

TOWN OF NEWPORT, NEW HAMPSHIRE
Board of Selectmen Minutes of February 6, 2023
Regular Business Meeting, Municipal Building, 15 Sunapee Street, Newport, NH 03773
Remote Access: Zoom.com - Meeting ID: 829 5291 9637 Passcode: 900805
+1 (253) 215-8782 US (audio only, long-distance fees may apply)

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

SELECTMEN ABSENT: none

STAFF PRESENT: *BOS Room:* Hunter F. Rieseberg, Town Manager; Steven Yannuzzi, Fire Chief; Paul Brown, Finance Director; Interim Police Chief Stephen A. Lee; Newport Police Officers: Paul Beaudet, Kristal Rowe, Charles McLeman, IV; Dakota Titorenko, Donnie Spencer, Thomas Anderson

COMMUNITY MEMBERS PRESENT: *BOS Room:* Griffin Lee, Elliot Lee, Steve Burkhamer, Cindy Warmington, Executive Councilor for District 2; Kristen LaRocque, Barry Hunter, Christy Whipple, Christine Hunter, Cory Whipple, Brent Wilmot, Margaret Coulter, Executive Director, Road to Independence; Kathryn Baird, and Bert Spaulding, Sr.

NCTV: John Lunn, NCTV

CALL TO ORDER: Chairman Kessler called the meeting of the BOS to order at 6:32 p.m. followed by the Pledge of Allegiance (For full meeting, go to: www.nctv-nh.org)

EXECUTIVE COUNCILOR CINDY WARMINGTON - Chairman Kessler introduced Newport's new Executive Councilor, Cindy Warmington. Ms. Warmington addressed the public in attendance and said that Newport is in a new district, District Two. She explained the territory that it covers and her position. She has recently been visiting each town to find out their concerns and how she will be able to serve them better when in Executive Council meetings in Concord. Meeting with Town Manager Rieseberg and Chairman Kessler she had learned about things important to Newport. Concluding, she explained the role that she played in assisting towns as well as individuals in navigating various state agencies.

CEREMONIAL SWEARING IN of NEW POLICE CHIEF STEPHEN A. LEE: Town Manager Rieseberg addressed the Selectboard and stated that upon Barry Hunter's resignation Police Chief, Town Manager Rieseberg said that he appreciated Mr. Hunter's assistance and dedication to the Town of Newport during their transition time and publicly thanked him on behalf of the Town. Stephen "Alex" Lee of the Department has stepped forward to take over the position of Interim Police Chief. The Town was holding the formal swearing in of Interim Police Chief Stephen A. Lee at the February 6, 2023 meeting. Town Manager Rieseberg addressed Police Chief Stephen A. Lee and read aloud a statement appointing him as Police Chief of the Newport Police Department. After swearing in Police Chief Lee; Elliot Lee came forward to pin on his badge. The Selectboard congratulated Police Chief Lee.

Selectman Connell arrived at the meeting at 6:45.

Officer Paul Beaudet, President of the Newport Police Union (NEPBA Local 221) then addressed Mr. Barry Hunter and on behalf of the association thanked him for his leadership, friendship and support over the last six months. On behalf of the Police Union and the entire Police Department, Officer Beaudet presented Mr. Hunter with a custom engraved Ruger firearm (same as Police Department issue). Mr. Hunter thanked the past and present Newport officers in attendance for the gift. He thanked the officers for their support while he worked in Newport. The Board again thanked Mr. Hunter for his service to Newport and thanked the officers for attending the meeting.

MINUTES FROM PREVIOUS MEETING(S): January 16, 2023 - On a motion by Selectman Connell, seconded by Selectman Burroughs; *the Board voted to approve the minutes of the January 16, 2023 BOS meeting with the following corrections:*

- ❖ *Page 5, under Community Center Update; fourth line from the bottom “4.87 million”... should read “4.785 million dollars”.*
- ❖ *Page 5 under Community Center Update; fourth line from the bottom “will need to be applied for” ...should read “is awaiting distribution of funds from...” The amended minutes were approved 5-0-0.*

NPS January 16, 2023 - On a motion by Selectman Tellor, seconded by Selectman Sayer; *the Board voted to approve the BOS nonpublic minutes of January 16, 2023 as presented. The motion passed 5-0-0.*

CONSENT AGENDA: On a motion by Selectman Connell, seconded by Selectman Burroughs; *the Board voted to approve the Consent Agenda of the February 6, 2023 BOS meeting as presented. The motion passed 5-0-0.*

OPEN FORUM: Ms. Coulter told the BOS of her program’s use of the Common during the Farmers Market. Ms. Coulter said that her group (Road to Independence-RTI) had been attending the Farmer’s Market for eleven years. They brought donkeys in a trailer and unloaded on the common. Participants in the RTI program also used the common to enter and exit the vehicles they came in (ADA access). The Board and Mrs. Coulter discussed ADA access to the common (equal access for all) as well as potential blocking of vehicle access to the Common, damage to grass (as had been relayed to Ms. Coulter), protecting the trees (root systems) on the Common and the recent change to the Town Common Rental Agreement 3. A. to state that only foot traffic will be allowed on the Town Common. A case-by-case exception to the agreement (3. A.) was discussed. Ms. Coulter was asked to meet with Town Manager Rieseberg concerning RTI’s use of the common for their program. Mr. Spaulding, Sr. thanked the Selectboard for talking and working with the Road to Independence group. They have been very successful, the Town and group needed to work together to continue the organization’s success. Mr. Spaulding, Sr. informed the Board of Right to Know Requests he had made to Town Manager Rieseberg on January 25, 2023. He wanted the public to know of it. The Right to Know requests concerned:

- 1) Documents pertaining to legal dispute between Sullivan County (their use of the building adjacent to the Opera House) and the Town of Newport. Including:
 - a. Legal bills
 - b. Documents
 - c. Emails from the Town Manager to any and all Selectboard members
 - d. Notes and paperwork related to the dispute cited

The Town Manager had told him he was not aware of any documents. A second right to know request was made for all documents concerning the dispute between the Town of Newport and Sullivan County/Town Hall and related issues.

1. Copies of all legal bills for the above dispute regardless of the firm (attorneys) or years.
2. Documents related to the issue
3. All documents to and from parties on the issue
4. Minutes of meetings on the issue

The answer was that the court documents were in. Addressing the Board, Mr. Spaulding, Sr. stated that he had a right to the documents requested. Addressing Town Manager Rieseberg, Mr. Spaulding, Sr. said he (SOB) would get the information and find out what has happened. If the Town did not have all the documentation readily available, Town Manager Rieseberg could provide it in segments. Town Manager Rieseberg’s intent was clear. Mr. Spaulding, Sr. compared it to the problems (and lack of follow through) the Town Manager had regarding the Coon Brook Bridge and the Sand Hill Bridge. Mr. Spaulding, Sr. stated he was not impressed with the Town Managership; he will start questioning all his decisions. Chairman Kessler asked what his 91-A requests were. Chairman Kessler and Mr. Spaulding, Sr. discussed Mr. Spaulding, Srs. concerns. Mr. Spaulding, Sr. again asked Chairman Kessler that the Town get him the information they could. When acknowledged, Town Manager Rieseberg read aloud an email

responding to the 91-A request. He told the Board the city of Claremont had paid a lot (he thought \$200,000) responding to 91-A requests. Mr. Spaulding, Sr. and Town Manager Rieseberg discussed the requested information and its availability, how much the Town has spent on the county dispute and the Health Center dispute. Mr. Spaulding, Sr. gave his opinion on the tax abatement for the “Ruger Mill”. Chairman Kessler gave information on the Health Center dispute.

COMMUNICATIONS: Selectman Sayer had nothing to share at this time. Selectman Burroughs had nothing to share at this time. Selectman Tellor had nothing to share at this time. Selectman Connell had nothing to share at this time. Chairman Kessler stated that this week is Newport’s 107th Winter Carnival. The torch will be lit on the small common on Wednesday night. Contact the Rec Center or look online for a list of events. Town Manager Rieseberg had nothing to share at this time.

INFORMATIONAL: Community Center Update: Chairman Kessler said that the Town is working with Breadloaf to finalize a material list and finalize information for a bid package. The Town will have that by the end of the month; send it out to see what companies will bid on it. There are concerns about the cash flow for the project. Town Manager Rieseberg and Chairman Kessler spoke to Executive Councilor Cindy Warmington about the state Community Center money (GOFERR money). It was applied for last Friday through the Community Development Finance Authority (and the Town will have state money by June. Federal money (\$4.785 million) will be awarded and Newport will be given a promissory note. After the bids and proposed match money from state, federal and local (three million dollars) sources are compared the Town will make the decision to go ahead with the project this construction season.

ACTION ITEMS: Appointment of Health Officer-Fire Chief Steven Yannuzzi - After a brief discussion among the Board, Selectman Burroughs made a motion *to appoint Steven Yannuzzi Health Officer for the Town of Newport*. It was seconded by Selectman Connell. *The motion passed 5-0-0*. The Selectboard congratulated Chief Yannuzzi on his appointment.

Acceptance of Terms of the Emergency Management Performance Grant and Authorize the Town Manager to sign all documents related to the grant - After a general discussion and explanation of the grant by Fire Chief Yannuzzi, Selectman Burroughs made the motion: *The Selectboard, in a majority vote, accepted the terms of the Emergency Management Performance Grant as presented in the amount of \$4,150 for _____, Furthermore, the Board acknowledges that the total cost of this project will be \$ 8,300, in which the Town will be responsible for a 50% match (\$4,150). Town Manager Hunter F. Rieseberg is authorized to sign any and all documents related to the grant.* It was seconded by Selectman Connell. Chairman Kessler called for discussion.

On a Point of Order, the recording secretary said the motion as presented was incomplete. She directed the Board to the beginning of line three of the motion; they needed to complete the sentence. The recording secretary read aloud from line two, “...in the amount of \$4,150 for _____. She requested it be completed (what was the grant for?). When Fire Chief Yannuzzi was consulted about the motion he stated it was for the update of the community’s Local Emergency Operations Plan (LEOP). Chairman Kessler agreed with his statement.

The motion then read: Selectman Burroughs made the motion: *The Selectboard, in a majority vote, accepted the terms of the Emergency Management Performance Grant as presented in the amount of \$4,150 for the update of the community’s Local Emergency Operations Plan (LEOP). Furthermore, the Board acknowledges that the total cost of this project will be \$8,300, in which the Town will be responsible for a 50% match (\$4150). Town Manager Hunter F. Rieseberg is authorized to sign any and all documents related to the grant.* It was seconded by Selectman Connell. *The motion passed 5-0-0.*

Chairman Kessler acknowledged Mr. Spaulding, Sr. Mr. Spaulding, Sr. asked Fire Chief Yannuzzi about the noisy generator that repeatedly interfered with the night time Board meetings. He asked if it could be


run during the day so it would not interfere with the meetings. It was explained that the noise heard was from the air evacuation system used to remove fumes when the fire trucks and ambulances were run inside the building; it was mandated. Mr. Spaulding, Sr. commented that it should be quieter.

Wright Pierce Bid: Wastewater Treatment Plant (WWTP) - Town Manager Rieseberg gave detailed information on the WWTP upgrade and the work that will bring Newport into compliance; the engineering work by Wright-Pierce that needed to be done and the collaboration with the United States Department of Agriculture Rural Development (USDA-RD), United States Environmental Protection Agency (US EPA), and New Hampshire Department of Environmental Services (NHDES). The revised plant design now costs approximately \$28 million. Many grants (a funding package) have been acquired to reduce costs to the Town by half (now \$14 million). Wright-Pierce's last contract report (535 pgs.) with the Town is on Newport's website for individuals to view. \$ 571,620.00: the last design phase was priced; \$1,169,226.00 (the next step) a final design phase cost from Wright Pierce. \$1,740,846.00 Total Continuing, Town Manager Rieseberg stated the project will be heavily overseen and regulated. He said the proposal for the BOS to consider at the February 6th meeting was detailed in their packets and totaled \$1,169,226.00. The proposal has been reviewed by the state; it is an acceptable and reasonable number. The USDA Rural Development and the NH Department of Environmental Services will sign the contract as soon as Newport does. After further explanation by Town Manager Rieseberg, they were informed that a presentation to the Board would be given at their Bond Hearing. Articles on the WWTP and North Newport Well will be in the next Newport Times magazine. Wednesday, February 22, 2023 a presentation on the Waste Water Treatment plant will be held at the Opera House. Wednesday, March 2, 2023 a presentation on the North Newport Well will be held at the Opera House. TBD, a presentation by state on Main Street resurfacing/repaving will be held. There will also be a Bond hearing concerning the WWTP on March 20, 2023. Chairman Kessler and Finance Director Brown discussed available funds for the WWTP. Chairman Kessler asked if NCTV would be filming the presentations on February 22 and March 2. Town Manager Rieseberg will discuss their attending.

After general discussion with the public in attendance, Selectman Connell made a motion *to accept the bid of \$1,169,226.00 for the final design phase from Wright Pierce and to authorize Town Manager Hunter F. Rieseberg to sign the contract and all related documents.* It was seconded by Selectman Tellor. *The motion passed 5-0-0.*

There being no further business in the public meeting, on a motion by Selectman Connell, seconded by Selectman Burroughs; *the Selectmen voted to adjourn at 8:11 pm.*

Respectfully submitted,



Maura Stetson, Scribe

The next 2023 Budget Review meeting is scheduled for Thursday, **February 9, 2023 at 6:30 p.m.**

The next regular meeting of the Board of Selectmen is scheduled for **February 20, 2023 at 6:30 p.m.**

Approved on: February 20, 2023