# SUNAPEE BOARD OF SELECTMEN MEETING AGENDA 6:00PM Town Office Meeting Room Monday, December 16, 2019

## 1. REVIEW OF ITEMS FOR SIGNATURE: CZC's:

# 2. APPOINTMENTS6:00PM-Chris White, CIP Chairman6:15PM-ABC Committee7:45PM-Van Webb-Conservation Committee

#### 3. PUBLIC COMMENTS:

#### 4. SELECTMEN ACTION

- •Special Recreation Fund Transfer
- •Employee Health Insurance Expendable Trust Fund Transfer
- Adopt Fire Retro Pay Policy
- New Job Description: Light Equipment Water/Sewer Operator Grade 10 Replace Operator/Mechanic Water/Sewer Grade 11
- •Personnel Handbook Update-Adopt Replacement Section 513
- •Appoint of Deputy Town Clerk & Tax Collector-Rachel Carmen
- •Continue Warrant Article Review Discussion

#### 5. CHAIRMAN'S REPORT

#### 6. TOWN MANAGER REPORTS

- •November Revenue & Expenditure Reports
- •Town Report Cover & Dedications

#### 7. UPCOMING MEETINGS:

12/17-5:30PM-Energy Committee, Town Meeting Room

12/18-Noon-Employee Christmas Party, Safety Services Building

12/19-5:30PM-Water & Sewer Commission, Town Meeting Room

12/25-Christmas-Town Offices Closed

12/30-6:30PM-Board of Selectmen, Town Meeting Room

ABC working draft 2020 Document

**Public Works:** This budget affects all residents who travel over our Town roads and bridges, use the Town roads and bridges, use the Town boat launch and parking facilities, or use the Town transfer station including participating in the annual household hazardous waste days. Funding the Highway Department goes towards maintaining, repairing, and/or resurfacing the Town's fifty-one plus miles of paved and gravel roads including maintaining the storm water system. Additionally, the Highway Department services and maintains all the Town's vehicles and equipment including Sunapee School District's school buses. The budget contains petroleum products within it that are subject to the volatility of commodity pricing so an increase in cost is expected. ABC recommends the Transfer Station continue to explore methods to decrease the amount of solid waste that is processed through the Town's facility like the Take-it or Leave-it shop. The shop has been very successful in removing and re-purposing solid waste items that would have cost the taxpayers money. ABC recommends the Transfer Station launch a pilot project in conjunction with the New Hampshire Department of Environmental Services (NHDES) for composting yard and leaf waste and in the future food waste. The composting project in conjunction with the New Hampshire Department of Environmental Services (NHDES) has been started and is going well.

include request for 5/10 roadwork plan and rubrics for priorities

**PFOS Testing** 

Boat Ramp

New trucks, emergency work on some roads, repairing vehicles include with petroleum products blacktop paving in change in costs

ABC recommends accepting the budget as presented.

**Public Safety:** This budget provides funding for the protection and preservation of life and property to Sunapee residents, businesses and the Town. In addition, it provides protection for the town's public safety employees in the performance of their duties. ABC encourages our public safety departments to research state and federal programs to bring funds to our community where it's practical. ABC recommends accepting the budget as presented.

Budget reflects a change in vehicles w

General Government: This budget ensures the Town Office personnel and the Town Clerk/Tax Collector have the equipment, software, and means to maintain the tax base, collect the taxes, and track spending. Funds in the budget provide for the maintenance, repairs and/or improvements at the Town Office, and for other municipal buildings. All major repairs and/or improvements are completed in accordance with the Building Maintenance Capital Reserve Plan. ABC recommends town officials continue to upgrade technology to improve accessibility and ensure security, increase efficiencies, as well as provide town information for all residents. The Town should continue to address strategies for energy savings and implement new programs for efficiencies. ABC further recommends the protection and preservation of official Town records. ABC recommends accepting the budget as presented.

Include istatement on updated computer software etc., 4 elections this year; preservation of records in the budget this year Capital Improvement Planning?

**Public Service**: This budget funds Library programs and facilities, Recreation and Welfare programs for all town residents. ABC recommends that current services and programs be maintained through the budget in relationship to what the residents want and are requesting. ABC recommends coordination of services with outside agencies and other Town departments. ABC recommends accepting the budget as

presented.

**Public Debt**: Public debt is incurred by 60% voter approval of prior town warrant articles for town buildings and infrastructure as an investment in the community.

ABC Committee recommends pursuing any available options to reduce public debt.

Enterprise Funds: The Town of Sunapee has three (3) enterprise funds, which are supported by the revenue they generate. Water and Sewer is supported by user fees and the Hydroelectric Power Plant is supported by the revenues it generates. Enterprise funds submit their budgets to the Board of Selectmen and they are incorporated into the overall budget. The net effect to the tax rate is zero.

ABC acknowledges the Enterprise Funds' budgets as presented.

Warrant Articles: Sincere efforts have been made to work on warrant articles that meet the needs of the town. Each warrant article is discussed and reviewed individually before being considered for approval. ABC recommends that the Board of Selectmen consider drawing funds from the Hydroelectric Power Plant, Capital Reserve Funds and Undesignated Fund Balance when funding requests are within the guidelines.

ABC recommends continuing this practice.

The Budget Advisory Committee recognizes and appreciates the efforts of all the associations within the community that do contribute to offset tax dollars.

Request of Selectmen for Fire Retro Pay

The fire pay was set for all but the Chief and AA at \$10 per hour as of March 13, 2019.

The Selectmen acknowledged that in the past a point system that awarded bonus points for rank and training were in addition to the \$10 per point hour.

The Selectmen on September 23<sup>rd</sup> 2019 adopted a Seasonal/Elected/Non Classified rate of pay for the firmen as follows:

Assistant Chief		\$19.00
Captain	2	\$18.00
Lieutenant	4	\$17.00
Firefighter		\$11.00
Firefighter 1		\$12.00
Firefighter 2		\$13.00
EMR		\$12.00
EMT		\$13.00
AEMT		\$14.00
PEMT		\$15.00
EMR + Firefighter 1		\$13.00
EMR + Firefighter 2		\$14.00
EMT + Firefighter 1		\$14.00
EMT + Firefighter 2		\$15.00
A-EMT + Firefighter 1		\$15.00
A-EMT + Firefighter 2		\$16.00
P-EMT + Firefighter 1		\$16.00
P-EMT + Firefighter 2		\$17.00
Training Officer		\$16.00
Photographer		\$11.00

Pay for Fire Department employees has been continued to be paid on a monthly basis at \$10 per hour for hour of call and hour of training.

For 2019 employee's, the intent is to retroactively to March 13, 2019 award the rate of pay to the person who is appointed to the position in the new fire department structure.

In order to comply with the mandate of the United States Department of Transportation, and to provide a safe, drug and alcohol free work environment, all Public Works Department employees who are required to hold a commercial driver's license will be required to submit to drug and alcohol screens in accordance with the Federal Rules and Regulations on Alcohol and Controlled Substance Testing. The use, possession, sale or transfer of illegal drugs, on or off the job, will be cause for termination.

As outlined in the Federal Motor Carrier Safety Regulations Title 49 CFR Part 382 of the U. S. Department of Transportation, Sunapee Highway Department truck drivers will be tested. Refusal to participate in an alcohol or drug screening, whether selected randomly or for cause, will result in immediate termination.

The use of illegal drugs or alcohol on or off duty by employees can impair their ability to perform tasks that are critical to proper performance and can result in the potential for accidents while on duty and a threat to public safety.

The drinking of alcoholic beverages during working hours is strictly prohibited. The consumption of illegal substances by employees in any amount before or during working hours is strictly prohibited. If an employee reports to work under the influence of drugs or alcohol, consumes drugs or alcohol while on duty, or refuses to submit to a drug or alcohol test, disciplinary action will be taken; which, because of our type of work, will be termination.

Drugs that will be tested for are alcohol, cocaine, marijuana, cannabinoids, amphetamines, opiates and any other drugs deemed appropriate by the New Hampshire Department of Transportation. Testing will be done through the LRGHealthcare Drug and Alcohol Testing Consortium at their collection site (presently at Claremont Hospital). They will pick from a pool of names monthly to satisfy testing requirements (50% annual for drugs, 25% for alcohol). Names will be sent to the employer designate and the employer will notify the employee. The employee will then proceed to the site and be tested. A Medical Review Officer (MRO) will review and interpret screen results and notify the driver of positive results prior to notifying the employer designate.

When a sample is taken, it is split with both bottles sent to the lab. One is used for the test; the other will remain sealed and stored. In the event of a positive test, the MRO will attempt to contact the driver to give him an opportunity to discuss the findings and examine legitimate medical explanations that could result in a positive result.

The driver will also have 72 hours to have the split specimen sent to another DHHS certified lab for retesting. After certifying that the tests are either positive or negative, the MRO will notify the employer designee. Results of the tests will be kept in strict confidence and retained in the driver's record for 5 years. Information contained in the file will not be released without written permission of the driver, unless otherwise required by law.

Drug testing will be done for pre-employment, random, post-accident, reasonable suspicion and return to work and/or follow-up as outlined in Federal Motor Carrier Safety Regulations Title 49 CFR Part 382.

Consequences for positive drug and alcohol testing will consist of immediate dismissal. Refusal to submit to a test will be treated as a positive test. We reserve the right to test for drugs and alcohol either in blood, breath or urine.

#### STATEMENT OF PURPOSE

Town of Sunapee, referred to hereafter as "The Company", is committed to providing a safe work environment and protecting the health and well being of its employees and the general public. Involvement with illegal drugs and alcohol in the workplace can adversely affect job performance and public safety. When drivers of commercial motor vehicles engage in the misuse of drugs and alcohol, they increase the risk of causing accidents resulting in serious injuries and death. Therefore, the company is implementing a Controlled Substances and Alcohol Testing Policy as required by regulations set forth in Title 49 Code of Federal Regulations Part 40 and Part 382.

#### DESIGNATED EMPLOYER REPRESENTATIVE(S)

Donna Nashawaty has/have been designated by the company as the individual(s) who will receive communications and test results from service agents and who is/are authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation process. All questions in regard to this policy will be directed to the Town Manager or Highway Director.

#### Contact Information:

Town Manager Work Phone: 603-763-2212 Highway Director Work Phone: 603-763-5060

#### **COVERED EMPLOYEES**

This policy applies to all employees who operate a commercial motor vehicle to carry out their duties for the company and are required to possess a commercial driver license (CDL). Covered employees also include those commercial driver licensed employees that normally do not drive, but could be called upon to do so. Participation in the company's controlled substances and alcohol testing program for all covered employees is considered to be a condition of employment.

A commercial motor vehicle is defined as a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:

- 1. Has a gross combination weight rating of 11,794 or more kilograms (26,001 pounds or more inclusive of a towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds).
- 2. Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds).
- 3. Is designed to transport 16 or more passengers, including the driver.
- 4. Is of any size and is used in the transportation of hazardous materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act and which require the motor vehicle to placarded under the hazardous materials regulation (49 CFR Part 172, Subpart F).

#### SAFETY SENSITIVE FUNCTIONS

A safety-sensitive function is defined as: All time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

- 1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- 2. All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- 3. All time spent at the driving controls of a commercial motor vehicle in operation.
- 4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a conforming sleeper berth.
- 5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- 6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

#### **PROHIBITED CONDUCT**

Prohibited conduct addressed by this policy includes the following:

- 1. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- 2. No driver shall use alcohol while performing safety-sensitive functions.
- 3. No driver shall perform safety-sensitive functions within 4 hours after using alcohol.
- 4. No driver required to take a post-accident alcohol test shall use alcohol for 8 hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
- 5. No driver shall refuse to submit to a post-accident, random, reasonable suspicion, or follow-up controlled substance and/or alcohol test.
- 6. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner, who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.
- 7. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive, or has adulterated or substituted a test specimen for controlled substances. The company shall not permit a driver to continue to perform safety-sensitive functions if the company has actual knowledge of a driver violating any of the aforementioned prohibitions. The company can obtain actual knowledge based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or a controlled substance, or an employee's admission of alcohol or controlled substance use, except as discussed in the company's voluntary self-identification program.

#### PRESCRIPTION MEDICATIONS

No driver may possess any prescription medication or report to work while using any prescription, except when he/she is under a doctor's care and the doctor has advised the driver that the substance does not

affect his/her ability to operate a commercial motor vehicle. The use of medication that could affect a driver's safe job performance is prohibited while working. The driver shall report to the supervisor, the use of any prescribed medication and, without identifying the medication, shall provide a certificate from the driver's doctor that the use of the medication will not impair his/her ability to safely perform his/her duties. If as a result of testing under this policy, the driver is found to have the presence of a controlled substance in the body which is a result of the use of his/her legally prescribed medication that has not been reported, the driver shall be removed from service without pay until it is determined that the use of medication will not impair his/her ability to safely perform assigned duties.

#### FMCSA DRUG AND ALCOHOL CLEARINGHOUSE (Part 382.701), effective 01/06/2020

The following personal information collected and maintained under this part shall be reported to the clearinghouse once it becomes active and thereafter:

- · A verified positive, adulterated, or substituted drug test result;
- An alcohol confirmation test with a concentration of 0.04 or higher;
- A refusal to submit to any test required by subpart C of this part;
- An employer's report of actual knowledge, as defined at 382.107;
  - a. On duty alcohol use pursuant to 382.205;
  - b. Pre-duty alcohol use pursuant to 382.207;
  - c. Alcohol use following an accident pursuant to 382.209; and
  - d. Controlled substance use pursuant to 382.213;
- A substance abuse professional (SAP as defined in 40.3 of this title) report of the successful completion of the return-to-duty process;
- A negative return-to-duty test; and
- An employer's report of completion of follow-up testing.

#### CONTROLLED SUBSTANCES AND ALCOHOL TESTING

**Pre-Employment Testing:** Prior to the first time a driver performs a safety-sensitive function for the company the driver must undergo testing for controlled substances and obtain a negative

result as a condition of employment. This requirement also includes employees transferring from a non safety-sensitive function to a safety-sensitive function. A driver who tests positive will not be considered for employment.

**Post-Accident Testing:** As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each surviving driver shall be tested for controlled substances and alcohol if the accident resulted in the following:

- 1. A loss of human life (fatality).
- 2. The driver receives a citation for a moving violation and the accident involved bodily injury to a person, who as a result of the injury, immediately receives medical attention away from the scene of the accident.
- 3. The driver receives a citation for a moving violation and the accident involved one or more motor vehicles incurring disabling damage, resulting in one or more motor vehicles being towed away from the scene.

The testing for alcohol must be conducted as soon as practicable or within 8 hours after the accident. The driver will cease attempts to be tested after 8 hours.

The testing for controlled substances must be conducted as soon as practicable or within 32 hours after the accident. The driver will cease attempts to be tested after 32 hours.

Failure to comply with post accident testing will be considered a refusal to be tested and will be grounds for termination.

Random Testing: All drivers will be subject to random controlled substances and alcohol testing. The minimum annual percentage rate for controlled substance testing shall be 25 percent of the average number of drivers. The minimum annual percentage rate for alcohol testing shall be 10 percent of the average number of drivers. The tests will not be announced in advance and will be reasonably spread out throughout the calendar year. The selection of drivers will be made by means of a scientifically valid computer number generator that is matched with social security numbers, payroll identification numbers, or other comparable identifying numbers, ensuring that each driver has an equal probability of being

selected. After a driver is selected for a test and notified, the driver must immediately proceed to the test site. A driver will only be tested for alcohol while the driver is performing, about to perform or just completing a safety-sensitive function. Failure to comply with random testing will be considered a refusal to be tested and will be grounds for termination.

Reasonable Suspicion Testing: Company supervisors trained in reasonable suspicion awareness will have a driver tested for controlled substances and/or alcohol whenever that supervisor has reasonable suspicion that the driver has violated this policy in regard to the misuse of controlled substances and/or alcohol. The supervisor's determination that reasonable suspicion exists must be based on specific, contemporaneous, articulated observations concerning the appearance, behavior, speech or body odors of the driver. The supervisor will inform the driver in a confidential manner of his/her suspicions. The company will provide transportation to a testing site. The supervisor will make record of the observations leading to

the reasonable suspicion test within 24 hours. Failure to comply with reasonable suspicion testing will be considered a refusal to be tested and will be grounds for termination.

**Return to Duty Test:** A driver found to be in violation of the company's policy will not be permitted to return to duty in a safety-sensitive function until the driver has been evaluated and cleared by a substance abuse professional. The driver must also obtain a negative drug and/or alcohol test result before returning to duty in a safety-sensitive function.

Follow up Testing: A driver returning to duty in a safety-sensitive function after being evaluated and cleared by a substance abuse professional will be subject to at least 6 unannounced tests in the first 12 months and may be extended up to 60 months following a return to duty. The driver will adhere to all other requirements of that substance abuse professional. Failure to comply with follow up testing will be considered a refusal to be tested and will be grounds for termination.

### CONTROLLED SUBSTANCE TESTING PROCEDURES

The testing program for controlled substances required by the regulations is limited to five drug types: Marijuana, Cocaine, Opioids, Amphetamines, Phencyclidine (PCP)

All testing must be done from urine specimens collected under highly controlled conditions. Specimen collection procedures require a designated collection site; security for the collection site; chain of custody documentation; use of authorized personnel; privacy during collection; integrity and identity of the specimen; and transportation to the laboratory. All collections are required to be conducted in a split-specimen technique, primary and secondary.

Driver protection is built into the testing procedures. In order to meet the federal requirements the only testing laboratories that can be used are those that have been certified by the Federal Government. The Substance Abuse and Mental Health Services Administration certifies laboratories that have met all the guidelines established by the Department of Health and Human Services.

After the urine specimen has been collected and forwarded to the laboratory, two tests may be performed. The initial test is the immunoassay test. This is a screening test to determine drug usage for the five classes of drugs. The second test is a confirmation test. If the results of the initial test are negative, the testing laboratory will advise the Medical Review Officer (MRO) that the test was negative. No additional tests on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the test levels for any of the five

drug classes, a second (confirmation) test is performed. This test is done in an entirely different manner from the initial one. All specimens identified as positive on the initial test must be confirmed using gas chromatography/mass spectrometry techniques.

Only specimens that are confirmed positive on the second (confirmation) test are reported positive to the MRO for review and analysis. Prior to the MRO making a final decision to verify

a positive result, he will give the driver an opportunity to discuss the result with him. He will contact the driver directly, on a confidential basis, to determine if the driver wants to discuss the result. If the MRO is unable to reach the driver, he will then contact a company official who will in turn direct the driver to contact the MRO. If the company official, after making all reasonable efforts, cannot make contact with the driver, the company can place the driver on temporary medically unqualified status or medical leave.

The MRO may verify a test as positive without communicating with the driver in three circumstances:

- 1. The driver expressly declines the opportunity to discuss the test.
- 2. The company official has made contact with the driver and instructed the driver to contact the MRO and five or more days have passed since the contact.
- 3. Other circumstances provided for in DOT agency drug testing regulations.

If the test result of the primary specimen is positive, the driver may request the MRO to send the secondary (split) specimen to a different certified lab for testing. If the driver wants the secondary (split) specimen tested, the driver must advise the MRO within 72 hours of being notified of the positive test result of the primary specimen. In most cases, the driver is usually responsible for the cost of analysis of the split specimen.

The testing of the secondary (split) specimen will be for the presence of drugs with no cut-off levels. If the result of the test of the secondary (split) specimen is negative, the MRO shall cancel the test.

#### **ALCOHOL TESTING PROCEDURES**

Alcohol testing is done by testing breath, because breath is the most easily obtained bodily substance and the results are known within minutes of testing. The test results are displayed and printed in terms of grams of alcohol per 210 liters of breath. The testing device is called an Evidential Breath Testing Device (EBT). The EBT is a scientific instrument which determines the concentration of alcohol expressed as percent by weight. It does this by analyzing a specific volume of expired breath. The weight of alcohol in the breath sample is determined and the quantity of the alcohol converted to its equivalent value in blood. A BAC (blood alcohol concentration) of 0.10 means one tenth of a gram of alcohol per 210 liters of breath. The EBT will print three copies of each test result and the test results are numbered. A test may have two separate parts. The first test is the initial test. If the initial test shows a reading less than 0.02, the test is recorded as negative. If the initial test result is 0.02 or greater, a confirmation test will be done.

The alcohol testing will be done in a site that affords privacy to the drivers being tested. This site could be a room, van, or a partitioned-off area. Only one breath test will be done at one time. The person giving the test will not leave the testing sight during the test.

The first part of the testing process is to make sure that the EBT is operating properly. In the drivers

presence the technician runs an air blank test to make sure the EBT is working correctly, and the reading is zero. Next a sealed mouthpiece is opened and placed into the EBT. In order to get a sufficient quantity of deep lung air, the driver is requested to blow into the mouthpiece for at least 6 seconds, or until the EBT indicates that an adequate amount of breath has been obtained. The EBT will immediately read the results of the test and a copy of the printed results will be given to the driver. Printed results are not required for the initial test.

When the initial test results show a reading of 0.02 BAC or greater, a confirmation test is necessary. Before the confirmation test, a 15 minute waiting period will be observed. The purpose of the 15 minute waiting period is to ensure that the presence of mouth alcohol from recent use of food, tobacco, or hygiene products does not artificially raise the test result. As the confirmation test is done on the same EBT as the first test, the testing procedures will be the same.

When the confirmation result is different from the initial test, the confirmation test results will always be used to determine the consequences for the driver. A breath alcohol testing form will be prepared with a copy for the tested driver.

#### **DRIVER COOPERATION**

Drivers who are subject to this policy are expected to comply fully with the testing process. Any obstructions to the testing process will be considered a violation of this policy and subject the driver to disciplinary actions, up to and including termination.

#### **REFUSAL TO SUBMIT TO A TEST**

Drivers who are subject to this policy will not refuse to take a required test. Refusals to be tested will result in immediate termination. A refusal to be tested includes, but is not limited to the following:

- 1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- 2. Fail to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences a pre-employment test is not deemed to have refused to test.
- 3. Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
- 4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of a specimen.

- 5. Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- 6. Fail or declines to take a second test the employer or collector has directed the driver to take.
- 7. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment.
- 8. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector or behave in a confrontational way that disrupts the collection process.
- 9. Is reported by the MRO as having a verified adulterated or substituted test result.

#### CONSEQUENCES

If a driver tests positive for controlled substances, or is found to have an alcohol concentration of 0.04 or greater the driver will be subject to the following if not terminated:

- 1. Removed from performing safety-sensitive functions without pay.
- 2. Submit to an examination by a substance abuse professional (SAP). Upon a determination by the substance abuse professional, the driver may be required to undergo treatment for his/her drug or alcohol abuse. The driver must successfully complete the designated treatment or rehabilitation before he/she can be re-instated to performing a safety-sensitive function. The company is not responsible to pay for this treatment.
- 3. Submit to and pass a return-to-duty controlled substance and/or alcohol test depending on what test or tests the driver failed.
- 4. Submit to unannounced follow-up testing after he/she has been returned to duty.

For a second positive controlled substance or alcohol test, the driver will be immediately terminated. The driver will not be considered for re-employment with the company but will be advised of the resources available to him/her in evaluating and resolving the problems associated with the misuse and abuse of controlled substances and/or alcohol.

#### CONSEQUENCES FOR OTHER ALCOHOL RELATED CONDUCT

If a driver tested for alcohol is found to have an alcohol concentration of 0.02 or greater but less than 0.04, the driver will be subject to the following:

- 1. The driver will be prohibited from performing safety-sensitive functions until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following the administration of the test.
- 2. Any subsequent offense of alcohol concentration of 0.02 or greater but less than 0.04, the company reserves the right to take disciplinary action against the driver up to and including termination.

# THE EFFECTS OF ALCOHOL AND DRUGS ON HEALTH, WORK, AND PERSONAL LIFE

The misuse of illegal drugs and alcohol extend far beyond the individual user. Impaired employees endanger themselves, fellow workers, and other users of our highways. Employees with drugs or alcohol in their system are less productive and more likely to injure themselves or other persons in an accident. Drug and alcohol abusing employees increase the costs related to productivity, loss of personnel, absenteeism, accidents, theft, and treatment and deterrence programs. Also, medical costs are higher and are passed on to the employer and the employee. Alcohol remains the number one abused drug in this country. Alcohol consumption causes a number of changes in behavior. Even low doses can impair the judgment and co-ordination required for driving. Low to moderate doses increase the incidence of a variety of aggressive acts. Moderate to high doses cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressant drugs, much lower doses of alcohol will produce the effects just described. Long term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and liver.

#### SIGNS AND SYMPTOMS OF A DRUG OR ALCOHOL PROBLEM

Drugs can show their effect in many different ways. Some of the most noticeable signs of drug abuse are drowsiness, respiratory depression, constricted pupils, nausea, slurred speech, excitement, loss of appetite, poor perception of time and distance, relaxed inhibitions, disorientated behavior, watery eyes, runny nose, chills and sweats, convulsions, apathy and depression. Signs and symptoms of alcohol misuse are the odor of alcohol, slurred speech, staggering tremors, vomiting, cramps, delirium, loss of appetite, using arms for balance, leaning against walls and doorways, swaying while maintaining balance and confusion.

Multiple substance abuses are the abuses of more than one drug, either at the same time or over a period of time and will involve any combination of:

- 1. Alcohol
- 2. Prescription drugs
- 3. Over-the-counter drugs
- 4. Illegal drugs

Multiple substance abuses are especially dangerous because different substances interact with each other to produce unexpected effects and dangers.

Multiple substance abuses often begin with the abuse of a single substance. This may happen because once a person begins to rely on a drug, abuses of additional substances are at a high risk for developing dependence and tolerance for other substances.

## <u>METHODS OF INTERVENTION FOR SUSPECTED DRUG OR ALCOHOL</u> <u>PROBLEMS</u>

Drug and alcohol abuse is a complex problem calling for specialized supervision and care. Don't try to help or aid a person who you think has a drug or alcohol abuse problem. Don't

make excuses for them. Don't do their work for them. Don't look the other way. The problem is not going to go away. Don't enable the person to continue the drug and/or alcohol abuse.

Leave the treatment and counseling of persons with an abuse problem to the professionals. The DOT regulations require that the person with a problem be evaluated by a professional, such as, a physician, psychologist, or other persons with knowledge of abuse and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

#### **CONFIDENTIALITY OF RECORDS**

The company will maintain all records and test results in accordance with DOT regulations. Any release of these records will be at the discretion of and written consent of the driver. The company may release, without the driver's consent, the records pertaining to a driver's drug or alcohol test to decision makers in civil and criminal legal matters (e.g., lawsuit, grievances initiated by or on behalf of the driver, worker's compensation, unemployment compensation, disability compensation, court of law, etc.). The company may release, without the driver's consent, the records pertaining to a driver's drug or alcohol test to authorized representatives of government agencies with regulatory authority over the company and its drivers.

#### DRIVER ADMISSION OF CONTROLLED SUBSTANCES AND ALCOHOL USE

Drivers who voluntarily admit to controlled substances and/or alcohol misuse are not subject to the referral, evaluation and treatment requirements of Title 49 CFR, Part 40 and Part 382 and will not be

subject to adverse action by the company provided that:

- 1. The driver does not self-identify in order to avoid testing.
- 2. The driver makes the admission of controlled substances and/or alcohol misuse prior to performing a safety sensitive function (i.e., prior to reporting for duty).
- 3. The driver does not perform any duties until the company is satisfied that the driver has been evaluated and has successfully completed education or treatment requirements in accordance with the company's voluntary self identification program.

The company will allow a driver, on a one time basis, without pay, sufficient opportunity (i.e., leave of absence), to seek evaluation, education or treatment to establish control over his/her misuse of controlled substances and/or alcohol problem. The driver will be responsible for the cost of this treatment.

The company will permit the driver to return to duty only upon completion of an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert, (i.e., employee assistance professional, substance abuse professional, or a qualified drug and alcohol abuse counselor).

Prior to returning to duty in a safety sensitive function the driver is required to comply with all return to duty and follow-up testing addressed in the company's voluntary self-identification program

## WHERE CAN I GO FOR HELP?

National Council on Alcoholism and Drug Dependence (800) 622-2255

National Institute of Drug Abuse (800) 662-4357

National Council on Alcoholism (800) 662-4357



## **TOWN OF SUNAPEE**

Post Office Box 717
23 Edgemont Road
Sunapee, New Hampshire 03782-0717
Phone: (603) 763-2212 Fax: (603) 763-4925

## <u>CERTIFICATE OF APPOINTMENT</u> TOWN OF SUNAPEE, NEW HAMPSHIRE

To, **Rachel Carmen**, of Sunapee, NH in the County of Sullivan

we, the subscribers, have confidence in we do hereby appoint you <b>Rachel Ca</b> town; and upon your taking the oath o oath of office recorded by the town cler	eputy Town Clerk & Tax Collector in said town and whereas in your ability and integrity to perform the duties of said office, armen, as the Deputy Town Clerk & Tax Collector of said of office, and having this appointment and the certificate of said rk, you shall have the powers, perform the duties, and be subject nother person shall be chosen and qualified in your stead. This
Given under our hands the 16th day of I	December 2019
the duties incumbent on me as an alter	r that I will faithfully and impartially discharge and perform all mate member of as the <b>Deputy Town Clerk &amp; Tax Collector</b> greeably to the rules and regulations of the constitution and laws lp Me God.
STATE OF NEW HAMPSHIRE, ss. SULLIVAN COUNTY	
Personally appeared the above named Before me,	Rachel Carmen, who took and subscribed the foregoing oath.
Date 20 Received and Recorded	, <del></del>
	Town Clark
	Town Clerk

## Monthly Budget Through November 30, 2019

	Budget	PaymentToDate	EndingBalance	% Remaining
Executive	\$325,904.00	\$282,384.83	\$43,519.17	13.35%
TCTC	\$210,052.00	\$172,987.56	\$37,064.44	17.65%
Elections	\$6,485.00	\$5,365.39	\$1,119.61	17.26%
Finance	\$222,127.00	\$201,478.15	\$20,648.85	9.30%
Assessing	\$112,218.00	\$82,341.31	\$29,876.69	26.62%
Legal	\$18,000.00	\$11,216.48	\$6,783.52	37.69%
Personnel Benefits Mgmt	\$1,000.00	\$63.25	\$936.75	93.68%
Planning/Zoning	\$52,752.00	\$41,152.35	\$11,599.65	21.99%
General Govt-B&G	\$173,983.00	\$140,243.72	\$33,739.28	19.39%
Cemetery	\$13,625.00	\$10,012.32	\$3,612.68	26.52%
Insurance	\$7,540.00	\$6,928.39	\$611.61	8.11%
Information Booth	\$13,981.00	\$11,973.83	\$2,007.17	14.36%
Other General Govt	\$30,651.15	\$25,563.40	\$5,087.75	16.60%
Police	\$847,326.73	\$768,402.31	\$78,924.42	9.31%
Ambulance	\$59,516.00	\$58,939.00	\$577.00	0.97%
Fire	\$202,257.00	\$140,735.84	\$61,521.16	30.42%
SSB	\$156,535.00	\$133,652.73	\$22,882.27	14.62%
<b>Emergency Management</b>	\$200.00	\$0.00	\$200.00	100.00%
Highway	\$1,786,325.00	\$1,624,551.09	\$161,773.91	9.06%
Street Lights	\$16,800.00	\$13,617.89	\$3,182.11	18.94%
Transfer Station	\$531,762.00	\$464,931.17	\$66,830.83	12.57%
Health Officer	\$5,193.00	\$223.76	\$4,969.24	95.69%
Animal Control	\$500.00	\$0.00	\$500.00	100.00%
Health Services	\$15,176.00	\$15,176.00	\$0.00	0.00%
Welfare	\$43,808.00	\$15,520.58	\$28,287.42	64.57%
Recreation	\$161,086.00	\$144,661.94	\$16,424.06	10.20%
Library	\$400,953.00	\$348,051.95	\$52,901.05	13.19%
Memorial Day	\$200.00	\$174.95	\$25.05	12.53%
Patriotic/Band Concerts	\$5,000.00	\$5,000.00	\$0.00	0.00%
<b>Conservation Commission</b>	\$3,550.00	\$2,365.00	\$1,185.00	33.38%
Debt - Principal	\$262,883.00	\$248,205.83	\$14,677.17	5.58%
Debt - Interest	\$58,479.00	\$49,647.52	\$8,831.48	15.10%
Debt - TAN	\$1,000.00	\$0.00	\$1,000.00	100.00%
Sum	\$5,746,867.88	\$5,025,568.54	\$721,299.34	12.55%

# Monthly Budget Through November 30, 2019

	Budget	PaymentToDate	EndingBalance	% Remaining
Hydro	\$113,912.00	\$53,518.15	\$60,393.85	53.02%
Sum	\$113,912.00	\$53,518.15	\$60,393.85	53.02%

## Monthly Budget Through November 30, 2019

Budget

**PaymentToDate** 

**EndingBalance** 

% Remaining

GrapanTiotaltal

\$5,860,779.88

\$5,079,086.69

\$781,693.19

# 2019 Revenue Report through November 30, 2019

	AccountNumber	AccountName	2018 Estimated	2018 Actual	2019 Estimated	2019 Actu
	01-3110-01-900	PROPERTY TAXES-CURRENT		\$0.00		\$0.00
	01-3110-01-901	TAX REDEMPTIONS		\$0.00		\$0.00
Sum			-	\$0.00		\$0.00
	01-3120-01-901	LAND USE CHANGE		\$0.00		\$0.00
Sum	Land Use Change			\$0.00		\$0,00
	01-3185-01-900	YIELD TAX		\$0.00		\$0,00
Sum	Yield Tax			\$0.00		\$0.00
	01-3186-01-900	EXCAVATION TAX		\$0.00		\$0.00
Sum	Excavation Tax			\$0.00		\$0,00
	01-3190-01-902	INTEREST & COSTS	\$60,000.00	\$58,913.61	\$60,000.00	\$51,693.80
	01-3190-01-903	Returned Check Fee		\$200.00		\$125.00
Sum	Interest and Penalties on Delinquent Taxes		\$60,000,00	\$59,113.61	\$60,000.00	\$51,818.80
	01-3210-01-910	UCC FILING	\$500.00	\$1,494.00	\$500.00	\$945.00
Sum	Licenses, Permits and Fees		\$500.00	\$1,494.00	\$500.00	\$945,00
	01-3220-01-807	Snowmobile and ATV Fees	\$0.00	(\$3,458.00)		
	01-3220-01-906	AUTO REGISTRATIONS	\$750,000.00	\$883,862,17	\$750,000.00	\$848,045.85

	AccountNumber	AccountName	2018 Estimated	2018 Actual	2019 Estimated	2019 Actual
Sum	Motor Vehicle Permit Fees		\$750,000.00	\$880,404.17	\$750,000.00	\$848,045.85
	01-3230-01-908	SUBDIVISION FEES		\$1,700.00		\$775,00
	01-3230-01-909	SITE PLAN REVIEW FEES		\$2,800.60		\$1,985,00
	01-3230-01-910	CERTIFICATE OF COMPLIANC	\$35,000,00	\$33,111.75	\$35,000.00	\$55,510,40
Sum	Building Permits		\$35,000.00	\$37,612.35	\$35,000.00	\$58,270.40
	01-3290-01-320	Landlord's Filing Fee	\$0.00	\$4.00		\$0.00
	01-3290-01-902	REDEMPTION COSTS		\$1,543.90		\$3,278.60
	01-3290-01-907	BOAT REGISTRATIONS/FEES	\$36,000.00	\$10,067.68	\$36,000 00	\$11,869.62
	01-3290-01-912	DOG LICENSES/FEES		\$7,314.50		\$5,270,50
	01-3290-01-915	VITALS-BIRTH & DEATH		\$4,680.00		\$3,490.00
	01-3290-01-917	TOWN CLERK FEES		\$16,202.00		\$14,683.50
	01-3290-01-919	WETLANDS APPLICATIONS		\$21.00		\$21.00
Sum			\$36,000.00	\$39,833.08	\$36,000.00	\$38,613,22
	01-3311-01-841	FEDERAL FEMA FUNDS		\$0.00		(\$12,608.84)
Sum	From Federal Government			\$0.00		(\$12,608.84)
	01-3351-01-927	SHARED REVENUE		\$0.00		\$0.00
Sum	Shared Revenues			\$0.00		\$0.00
	01-3352-01-840	STATE OF NH-ROOMS/MEALS	\$177,168.00	\$177,291.02	\$177,291,00	\$0.00

	AccountNumber	AccountName	2018 Estimated	2018 Actual	2019 Estimated	2019 Actual
Sum	Meals and Rooms Tax Distribution		\$177,168.00	\$177,291.02	\$177,291,00	\$0.00
	01-3353-01-928	HIGHWAY BLOCK GRANT	\$122,211_00	\$124,397.12	\$124,468.00	\$126,092,43
Sum	Highway Block Grant	=	\$122,211,00	\$124,397.12	\$124,468,00	\$126,092.43
	01-3354-01-794	STATE OF NH-SEWER GRANT		\$0.00		\$0.00
Sum	Water Pollution Grant	3		\$0.00		\$0_00
	01-3354-01-795	STATE OF NH - WATER GRANT	\$7,508.00	\$5,294.00	\$7,508.00	\$0.00
	01-3359-01-741	PD GRANT INCOME		\$0.00		\$0.00
	01-3359-01-927	STATE NH HIGH ST BRIDGE G		\$0.00		\$0.00
	01-3359-01-927	State of NH Treatment Plant Road		\$0.00		\$0,00
Sum	Water Pollution Grant		\$7,508.00	\$5,294.00	\$7,508,00	\$0.00
	01-3379-01-935	TOWN OF SPRINGFIELD-TS	\$104,054.00	\$102,291.00	\$109,054,00	\$81,570.00
Sum	From Other Governments	i	\$104,054.00	\$102,291.00	\$109,054.00	\$81,570 00
	01-3401-01-150	PD - SPECIAL DETAIL INCOME		\$0.00		\$0.00
	01-3401-01-320	FIREWORKS PERMIT FEE		\$440.00		\$280_00
	01-3401-01-321	PHOTOCOPY INCOME		\$63.00		\$48.25
	01-3401-01-581	RECYCLING MAGAZINES		\$0.00		\$0.00
	01-3401-01-584	RECYCLING INCOME-STEEL C		\$1,026.42		\$283,16
	01-3401-01-586	RECYCLING INCOME-ALUMIN		\$13,574.57		\$6,250,35

AccountNumber	AccountName	2018 Estimated	2018 Actual	2019 Estimated	2019 Actual
01-3401-01-587	RECYCLING CARDBOARD		\$9,989.15		\$3,959.78
01-3401-01-588	RECYCLING NEWSPAPER		\$1,094.62		\$1,205.87
01-3401-01-589	RECYCLING SCRAP METAL		\$13,899.71		\$8,204.82
01-3401-01-592	RECYCLING PLASTIC		\$7,608.28		\$4,604.12
01-3401-01-593	RECYCLING INCOME-BATTER	I	\$0.00		\$0.00
01-3401-01-937	MISC. GENERAL GOV'T INCOM	ſ	\$34,279.83		\$57,522,92
01-3401-01-940	INSURANCE REPORTS		\$0.00		\$0.00
01-3401-01-942	Standard Power Net Metering Inco	\$0.00	\$0.00	\$0.00	\$10,947.07
01-3401-01-948	MISC. TOWN OFFICE INCOME		\$0.00		\$0.00
01-3401-01-949	REGULATIONS SOLD		\$0,00		\$0,00
01-3401-01-950	ZBA INCOME		\$3,000.00		\$2,700.00
01-3401-01-951	TOWN OFFICE POSTAGE		\$83.89		\$3.42
01-3401-01-953	REPORTS/LABELS/DISKS SOLI	)	\$250.74		\$482,25
01-3401-01-958	HIGHWAY PARTS		\$0.00		\$0,00
01-3401-01-959	HWY-MATERIALS SOLD		\$0,00		\$0.00
01-3404-01-940	SUNAPEE T/S TICKET SALES	\$80,000.00	\$49,093.00	\$109,820.00	\$52,862.00
01-3404-01-941	SPRINGFIELD T/S TICKET SAL		\$2,000.00		\$0.00
01-3404-01-950	Sunapee Beautification Donations		\$0.00		\$0.00

	AccountNumber	AccountName	2018 Estimated	2018 Actual	2019 Estimated	2019 Actual
	01-3501-10-813	Pistol Permit Fee	\$0.00	\$70.00	\$0.00	\$120.00
Sum	Income from Departments		\$80,000.00	\$136,473.21	\$109,820.00	\$149,474.01
	01-3409-01-965	SALE OF CEMETERY LOT	\$2,000.00	\$1,600.00	\$2,000.00	\$800,00
	01-3409-01-966	BURIAL INCOME		\$2,750.00		\$2,100,00
Sum	Other Charges	5	\$2,000.00	\$4,350.00	\$2,000.00	\$2,900.00
	01-3501-01-965	PD-SALE OF CRUISER		\$0.00		\$0,00
	01-3501-01-966	SALE OF TOWN OWNED PROP	\$2,000.00	\$1,650.00	\$8,000.00	\$31,456.63
	01-3501-01-968	SALE OF HIGHWAY EQUIPMEN		\$3,601.99		\$0.00
Sum	Sale of Municipal Property		\$2,000.00	\$5,251.99	\$8,000.00	\$31,456.63
	01-3501-01-970	Checking Account Interest Earned	\$57,000.00	\$120,558.12	\$80,000.00	\$66,571.87
	01-3502-01-972	INVESTMENT INTEREST INCO				
Sum	Interest on Investments		\$57,000.00	\$120,558.12	\$80,000.00	\$66,571.87
	01-3503-01-936	RENTS/LEASES & SERVICES	\$30,000.00	\$18,097.46	\$26,000,00	\$18,441,31
	01-3503-01-938	OLD ABBOTT LIBRARY Rent	\$0.00	\$5,500.00		\$225,81
	01-3504-01-938	DOG FINES		\$50.00		\$0.00
	01-3504-01-939	PARKING FINES		\$2,800.00		\$3,060.00
	01-3504-01-940	PD FALSE ALARM FINES		\$0.00		\$0.00
	01-3504-01-941	REPLACEMENT TRANSFER ST		\$450.00		\$75,00

	AccountNumber	AccountName	2018 Estimated	2018 Actual	2019 Estimated	2019 Actual
	01-3504-01-944	PD STATE WITNESS FEES		\$1,750.00		\$787.30
	01-3504-01-945	PD COURT RESTITUTION		\$0.00		\$0,00
	01-3504-01-946	PD Discovery		\$550.00		\$634,00
	01-3506-60-260	Revenue from Other Agency		\$0.00		\$0,00
	01-3509-01-950	WELFARE MISC, REVENUE		\$1,888.00		\$724.75
Sum	Other		\$30,000.00	\$31,085.46	\$26,000.00	\$23,948.17
	01-3912-01-800	Operating Transfer from Special R				
Sum	From Special Revenue Funds					
	01-3914-01-000	Enterprise Funds Sewer	\$1,114,743.00		\$1,116,243.00	
Sum	From Enterprise Funds: Sewer		\$1,114,743.00		\$1,116,243.00	
	01-3914-01-001	Enterprise Funds Water	\$551,609.00		\$531,090,00	
Sum	From Enterprise Funds: Water		\$551,609.00		\$531,090.00	
	01-3914-01-002	Enterprise Funds Electric	\$285,113.00		\$233,912.00	
Sum	From Enterprise Funds: Electric		\$285,113.00		\$233,912.00	
	01-3915-01-650	CAPITAL RESERVE-HWY	\$78,172.00	\$0.00		\$0.00
Sum	From Capital Reserve Funds		\$78,172.00	\$0.00		\$0,00
	01-3915-01-651	CAP RESERVE - LIBRARY		\$0.00		\$0,00
Sum	From Capital Reserve Funds			\$0.00		\$0.00

	AccountNumber	AccountName	2018 Estimated	2018 Actual 20	019 Estimated	2019 Actual
	01-3915-01-652	CAP RESERVE - BRIDGES		\$0.00		\$0.00
Sum	From Capital Reserve Funds			\$0.00		\$0.00
	01-3915-01-653	CAP RESERVE - POLICE EQUIP				
Sum	From Capital Reserve Funds					
	01-3915-01-654	CAP RESERVE - DIRT ROAD PA				
Sum	From Capital Reserve Funds					
	01-3915-30-962	TRANSFER FROM EXP TRUST		\$0.00		\$0.00
Sum	From Capital Reserve Funds			\$0,00		\$0.00
	01-3934-01-800	Proceeds from Long Term Bonds &				
Sum	Proceeds from Long Term Bonds and Notes					
Grand	Total		\$3,493,078.00	\$1,725,449.13	\$3,406,886.00	\$1,467,097.54