

**TOWN OF NEWPORT**  
**Board of Selectmen**  
**6:30 pm Regular Meeting & Public Hearing, Municipal Building**  
**Minutes for June 15, 2015**

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**SELECTMEN PRESENT:** Gary Nichols, Chairman; Todd Fratzel, Vice Chairman; David Hoyt, William Wilmot, Jeffrey Kessler

**STAFF PRESENT:** Paul J. Brown, Town Manager; Rick Kloeppel, Airport Co-Manager; Julie Magnuson, Administrator Planning and Zoning

**PUBLIC PRESENT:** Robert Ingalls, Rich Colburn, George Nemeth, Rand Arleo, Mark Pitkin, Adam Ricker, Regional Planning Commission, Shellie Hadfield, Jaye Stilwell, Carol Fonseca, Deniz Fonseca

**CALL TO ORDER:** Chairman Nichols called the meeting to order at 6:30 pm followed by the Pledge of Allegiance.

**PUBLIC HEARING: Community Development Block Grant Application**  
**2015 CDBG Maple Manor Energy Improvements - Public Hearing**  
Chairman Nichols read the public hearing notice into the record:

The Town of Newport will hold two consecutive public hearings on **Monday, June 15, 2015, at 6:30 PM at the Newport Town Offices, 15 Sunapee Street, Newport, New Hampshire**, to hear public comment on proposed Community Development Block Grant (CDBG) applications to the NH Community Development Finance Authority (CDFA), and related planning documents. Up to \$500,000 annually is available to communities or counties on a competitive basis for housing, public facilities, economic development and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants. The proposal to be heard includes:

- A proposed community block development grant application for \$500,000 in CDBG funds for Maple Manor energy improvement project.
  - Adoption of the Town of Newport Anti-displacement and Relocation Plan for the project.
- Interested persons are invited to attend.

Chairman Nichols acknowledged Ms. Shelley Hadfield.

Ms. Shelley Hadfield introduced herself and informed the Board of Selectmen that Community Development Block Grant funds are available to municipalities for economic development, public facility and housing rehabilitation projects and feasibility studies that primarily benefit low and moderate income persons. The purpose of the public hearings required for CDBG funding was to solicit the view of citizens on community development; furnish the citizens with information concerning the amount of funds available and the range of community development activities which may be undertaken under the Community Development Act.

CDBG funds are awarded on a competitive basis in New Hampshire and may be used for housing, public facilities, and economic development which have primary benefit to low and moderate income persons. A community or County can apply for up to \$500,000 a year for public facility/housing rehabilitation, up to

\$500,000 a year for economic development projects, as well as up to \$500,000 a year in emergency funds. Planning grants are available for up to \$12,000 per year. Up to \$500,000 total is available for micro-enterprise grants for the purpose of promoting small business.

A handout was available describing the proposed project (Attachment 1).

#### Public Hearing # 1 – Grant Submission

Chairman Nichols opened Public hearing #1 and acknowledged Ms. Shelley Hadfield. Shelley Hadfield explained that this proposal to be considered by the Commissioners is a CDBG Feasibility Study for up to \$500,000 on behalf of the Maple Manor Energy Improvement Project. Maple Manor is an independent housing complex constructed in 1980 and owned and operated by Housing for the Elderly and Handicapped of Newport, NH a not-for-profit entity governed by a local volunteer Board of Directors.

The proposed project includes both renovations and upgrades to the mechanical and electrical systems and the installation of a Photovoltaic System to reduce energy consumption and costs. Project will include air-sealing all units and the community room, insulation of attic spaces, installation of heat pumps, new hot water heaters and low-flow units. Electrical system upgrades include replacement of all refrigerators and LED lighting. A photovoltaic system will be installed on the roof. The paving portion of the project includes both the driveway and parking lot for all units. The project will result in substantial energy and cost savings estimated to be \$34,000 annually with an average payback of 12.47 years. Total project cost is estimated at \$806,430 but is still being refined.

Ms. Magnuson, Planning and Zoning Administrator, addressed the Board and informed them (for full disclosure) that she was a member of their (Maple Manor) Board of Directors. She was not a voting member on the BOS, but she was a voting member of the Maple Manor BOD. Chairman Nichols thanked Ms. Magnuson.

Chairman Nichols closed Public Hearing # 1.

There were no comments or questions from the Board of Selectmen or public in attendance.

#### **Public Hearing #1:**

On a motion by Selectman Fratzel, seconded by Selectman Wilmot; ***the Board voted to support submission of a CDBG Housing and Public facilities grant for up to \$500,000 to provide funds to the Maple Manor Energy Improvement project for the purposes of implementing energy upgrades and to authorize the Town Manager to sign, submit and execute any documents that may be necessary to effectuate the CDBG application and contract. The motion passed 5-0-0.***

#### Public Hearing #2-Anti-Displacement and Relocation Plan

Chairman Nichols opened Public Hearing # 2 and again acknowledged Ms. Shelley Hadfield. Shelley Hadfield explained that if any displacement takes place as a result of this project, the Uniform Relocation Act must be followed, which requires that any displaced household or business in a project using any federal funds must be found comparable housing in a comparable neighborhood at a comparable price. There will be no displacement as a result of this project. Under the certification section of the application, the Town will certify that the Residential Anti-displacement & Relocation (RARA) plan is in place, and in the event that it is discovered that this specific project does displace persons or households, a displacement implementation plan must be submitted to CDFA prior to obligating or expending funds.

Chairman Nichols closed Public Hearing # 2



There were no comments or questions from the Board of Selectmen or public in attendance.

**Public Hearing #2:**

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; *the Board voted to adopt the Anti-displacement and Relocation Assistance Plan for this project. The motion passed 5-0-0.*

Town Manager Brown signed documents pertaining to the grants.

**AGENDA REVIEW:** accepted as presented.

**MINUTES FROM PREVIOUS MEETING:** June 1, 2015.

On a motion by Selectman Kessler, seconded by Selectman Wilmot; *the Board voted to approve the minutes of the June 1, 2015 meeting as presented. The motion passed 5-0-0.*

**CONSENT AGENDA**

On a motion by Selectman Wilmot, seconded by Selectman Kessler; *the Board approved the Consent Agenda of June 15, 2015 as presented. The motion passed 5-0-0* (Attachment 2).

**FORUM:** Mr. Richard Colburn addressed the Chair and Board members and explained the reason he was attending the BOS meeting. He had questions regarding the taxation on his vehicle. He stated that Town Manager Brown had told him that the BOS would not approve an abatement to him. He disagreed with the Board's interpretation of the law to exempt recreational vehicles with a current registration. He stated that in prior conversations he had been told that in Newport, NH both local and state registration as well as property tax would have to be paid by RV owners located at seasonal sites. Mr. Colburn stated he felt it was double taxation and he did not believe the law allowed it. He asked the BOS to comment. There was no comment. Mr. Colburn explained his case to the Board. Addressing the Board he again requested that the tax bill be abated or dismissed. Town Manager Brown addressed Mr. Colburn and the BOS and explained the process that would transpire with local as well as NH and out of state owners of RVs should now do.

Mr. George Nemeth, owner of North Star campground, stated that he had received a letter from the Town assessor. He asked the Board how the clients knew they would get a tax bill. The Chair told him it referenced a NHRSA and that Mr. Nemeth was supposed to have passed the information on to his clients.

Mr. Robert Ingalls read from a state law that stated an RV owner would have to pay registration on their RV or pay taxes (whichever is cheapest). He addressed the Board and told them that owners did not know the tax until they received a bill. The registration was handled by the towns, on the owner's birth months, which most times did not coincide with the taxation (timeline) of property. They therefore requested an abatement or exemption be made for them. There was a lengthy discussion between the Board, Mr. Ingalls and Mr. Colburn.

There was another extremely lengthy discussion on the taxation change with the Chair and Mr. Colburn, with Mr. Colburn explaining the difference in seasonal RV and one put in a permanent location. Mr. Colburn addressed the Chair and restated his concerns.

The Board was then asked about subsequent taxation in 2015. There was a discussion.

Selectman Wilmot requested a clarification of the problem. What did it cost to register an RV? Similar to a car: year, make, etc. There was a discussion. What was the RV taxed? He was told. There was

further discussion. They then explained the cost of registering vs. taxing the RV. Selectman Wilmot thanked the Board.

There was a lengthy dialogue between the RV owners and Board members. The owners felt it was an unfair taxation; a double whammy. They requested an exemption (abatement) of the property tax bill.

Selectman Kessler asked if there was anything that could be done to assist the (RV) owners. There was a lengthy discussion. The RV owners brainstormed a compromise of the registration costs and taxation. They were told no to each of their suggestions. There was a lengthy discussion.

Town Manager Brown addressed the Board and the RV owners. He stated he wanted to know how many individuals besides the two in attendance at the meeting were affected. Selectman Kessler repeated his inquiry of assistance. Selectman Wilmot addressed Mr. Nemeth and asked how many people from his campground would be affected. He told the Board approximately 20 out of 30 at his campground. Town Manager Brown suggested to the Board that Mr. Colburn and Mr. Ingalls meet with him and they would discuss and come to a resolution. The Chair requested that the men meet with the Town Manager. If nothing was resolved, the Chair requested that they return to the BOS meeting on July 6<sup>th</sup>.

#### **COMMUNICATIONS:**

##### Board of Selectmen

Selectman Wilmot had nothing at this time.

Selectman Kessler wanted to relay a kudo to the Town Clerk office for their assistance to an individual moving out of town. On Wednesday, 6.17.15 UVLSRPC will have their annual meeting in Grantham 6-8 pm. Cost was \$30.00 per person.

Selectman Hoyt stated he had had complaints from residents on Bradford Road concerning tractor trailer trucks frequently using the road. He had questioned one driver who stated he was following his GPS. He explained the problem. He inquired about different or additional signage for the road. He wanted the Board to be aware of it. Board members discussed the problem, asking whether municipalities could contact GPS mapping companies concerning routes. There was discussion among the Board.

Selectman Fratzel had nothing at this time.

Chairman Nichols gave kudos to the police for a private matter. The individual relayed that the police and EMS departments responded to the scene quickly and professionally. Also, Chairman Nichols told the general public that if the pedestrian walk signs are on, whether with the white hand or counting down, it is against the law to turn into the lane.

Town Manager Brown reminded people that on July 13<sup>th</sup> the NH DOT would be starting their project on Main Street. People will need to find alternate parking and might consider alternate (driving) routes while the construction is going on. The sidewalk will be open to pedestrian traffic. July 3<sup>rd</sup> the Town Office will be closed in celebration of the 4<sup>th</sup> of July. He also reminded the Board and informed the public that the meetings in August and September will be as follows: August 3<sup>rd</sup>, August 24<sup>th</sup> and September 21<sup>st</sup>.

#### **INFORMATIONAL:**

##### UVLSRPC Fluvial Study Update

Adam Ricker, from Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) spoke to the Board and gave them an overview of the study that had been done by the Commission on the Newport watershed. He gave the Board members maps of the Newport area. The map showed the four locations in



Town where the state had sent engineers to assess the Sugar River watershed. He explained the map to the Board. The map displayed findings concerning erosion, the condition of culverts and bridges and the migration of the river. Mr. Ricker explained how the findings could be used by the Town. There was a lengthy discussion on the map, findings and additional studies that could potentially be done. Mr. Ricker told the Board to contact him with any informational questions and he would give them contact people to assist them. Selectman Fratzel recommended that the information be given to Mr. Wiggins, PE (Director of Public Works in Newport). Mr. Ricker requested that Mr. Wiggins be given his contact information. There was further discussion. Mr. Ricker thanked the Board for their time. The Board thanked Mr. Ricker for attending the meeting.

#### **ACTION ITEMS:**

##### Deniz Fonseca-Permission to apply for a Building permit on a Class VI Road

Ms. Magnuson addressed the Board and stated that this was the third step in a process for Mr. and Mrs. Deniz Fonseca to acquire a building permit for a home on Gove Road, a Class VI road. Continuing, Ms. Magnuson explained the hurdles the FONSECAS had to go through. She stated they had been granted a variance from the ZBA due the small size of their proposed seasonal home and that they had just received a recommendation of approval ( PB minutes: On a motion by Mr. Burnham, seconded by Ms. McCormick; *the Planning Board recommended to the Board of Selectman that they approve the request as presented. The motion passed 5-0-1 (Nichols abstained).*) from the Planning Board. They were at the BOS for the final approval to build on a Class VI road, and to sign and have the BOS sign the liability waiver drawn up by Town legal counsel.

Selectman Hoyt asked Mr. Fonseca how far off of the main road the house would be. He was told 55 feet. Selectman Hoyt stated he was familiar with Gove Road-it was maintained better than many of the Town roads.

Selectman Kessler stated that as the BOS representative to the ZBA the Board had been in favor of the building. It was to replace a former structure. He stated that he was personally in favor of approving it. Chairman Nichols stated that the PB had stated that it was a well maintained road.

Town Manager Brown asked for the location of Gove Road. He was told.

There was a short discussion.

On a motion by Selectman Kessler, seconded by Selectman Hoyt; *the Board approved the FONSECAS request to apply for a building permit. The motion passed 5-0-0.*

Chairman Nichols and other Board members signed the Town liability waiver for the FONSECAS. Mr. Fonseca also signed the Town liability waiver. Ms. Magnuson notarized the document.

##### Town Manager Brown Contract Extension to July 20, 2015

Chairman Nichols stated that the Board had not chosen a new Town Manager. Therefore, they were extending Town Manager Brown's contract to July 20, 2015. On a motion by Selectman Fratzel, seconded by Selectman Wilmot; *the Board of Selectmen voted to extend Town Manager Brown's contract until July 20, 2015. The motion passed 5-0-0.*

#### **APPOINTMENTS:**

##### Committee & Board Appointments

Chairman Nichols went through the list of vacancies on different Boards and Committees and with the consensus of the Board, appointed or reappointed individuals to each one.

##### Budget Advisory Committee

The Board regretfully accepted the resignation of Elizabeth Cassorla.

One BAC member is needed. Applications are online or at Town office.

#### Airport Advisory Board (AAB)

Selectman Kessler stated he would like to make a motion to add three alternate positions to the AAB. After a short discussion, on a motion by Selectman Kessler, seconded by Selectman Fratzel; ***the Board voted to create three alternate positions to the AAB. The motion passed 5-0-0.*** Rick Kloeppel, as co-manager of the airport, was an ex officio member.

On a motion by Selectman Kessler, seconded by Selectman Fratzel; ***the Board voted to appoint Scott McCoy to a two year seat, Edmund Smith to a three year seat and to appoint Joe Branch, Townsend Thomas and Russ Kelsea as alternates to the AAB. The motion passed 5-0-0.***

#### Conservation Commission

On a motion by Selectman Hoyt, seconded by Selectman Wilmot; ***the Board voted to appoint Linda Dennis and Clifford Richer as members of the Conservation Commission. The motion passed 5-0-0.*** There was discussion among the Board concerning a Town representative. Town Manager Brown would consult Mr. Lovely as to whether he wanted to continue with his appointment. The BOS would appoint a representative at a later date.

#### Heritage Commission

The BOS regretfully accepted the resignation of Elizabeth Cassorla. One member was needed. There was discussion as to member's duties and the frequency of meetings of the Heritage Commission. Selectman Wilmot suggested leaving the position open and do recruiting.

#### Planning Board

On a motion by Selectman Wilmot, seconded by Selectman Hoyt; ***the Board voted to appoint W. Howard Dunn for a three year term, David Burnham for a three year term and Kenneth Mellow for a one year term. The motion passed 5-0-0.***

#### Rec Advisory Council (RAC)

On a motion by Selectman Kessler, seconded by Selectman Wilmot; ***the Board voted to appoint Christy Whipple and Larry Flint as members to the Rec Advisory Council. The motion passed 5-0-0.*** There was an announcement from the Chair that there was an opening on the RAC for a youth representative.

#### Zoning Board of Adjustment

On a motion by Selectman Wilmot, seconded by Selectman Hoyt; ***the Board appointed David Lain and Melissa Saccento to the Zoning Board of Adjustment. The motion passed 5-0-0.*** The Board regretfully accepted the resignation of Mr. Donald Boutin. There is now an opening for an alternate on the ZBA.

Chairman Nichols asked Town Manager Brown to send a letter of thanks to those individuals who chose not to reapply for another term on a Board.

#### Airport Study Committee

On a motion by Selectman Hoyt, seconded by Selectman Fratzel; ***the Board appointed Ken Dennis to the Airport Study Committee.*** There was a short discussion. ***The motion passed 4-1-0 (Nichols opposed).***

There being no further business in the public meeting, on a motion by Selectman Hoyt, seconded by Selectman Fratzel; ***the Board voted by roll call to go into non-public session: RSA 91-A:3, II (b) Hiring A Public Employee; (d) Real Estate; and (e) Litigation.***

The public meeting adjourned at 7:45. Chairman Nichols announced a five minute break before NPS. He stated that Town Manager Brown and Mr. Barry Brenner would attend part of the NPS.

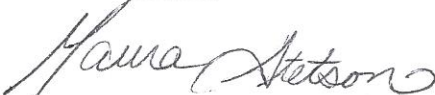
The Board exited NPS at 10:10 pm.

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; the Board unanimously voted to seal the minutes of the NPS until prudent or July 6, 2015, whichever was sooner.

On a motion by Selectman Fratzel, seconded by Selectman Hoyt; the Board voted unanimously to adjourn at 10:19 pm.

**The next regular meeting of the Board of Selectmen is scheduled for Monday, July 6, 2015 at 6:30 p.m.**

Maura Stetson

A handwritten signature in cursive script that reads "Maura Stetson". The signature is written in dark ink and is positioned above the word "Scribe".

Scribe

Attachments (2)



### **CDBG Maple Manor Energy Improvements - Public Hearing Handout for June 15, 2015**

Community Development Block Grant funds are available to municipalities for economic development, public facility and housing rehabilitation projects and feasibility studies that primarily benefit low and moderate income persons. The purpose of the public hearings required for CDBG funding is to solicit the view of citizens on community development; furnish the citizens with information concerning the amount of funds available and the range of community development activities which may be undertaken under the Community Development Act.

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The proposal to be considered by the Commissioners is a CDBG Feasibility Study for up to \$500,000 on behalf of the Maple Manor Energy Improvement Project. Maple Manor is an independent housing complex constructed in 1980 and owned and operated by Housing for the Elderly and Handicapped of Newport, NH a not-for-profit entity governed by a local, volunteer Board of Directors.

The proposed project includes both renovations and upgrades to the mechanical and electrical systems and the installation of a Photovoltaic System to reduce energy consumption and costs. Project will include air-sealing all units and the community room, insulation of attic spaces, installation of heat pumps, new hot water heaters and low-flow units. Electrical system upgrades include replacement of all refrigerators and LED lighting. A photovoltaic system will be installed on the roof. The paving portion of the project includes both the driveway and parking lot for all units. The project will result in substantial energy and cost savings estimated to be \$34,000 annually with an average payback of 12.47 years. Total project cost is estimated at \$806,430 but is still being refined.

Discussion followed.

### **Anti-Displacement and Relocation Plan**

Shelley Hadfield explained that if any displacement takes place as a result of this project, the Uniform Relocation Act must be followed, which requires that any displaced household or business in a project using any federal funds must be found comparable housing in a comparable neighborhood at a comparable price. There will be no displacement as a result of this project. Under the certification section of the application, the Town will certify that the Residential Antidisplacement & Relocation (RARA) plan is in place, and in the event that it is discovered that this specific project does displace persons or households, a displacement implementation plan must be submitted to CDFA prior to obligating or expending funds.



**TOWN OF NEWPORT**  
**Board of Selectmen**  
**CONSENT AGENDA**  
**June 15, 2015**

<b>Department</b>	<b>Document Date</b>	<b>Document</b>	<b>Amount</b>
Water & Sewer	May 27, 2015	Water Manifest	\$50,628.84
Water & Sewer	May 27, 2015	Sewer Manifest	\$123,458.00
Water & Sewer	June 5, 2015	Abatement List	\$3,178.08
Finance	June 9, 2015	AP Manifest	\$148,562.91
Finance	June 9, 2015	AP Manifest	\$243,994.47
Assessing	June 9, 2015	Veteran's Credit Application	\$500.00
Assessing	June 10, 2015	DRA Property Inventory Survey	\$0
Assessing	June 11, 2015	Abatement Granted	\$2,468.00
Assessing	June 11, 2015	Current Use Penalty	\$6,500.00