

TOWN OF NEWPORT, NEW HAMPSHIRE

Board of Selectmen *REVISED* Minutes of August 14, 2023 - Regular Business Meeting

Municipal Building, 15 Sunapee Street, Newport, NH 03773

Meeting ID: 810 7960 4568

Passcode: 651400

<https://us02web.zoom.us/j/81079604568?pwd=S2Y0WnpJS25xT3I3SDRYSDNkaEM0QT09>

+1 (253) 215 8782 US (audio only, long-distance fees apply)

SELECTMEN PRESENT: Barry Connell, Chairman; Jeffery Kessler, and Keith Sayer

SELECTMAN ABSENT: James Burroughs, Vice Chairman; and Jeffery North

STAFF PRESENT: Paul Brown, Interim Town Manager & Finance Director

COMMUNITY MEMBERS PRESENT: Bert Spaulding Sr., Doug Ring, Larry Schissel, Kurt Minich, Don Schagen

NCTV: NCTV

CALL TO ORDER: Barry Connell called the meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. (Full meeting can be found on www.nctv-nh.org)

AGENDA REVIEW: Interim Town Manager requests for a non-public session under RSA 91-A:3, II (d) Real Estate; RSA 91-A:3, II (e) Litigation

MINUTES FROM PREVIOUS MEETINGS: Minutes from July 17, 2023 were accepted by the board on a ***motion made by Selectman Kessler, seconded by Selectman Sayer, the board voted unanimously. 3-0-0.***

CONSENT AGENDA: ***Selectman Kessler made a motion to accept the Consent Agenda, seconded by Selectman Sayer, the board voted unanimously. 3-0-0.***

INFORMATIONAL: Community Power Coalition Update: Interim Town Manager, Paul Brown, starts by saying the town voted to become a part of the Community Power Coalition at a town meeting. Henry Herndon assisted with the next steps of the process. Mr. Herndon sent Paul Brown a document saying they need to send a letter to the PUC requesting they accept the town's plans and public comment. Additionally, the agreement needs to be sent to legal counsel to be reviewed, following the public comment session, the documents can be signed.

Town Manager Search Committee: Mr. Brown informs the board the committee has started searching. He states the committee is moving forward with the next meeting on August 15, 2023, at 6:30, and August 21, 2023, at 8:00 a.m. Brown relays to the board he's hoping to get a recommendation to them for advertisements on August 28, 2023. Chairman Connell, along with the rest if the board encourages public input and comment.

Conservation Commission – Tree Work on Common: Mr. Brown states there has been a proposal made for the 2023 Tree Management Plan, to remove four (4) trees on Park Street side of the common and replace with other plants and three (3) other trees, along with 2023 fall tree feeding.

Conservation Commission – North Newport Easement: Don Schagen informs the board there is conservation easement in place on a roughly ten (10) acre parcel of land on the corner of Hurd Road and Blueberry Ridge Road that is not a part of the Conservation Commissions files. Mr. Schagen was informed by the property owner that the State of New Hampshire Land Conservation Investment Program along with the town, are

parties to the deed. Schagen reached out to the state where they informed him the state is not involved in the property. The state recommended the town get the states name out of the deed for clarity purposes.

Apple Pie Craft Fair – Town Booth and Staffing by Selectman: Selectman Connell says the town will have a booth with various information. Connell encourages the board to be present.

North Newport Well Project Status: Interim Town Manager Brown informs the board they have signed an engineering agreement for the permitting and design of the pump station. The engineering portion of the project is town funded with a \$572,000 loan from the Drinking Water Ground Water Trust. The town has cleared the area where the next set of test wells will be drilled, including the large drawdown test. Selectman Kessler questions whether the pricing is locked in. Mr. Brown responds by saying the engineering fees are a set price and the construction estimates for the pump house and the interconnection to the town, are subject to fluctuate. Selectman Kessler expresses concern in the increased prices of construction, Brown states there is a 20% contingency on the construction and infrastructure portion of the project.

WWTP Upgrades Project Status: Mr. Brown relays to the board they have received the 60% drawings. The drawings were sent to both the USDA, a major funder, and the NHDES. USDA said they will rely on NHDES for comments. Mr. Brown informs the board some of the comments from the state could potentially cost serious money. Brown suggests, early to mid-September there will be a meeting with NHDES, the engineers, and the town.

Opera House Ramp Update: Interim Town Manager Brown shines light on the steel that was delivered, and the ramps are starting to be installed. The town is still waiting for the treads for the stairs to be delivered. United Construction relayed the steel workers thought they might be done by the end of the month.

Airport Master Plan: Interim Town Manager Brown says he attended a meeting with the consultants and Airport Manager and the master plan is moving forward. They are ready to put the plan out to the appointed advisory committee for review. They have invited local citizens who have expressed interest in the past will be getting invitations to sit in on the public meeting for discussion of the master plan. Brown says they will have a meeting with the FAA and representatives from Senator Shaheens office, upon Browns request, however, there has been some delays.

Community Center Status: Mr. Brown informs the board Bread Loaf is working on shop drawing for the steel. They were wondering where the town stood with the funding agencies. The state will be coming out with new open applications, and the town will reapply. Mr. Brown raises question about far forward we want to move with the private funds. Interim Town Manager Brown states one of the first steps is to take down the cemetery garage and ambulance garage. Selectman Kessler questions the ambulance that was down for repairs. Brown responds by saying it is still down to his understanding, and it has severe problems with the fuel system. They have ordered new parts, covered by warranty.

ACTION ITEMS: Adoption of New Water & Sewer Rates: *Chairman Connell feels the absent board members need to be present to vote on these subjects, rather he would like to hear the townspeople's perspectives.* As a result of the absence of other Selectmen, Mr. Brown is delaying the reading and increase until November. Mr. Brown states the rates being proposed will not be used until the first drop of water after the next meter reading, which is November. Those will be billed in April. The impact will not be seen until April, and only affects the sewer. Along with substantial grant funding, the town still needs to increase sewer rate by about 175%, which would take it from \$12.85 to \$35.84. This will be in phases, where the first one would be a 30% increase, from \$12.85 to \$16.71, per one thousand. Another 30% increase in year two (2), where it would stand at \$21.72; 25% increase in 2026, which would stand at \$27.15; 25% increase in 2027, where it would stand at \$33.93. Resident, Kurt Minich, asked the board if businesses in town will pay a lower rate than the

residents. Mr. Paul Brown answers by saying the rate will be the same, but upon the last valuation, commercial properties did not go up as high as residential properties. Brown states under the current valuations there will be less of a burden on commercial or industrial property in comparison to residential. Resident, Don Schagen, asks of the board knows where in relation to the rest of the state Newport stands with sewer rates. Chairman Connell responds by saying an absent member of the board has information on the statistics, and that will be relayed to the public. Kurt Minich asks why Newport is experiencing such high increases. Mr. Brown answers by saying in 2008 the EPA started looking for phosphorous in sewer. The town started studying that issue in 2009, and in 2011 there was a major project to lower the phosphorus levels. The process failed, followed by a lawsuit where the town recouped the fees with the plant. In 2020 there were new permits that required the town to upgrade the plant due to other hazardous materials.

Chandlers Mills Road Property: Mr. Brown informs the board bids were due August 14, 2023, at 2:00 p.m., and opened around 4:00 p.m. The bid included property as is, quick claim deed of tax collector with tax collectors' provision, minimum bid was \$100, property needed to be cleaned up with a \$15,000 retainer for letter of credit for the required cleanup of manmade materials, not including the slab. There were two bids, the first being \$6,100 and the second was for \$201. Mr. Bert Spaulding raises concern about the high bidder not being aware of the lack of use of this land. Lawrence Decristoforo, the back-up bidder questions if there is not a closing does the property go to the back-up bidder. Mr. Brown says he will make a request for the property to go to the next bidder in line. ***On a motion made by Selectman Kessler to accept the high bid and if the primary bid falls through, the property goes to the back-up bidder, seconded by Selectman Sayer, the board voted unanimously, 3-0-0.***

Appointment to Heritage Committee: Herbert R. Tellor, Alternate Member, Term to Expire June 2026: ***On a motion made by Selectman Kessler to appoint Herbert R. Tellor to the Heritage Committee as an Alternate Member, term to expire June 2026, seconded by Selectman Sayer, the board voted unanimously, 3-0-0.***

NBRC Unity Road Water Lines Grant – Review and Authorize the Current & Active Town Manager to Sign All Related Documents: ***On a motion made my Selectman Kessler to allow the Current & Active Town Manager to Sign All Related Documents for the NBRC Unity Road Water Lines Grant, seconded by Selectman Sayer, the board voted unanimously, 3-0-0.***

NBRC North Newport Well Project – Review and Authorize the Current & Active Town Manager to Sign All Related Documents: ***On a motion made my Selectman Kessler, to allow the Current & Active Town Manager to Sign All Related Documents for the NBRC North Newport Well Project, seconded by Selectman Sayer, the board voted unanimously, 3-0-0.***

NHDOT – TAP Grant: Mr. Paul Brown requests this action be moved to the next meeting, August 28, 2023.

OPEN FORUM: Larry Schissel addresses the board regarding the North Newport Well project and the protective radius around the wellhead. He feels people should be informed of the protected area. Chairman Connell suggests this matter be brought up to the Zoning Board. Additionally, Mr. Schissel wonders what the discussion was surrounding the sand and gravel operation along Route 10 that has not been permitted. Chairman Connell says Chirstina in Planning and Zoning was supposed to investigate that issue. Mr. Schissel adds he has spoken with Christina, and she met with the property owner and the surveyor. The property owner informed the town they were not moving gravel. Christina did not request permission for a site visit. There is speculation there is material being distributed. Chairman Connell adds the rain has created some of the gravel to move into wetlands as part of the excavation. Schissel responds by saying the Conservation Commission has sent a formal review complaint to the NHDES to investigate potential wetland impact violation. Chairman Connell says there will be a follow up with Christina about the status. **Bert Spaulding,**

speaking on the same subject, clarifies it's the truck leaving that creates the jurisdiction. Next, Spaulding is reoffering his property on Chandlers Mill Road for equipment storage for the town if needed. Additionally, he expresses frustration with the lack of original documents being given for the Sullivan County lawsuit after making two separate 91-A requests for them. **Doug Ring** raises concern about books that were in the town's possession and wondered if the town still has access to them. Mr. Brown states he believes said books were put in a box and discarded. **Herb Tellor** also addresses the books saying he did some research, and he believes the books were boxed up and thrown away as well. **Kurt Minich** questioned the style of government. Mr. Brown responds by saying it is considered Town Manager, Town Meeting form of government. Minich shows frustration that he feels the town is not listening to the citizens. **Doug Ring** questions where the town stands with FEMA in relation to the storm damage. Chairman Connell states there has been no declaration so that the town would have money forthcoming from the state. Connell says they are hoping to get money and the state will authorize money. Mr. Brown states the Governor did an emergency declaration for the two storms early in June for the eastern part of the state. He is hoping there will be a declaration for the west soon and the town is providing information on their losses. Mr. Brown informs the board that Whicher Road is closed to thru traffic and is currently out to bid with the requirement the road and culvert is fixed within thirty (30) days. Camel Hump Road is operating on a single lane, which will be going out to bid. Blueberry Ridge Road and Satterlee Road are experiencing an undermined road and is also operating on a single lane. FEMA, DOT, and Army Core have seen the roads. Sand Hill Road has been restored under an emergency basis, town crews have replaced multiple culverts on East Mountain Road, and Blaisdell Road has been restored by a local contractor. Mr. Brown added there have been various roadside washouts that have been addressed with FEMA and will be included in the reimbursement request once the state declares. Chairman Connell asks Mr. Brown about funding. Brown responds by saying they were recently reimbursed a storm in 2021, which included roughly an additional \$40,000 for equipment. He informs the board there has been hundreds of thousands of dollars' worth of storm damage. **Bert Spaulding** commended the town's crews for successfully repairing the culvert on Chandlers Mill Road.

COMMUNICATIONS: There were no communications from Board of Selectman or the Town Manager.

NON-PUBLIC SESSION: *On a motion made by Selectman Kessler, seconded by Sayer, to enter into a non-public session under RSA 91-A:3, II (d) Real Estate; RSA 91-A:3, II (e) Litigation. The board voted unanimously via roll call vote, 3-0-0.*

NON-PUBLIC SESSION: RSA 91-A:3, II (d) Real Estate; RSA 91-A:3, II (e) Litigation. *The Board voted, on a motion by Selectman Kessler and seconded by Selectman Sayer, by roll call vote to exit Non-Public Session at 8:47 p.m. The motion passed 3-0-0.*

On a motion by Selectman Kessler, seconded by Selectman Sayer, *a roll call vote was taken and passed unanimously (3-0-0) to accept the proposed MOA between the Town of Newport and the Newport School District for the CTE Land Conversion Project.* Interim Town Manager Brown stated that the Town would be releasing the building permit for the CTE once the building inspector completed a review.

ADJOURNMENT: On a motion by Selectman Kessler, seconded by Selectman Sayer, *the Board voted unanimously to adjourn at 8:55 p.m.*

Respectfully submitted,



Riely Skarin, Recording Secretary

The next regular meeting of the Board of Selectman is scheduled for **August 28, 2023, at 6:30 p.m.**