

# **TOWN OF NEWPORT, NEW HAMPSHIRE**

## **Board of Selectmen Minutes of November 8, 2023 – Joint Meeting with School District**

Municipal Building, 15 Sunapee Street, Newport, NH 03773

---

**SELECTMEN PRESENT:** Barry J. Connell, Chairman; James C. Burroughs, Vice Chairman; Jeffrey F. Kessler, Jeffrey S. North, Keith M. Sayer

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

**NEWPORT SCHOOL BOARD PRESENT:** Donna Magoon, SAU 43 Superintendent; Timothy Beard, Darrell Jones, Steven Morris, Jenna Darling

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

### **TOWN OF NEWPORT & NEWPORT SCHOOL DISTRICT MEMORANDUM OF AGREEMENT (MOA):**

The Boards reviewed and negotiated various sections of the MOA to come to a settlement of a final document. On a motion by Selectman Burroughs, seconded by Selectman Kessler, ***the Board voted unanimously to accept the MOA as read into the record by Town Manager Brown. (Final version attached.)***

**TEMPORARY PORTABLE STRUCTURE:** After some discussion, the Board agreed to allow the placement of a portable structure on the Public Works Garage property by the Newport School District to remain until the end of the current school year (June 2024).

**NON-PUBLIC SESSION: 91-A:3, II (i) Emergency Management Functions:** On a motion by Selectman Burroughs, seconded by Selectman Sayer, ***a roll call vote was taken and passed unanimously to enter into Non-Public Session 91-A:3, II (i) Emergency Management Functions at 7:51 p.m., with the Board of Selectmen and the Newport School District Board in attendance.***

On a motion by Selectman Burroughs, seconded by Selectman Sayer, ***the Board exited Non-Public Session 91-A:3, II (i) Emergency Management Functions at 8:02 p.m.***

There was no action taken during Non-Public Session 91-A:3, II (i) Emergency Management Functions.

**NON-PUBLIC SESSION: 91-A:3, II (b) Hiring of Public Employee:** On a motion by Selectman Burroughs, seconded by Selectman North, a roll call vote was taken and passed unanimously to enter into Non-Public Session 91-A:3, II (b) Hiring of Public Employee at 8:03 p.m.

On a motion by Selectman Kessler, seconded by Selectman Sayer, ***the Board exited Non-Public Session 91-A:3, II (b) Hiring of Public Employee at 8:28 p.m.***

There was no action taken during Non-Public Session 91-A:3, II (b) Hiring of Public Employee.

**ADJOURNMENT: On a motion made by Selectman Kessler, seconded by Selectman Sayer, the Board voted unanimously to adjourn at 8:29 p.m.**

Respectfully submitted,



Paul J. Brown, Town Manager

Attachment (1)

*Approved: December 4, 2023*

**MEMORANDUM OF AGREEMENT  
BETWEEN TOWN OF NEWPORT AND NEWPORT SCHOOL DISTRICT**

*Attachment to: BOS minutes  
of 11/08/23*

**NOW COMES** the Town of Newport (the “Town”) located in the County of Sullivan, State of New Hampshire and the Newport School District (the “District”) located in the County of Sullivan, State of New Hampshire, and in accordance herewith, on this the \_\_\_\_ of September 2023, do hereby enter into this Memorandum of Agreement.

**WHEREAS** the Town of Newport Public Works Garage (the “Garage”) was constructed in 1979 for the purpose of housing the Town’s equipment and the District’s busses; and

**WHEREAS** the Town and the District want to continue the cooperative usage of the Garage; and

**NOW THEREFORE** the undersigned parties agree as follows:

1. The undersigned parties agree that the District will occupy the two eastern bays (the “Space”) of the Garage for the storage of busses and related parts and supplies, and
2. The District shall have access to bathroom facilities for its staff within the garage facility, and
3. The Town shall be responsible for the maintenance and repair of the exterior garage structure and its utility systems, and
4. The District shall be responsible for the maintenance and repair of interior, non-structural, items within the occupied Space, and
5. The District shall be allowed to make interior renovations to the Space as necessary for its operation. All renovations shall be subject to the issuance of a Building Permit and shall be in compliance with the appropriate Building Codes. Any structural renovations affecting the integrity of the structure shall be stamped by a licensed engineer, and
6. The District shall be required to get prior Town approval for any renovations to the exterior of the garage. Any such renovations shall be subject to the same requirements as the interior improvements in Section 5, and
7. The District will coordinate with Town’s Public Works Director on any exterior, non-structural use of the Garage lot for the storage of additional busses or equipment, beyond the capacity the district is currently using as of September 2023 (7 busses), and
8. There will be no rental cost for the Space. The District agrees to pay an annual amount of \$5,000 00 which the Town will hold in reserve to address repairs and maintenance as

**MEMORANDUM OF AGREEMENT  
BETWEEN TOWN OF NEWPORT AND NEWPORT SCHOOL DISTRICT**

noted in Section 3 of this agreement. The Town will match the reserve fund payment at an amount twice the District's contribution. The District will not be liable for any Section 3 repairs or maintenance beyond its annual contribution.

9. The District shall pay its operating and utility costs for the Space and for the cost of separating the electrical system from the overall Garage system, and
10. The Town and School will each carry general liability coverage with a minimum limit of \$2,000,000 per occurrence and Worker's Compensation coverage meeting State of New Hampshire requirements.
11. Subject to the review and signature of this MOA by both Parties, this agreement shall be automatically renewed every five (5) years.

Signed:

\_\_\_\_\_  
Paul Brown, Newport Interim Town Manager  
*Duly authorized by vote of the:*  
Newport Board of Selectmen

*Duly authorized by vote of the:*  
Newport Board of Selectmen

\_\_\_\_\_  
Donna Magoon, Superintendent of Schools  
*Duly authorized by vote of the:*  
Newport School Board

*Duly authorized by vote of the:*  
Newport School Board

\_\_\_\_\_  
Barry J. Connell, Chair

\_\_\_\_\_  
Steve Morris, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date