing some work for the developer. He stated he would abstain from any conversations about 79-E.

Mr. Tobin Menard, Newport resident, stated that it sounded as though with 79-E you wanted to try and bring business in, you wanted to try and revitalize the town. The BOS would abate some of the taxes now for a larger amount of taxes in the future.

Selectman Connell asked what the steps were for the Town moving forward so the Town could move along with the adoption of 79-E?

Chairman Kessler stated:

1. Define the District we (BOS) want.
2. Hold a public hearing for it. (They would have to consult a calendar.)

Selectman Connell wanted to get the subject moving.

There was a general discussion on where the district would encompass and who it would apply to. It was decided that Selectmen Hooper and Connell would work with Ms. Magnuson to define the proposed 79-E District.

BOS Meeting-President's Day

After a short discussion among the Board members, it was the consensus of the BOS to cancel the February 19, 2018 BOS meeting. Board members agreed that if subjects arose during the month of February (budget season), business would be conducted during a budget review meeting. The next regular meeting of the BOS is scheduled for March 5, 2018 at 6:30 p.m.

Dam Monitoring

Town Manager Rieseberg had met with the owner of the dam by Cross Street. The Federal Energy Regulatory Commission (FERC) has helped the owners develop a new emergency response plan, has had an engineer review the current condition of the dam and repair some of the damage created during the last storm to make sure such events will not happen again. He listed some of the problems found with the dam. The Town is working with FERC to make the dam a safer and more efficient facility.

When asked, Town Manager Rieseberg stated there had been no damage to the Town water or sewer lines.

ACTION ITEMS:Town of Newport and Newport School District Agreements

There was a general discussion among the Board members about the facilities agreements between the Town and School. Finance Director Brown answered all questions concerning the history of the two contracts as well as all other questions the Selectmen had. Chairman Kessler called for motions on the two agreements.

Control and Use Agreement

On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board authorized Town Manager Rieseberg to sign the Control and Use Agreement between the Town of Newport and the School District as presented. The motion passed 4-0-0.*

Field Maintenance Agreement

On a motion by Selectman Fratzel, seconded by Selectman Hooper; *the Board authorized Town Manager Rieseberg to sign the Field Maintenance Agreement between the Town of Newport and the School District as presented. The motion passed 4-0-0.*

APPOINTMENTS: An application for the Budget Advisory Committee (BAC) was presented to the Chairman of the Board of Selectmen. The application would be given to the Town Moderator for consideration.

BUDGET OVERVIEW:

Town Manager Rieseberg read aloud a statement which gave an overview of the completed Town projects, savings, staffing decreases and future Town projects.

The first budget review meeting will be held on Thursday, February 7, 2018 at 6:30 pm. The Departments to be reviewed were to be decided at the Department Head meeting on Tuesday, February 6, 2018.

A list of departments and the dates they would be reviewed as well as a list of proposed Warrant Articles would be emailed to the Selectmen.

On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Selectboard voted to adjourn at 8:35 p.m. The motion passed 4-0-0.*

The next regular meeting of the Board of Selectmen is scheduled for Monday, March 5, 2018 at 6:30 p.m.

Respectfully submitted,



Maura Stetson
Scribe

Approved on: March 5, 2018