

# **TOWN OF NEWPORT, NEW HAMPSHIRE**

## **Board of Selectmen**

**Minutes for Meeting of October 21, 2019 6:30 pm**

**Regular Business Meeting, Municipal Building**

**15 Sunapee Street, Newport, NH 03773**

---

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

**SELECTMAN ABSENT:** Todd Fratzel, Vice Chairman

**STAFF PRESENT:** Hunter Rieseberg, Town Manager; Paul J. Brown, Finance Director; Cody Morrison, Economics Development Coordinator

**COMMUNITY MEMBERS PRESENT:** Bert Spaulding, Sr.

**NCTV:** John Lunn

**CALL TO ORDER:** Chairman Kessler called the meeting of the BOS to order at 6:31 p.m. followed by the Pledge of Allegiance.

**AGENDA REVIEW:** Add: NPS RSA 91-A:3, II (a) Personnel (Kessler)

**PUBLIC HEARINGS: Route 10 North Transportation Corridor Project - Public Hearing One :** Chairman Kessler opened Public Hearing One on the grant submission and read the Public Hearings Notice into the record:

### **Town of Newport Board of Selectmen Public Hearings Notice Community Development Block Grant**

The Town of Newport will hold two consecutive public hearings on **Monday, October 21, 2019 at 6:30 PM at the Newport Town Offices at 15 Sunapee Street, Newport, New Hampshire** to hear public comment on a proposed Community Development Block Grant (CDBG) application to the NH Community Development Finance Authority (CDFA). Up to \$500,000 annually is available to municipalities or counties on a competitive basis for economic development projects, housing and public facility projects, and emergency activities. Up to \$12,000 is available for feasibility study grants. All projects must directly benefit a majority of low and moderate income persons. The proposal to be heard includes:

1. A proposed CDBG feasibility grant application for up to \$12,000 to examine the feasibility of, and other actions related to, the Route 10 North transportation corridor project.
2. Review and Adoption of Newport's Residential Anti-displacement and Relocation Plan for the proposed project.

Interested persons are invited to attend and comment on the proposed application and planning documents. Please contact the Town of Newport, 15 Sunapee Street, Newport, NH 03773 at (603) 863-

1877 five (5) days in advance if you need assistance to attend or participate in the hearing. Anyone wishing to submit written comments should address them to the Town Manager, Town of Newport, 15 Sunapee Street, Newport, NH 03773.

Chairman Kessler addressed Town Manager Rieseberg and asked if they had received written comments concerning the grant application. They had not.

Chairman Kessler stated there is a handout available for those interested.

Town Manager Rieseberg said Mr. Morrison would give an overview of the two grants.

Mr. Cody Morrison stated the purpose of these 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. The proposal to be considered by the Board of Selectmen is a CDBG grant application for up to \$12,000 for the Route 10 North Transportation Corridor project.

Mr. Morrison also stated there is a handout available for interested individuals.

He gave an overview of the feasibility study to effectively provide public transportation to the Upper Valley and what the money would be used for. The end result for the project was to provide reliable transportation as another factor to entice people to move to Newport and surrounding area.

Chairman Kessler invited comments from the public.

Mr. John Lunn asked if Mr. Morrison was putting together a bus route. Mr. Morrison agreed and said its home-base would be on the dirt lot (across the street from the high school football field) on Route 10 North. It would help an organization such as Southwestern Community Services (SCS) to increase their bus routes going to the Upper Valley.

Mr. Lunn asked if he would be looking for ways to fund the project. Mr. Morrison stated that SCS has applied for DOT grants and other grants to get additional funding for buses and routes.

Continuing, Mr. Morrison stated acquisition of the grants would be an incentive for funders. If all worked, it would increase Newport's access to public transportation. In the future, theoretically there could be a bus such as the Dartmouth Coach taking part (which could lead to additional routes out of Newport).

The whole concept is, "What comes first the chicken or the egg". The Town was creating the chicken.

Chairman Kessler stated that being a feasibility study it would see if the Town should move forward and develop a car share lot or have someone else run a bus route to the Upper Valley. It is mainly to see what the market will bear.

Mr. Morrison concurred and stated that with the Upper Valley's growth over the past decade, a bus route is something else that will help the Newport community benefit from the growth in Lebanon and Enfield.

It is another thing that will bring people into Town to work. Sketches will be drawn up to show ½ of the lot as parking for big rigs (18 wheelers), etc.

Mr. Bert Spaulding, Sr. stated that one of the high points for the study might be the cheaper housing in Newport. Also, as the population ages, there are many people that travel to Dartmouth Hitchcock Medical Center (DHMC). He gave examples of potential clients and suggested times. Mr. Spaulding, Sr. asked if the bus rides would be limited to workforce individuals. Mr. Morrison said no.

Chairman Kessler stated it was his understanding that there was no cost to riders of the Advance Transit in the Upper Valley. It was funded by the employers in the Upper Valley. When Advance Transit switched to the free rides, their ridership increased significantly. He said that the proposed feasibility study would be step one.

Chairman Kessler asked for comments from the BOS.

Selectman Hooper said that to him the ride share would be a huge part of the project. Employees would have more from their paycheck to spend in Town if they did not have to spend it on gas. It would be an excellent place for a park and ride.

Mr. Morrison concurred with his statement and explained his own ideas further.

Town Manager Rieseberg stated that the land proposed to be used is already Town land. In addition to a weekday parking lot it would also create a space for overflow parking during weekend school activities; it would get vehicles off the highway.

Mr. Morrison stated there was a lot of community support for the project.

Chairman Kessler asked for more public comment. There was none.

Chairman Kessler closed Public Hearing One. He asked for a motion from the Selectmen.

Selectman Wilnot made a ***motion to support submission of a CDBG application for up to \$12,000 to examine the feasibility of, and other actions related to, the Route 10 North Transportation Corridor project and, to authorize Town Manager Hunter F. Rieseberg to sign, submit and execute any documents that may be necessary to effectuate the CDBG application and contract.*** It was seconded by Selectman Hooper. Chairman Kessler called for a vote. ***The motion passed 4-0-0.***

Chairman Kessler opened Public Hearing Two: The Adoption of the Anti-Displacement and Relocation Plan. Mr. Cody Morrison stated that the adoption of the Anti-Displacement and Relocation Plan for this project is: 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. Mr. Morrison stated there is a handout available for this application for interested individuals.

Chairman Kessler invited comments from the public and BOS. There were none.

Chairman Kessler closed Public Hearing Two. He asked for a motion from the Selectmen.

Selectman Connell made the ***motion to adopt the Anti-displacement and Relocation Assistance Plan for this project.*** Selectman Hooper seconded the motion. Chairman Kessler called for a vote. ***The motion passed 4-0-0.***

Mr. Morrison thanked the Board. He informed them of the latest changes in NH CDBG grant funding for 2020.

**PUBLIC HEARING:** Emergency Expenditure, per NH RSA 32:11

**Town of Newport  
Public Hearing Notice  
October 21, 2019**

The Town of Newport will hold a public hearing on **Monday, October 21, 2019 at 6:30 PM in the Board of Selectmen's Meeting Room, 15 Sunapee Street, Newport, New Hampshire** to discuss an Emergency Expenditure, per NH RSA 32:11, for the repayment of approximately \$3,426,000 of interim financing on the Wastewater Treatment Plant Phosphorous Removal Project. Funds for the repayment will come from litigation settlement proceeds included in the Sewer Fund Retained Earnings.

Chairman Kessler acknowledged Finance Director Brown and asked him to speak to the Hearing and explain the need for the emergency expenditure.

Finance Director Brown explained the history of the Wastewater Treatment Plant Upgrade Project 2007-2019 and Newport's WWTP loan through the State's revolving loan financing.

In September 2019 the Town received \$3,400,000 from litigation because the phosphorous removal upgrade did not work. In May 2019 Finance Director Brown brought a proposal before the Board to close the State revolving financing loan with the Department of Environmental Services (DES) and negotiate repayment over the next 20 years.

From 2019.05.20 BOS minutes: Selectman Fratzel made a motion ***to close out the current loan program of 5.4 million dollars with \$2,000,000 of forgiveness and renegotiate that with a 3.52 million dollar loan with \$975,000 of forgiveness. The next segment being a \$3,416,667 loan with \$1,025,000 in loan forgiveness, the final segment loan being \$3,233,333 with \$323,333 in loan forgiveness. Prior to closing the loan to get written guarantees on the loan proposal.*** It was seconded by Selectman Hooper. ***The motion passed 5-0-0.***

The loan was scheduled to go into repayment in March 2021. In discussion with DES the Town had discussed closing the original loan and issuing a new loan with similar terms as the original. If those discussions had not happened (with DES) Newport would have had a public hearing to expend money and pay off the loan in June 2019.

Finance Director Brown explained that the EPA did not accept the original plan. Newport has a bill for a loan balance of 3.4 million dollars plus November's interest. He was not sure how long the process with New Hampshire Department of Revenue Administration (DRA) will take; so his projected cost of 3.425 million dollars gets the Town through December 1, 2019. The Town will pay the bill early if it can (daily interest is \$90 a day).

Finance Director Brown further explained that because the EPA has called in the loan the process required is to petition the Commissioner of New Hampshire Department of Revenue Administration (DRA) for an emergency expenditure request.

One provisions of the law (RSA 32.11) states if Newport petitions the Commissioner it has to be an emergency or unforeseen event. The EPA stopping the Town's plans was unforeseen. Newport needed to identify the source of the funds, which is the Sewer Fund Retainer Earnings. The Town should have the money by the end of the month.

If Newport was a budget committee town we would have to take it to the budget committee for approval, in a non-budget committee town you have a public hearing and bring it to the Board of Selectmen.

Finance Director Brown stated that the proposal was to send an emergency expenditure letter request to Commissioner Lindsey Stepp, NH Department of Revenue Administration. A draft of the letter was in the BOS packet. The draft minutes of the 2019.10.21 meeting will be attached to it.

There was an explanation and short discussion on future loans, interest rates and how the expenditure will affect future working capital and loans.

Finance Director Brown was asked if the monetary questions surrounding the WWTP would have to go back to Town Meeting. Finance Director Brown said yes, the Town will need to reauthorize the 3.2 million dollars principal for this project. He explained possible fee changes.

The Town of Newport is on the EPA radar because of the unanticipated problems at the WWTP. New lower levels of phosphorous and metals in the water are now subject to WWTPs and Newport will have to abide with the new level limits when their plant is up and running.

Chairman Kessler asked if the work completed on First, Second Third Fourth and Knoll Streets would help the WWTP. Finance Director Brown stated it would help with processing costs and chemical costs. The ground water entering into cracks in the pipes had been diluting the waste water going into the plant. The Town will have to check the concentrations of items tested.

When asked, Finance Director Brown stated he was currently working with engineers to solve problems at the WWTP. Finance Director Brown stated one item the engineers would be looking at is a large septic system (ribs) for the plant. There is one currently in use in the North Country.

There being no further discussion, Chairman Kessler closed the Public Hearing.

Chairman Kessler asked for a motion.

Selectman Hooper made a motion *to request permission from the Commissioner of the NH Department of Revenue for emergency appropriations for the repayment of a revolving loan fund loan, the amount not to exceed \$3,426,000 and to authorize Chairman Jeffrey F. Kessler to sign any and all documents related to this request.* Selectman Wilmot seconded the motion. In discussion, Finance Director Brown stated the engineers would be looking at where they could build "ribs". The Town would potentially have a discharge permit and not an affluent permit (the soil filters the waste). Chairman Kessler called for a vote. ***The motion passed 4-0-0.***

**MINUTES FROM PREVIOUS MEETING(S):** September 30, 2019: On a motion by Selectman Wilmot, seconded by Selectman Hooper; *the Board voted to approve the minutes of the September 30, 2019 BOS meeting as presented. The motion passed 4-0-0.*

**CONSENT AGENDA:** none

**OPEN FORUM:** Mr. John Lunn addressed the Board and asked if they would be doing anything with the Greenwood Road Bridge. He was told no, it would remain closed.

Mr. Bert Spaulding, Sr. made the BOS members aware of a discrepancy in an early map of Kelleyville he had found in the Sullivan County Registry of Deeds. It was the name of a body of water (Comstock Brook; now known as Cutts Brook). The BOS stated there was currently a legal way (process) to change the name of a body of water; they could not tell him about in years past.

Mr. Spaulding, Sr. then addressed Chairman Kessler and stated that the Planning Board had held a Public Hearing on October 8, 2019 concerning a proposal to change the land on Route 10 North, north of Allen Street, encompassing the airport and north to the Croydon line into an Industrial Zoning District. There was a very good attendance at the meeting.

There was a lengthy discussion between the Board and Mr. Spaulding, Sr. concerning the proposed Industrial Zoning District and efforts that the Planning Board could make in encouraging the utilization of current, underdeveloped Industrial Zones and extending the Commercial Zoned Districts in Newport.

Chairman Kessler stated that it was his opinion that the northern entrance (Route 10) into Town, especially this time of year, was very pretty. To have it developed for industrial uses would detract from the overall appearance of the Town.

There was more discussion on the proposed zoning change and where the Planning Board to should focus.

**COMMUNICATIONS:** Selectman Connell informed the BOS that the Conservation Commission will be walking through the Gilman Pond easement property on November 9, 2019 at 1 pm.

Selectman Wilmot said the Corbin Covered Bridge Festival, held Saturday, October 12<sup>th</sup>, was fantastic. There were a lot of new, friendly faces. Everyone seemed to have a good time. He saluted the CCBF committee and historical society. Good job/well done.

Selectman Hooper stated that: The Corbin Covered Bridge Festival was excellent. The historical society and all the groups there; the CCBF committee and Coordinator Dean Stetson did a phenomenal job putting it together. The dinner finale was great. Selectman Hooper stated he would love to see (by the historical society or another group) an annual "Fall Fest" in October.

Town Manager Rieseberg stated that he was working with the Chamber of Commerce to explore the possibility of a three day event.

Mr. Cody Morrison stated that there would be a Job Fair at the Towle School on Wednesday, October 23, 2019 from 2 p.m.-7 p.m.

Chairman Kessler also said:

- The Corbin Covered Bridge Festival was fantastic. It was all put on by volunteers and they did an excellent job. One comment he had from a gentleman on the committee doing clean-up was

there was no trash. The biggest piece of trash was the wadding from the cannon (shot off at 3 p.m.). Everyone (participants and visitors) picked up their trash. He wanted to thank everyone.

- On Wednesday, October 23, 2019 from 5-7 p.m. in Claremont at the CTE, the Regional 10 group will be meeting. Selectman Connell will attend to represent the BOS.
- The Town Clerk wanted voters to know if they wanted to change their party affiliation for primary voting, the last day to do that is Friday, October 25, 2019. Please contact the Town Clerk before Friday.

Town Manager Rieseberg had nothing to share at this time.

## **INFORMATIONAL:**

Agenda items were taken out of order.

Report on Anticipated Tax Rate: Finance Director Brown shared the anticipated tax rate he had at this time (he did not have the school component). He explained the Town share, County share, state education and local education tax shares. Finance Director Brown hoped to have the tax bills out the second week of November 2019. Taxes will be due in December 2019.

Chairman Kessler asked Finance Director Brown if he would have more information for the Board at the next BOS meeting. The tax bills could go out after the meeting. Finance Director Brown said he would report back to the BOS.

Chairman Kessler thanked Finance Director Brown.

Disposition of Revenue Sharing from State: Town Manager Rieseberg informed the BOS that the State issued a revenue sharing distribution. The Town of Newport will be receiving a portion of the excess revenue. Newport's 2019 portion is \$175,000. The funds are unrestricted; there is no mandate from the state as to how the funds (\$175,000) are spent. It is hoped that they will be spent in a way as to benefit the taxpayer.

Town Manager Rieseberg stated that the funds have been received. He wanted input from the Board as to what they would like to see done with the funds. He stated that they would like the BOS to use the funds on a Capital investment that will go to reduce the costs to the local taxpayers.

There was a short discussion on the formula the state used to distribute funds. One was the number of students the town or city had that received free or reduced lunches.

Town Manager Rieseberg asked the Board members to give suggestions as to where to spend the money.

- 1) Chairman Kessler stated
  - a) That the Town had had two ambulances out of commission at the same time (Golden Cross had allowed Newport to use of one of their ambulances). One ambulance is fourteen (14) years old. Having reliable ambulances is a priority. It impacts life safety in Town.
  - b) The Town has a sidewalk tractor that needs interest to be paid off.

Selectman Connell said he would like to know what Town Manager Rieseberg was considering. Town Manager Rieseberg stated on the hierarchy of needs the ambulance is overdue. The Town needs to have reliable emergency equipment. He would suggest the BOS look at the purchase of an ambulance. The distribution money plus grant money would purchase an ambulance. Any additional funds could go into an ambulance fund and rollover to fund a CIP program for the next ambulance (One is fourteen years old,

one is ten years old). Paying off the sidewalk plow is also an option.

Selectman Connell asked Town Manager Rieseberg if they could do both. He said yes, and explained that they could possibly pay for the ambulance, the sidewalk plow and payment on a new sidewalk plow.

- 1) Selectman Connell stated he would support spending money on an ambulance. He concurred with all of Chairman Kessler's reasons. The Town had to move quickly to get one (9+ months to delivery).
- 2) Selectman Wilmot said he spoke with a voter who had been a patient on one of Newport's ambulances. His patient care was awesome, but the ambulance he was riding in (white); not so much. The need for a new ambulance was stressed. Selectman Wilmot stated he would support the purchase of a new ambulance and sidewalk plow.
- 3) Selectman Hooper said he was not okay with putting \$175,000 towards a new ambulance if there was something smarter to do with the money. He asked what in the grand scheme of things (financially) is the best thing overall to do with the money to benefit the taxpayers.

For clarification, Chairman Kessler asked Selectman Hooper if he meant that instead of buying an ambulance outright, that the Town should finance another need in Town.

Town Manager Rieseberg stated he understood Selectman Hooper's sentiments, but if the Board could take into consideration the other (members) thoughts, the BOS could come up with a plan to satisfy both interests.

Town Manager Rieseberg stated that he would put something together with Finance Director Brown and have it for the next BOS meeting.

Mr. Spaulding, Sr. asked if the expenditure of \$175,000 needed to go before the Town voters. He was told no, there might need to be a public hearing, but it did not have to go to Town Meeting. There was a short discussion among Finance Director Brown, the Board and Mr. Spaulding, Sr. on the expenditure of the revenue.

Update: CIP Development: Town Manager Rieseberg said Finance Director Brown had updated the CIP. He reminded the BOS that the CIP was constantly changing.

Finance Director Brown told the Board members that they had the CIP for the General Fund, Water Fund, Sewer Fund and Airport Fund. He explained how to read and use the CIP guideline.

They reviewed the projects listed for years up to 2045:

- ❖ Community Center
- ❖ Fire Station
- ❖ Highway trucks
- ❖ New Fire Engine (and specs for it)
- ❖ Airport Runway
- ❖ Chandler Mills Bridge/ State Bridge Aid
- ❖ Water & Sewer Projects

The CIP will be put up on the Town website. The Selectmen thanked Finance Director Brown on the good job done on the Town CIP.



Sidewalk Tractor: Town Manager Rieseberg stated that the old sidewalk tractor has been fixed and is ready for winter. It will be housed at the Public Works and used as a backup unit. The new sidewalk tractor will be delivered by November 1, 2019 and will be housed in-town. The new plow and implements cost \$90,000+ with a five year warranty. Any repairs will be done on site (Newport). Newport is renting the plow for two months to check its reliability and to ensure it fits the needs of the Town. Payment will be minus the two months' rent.

NCTV Budget & Payment of Equipped Operators: Mr. John Lunn, Executive Director of NCTV, distributed a sheet with his 2019 budget to the Board. He told them that the footnote indicated that NCTV would need \$1260 for the rest of the year to pay videographers to tape the different Town Board meetings. He gave the history of these payments. He asked if they would continue to pay videographers and next year NCTV will put it in their budget.

Mr. Lunn gave an overview of NCTV, its expenses and expanding the programming to surrounding communities.

There was a discussion on videographers as employees of the Town, of NCTV or volunteers being paid a stipend.

Selectman Wilnot suggested the Town write a check to NCTV and NCTV pay the videographers. Selectman Hooper stated his main concern is the quality of service due to technical difficulties.

There was a discussion between the Board and Mr. Lunn about the ongoing technical difficulties NCTV has experienced.

Chairman Kessler stated that Town Manager Rieseberg should make the determination as to whether to pay for the videographers. He asked Mr. Lunn to meet with him.

There was additional discussion between the Board members about the ongoing technical difficulties NCTV has experienced and stipends being paid. Mr. Lunn gave a history of the revamping he has done with the TV station equipment.

Chairman Kessler again stated that the Town could pay for the videographers but that the money would come out of the NCTV budget so the videographers were subcontractors of NCTV. Until next budget season the Town will pay NCTV monthly for videographers taping Town meetings.

Community Center Update: Chairman Kessler stated the Newport Community Center Committee was getting an estimate as to the cost to potentially revamp the current Rec Center (bringing it up to code, etc.) instead of building a new Community Center.

1. The new Community Center is estimated at 6.5 million dollars.
2. The cost to bring the (undersized overused) Rec Center up to code is being investigated.

Selectman Wilnot reminded the Chair that many donors would not fund a revamping of the Rec Center.

**ACTION ITEMS:** Accept resignation of Elizabeth Cassorla-Zoning Board of Adjustment: On a motion by Selectman Hooper, seconded by Selectman Connell; ***the Board accepted with regret the resignation of Mrs. Elizabeth Cassorla from the Zoning Board of Adjustment. The motion passed 4-0-0.***

Town Manager Rieseberg was asked to write a letter of thanks to Mrs. Cassorla for her years of service on

the ZBA.

**APPOINTMENTS:** Zoning Board of Adjustment-Timothy Beard: On a motion by Selectman Wilmot, seconded by Selectman Connell; *the Board appointed Mr. Timothy Beard as a full member to the Zoning Board of Adjustment with a term to expire in June 2020. The motion passed 4-0-0.*

On a motion by Selectman Hooper, seconded by Selectman Wilmot; *the Board voted by roll call vote to enter into NPS pursuant to RSA 91-A:3 II (a) Personnel at 8:42 p.m. The motion passed 4-0-0.*

Present were Selectboard members Jeffrey Kessler, Barry Connell, John Hooper and Bill Wilmot. Also in attendance was Town Manager Hunter Rieseberg.

The Board exited the non-public session at 9:08 p.m.

No action was taken.

*The Board voted unanimously to adjourn at 9:08 p.m.*

Respectfully submitted,



Maura Stetson  
Scribe

**The next regular meeting of the Board of Selectmen is scheduled for November 4, 2019 at 6:30 p.m.**

Approved on: November 4, 2019