

SUNAPEE BOARD OF SELECTMEN
MEETING

6:30 PM Town Office Meeting Room
Monday, May 18, 2020

Present: Chairman Josh Trow, Vice-Chairman Suzanne Gottling, Selectman John Augustine, Selectman Fred Gallup, Selectman Shane Hastings, and Donna Nashawaty, Town Manager.

REVIEW OF ITEMS FOR SIGNATURE:

MOTION TO APPROVE THE FOLLOWING CZC's:

Parcel ID:0127-0034-0000 124 Lake Ave., LB Land Trust

Parcel ID:0134-0010-0000 223 Lake Ave., Marcelle & Alan Pike

Parcel ID:0209-0014-0000 49 Coventry Lane, Lance & Michelle Boucher

By Selectman Gallup, seconded by Selectman Gottling. Unanimous.

Parcel ID:0132-0017-0000 474 Route 11, Nicholas & Chrysoula Kontoes

By Selectman Hastings, seconded by Selectman Gottling. Unanimous.

SELECTMEN ACTION

•Accept the Grant for Emergency Workers Stipend

Donna Nashawaty said there is a Governor's Order to pay a stipend to the emergency workers. It is broken down into 3 categories: full-time and part-time police, full-time and part-time firemen and EMS. The stipend is \$300 for full-time, \$150 for part-time and \$50 for a period of 8.2 weeks. It is a direct 100% reimbursable grant. **Motion to accept the Emergency Workers Grant Stipend by Selectman Gallup, seconded by Selectman Hastings. Unanimous.**

•Motion to Pay \$1,000 Deductible from the Deductible Capital Reserve Fund.

Donna Nashawaty said the town has a Deductible Capital Reserve Fund which the Board of Selectmen are agents to expend. The fund has a balance of \$10,611.43 and was set-up to pay the \$1,000 deductible when an accident occurred. One of the police vehicles sustained some damage in an accident, a claim was submitted and approved by the insurance carrier. **Motion to expend \$1,000 from the Deductible Capital Reserve Fund by Selectman Gallup, seconded by Selectman Hastings. Unanimous.**

•Eversource Petition for License-Jobs Creek Road

Chairman Trow said the town received a Petition for Pole License from Eversource for pole work on Jobs Creek Road. The Highway Director has not signed the license. **Motion to grant the Petition for Pole License on Jobs Creek Road pending the Highway Director's signature by Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

•Sign 2020 First Half Tax Warrant

Chairman Trow read the 2020 First Half Tax Warrant which has an amount of \$9,957,158, with interest at 8% after Thursday, July 2nd on amounts not paid on or before that date. **Motion to approve the First Half Tax Warrant as read by Selectman Hastings seconded by Selectman Gallup. Unanimous.**

Selectman Augustine asked the Board for their thoughts on sending out an email stating that the tax bills have been mailed and if the residents do not receive by a certain date to contact the Town Office. Selectman Augustine said the town received several complaints from residents that said they did not receive a tax bill the last time bills were sent out. Donna Nashawaty does not have a problem sending out an email, but does not want to put by a certain date in email. Chairman Trow said the email should just say the tax bills have been mailed with a due date of July 2, 2020.

•Chicken Complaint

Donna Nashawaty said the minutes of the last Board of Selectmen's meeting reflect that this was a police issue and will be handled by the Police Department. The minutes also stated that the Board acknowledged that this was a "gray" area and that the Planning Board should maybe look at it to determine if there was a definition and what it meant. The Police Chief received a call last night from a resident stating the chickens were being a nuisance. The chickens were in their fenced in yard and maybe the nuisance was the volume which he cannot regulate. The Police Chief said he can give the chicken owners a citation, but that is not going to solve the problem. Donna Nashawaty asked Chairman Trow to bring the issue back up to the Board to see what the Board wanted to do to allow chickens. Donna Nashawaty said the Concord Chicken Ordinance has some pretty good ideas that the Town could plagiarize to make a generic policy. If the Board does not want her to write-up a "draft" policy, in the meantime we need to know that as late as last night there was an angry citizen calling Chief Cahill asking him to do something. Selectman Gottling asked if it was the chickens or the rooster that was the nuisance. Donna Nashawaty replied it was very aggressive chickens. Selectman Gallup asked if they were talking about chickens or guinea hens? Because guinea hens can be more aggressive than a chicken. Chairman Trow said in treating it just like a dog, it could be in its own yard and be noisy and causing a problem. Selectman Augustine said at the last meeting that Donna Nashawaty said the Town Attorney said the way the Zoning Ordinance is written today, anyone that has chickens in that zoning district is in violation. Donna Nashawaty replied that was correct. Selectman Augustine replied that he does not believe the Board can do nothing. Donna Nashawaty said that as a Board you told her to tell the Zoning Administrator that this was not a zoning issue, so the Zoning Administrator is not going to go out and make people comply with no farming. To Chairman Trow the differentiation to him is it farming? That is really the question to him. Chairman Trow said if you are interpreting 5 chickens as farming, then they are in violation. Selectman Augustine said the Town Attorney did interpret 5 chickens as farming. Donna Nashawaty said the Board of Selectmen can enable the Zoning Administrator to enforce the Zoning Ordinance or not. Selectman Augustine would not be opposed to doing something like the Concord Chicken Ordinance. Donna Nashawaty said she was sent away without making this an agenda item for the future because she did not get that impression from the Board to come up with a draft and turn it into the Town's policy. Chairman Trow's expectation from the last meeting was that the Board sent the Town Manager away to tell the Zoning Administrator to not pursue the zoning violations in the spirit of the Board directing the Planning Board to correct this issue this March. Selectman Augustine asked if the Planning Board was even aware that they should be looking at this issue.

Donna Nashawaty replied Michael Marquise, Town Planner aware of the discussion and directed him to the last Board of Selectmen minutes. Selectman Augustine suggested sending a formal letter to the Planning Chairman, Zoning Chairman, the Town Planner and Zoning Administrator explaining that this issue has come before the Board of Selectmen and asked if it could be discussed at their next meeting in preparation of being on the March ballot. Donna Nashawaty wanted to make it clear that the Town Planner and the Planning Board decided what warrant articles are on the ballot. The Zoning Administrator's job is to enforce the Zoning Ordinance. Chairman Trow asked the Board if they had any desire to change their decision from the last meeting, the Board did not.

CHAIRMAN'S REPORT

- Chairman Trow received an email from Mr. Green who mentioned that he had talked to Scott Hazelton about laying pure salt on Lake Avenue. Chairman Trow asked the Board if they would like to pursue this issue further because Mr. Green has written multiple letters to the Board about this issue. Chairman Trow said that Scott Hazelton has stated multiple times that the town uses a low salt mixture in that area. Selectman Gallup feels the Town has addressed everything that has been brought up to them, the Board agreed.
- Chairman Trow had a discussion with a resident regarding junkyards or junk filled lawns and what recourse a neighbor had to fix the problem. After some discussion it was determined that unless it is a health issue there is nothing the Board could do.
- Chairman Trow said he wanted to talk to the Board about a new on call stipend for the Fire Department. In order to have someone respond to calls and is on the scene and in command of it has been kicked around to have an on call pay or stipend, where one of the eight officers of the Fire Department are available for a week at a time. The stipend would be \$100 for the officer to be on-call at night for a week. Chairman Trow said this would be a change to the pay structure and wanted to bring it up to the Board to see if there were any objections. **Motion for the Board to create and authorize the payment of a stipend of \$100 a week for the on-call officer by Chairman Trow, seconded by Selectman Gottling. 4 in Favor. Chairman Trow abstained.**
- Update on the number of COVID-19 cases in Sunapee and surrounding towns. Selectman Augustine said he found the statistics of confirmed COVID-19 cases by town on WMUR's website. It is broken down by number of active cases and number of total cases. As of last night, the number of active and total cases for Sunapee was zero. Selectman Augustine also gave the numbers for the surrounding towns and the county.
- Update on events scheduled on Town property. Selectman Augustine asked for an update on events that have been approved and are scheduled on town property. Donna Nashawaty recently had the Center for the Arts Chairman called wanting to know if things were going to be lifted enough to still hold their art show in the harbor on Saturday, July 18th. Donna Nashawaty told her that the Board of Selectmen currently have said that any approved events must comply with the Governor's Order and at this point this event can not comply with that order. There have been a couple of weddings that were either cancelled or had less than 10 people. Donna Nashawaty said that the Board has been very careful the last few months on the events that they approved. There are 5 veterans that will be holding a small Memorial Day Ceremony, but have not advertised the date, time, or place. Donna Nashawaty said things are on hold for the 4th of July celebration, a decision will be made next week.

She also received a phone call from Bill Wightman who runs the Summer Concert Series asking what the town was going to do. A contract was signed, and the town has 2 weeks to decide to if they are going to cancel and would not have to pay. The beaches can not be opened until the stay-at-home order is lifted, which is in place until May 31st. Donna Nashawaty is getting pressure to open the Harbor and Georges Mills bathrooms, but is investigating what the town would need to make sure everything is wiped down after each use. Selectman Augustine asked who would police the events to make sure they comply. Donna Nashawaty replied that the applicant would have to comply with the order and if the order changed the applicant would fill out a new application detailing a plan of how they would do to comply with the new restrictions. Selectman Augustine asked if the Sunapee Police Department are going to enforce, and to what degree, the current state order. Chairman Trow said he is expecting the Police to enforce it kind of on judgement. If there is a 10 person limit and they see 11 people gathering, Chairman Trow does not see it as a problem, but if there are 50 or 100 people gathering then that would be against the order and should be enforced.

- Update on NH state government policy on out-of-state visitors coming to NH.

Selectman Augustine asked what the current state policy was on out-of-state visitors staying at Airbnb's. Donna Nashawaty replied that the state does not regulate Airbnb's and the town has no idea who they are because they do not have to apply for a permit.

- Discuss whether to send a letter to rental property owners and rental property management companies informing them of the NH state government policy on out-of-state visitors coming to NH. Selectman Augustine asked if the town should notify the management rental companies about the current state policy for out-of-state visitors coming to NH. Donna Nashawaty said the state refuses to get involved and regulate anything to do with short-term vacation rentals. Donna Nashawaty feels the Town Office does not have any record or ability to monitor or police the management rental companies. Donna Nashawaty said if a resident had a concern, they could call the Police to follow-up on the complaint.

- Update on Town rent payments and rent receipts for leased spaces.

Selectman Augustine asked where the Town stands in collecting the rent for the town dock and paying the rent for the Thrift Shop space at the Old Abbott Library. Donna Nashawaty said the Town is paying the monthly rent on the Thrift Shop space. An amount has not been set for the town dock lease. The Fentons have a 7:00PM appointment on the Monday, June 1st agenda to discuss 2020 lease.

- Discuss whether to use a readily available online survey tool (e.g., SurveyMonkey) to collect residents' opinions on opening & operating practices of Town activities (e.g., Dewey Beach, bandstand concerts, Tilton Park, library, thrift shop, July 4th fireworks). Selectman Augustine asked if there was any interest by the Board to use an online survey tool to get a sense from the residents to see if they are comfortable with the town reopening even if the Governor's Order allows the opening. After some discussion, the Board has no interest in a survey.

- Update on Town operations and employee morale.

Selectman Augustine asked for a general update on town operations. He said it seem like the Transfer Station has changed since the last Board of Selectmen's meeting, going back to 4 lanes of traffic. Donna Nashawaty replied that the Transfer Station did make that change.

She also received a complaint from a resident today that feels everyone should be wearing a mask and is upset that they went back to 4 lanes of traffic. The Transfer Station staff did have masks on. Selectman Augustine asked if there were any other changes in town operations. Donna Nashawaty said that after the stay-at-home order is relaxed the Town Office might take people by appointments which means we would take 2 people at a time in the lobby, one for the Town Clerk and one for the Selectmen's office so you could maintain the social distancing piece. Donna Nashawaty said as the Board is aware there is an \$80,000 grant from the Governor's Office for Emergency Relief and Recovery (GOFERR) funds to cover expenses that the town might have during this time. Donna Nashawaty is pricing out an intercom and automated door system which will be covered by the grant. She is also pricing out a conferencing solution for the meeting room. Donna Nashawaty said she has bought sanitizing wipes, hand sanitizer and gloves for the Town Office and there has been some overtime at the Transfer Station, but overall, there have not been a lot of expenses for the Town. Selectman Augustine asked if employee training was still happening. Donna Nashawaty said some of the classes are being held as virtual classes. Chairman Trow said all the Fire Department training has been cancelled. Selectman Augustine asked if the Town's liability insurance covers the pandemic. An example would be if the town opened a space and a person went to the space and later claimed they were sick with the virus and sued the Town, is the Town covered? Donna Nashawaty replied that the insurance company issues guidelines for the town to follow. Selectman Gallup would like things to get open again as he said in the past.

TOWN MANAGER REPORTS

- Donna Nashawaty stated that the Town experienced a severe storm event last Friday. Some members of the Highway Department came in to remove limbs and trees from roadway.

- Winn Hill & Youngs Hill Update

Winn Hill-all drainage and under drainage construction and roadway grinding is complete. Finish grading will be completed on Tuesday, May 19th, and base course paving complete by Wednesday, May 20th.

Youngs Hill-Roadway grinding, and paving is complete. Most of drainage ditches reshaped and cleaned out. Regrading of the roadway was completed. The permanent road and drainage ditch layout will take place this week and next.

- Continued Items:

Scott Brown, Request to Waive Late Tax Bill Interest

Meeting Adjourned 8:42PM

Respectfully Submitted by,

Barbara Vaughn

Administrative Assistant