

TOWN OF NEWPORT, NEW HAMPSHIRE
Board of Selectmen
REVISED - Minutes for Meeting of April 15, 2019 6:30 pm
Public Hearings and 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.; John Hooper, II

SELECTMEN ABSENT: none

STAFF PRESENT: Hunter Rieseberg, Town Manager; Peter J. Lovely, Jr., Recreation Director

COMMUNITY MEMBERS PRESENT: Herb Tellor, Kathy Hubert, Donna Mahair, Brian Coronis, Deena Cota, Becky Nelson and Bert Spaulding, Sr.

COUNTY COMMISSIONER OFFICIALS PRESENT: Geoff Gallagher, assistant attorney; Marc Hathaway, County Attorney; Derek Ferland, County Manager; Jeffrey Barrett and Ben Nelson, County Commissioners

NCTV: Louis Cassorla

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

AGENDA REVIEW: Add short presentation by Friends of Rec after the Agenda Review (Fratzel); Add NPS: RSA 91-A:3II (c) Personnel (Hooper)

Friends of Rec representatives Donna Mahair, Brian Coronis and Deena Cota presented a \$20,000 pledge check to PJ Lovely to go toward the fundraising campaign for the proposed Community Center. Selectmen thanked the group for their generosity.

MINUTES FROM PREVIOUS MEETING(S): Minutes of April 1, 2019: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the BOS minutes of the April 1, 2019 meeting as presented. The motion passed 5-0-0.*

NPS Minutes of April 1, 2019: On a motion by Selectman Wilmot, seconded by Selectman Fratzel; *the Board voted to approve the BOS NPS minutes of the April 1, 2019 meeting as presented. The motion passed 5-0-0.*

CONSENT AGENDA: On a motion by Selectman Fratzel, seconded by Selectman Connell; *the Board voted to approve the Consent Agenda of April 15, 2019 as presented. The motion passed 5-0-0.*

OPEN FORUM: Mr. Bert Spaulding, Sr. addressed the BOS and spoke about one of the candidates running for a Selectman's position in 2019; Linda Wadensten. He criticized many things that have happened in the school system and school board while Ms. Wadensten has been the Chair of the School Board.

Afterwards, Chairman Kessler informed the public that he would normally not have allowed Mr. Spaulding, Sr. to speak negatively about a citizen; but Ms. Wadensten was not only a public official, she was running for an additional public seat in Newport.

Mrs. Kathy Hubert addressed the BOS and invited them to the “Sullivan County Education Funding Workshop” to be held on Tuesday, April 30, 2019 from 6-8 pm at the Newport High School Cafeteria (all Sullivan County residents are welcome). She said they would talk on short and long term solutions to the educational funding to school districts in NH.

COMMUNICATIONS: Selectman Connell had nothing to share at this time.

Selectman Fratzel had nothing to share at this time.

Selectman Hooper stated the LAC student art show and the Opera House Peter Pan performance were great events this week in Newport. This Saturday, April 20th at 1 pm at Meadow Park there will be an Easter Egg Hunt for children of all ages (there will be over 100,000 eggs). It was being put on by volunteers from local churches.

Selectman Wilnot invited people to attend the Expo being held at the high school on Thursday, May 2, 2019 from 6-8 pm. All were welcome.

Chairman Kessler thanked everyone who attended the Town Deliberative Session on April 2, 2019.

Town Manager Rieseberg stated that the Oak Street Bridge is now closed. The old bridge has been removed and work has begun on the new bridge. Construction is on schedule. The construction trailer that has been parked in front of the North Newport cemetery will be removed by the end of the week.

INFORMATIONAL: Superior Court Lease Status: Chairman Kessler acknowledged the county commissioner officials and their spokesman, Mr. Geoffrey Gallagher, Esq. (Assistant Attorney). Upon request, Attorney Gallagher introduced the other County Officials at the meeting: Marc Hathaway, County Attorney; Derek Ferland, County Manager; Jeffrey Barrett, Commissioner and Ben Nelson, Commissioner.

Attorney Gallagher read aloud a prepared statement to the Board of Selectmen. He stated that the County regretted that the BOS would not meet in NPS to discuss the Superior Court Lease and possible resolution. Before the County and Town went into a new lease agreement with an increase in rent, several items needed to be addressed. The county is in attendance at the Board meeting because it wants the BOS to understand the County knows its legal position. Attorney Gallagher concluded by passing out a memorandum to the individual board members concerning the Court House ownership.

Attorney Gallagher thanked the Board for their time.

Chairman Kessler asked if Attorney Gallagher had just read the memorandum. He told Chairman Kessler that he had read a prepared statement. There was a discussion on ownership, usage, the upcoming new lease and rent agreement, and the technical wording of the deed. Attorney Gallagher recommended that Chairman Kessler contact the Town Counsel for an interpretation of the deed and memorandum.

County Attorney Marc Hathaway gave a historical overview of the county and Town of Newport’s good working relationship since 1985 and their legal position in 2019.

There was a lengthy discussion between Board members and County Officials on the lease extension and the buildings in question. Negotiations have thus far been unsuccessful.

Chairman Kessler polled the Selectmen for recommendations. Selectman Hooper stated they should discuss the lease and buildings among the BOS first and then look into the original lease and those amendments up to 2019.

Commissioner Nelson concurred with Selectman Hooper's reasoning. He also gave specifics as to what the County was paying for in the complex. He stated that it could all be negotiated.

Mr. Spaulding, Sr. stated that the Town never had put in a clause to annually increase the rent.

Mrs. Hubert spoke to the history of having the County Superior Court here in Newport. Newport was wooing the County to stay here. Claremont was wooing the county to move to Claremont.

As for the dollar a square foot: the Hubert's building had been sold. The new owner cannot get a rental of \$6 sq./ft. in the building. Concluding, she stated that the larger the space, the harder it is to rent.

Attorney Hathaway addressed the Board and again thanked them for their time. The County wanted to be good neighbors; they wanted to resolve the lease and building negotiations. The goal of attending the BOS meeting centered on resolving the County's concerns of the present negotiations.

New negotiators were appointed for discussions: County Officials will be Derek Ferland (County Manager), one Commissioner, one County Attorney; Town Officials will be Hunter Rieseberg (Town Manager), two Selectmen. Information would be brought by representatives to their respective boards. Representatives will decide when to meet for negotiations.

Agenda Items were taken out of order.

State Budget Process: Mrs. Kathy Hubert gave the BOS information on potential state funding for education in Newport. She listed three House Bills and the House Budget concerning education that the Selectmen and public can follow. She also informed them of public forums that would take place that people could attend.

She invited people to commute with her to do some public lobbying in Concord and to attend a Get Together with Senator Ruth Ward and other politicians to discuss the need for public education funding (in Newport). She also invited them to the "Sullivan County Education Funding Workshop" to be held on Tuesday, April 30, 2019 from 6-8 pm at the Newport High School Cafeteria (all Sullivan County residents are welcome).

There was a general discussion between the public in attendance, Mrs. Hubert and the BOS on education funding.

Age Friendly Communities: Chairman Kessler stated that at the Upper Valley Lake Sunapee Regional Planning Commission meeting a representative from the Southern NH Planning Commission spoke about a multiyear project they have had through Tufts Healthcare. They were looking for ways to make their communities better for an older and younger population. Some of the items they looked at were: transportation (decent public transportation), recreational facilities and zoning regulations. There was more information on their website at: www.SNHPC.org. The title is, "Becoming Age Friendly".

Review of Warrant Articles: Chairman Kessler read aloud the Warrant Articles at the meeting. He reminded people that May 14, 2019 is voting day in Newport. He wanted people to be aware and prepared for voting.

Warrant Article 1. Will be to elect two Selectmen for a three year term (four people are running).

Warrant Article 2. Elect a trustee of trust funds (one candidate is running).

Warrant Article 3. Keeping of Hens. Chairman Kessler explained the Article was an amendment as proposed by the Planning Board for the Newport Zoning Ordinance.

Warrant Article 4. Chairman Kessler explained the Article, the fundraising and the Bond for Article 4. He stated that the Article needed 60% of voters to vote in favor for it to pass. The first year tax impact will be \$.72.

Warrant Article 5. Chairman Kessler explained the Article, the reason for it and potential fines if not passed.

Warrant Article 6. Chairman Kessler read aloud the Operating Budget Article. There was a mathematical error on Article 6. The tax impact will be **\$11.75** for the budget and \$11.46 for the Default Budget. There was a discussion on the amount of the Operating Budget.

Addressing Town Manager Rieseberg, Chairman Kessler asked to have the correct numbers for the Operating Budget at the May 6, 2019 BOS meeting.

Chairman Kessler read aloud the final Warrant Articles; Warrant Article 7; Warrant Article 8; Warrant Article 9; Warrant Article 10; Warrant Article 11; Warrant Article 12 - 3/5th majority vote required; Warrant Article 13; Warrant Article 14.

Chairman Kessler stated that there had been a record turnout for School voting. He encouraged everyone to vote on May 14, 2019 (at the Opera House between 8 am to 7 pm.) and make it a record turnout for Town voting, too.

ACTION ITEMS: Opera House Fee Waiver-Richards Free Library Hale Award Ceremony: After a short discussion, Selectman Wilmot made a motion *to waive all Opera House fees for the Richards Free Library for the Hale Award Ceremony.* It was seconded by Selectman Fratzel. *The motion passed 5-0-0.*

Emergency Management Performance Grant (EMPG) Acceptance: Town Manager Hunter Rieseberg explained the EMPG and the items that the Town would be acquiring through the grant.

A motion was made by Selectman Wilmot that *we accept the terms of the Emergency Management Performance Grant as presented in the amount of \$37,660.00 for the purchase of Response Equipment. Furthermore, we acknowledge that the total cost of this project will be \$75,320.00 in which the Town will be responsible for a 50% match (\$37,660.00) and further instruct Town Manager Rieseberg to sign all documents related to this grant.* It was seconded by Selectman Hooper. *The motion passed 5-0-0.*

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 (d) Real Estate and RSA 91-A:3 (c) Personnel at 8:01 pm. The motion passed 5-0-0.*

Town Manager Hunter Rieseberg was asked to attend the NPS.

The Board voted unanimously to exit the non-public session at 9:25 p.m.

No action was taken.

The Board voted unanimously to adjourn at 9:26 p.m.

Respectfully submitted,



Maura Stetson
Scribe

The next regular meeting of the Board of Selectmen is scheduled for May 6, 2019 at 6:30 p.m.

Approved on: May 6, 2019