

**SUNAPEE BOARD OF SELECTMEN  
MEETING AGENDA  
6:30PM Town Office Meeting Room  
Monday, July 2, 2018**

**1. REVIEW OF ITEMS FOR SIGNATURE:**

**CZC's:**

Parcel ID: 0133-0104-0000 25 Maple Street, Elizabeth & Peter Hoekstra

**2. APPOINTMENTS**

7:00PM-Kathy Springsteen, Sestercentennial Committee

1. The Sestercentennial Committee requests approval of amount not to exceed \$1000.00 to purchase a stone marker for the time capsule. This amount does not include engraving, which we will request later.
2. The Sestercentennial Committee requests approval of amount of up to \$800.00 to provide for four chemical toilets (\$500) and two potable lights (\$100 each) during Friday evening programming.

7:15PM-Scott Hazelton, Used Equipment Capital Reserve

**3. PUBLIC COMMENTS:**

**4. SELECTMEN ACTION**

- Waive School Building Permit Fees From 06/18/18 meeting
- Appointment-Jessica Warkentien, Abbott Library Trustee Alt. 1 Year Term
- Use of Facilities:

7/01-Sunapee Fire Association Flare Sale, Safety Services Building

7/03-Lake Sunapee Yacht Club, Dewy Beach

- Review and Adopt Rules of Procedure

**5. CHAIRMAN'S REPORT**

Selectman Augustine requested the following items listed below be included on the agenda for the July 2nd BOS meeting.

- Date for first Capital Improvements Program Committee (CIPC) meeting
- Review documentation from Town attorney regarding BOS ability to see performance review documents created by Town Manager
- Discuss whether the BOS wants the Town Manager to notify the BOS whenever a personnel change occurs
- Sullivan County budget and related Sunapee tax impact
- Update on bridge construction projects
- Town employee job openings

**6. TOWN MANAGER REPORTS**

- Exempt Properties
- 2019-2020 Legislative Policy Process
- Update on Bank Credit Card

**7. UPCOMING MEETINGS:**

07/04-4<sup>th</sup> of July Town Offices Closed

07/05-7:00PM Zoning Board, Town Meeting Room

07/09-7:00PM Fire Engineers, Safety Services Building

07/10-5:30PM Recreation Committee, Town Meeting Room

07/12-7:00PM Planning Board, Town Meeting Room

07/16-6:30PM Board of Selectmen, Town Meeting Room



## SUNAPEE HIGHWAY DEPARTMENT

621 Route 11

Sunapee, New Hampshire 03782

Phone: (603) 763-5060 Fax: (603) 763-4337

### MEMORANDUM

FROM: Scott A. Hazelton, Highway Director  
TO: Donna Nashawaty, Town Manager  
DATE: June 26, 2018  
RE: Used Equipment Capital Reserve Fund – Chevrolet 3500HD with Plow and Electric Sander Purchase

We purchased the blue 2006 Ford F550 from the Water & Sewer Department in 2014. During the last 3 ½ years it has served the Highway and Buildings & Grounds Department well with winter maintenance of our parking lots, and with spring, summer and fall maintenance activities for both departments. It was originally purchased with the intent of decreasing the amount of work that the front-end loader was responsible for in the winter months, and it did that and more. Unfortunately, the truck started costing both department's a significant amount of money during the 2017 fall and winter seasons. At this time, we are concerned that it likely will not pass inspection this fall without additional significant repairs, and even then we question its ability to make it through the winter season.

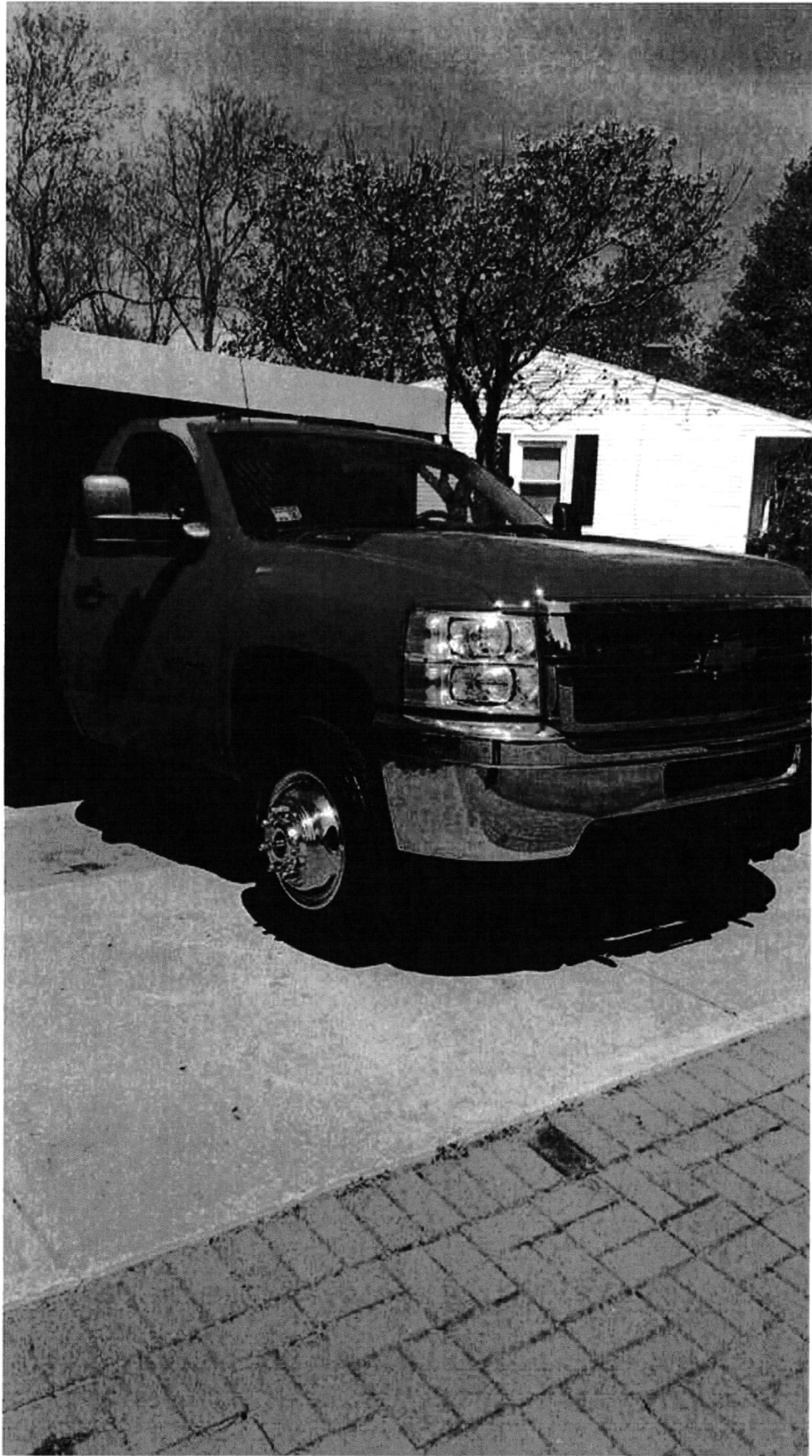
That said, my Mechanic, Highway Foreman and I (after many months of searching) have located a used 2013 Chevrolet 3500HD (see attached photographs) in Rhode Island that we would like to purchase to replace the Ford F550 with. The sticker price of the Chevrolet was \$33,500 and includes a Fisher Minute-mount 2 Plow and a Salt Dog electric sander. However, we negotiated a decreased purchase price of \$28,000 for everything. We are seeking authorization from the Board to purchase the truck, and that we not expend more than \$26,500 from the "Used Equipment Capital Reserve Fund" toward the purchase. We will use \$1,500 from the Highway Department & Buildings & Grounds Department to make up the difference. If approved, we have tentatively scheduled to purchase the truck on July 5<sup>th</sup>, 2018, pending a positive inspection and test drive by the Highway Department's Mechanic, Peter Hill. Additionally, we will sell the Ford F550 "As-Is" before the end of the year, the profits of which will be placed back in the General Fund.

I look forward to discussing this with you at your next regularly scheduled meeting.









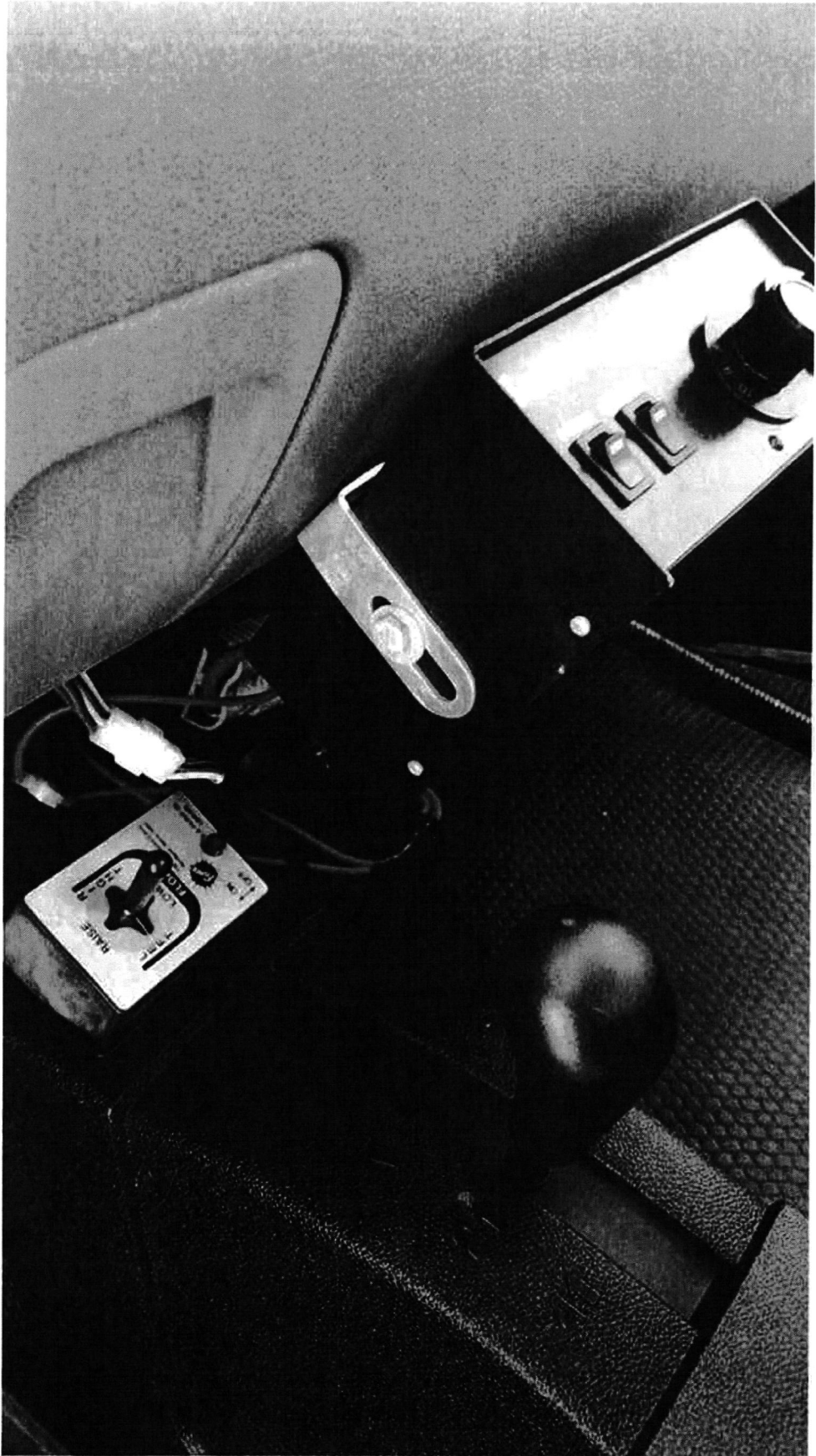














**TOWN OF SUNAPEE**  
**Volunteer Interest Form**  
**For Town Committees, Boards, and Commission**

Name: Warkentien (Last), Jessica (First) Date: 5/18/18

Sunapee Registered Voter:  Yes ( ) No

Mailing Address: 48 Penacook Path  
Sunapee, NH 03782

Street Address (if different): \_\_\_\_\_

Lived in Sunapee Since: 2003 Home Phone: 603-763-1110 <sup>cell</sup> Work Phone 603-477-4649

E-mail: jess.warkentien@gmail.com Fax: \_\_\_\_\_

1. Please indicated the Board/Commission/Committee you would like to serve on in order of preference.  
 (1-First Choice, 2-Second choice, etc.)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Abbott Library Trustee | _____ Advisory Budget Committee                            |
| _____ Capital Improvement Committee                        | _____ Conservation Commission                              |
| _____ Crowther Chapel Committee                            | _____ Planning Board Alternate                             |
| _____ Recreation Committee                                 | <u>2</u> Sestercentennial (250 <sup>th</sup> ) Celebration |
| _____ Thrift Shop  | _____ Upper Valley Lake Sunapee Regional                   |
| _____ Zoning Board Alternate                               |  |

2. For consideration:

- a. Occupation: Teacher b. Employer: SAU #43 Newport School District
- c. Length of current employment: Teaching since 2000 <sup>→ Newport since 2012</sup> d. Education: BS from UNH, Dec. 1998
- e. Relevant Experience: Elementary and Middle School Teacher, Book Club Fan
- f. Do you feel there may be any *conflict of interest* with your personal beliefs, occupation, or employer if appointed to serve on any of the above boards, commissions, or committees?  Yes  No
- g. Volunteer Time Available \_\_\_\_\_ hours per week (daytime) 1-2 hours per week (evenings)  
1-2 hours per week (weekends)
- h. Did you previously serve on any Municipal or School District Board/Committee/Commission?  Yes  No
- i. If yes, please indicate Town/Position: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

j. Are you willing to serve as an Alternate?  Yes  No

k. Are you willing to serve on a Sub-Committee?  Yes  No

3. Why do you want to serve on this board/committee? I was asked to become an Alternate and I would love the chance to be able to support the library. It is one of our favorite places in town!

4. What attributes and/or qualifications can you bring to the Board/Committee/Commission? I am a creative team player who will bring enthusiasm and possibly a new perspective.

5. Your reasons for wanting this/these appointments /appointments are:  
I would enjoy the opportunity to serve with the other trustees (as needed) to support the library.

6. Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Jessie M. Warkentin  
(Signature)

5/18/18  
(Date)

Please send completed application form and resume, if available, to the Town Manager's Office, 23 Edgemont Road, Sunapee, NH 03782 (telephone 603-763-2212, fax 603-763-4925)

**Minutes of the Abbott Library Trustee's Meeting - DRAFT**  
**Abbott Library, Sunapee, NH**  
**June 19, 2018**

*In attendance were Trustees:* Carol Brudnicki, Chair, Jane Frawley, Vice Chair, Peg Lesiak, Secretary, Susi Churchill, Treasurer, and Scott Rapoport.

*Alternates:* Sharon Palmer, Suzanne Tether

*Library Director:* Mindy Atwood

*Others:* Justin Levesque, Jessica Warkentien, Jean Wilson, Caitlin Clapp, Nancy Farwell, Joyce Martin, Marcia Stansfield, Terrie Rounds and Liz Moulton

**I. Chair's Remarks**

The meeting was called to order by Chair Carol Brudnicki at 5:31PM Tuesday, June 19, 2018. Carol indicated that Sharon Palmer would be sitting in for Jim Currier and Suzanne Tether would be sitting in for Terri White. Both Jim Currier and Terri White have an excused absence.

Given that the Trustees and the library staff were not all acquainted, Carol and Mindy worked together to create an opportunity at this meeting for each group to get to know each other. Following the opening of the meeting, each Trustee introduced him/herself, sharing a little about their backgrounds, families, etc. Mindy then introduced each staff member and gave a presentation, highlighting their backgrounds and roles while also sharing how each person contributes to the team. It was clear that this team is very talented, experienced and professional, bringing a great deal of value to the library. It was a pleasure to get to meet the staff in person.

In addition, the Trustees had the opportunity to meet Caitlin Clapp, the Chair of the Friends of Abbott Library, and Jean Wilson, a volunteer who provides a tremendous service doing the bookkeeping and related tasks for Abbott Library. Also mentioned were two volunteers, Ann and Steve Nielsen. Ann handles the production of emails the library sends out to the public with news, program information, etc., and Steve provides technology support and is a member of the Technology Group.

**II. Approval of Minutes**

*Scott moved to approve the minutes of the Abbott Library Trustee's Meeting of Tuesday, May 15, 2018. Motion was seconded by Suzanne and unanimously approved.*

**III. Alternates**

**A.** We were fortunate to have Jessica Warkentien, the candidate for the third Alternate Library Trustee role, in attendance at the meeting. The Trustees met Jessica and learned about her background and experience.

*Jane made a motion, seconded by Susi, to recommend Jessica Warkentien as an Alternate Library Trustee. The motion passed unanimously*

**B.** Carol will bring this recommendation to the Selectmen for approval.

**IV. Report from the Friends of the Abbott Library**

Mindy and Carol attended the Friends of the Abbott Library meeting last week. The Friends are currently preparing for the Pancake Breakfast on July 14, 2018, and have a variety of other programs they want to offer. These include:

1. A college application essay boot camp
2. A family movie night
3. A family craft night
4. An evening of books and brew

**V. Report from the Abbott Library Foundation**

Mindy has been attending the Foundation's meetings. Scott has not yet had a chance to connect with this group. This group will meet every other month on the Monday prior to the Library Trustee meeting. There will be an ad hoc meeting in July which has not yet been scheduled to finalize the sequential library golf activity.

**VI. Treasurer's Report**

**A. Review of Financials**

1. All accounts have been reconciled and the Town funding is current.
2. Minor formatting issues on the Donation detail page were resolved.

**B. Banking**

Tom Mickle and Susi will visit banks this summer to get proposals that will be brought to the Trustees for discussion/review.

**C. Review/Approve Bill Manifest**

*Suzanne made a motion seconded by Peg to accept the June 2018 Manifest of Bills as entered May 2018. The motion passed unanimously.*

**D. Trust Fund Update**

More information is needed. Susi and Mindy will follow up with Bill Garland, the Chair of the Trustees of the Trust Fund.

**E. Bookkeeping**

Mindy facilitated a meeting between Jean Wilson and Kim Stoughton in regard to the work Jean does for the library. This meeting occurred after Jean indicated she would be happy to train someone to support the work she does, which would provide important back-up support for critical functions. Kim has a small business doing financial support for other small businesses in town. Jean and Kim had a very successful meeting and their work together will progress. Susi is also going to meet with Kim to review the work done for the monthly financial reporting, seeking ways to streamline the process.

**VIII. Directors Report - Mindy Atwood**

Mindy highlighted her written report.

**A. Website Redesign**

The new site is launched! All are encouraged to go online and check it out if you have not done so already. Feedback is welcome. Mindy thanked the Friends for funding the redesign and re-organization of [abbottlibrary.org](http://abbottlibrary.org). She also recognized Nancy Farwell's outstanding work on this project and Sharon Thielicke for making the process easy, smooth and fun.

**B. Programming**

There has been great turnout for some of the recently offered programs. Mindy indicated that the practice of partnering with another community group when planning a program (ex., the Sunapee Gardeners) works very well in terms of attracting attendees.

**C. Summer Service Club**

Mindy is very excited about this new program. The program is limited to ten students and is already filled. This program was started in response to parents asking if their children could volunteer at the library. Students entering grades 6-8 may participate to perform volunteer work at the library for 60-90 minutes at a time.

**D. Catalog Clean Up**

Inventory and corrections to the catalog continue. All items in storage were deleted from the on-line catalog. A majority of items in storage will be packed up for the book sale.

**E. Community Outreach**

Many actions are occurring:

1. The library is once again partnering with the Sunapee School District this summer and will serve as a test site for the Reading Counts tests the students are required to take over the summer.
2. Justin recently served as a prize speaking judge at the high school, which was another great opportunity for him to become involved in the community.
3. Thirty kindergarteners visited the library as part of their annual "Tour of the Town".
4. The Town of Sunapee Bicentennial quilt is currently on display at the library. Thanks to the Historical Society for the loan of this beautiful work of art.

**F. Information Technology in the Library**

- A. The Technology Group continues to meet. Mindy stated that the group is making helpful distinctions between policies and technology needs relating to library needs and those relating to the needs of our patrons.
- B. The Trustees discussed some scenarios and questions that the Technology Group raised for consideration. These included preferences in regard to the number and speed/power of public computers as well as what might be acceptable outages for Wi-Fi (which would impact patrons) and internet access (which would impact library services). After discussion that touched upon back-up resource possibilities, cost implications, and impact on patrons and library services, the Trustees deferred to the Technology Group due to the many layers of consideration. More information will be provided at a future meeting.

**G. Building and Grounds**

- A. ARC will be performing a number of functions on the pump system. We are unable to access the Town's Building Capital Reserve Fund for help on the cost of replacing the failed pump as the total cost of the event was less than \$8,000.00.
- B. Mindy is following up with various resources in regard to the sign on the front of the building, the railings on the stairs between the parking lots, and an approach to mitigate the possibility of vehicles rolling over the embankment.

**IX. Chair's Report - Carol Brudnicki**

**A. Bank Signature Cards**

As of May 22, 2018, the signature cards for Bar Harbor and Sugar River banks were signed by Carol Brudnicki, Jane Frawley, Susi Churchill, Peg Lesiak and Terri White.

**B. Strategic Plan committee update**

The Strategic Planning committee, consisting of Carol Brudnicki, Jane Frawley, Scott Rappeport and Mindy Atwood met May 17, 2018 and June 11, 2018. The committee worked on the goals and objectives and, along with a previously drafted mission statement, presented these to the Trustees for review/discussion.

- i. Mission statement: *Carol made a motion seconded by Jane proposing the Trustees accept the mission statement dated Oct. 12, 2016. The motion passed unanimously.*
- ii. Goals and Objectives: Some edits were suggested to this document. These edits will be made and the document will be reviewed at the August 2018 Trustee meeting.

**C. Policy Committee**

The Policy committee, consisting of Carol Brudnicki, Sharon Palmer, Jim Currier and Mindy Atwood met on June 1, 2018. The following policies were reviewed and revised and are ready for review and approval by the Trustees:

- a. Technology Policy
- b. Service Animal Policy (lawyer has reviewed)
- c. Internet Use Policy (lawyer has reviewed)
- d. Wireless Use Policy (lawyer has reviewed)
- e. Overdue Materials Policy



- f. Public Records Policy
- g. Gifts, Donations & Memorials Policy
- h. Review/Revision of Policy

**D. Locked Cabinet for Important documents**

This is on hold and will be discussed at the August 2018 Trustee meeting.

**X. Book Sale**

Jane reported that all is on track for the Book Sale event. The sign-up sheets are up, posters are up and an email will be going out shortly to volunteers. The Kearsarge Shopper ad has been submitted. Jane was very grateful for the coordination with Caitlin Clapp on advertising.

Jane has learned that Big Hearted Books is no longer available to pick up books remaining after the sale. She is exploring options with the Five College book sale in Lebanon. This may be a resource to take leftover books.

**XI. Policy Approvals**

The Technology Policy was discussed at this meeting. Mindy will take the board's suggestions back to the Technology committee.

*Carol made a motion seconded by Peg to accept the lawyer's recommendation to change the name of the Pet Policy to the Service Animal policy and approve the policy. The motion passed unanimously.*

Mindy will contact our lawyer to obtain copies of the Internet Use policy and the Wireless Use policy that can be edited. The remaining policies (listed above in Section IX-C) will be reviewed at future Trustees meetings as time allows.

**XII. Library Credit Card**

Work on this topic continues. Carol shared that the Town had a discussion at the May 21, 2018 and June 14, 2018 meetings as the Town is trying to come up with a policy on this subject.

**XIII. Old Business/Other Business**

A. As the library is looking into becoming a location for providing tax preparation services to patrons, it was indicated that AARP resources can provide this service. Mindy stated that this is an excellent way to bring new and more people into the library. She shared that regional coordinators will do a site visit.

B. Carol will reach out to the Trustees about moving the August 2018 Trustee meeting from August 21 to August 14.

**XIII. Public Comment**

None.

**XIV. Adjournment**

*Scott made a motion to adjourn, seconded by Jane. This was unanimously approved.*

The meeting was adjourned at 7:48PM.

Respectfully Submitted  
**Peg Lesiak, Secretary**  
**June 21, 2018**

**Town of Sunapee**  
**APPLICATION FOR USE OF TOWN OF SUNAPEE FACILITIES**

Area (Circle One): BenMere/Banstand - Sunapee Harbor - Georges Mills Harbor - Dewey Beach - Coffin Park - Ski Tow  
~~Safety Services Building~~ - Town Hall

Name of Organization: Sunapee Fire Dept. Association

This Organization is: Profit - Non Profit - Political - Private - Other

Name of Duly Authorized: Dana Remy Richard Hamm

Mailing Address: 21 Lower Main St

Sunapee

Daytime Phone: 395-8116 Evening Phone: 395-8116

I/We hereby apply for permission to use the above circled Town facility on:

Event Date: July 10/2018 Time From: 0900 To: 12:00

Please describe the event: Sailing Flares for flare night

I/We acknowledge understanding the following restrictions:

- (1) The Town of Sunapee enforces the Ordinance for Control and Use of Alcoholic Beverages. If per permitted, please attached a copy of the permit to the application. If approved by the Selectmen, I understand:
  - a. Alcohol will not be sold.
  - b. I will designate a person over the age of 21 who will be responsible for monitoring the event for appropriate alcohol consumption by attendees.
  - c. I will designate two designated drivers who will not consume any alcohol and who will be available until the end of the event.
  - d. I am responsible for terminating the event by midnight.
  - e. I agree that random police checks may be made at any time.
  - f. I understand all relevant State laws must be complied with.
  - g. I under I must obtain liability insurance in the amount of \$300,000 and a copy must be filed with the Board of Selectmen before use of alcohol will be permitted.
- (2) If this event will likely bring more than 50 people or 20 cars to the area, the applicant must first submit this application to the Chief of Police. The Chief of Police may require the applicant to hire police officer(s) for crowd or traffic control.
- (3) No equipment or materials may be permanently attached to the building/structure without specific permission from the Board of Selectmen.
- (4) I/We agree to abide by the Town of Sunapee's Recreation Area Ordinance, which controls conduct and uses of this area (Copy attached).
- (5) The applicant shall indemnify and hold the Town of Sunapee, its employees, agents, and representatives harmless from any and all suits, actions, claims, in equity or at law, for damages asserted by any attendees at such function, or other third parties, resulting from the use of the premises, or from the food and beverages served at the above-described function. In addition, in the event that the town is required to respond to any claims of any nature arising in connection with the function or the applicant's use of the premises, the applicant agrees to pay to the Town all costs, fees, charges and attorney's fees which may be incurred by the Town concerning such claims.

I/We plan on 50 # of people and 50 # of vehicles attending our event.  
Dana Remy Richard Hamm 6/24/18  
 Signature of Responsible Individual Date

Dan Remy 6-27-18  
 Approved by Chief of Police Date

Scott Bunt 6/24/18  
 Approved by Recreation Director (if applicable) Date

Hal R 6/25/18  
 Approved by Fire Chief (if applicable) Date

Signature of Approving/Denying Authority (Chairman of the Board of Selectmen) Date

**Insurance:** At least ten (10) days prior to such scheduled function, the applicant shall furnish to the Office of the Sunapee Board of Selectmen written confirmation that the applicant has secured adequate liability insurance covering the event in an amount not less than \$300,000. In the event that alcoholic beverages permitted shall be required to also furnish to the Selectmen's Office, at least ten (10) days prior to such function, written confirmation that the applicant has secured a liquor liability insurance policy in an amount not less than \$1,000,000.

**\*Suggested \$50 donation for non-residents**

**Town of Sunapee**  
**APPLICATION FOR USE OF TOWN OF SUNAPEE FACILITIES**

Area (Circle One): BenMore/Banstand - Sunapee Harbor - Georges Mills Harbor - Dewey Beach - Coffin Park - Ski Tow  
 Safety Services Building - Town Hall

Name of Organization: Lake Sunapee Yacht Club

This Organization is: Profit - Non Profit - Political - Private - Other

Name of Duly Authorized: Lake Ali MAHRA, General Manager

Mailing Address: 34 Stone End Rd  
Sunapee, NH 03782

Daytime Phone: 617-645-6355 Evening Phone: Same

I/We hereby apply for permission to use the above circled Town facility on:

Event Date: 7-3-18 Time From: 6 Am To: 9 Am

Please describe the event: To Load fire works on Barge.

I/We acknowledge understanding the following restrictions:

- (1) The Town of Sunapee enforces the Ordinance for Control and Use of Alcoholic Beverages. If per permitted, please attached a copy of the permit to the application. If approved by the Selectmen, I understand:
  - a. Alcohol will not be sold.
  - b. I will designate a person over the age of 21 who will be responsible for monitoring the event for appropriate alcohol consumption by attendees.
  - c. I will designate two designated drivers who will not consume any alcohol and who will be available until the end of the event.
  - d. I am responsible for terminating the event by midnight.
  - e. I agree that random police checks may be made at any time.
  - f. I understand all relevant State laws must be complied with.
  - g. I under I must obtain liability insurance in the amount of \$300,000 and a copy must be filed with the Board of Selectmen before use of alcohol will be permitted.
- (2) If this event will likely bring more than 50 people or 20 cars to the area, the applicant must first submit this application to the Chief of Police. The Chief of Police may require the applicant to hire police officer(s) for crowd or traffic control.
- (3) No equipment or materials may be permanently attached to the building/structure without specific permission from the Board of Selectmen.
- (4) I/We agree to abide by the Town of Sunapee's Recreation Area Ordinance, which controls conduct and uses of this area (Copy attached).
- (5) The applicant shall indemnify and hold the Town of Sunapee, its employees, agents, and representatives harmless from any and all suits, actions, claims, in equity or at law, for damages asserted by any attendees at such function, or other third parties, resulting from the use of the premises, or from the food and beverages served at the above-described function. In addition, in the event that the town is required to respond to any claims of any nature arising in connection with the function or the applicant's use of the premises, the applicant agrees to pay to the Town all costs, fees, charges and attorney's fees which may be incurred by the Town concerning such claims.

I/We plan on 300 # of people and 100 # of vehicles attending our event. approximately

Signature of Responsible Individual [Signature] Date 6/25/18

Approved by Chief of Police [Signature] Date 6-27-18

# of Officer(s) will be assigned to event at applicant's expense.

Approved by Recreation Director (if applicable) \_\_\_\_\_ Date \_\_\_\_\_

Approved by Fire Chief (if applicable) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Approving/Denying Authority (Chairman of the Board of Selectmen) \_\_\_\_\_ Date \_\_\_\_\_

**Insurance:** At least ten (10) days prior to such scheduled function, the applicant shall furnish to the Office of the Sunapee Board of Selectmen written confirmation that the applicant has secured adequate liability insurance covering the event in an amount not less than \$300,000. In the event that alcoholic beverages permitted shall be required to also furnish to the Selectmen's Office, at least ten (10) days prior to such function, written confirmation that the applicant has secured a liquor liability insurance policy in an amount not less than \$1,000,000.

**\*Suggested \$50 donation for non-residents**

**Board of Selectman  
Sunapee, New Hampshire  
Last Revised/Approved: <NOT YET>**

**Purpose:**

This document describes the duties and methods of operation of the Sunapee Board of Selectmen ("Board"), and provides guidelines on approaches to interfacing with the Town Manager ("Manager"), the Town of Sunapee ("Town"), its employees ("Employees"), and the public. Any conflicts arising from changes with state RSA changes shall take the change in RSA as the appropriate process. In addition, the Board of Selectmen will adhere to the Sunapee Code of Ethics. This document to be reviewed and approved as written, or revised as necessary then approved, at the first meeting of the voted board after each Town election. Any item herein, except as required by law, may be overruled on a per-occurrence basis by a majority vote of the present Board at any time. An amendment to these By-Laws may be moved at one Board meeting but shall not be voted upon until the next regularly scheduled meeting, not less than 7 (seven) days later.

**Authority:**

The Board is a duly elected Board and derives its authority from RSA 41:8, other RSA's, and Town ordinances. The Manager derives his authority from RSA 37.

**Organization:**

The Board is a 5 (five) member Board. For purposes of process, the Board shall vote upon and elect a Chairman and Vice-Chairman at the first meeting following each Town election. Any vacancies shall be filled within 45 days. In the event the Chairman is unable to attend a meeting or must abstain from action, the Vice-Chairman shall fulfill the duties as required.

**Power & Duties:**

- A. Board members shall make best-effort attempts to attend all meetings
- B. Members of the Board have authority only when acting as a Board legally in session and with a quorum. The Board shall not be bound by any action or statement of any individual Board member except when such statement or action is pursuant to instructions from the Board
- C. Given that the Town has voted to be under a Town Manager form of governance, duties as required under RSA 37 are to be completed by the Manager
- D. The Chairman shall preside at all meetings of the Board and perform all duties required by law. In his absence, the Vice-Chairman shall take his place and perform the same. Any action of the Chairman may be overruled by a majority vote of the board
- E. The Board shall delegate members of the Board to serve on required committees after each Town election, and may delegate members to perform other duties as agreed upon by consensus and permitted by law

- F. The Board shall hold standard public meetings as necessary in order to facilitate the business of the town. The Chairman may allow, but is not required to allow, public input and/or participation during discussion of the Board at time other than public hearings or public comment. This will be limited to comments on the topic under consideration, and will be time-limited to 2 minutes per comment, unless circumstances warrant an extension, which shall be at the discretion of the Chairman
- G. The Board may hold non-public meetings as needed, as provided under RSA 91-A:3. These may be distinct from a standard meeting or may be included as an item in the process of a regular meeting, in which case a short recess may be called in order to ensure proper attendance is achieved. Non-public meetings shall generally be placed at the end of a regular meeting if they are co-scheduled, after public action. If any public action will be knowingly acted upon after a non-public session, it shall be noted prior to entering non-public
- H. Annually, the Board is responsible for evaluating the job performance of the Manager. It is the Chairman's responsibility to coordinate the evaluation, including obtaining input from the other members of the Board, aggregating that information, and presenting to the Board a comprehensive draft of the evaluation document. The current seated Board of Selectmen must complete the final evaluation document prior to the next annual election

**Limitations of Power & Duties:**

- A. The duties and responsibilities of the Board as set forth in these guidelines and as otherwise enumerated under NH State Law, are almost always subject to certain conditions, limitations and exclusions that require further examination to determine the full extent of the Board's authority as it pertains to each specific set of circumstances
- B. By statute, the Board has no direct authority over the personnel other than the Manager
- C. Individual Selectmen are not prohibited from acting as an ordinary citizen of the Town by expressing personal viewpoints and opinions on municipal matters to the extent that such information is based on encounters and observations derived outside of the privileged purview of a Selectman. Any viewpoints or opinions so expressed shall be as a member of the public, and as not to conflict with Process(H) the Selectman should relocate away from their seat for the duration of their comment and will be treated as a member of the public

**Meeting Notice:**

Standard meeting scheduling shall be noticed at least one month prior. Meeting cancellations shall be noticed as soon as feasible once cancellation has been determined. Any emergency meetings shall be noticed as soon as feasible when necessary. Each meeting shall be posted in accordance with RSA 91-A.

**Process:**

- A. Quorum - A quorum shall consist of three (3) members of the Board. In the event that 3 members are absent from a meeting, no official meeting can take place and therefore no decisions can be made. Any agenda items shall be moved to the next standard meeting, unless an emergency meeting is required.

- B. Right-to-Know - It is illegal for the Board of Selectmen to make any decisions by use of a secret ballot or by email or in such a way that is contrary to the Right-to-Know Law. Further, Selectmen should disqualify themselves from the Board and step down from all participation in deliberations (including voting) on any subject matter where there is a conflict of interest or if they nonetheless feel it appropriate to do so. A Selectmen should disqualify himself whenever he has a direct personal or pecuniary interest in the outcome.
- C. Abstention - In the event that a Selectman should voluntarily abstain from voting, such action shall not count towards the tally of a vote for the purpose of determining the majority viewpoint. If a majority of attending Selectman abstains from a vote, no action shall be taken.
- D. Agenda Layout - The Town Manager bears the primary responsibility for coordinating and planning the Agenda. The Chairman has the final authority over the final approved agenda, timing, schedules and related matters. The Agenda should be published at least 3 calendar days prior to the meeting, and in most cases strive to be on Thursday prior to a Monday meeting, and included in the minutes.
- E. Agenda Requests - Selectmen wishing to place an item on the agenda must make the request to the Manager and Chairman before Wednesday at 4:00 p.m. prior to a Monday meeting. Citizens wishing to place an item on the Selectmen's agenda must provide a copy of all presentation material and documentation to be included in each selectman's "packet" by Wednesday at 12:00 p.m. prior to a Monday meeting, and inclusion into the agenda is at the discretion of the Manager and Chairman.
- F. Conduct - Meetings shall be conducted in accordance with generally accepted practices of order and decorum. In the event of dispute regarding procedural matters, Robert's Rules of Order shall serve as a guideline with a vote of the Board being the final deciding authority.
- G. Voting - Votes shall be by a show of hands or by a roll call. The vote of each member present shall be recorded.
- H. Reconsideration - No action shall be considered at a subsequent meeting in the same calendar year except by majority vote of the members present and voting.
- I. Adjournment - A motion for adjournment will usually not be in order until after the completion of the order of business, unless a motion has been made at the start of the meeting to adjourn at a specified time

**Requests for Information:**

- A. Formal requests for information from Board members from the Manager, Town Counsel, Department of Revenue Administration, or the Attorney General's Office shall be made at a meeting, and only at the direction of the majority of the Board. Informal requests may be made by email to the Manager, but are non-binding until acted upon at the next meeting of a quorum of the Board. Any information provided to any individual Selectman shall be provided to the rest of the Board.
- B. Acting as a citizen, a member of the Board may ask a department head for information, and as a courtesy should copy the Manager (the department head will do so as they reply). The Board member may only ask for anything that any other citizen could ask for and if it falls under a right to know request the procedure for that shall be followed.

### **Conflict Resolution:**

- A. Numbers - In situations where a conflict arises among the Board or as the Board in its interactions with another entity, full effort shall be made to come to resolution by consensus. In cases of question on calculations or multi-option possibilities, questions and concerns shall not be placed as accusations or interrogation unless the quorum is in consensus. The Board shall attempt to ensure full discussion to resolution of all relevant questions before voting, but 2 (two) members of the Board may at any time call for a vote, and the result of the vote shall abide by Process(H).
- B. Personnel - Citizens that make complaints to the Board or member of it should be encouraged to contact the department that handles the matters that the complaint is about. They should then be encouraged to contact the Manager. If they don't feel that they have gotten resolution, only then the Board could bring the matter up to manager or at a meeting the citizen can request an appointment (which may or may not be non-public at the Board and Manager discretion)
- C. Departments – Any requests from a department or employees thereof that are not able to be resolved by the department head or Manager shall be resolved via the Personnel Policy and/or by the majority vote of the Board, during a legal public or non-public (as necessary) meeting

### **Chairman's Duties:**

- A. Vote as a member of the board in all actions as appropriate
- B. Open the session at the time at which the Board is to meet by calling the members to order
- C. Announce the business before the Board as it is acted upon
- D. As necessary, to recognize members entitled to the floor
- E. State and put to vote all the questions which are regularly called or necessarily arise in the course of the proceedings and to announce the result of the vote
- F. Protect the Board from annoyance, up to and including having persons removed from the meeting if necessary
- G. Assist in expediting all business in every way compatible with the rights of the members, as by allowing brief remarks when un-debatable motions are pending or by calling a brief recess to permit restoration of order or clarification of an obscure point if he thinks it advisable
- H. Restrain the Board and Public when engaged in debate within the rules or order
- I. Enforce on all occasions the observance of order and decorum among the members, deciding all questions of order, unless he prefers to submit the question for the decision of the Board
- J. Ensure that Board communication abide by all aspects of the NH Right-to-Know Laws
- K. Authenticate by their signature, when necessary, all acts, orders and proceedings as directed by vote of the Board
- L. Represent the Town at ceremonial events
- M. Act as Board liaison to Town Counsel in any issues pertaining to the Manager

### **Violations & Repercussions:**

There are no defined consequences under NH law for failure to comply with these guidelines. However, it should be noted that the remaining members of the Board of Selectmen may vote to publicly censure a Selectman for repeated or egregious failures to meet these obligations. In the event that a quorum of the Board is of the opinion that one of the Selectmen has violated State Law, then they may vote in public session to initiate judicial removal proceedings and/or petition a court of competent jurisdiction for the imposition of such other penalties as may be allowed by law.

**Effective Date:**

These Rules of Procedure shall take effect immediately following a majority vote of the Board of Selectmen at a regularly scheduled Selectmen's meeting.

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Approved by the Board, on this \_\_\_ day of \_\_\_\_\_, 20\_\_:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**TOWN OF SUNAPEE, NH.  
TOWN OF SUNAPEE**

23 Edgemont Road

Sunapee, New Hampshire 03782

Phone: (603) 763-2212 Fax: (603) 763-4925

Monday, Tuesday, Thursday, Friday 8-5; Wednesday 8-1

**Memorandum**

To: Board of Selectmen

From: Normand G. Bernaiche, Chief Assessor

Re: Exempt Properties

Date: June 25, 2018

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I have reviewed the attached list of Charitable, Religious and Educational exemption requests and recommend they be approved. There are no new properties with the exception of the Lake Sunapee Baptist church which is now claimed to be used as a parsonage for the Pastor in Newport. Previously, it was used as a church. I have reviewed all BTLA and or Court decisions on this matter and the only decision on point granted the exemption where a church was in one town and the parsonage in another.

If you have any questions or concerns please feel free to ask.

## EXEMPT PARCELS

### RELIGIOUS EXEMPTION PARCELS - A-9

9 LOWER MAIN ST	SUNAPEE METHODIST CHURCH	PO Box 335, Sunapee, NH 03782
1 BRANDYWINE DR	SUNAPEE METHODIST PARSONAGE	PO Box 335, Sunapee, NH 03782
5 OLD GEORGES MILLS RD	ST JOACHIMS CATHOLIC CHURCH	32 Beech Street, Newport, NH 03773
378 LAKE AVE	ST JAMES EPISCOPAL CHURCH	63 Green Street, Concord, NH 03301
375 LAKE AVE	ST JAMES CHURCH RECTORY	63 Green Street, Concord, NH 03301
193 BRADFORD RD	OUR LADY OF UNITY, INC	193 Bradford Road, Sunapee, NH 03782
21 NUTTING RD	LAKE SUNAPEE BAPTIST CHURCH	322 North Main St, Newport, NH 03773

### EDUCATIONAL EXEMPTION PARCELS - A-9

26 SEVEN HEARTHES LN	BROOM FAMILY FOUNDATION	176 Newport Road, New London, NH 03257
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### CHARITABLE EXEMPTION PARCELS - A-9 & A-12

NORTH RD	YMCA CAMP CONISTON, INC	PO Box 185, Grantham, NH 03753
NORTH RD	YMCA CAMP CONISTON, INC	PO Box 185, Grantham, NH 03753
63 MAIN ST	LAKE SUNAPEE PROTECTIVE ASSOC	PO Box 683, Sunapee, NH 03782
HARBOR SOUTH #C3	LAKE SUNAPEE PROTECTIVE ASSOC	PO Box 683, Sunapee, NH 03782
HARBOUR SOUTH #C3	LAKE SUNAPEE PROTECTIVE ASSOC	PO Box 683, Sunapee, NH 03782
74 MAIN ST	SUNAPEE NH HISTORICAL SOCIETY	PO Box 501, Sunapee, NH 03782



RECEIVED  
JUN 22 2018  
TOWN OF SUGARSBEE

## Memorandum

**TO:** All NHMA Members

**FROM:** Judy Silva, Executive Director  
Cordell A. Johnston, Government Affairs Counsel

**DATE:** June 20, 2018

**RE:** 2019-2020 Legislative Policy Process *Important Dates!*

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**FLOOR POLICIES DUE: August 10** ♦ **POLICY CONFERENCE: September 14**

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The NHMA legislative policy process is moving forward! Enclosed with this memo is a copy of the policy recommendations made by NHMA's three policy committees. This document will also be posted on NHMA's website, [www.nhmunicipal.org](http://www.nhmunicipal.org).

The policy recommendations are listed by committee: (1) General Administration and Governance; (2) Finance and Revenue; and (3) Infrastructure, Development, and Land Use. Each committee's recommendations are listed in order of priority, as "action," "priority," or "standing" policy recommendations. Also enclosed is a list of NHMA's Legislative Principles, which will be considered for re-adoption at the Legislative Policy Conference, along with the recommended policies.

***We urge each municipality's governing body, prior to the Legislative Policy Conference, to vote a position on the recommendations and floor proposals (see reverse) to provide direction to your voting delegate at the conference.*** Otherwise, your delegate is free to cast your municipality's vote as he or she chooses. For more information about the legislative policy process and the Legislative Policy Conference, please see the enclosed Questions and Answers document.

**NOTE:** Please do not send your governing body's vote results or opinions to NHMA. Your governing body's discussions and votes are only for the direction of your voting delegate. The only

way a municipality may vote on these policies is to send a voting delegate to the policy conference on September 14.

### **Floor Proposals**

The deadline for submitting floor proposals is **Friday, August 10**. A floor proposal will be accepted only if it is ***approved by a majority vote of the governing body*** (board of selectmen, aldermen, or council) of the town or city submitting the proposal, is submitted in writing, and is received **no later than August 10**. We will mail all floor proposals to each municipality so there will be an opportunity to take a position on them before the Legislative Policy Conference. Floor proposals should be in the same format as proposals submitted to the policy committees.

A floor policy proposal form has been included for your convenience, or you may find it on the NHMA website. (Go to [www.nhmunicipal.org](http://www.nhmunicipal.org), click on "Advocacy," scroll down to "NHMA Policy-Setting Process," and click on the link to "2019-2020 floor policy proposal form.") To submit a floor proposal, please send it to NHMA, 25 Triangle Park Drive, Concord, NH 03301, or e-mail it to [governmentaffairs@nhmunicipal.org](mailto:governmentaffairs@nhmunicipal.org).

### **Legislative Policy Conference**

The 2019-2020 Legislative Policy Conference is scheduled for **Friday, September 14, 2018, at 9:00 a.m. at NHMA's office, 25 Triangle Park Drive in Concord**. We will include with the floor proposal mailing a card for each town or city to return indicating who has been appointed as the municipality's voting delegate.

Please call the Government Affairs Department at 800-852-3358 if you have any questions.

**New Hampshire Municipal Association  
Legislative Policy Process 2019-20**

**Final Policy Recommendations for Legislative Policy Conference  
September 14, 2018**

**General Administration and Governance**

**Action Policy Recommendations**

**1. Funding for the Police Standards and Training Council**

**To see if NHMA will SUPPORT** the continued operation of the New Hampshire Police Academy and the high-quality uniform training it provides for all law enforcement officers in the state, including municipal police officers, which aids in the delivery of quality policing services and interagency cooperation to the benefit of all citizens. As part of this, **to see if NHMA will SUPPORT** continued funding at the state level for the Police Academy and the Police Standards and Training Council. Local law enforcement agencies produce considerable funds through fines and penalty assessment monies which accrue to the State and are used for State purposes. Further, **to see if NHMA will OPPOSE** any increase in municipal costs for police officers to participate in the training, recognizing that municipalities now pay salary, benefits, and all employment-related costs for trainees while at the Academy, as well as providing staff and instructors at no cost to the Academy. **Existing policy, revised by the committee.**

**2. Absentee Voting Expansion**

**To see if NHMA will SUPPORT** allowing absentee voting without requiring a reason.

**Explanation:** At present, 27 states plus the District of Columbia permit absentee voting without requiring an excuse. Maine and Vermont are among the 27. Why not New Hampshire? People are kept from the polls because they are reluctant to say they are “disabled” (especially when they are just elderly) or otherwise find it difficult to vote in person. Voting should not require having to struggle with one’s conscience over whether they fit into one of the state-approved “legitimate” reasons for an absentee ballot. **Submitted by Gail Cromwell, Co-chair, Temple Select Board.**

**3. Electronic Poll Books**

**To see if NHMA will SUPPORT** legislation that would enable the use of electronic poll-books for municipalities, with funding coming from the HAVA funds made available to the New Hampshire Secretary of State by the United States Election Assistance Commission specifically for the purpose of improvement to the administration of federal elections in the state, as well as supporting legislative changes to statutes to make the use permissible under state laws. **Existing policy.**

## Priority Policy Recommendations

### 4. Building Plans Under RSA Chapter 91-A

To see if NHMA will SUPPORT an amendment to RSA 91-A:5, IV to specifically add building plans/construction drawings contained within a building permit file and/or building plans/construction drawings submitted as part of a building permit application as an exempt record under the statute. **Existing policy.**

### 5. Municipal Regulation of Firearms

To see if NHMA will SUPPORT legislation that would allow for limited local authority regarding possession and use of firearms on municipal property.

- Legislation that would allow municipalities to regulate or limit the use of firearms on municipal property.
- Legislation that would allow municipalities to regulate the carrying of firearms by employees while they are performing the functions of their office or employment.

**Explanation:** Local governing bodies are best positioned to determine the most appropriate use of municipal land and the actions of their employees. **Submitted by Joan Dargie, Town Clerk, Milford, and revised by the committee.**

### 6. Welfare Lien Priority

To see if NHMA will SUPPORT legislation to give liens for local welfare payments arising under RSA 165:28 a higher priority position, so that those liens fall immediately after the lien for the first mortgage. **Existing policy.**

### 7. Municipal Departments and MV Information

To see if NHMA will SUPPORT legislation to make it clear that municipalities may obtain information about motor vehicles registered to an individual for all governmental purposes such as verifying asset levels when the individual is applying for general assistance or asset-based tax relief and in order to determine the ownership of vehicles for official purposes. **Existing policy.**

## Standing Policy Recommendations

### 8. SB 2 Adoption Process

To see if NHMA will SUPPORT amending RSA 40:14, III, regarding adoption of the official ballot referendum (SB 2) form of town meeting, to provide that the question shall be voted on by ballot at the annual meeting, but shall not be placed on the official ballot.

**Explanation:** Adoption of the official ballot referendum form of town meeting is a fundamental change in a town's governance. It is an action that should be undertaken only after thorough discussion and debate, with an opportunity for the legislative body to be fully informed. Current law requires that the question be placed on the official ballot, so that it is voted on in the voting booth on election day, with no opportunity for discussion or debate. The statement of the question is simply, "Shall we adopt the provisions of RSA 40:13 (known as SB 2) to allow official ballot voting on all issues before the town on the second Tuesday of March?" This provides almost no information about how the SB 2 form of meeting works.

Although the current law does require a public hearing on the question between 15 and 30 days before town meeting, those hearings are poorly attended, so the overwhelming majority of those voting on the question will have heard little or no discussion, and many of them will have a very poor understanding of the issue. Other matters of profound importance to town governance—such as establishing a budget committee and adoption of a tax cap—are voted on at the business session, rather than by official ballot. Adoption of SB 2 is an even more serious step and should be subject to at least a similar level of consideration. Discussion and debate at the business session will help to ensure that voters understand the issues better before voting on the question. **Submitted by Jim Belanger, Moderator, Hollis, and Frank Sterling, Selectman, Jaffrey.**

#### **9. Allowing Towns to Adopt Ordinances Under City Statutes**

**To see if NHMA will SUPPORT** legislation giving towns the same authority to adopt ordinances that cities have under RSA 47:17.

**Explanation:** State law (RSA 44:2, 47:1) gives cities all of the authority that towns have, but there is no reciprocal statute giving towns the authority that cities have. City councils have broad authority to adopt ordinances under RSA 47:17. Town ordinance authority is governed primarily by RSA 31:39, which grants more limited authority. There seems to be no logical reason for cities to have broader ordinance authority than towns. When towns want to exercise authority that cities already have, it is necessary to amend RSA 31:39 or add a new section in RSA 39. This policy would avoid that necessity and eliminate illogical distinctions between municipal ordinances, which are especially troublesome when a town is unable to adopt the same ordinance that the city next door has adopted. This would not eliminate all distinctions between cities and towns—just the difference between their respective ordinance powers. **Submitted by Tom Irving, Planning Director, Conway.**

#### **10. Public Area "No Smoking" Local Option**

**To see if NHMA will SUPPORT** legislation to authorize the designation of "No Smoking" zones in public areas by local option.

**Explanation:** Municipalities are charged with the responsibility for provision of the services and to ensure safe secure access to those services. Currently, some services may not be as accessible as they should due to the presence of smoke. There are also the associated costs in keeping areas litter free. The legislation would allow municipalities to define No Smoking zones in a way that meets the community's needs and would include the ability to implement them for health purposes.

Currently New Hampshire permits municipalities to enact ordinances for fire safety and sanitation purposes, but not health purposes, and New Hampshire's state smoking law preempts local

governments from doing so. Access to services is obstructed by the presence of smokers and their associated litter, and that litter might constitute a sanitation issue. The presence of smoke where non-smokers need to pass is objectionable and not supportive of a community's healthy community goal. Each community would have the opportunity for itself to enact local legislation on this issue. Submitted by Andrew Bohanan, Parks, Recreation, and Facilities Director, and Nancy Vincent, Library Director, Keene.

#### **11. Public Notice Requirements**

To see if NHMA will SUPPORT legislation to amend all public notice requirements to allow the choice of electronic notification and/or newspaper print, as well as posting in public places, for official public legal notification. Existing policy.

#### **12. Appointment of Town Clerks or Town Clerk/Tax Collectors**

**Legislative Body:** To see if NHMA will SUPPORT legislation to allow the legislative body to authorize the governing body to appoint town clerks and town clerk/tax collectors.

**Charter Towns:** To see if NHMA will SUPPORT legislation allowing towns that have adopted a charter under RSA chapter 49-D to determine how the town will choose its town clerk.

Existing policy, revised by the committee.

#### **13. Consolidated Policy on Collective Bargaining Items**

**Evergreen Clause:** To see if NHMA will OPPOSE legislation to enact a mandatory so-called "evergreen clause" for public employee collective bargaining agreements.

**Binding Arbitration:** To see if NHMA will OPPOSE mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining.

**Right to Strike:** To see if NHMA will OPPOSE a right to strike for public employees.

**Mandated Employee Benefits:** To see if NHMA will OPPOSE any proposals to mandate employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years, for current or future employees.

**Contracted Services:** To see if NHMA will SUPPORT legislation to give public employers greater flexibility to privatize or use contracted services.

Existing policy, revised by the committee.

#### **14. Maintenance and Policing of State-Owned Property**

To see if NHMA will SUPPORT legislation requiring the State to maintain and adequately support operations on state properties so those properties do not place undue burdens on the host municipalities. This would include legislation



- to enable municipalities to recover expenses of providing municipal services on state-owned property, such as policing relative to illegal activities and allowing municipalities to receive reimbursement/compensation from individuals engaged in the illegal activity; and
- to require the state to adequately maintain its property, including the removal/remediation of abandoned, deficient, hazardous, or blighted structures/facilities.

**Existing policy, revised by the committee.**

#### **15. Independent Redistricting Commission**

**To see if NHMA will SUPPORT** the establishment of an independent redistricting commission for the appointment of representative, senatorial, executive council, and congressional districts. **Existing policy.**

## **Finance and Revenue**

### **Action Policy Recommendations**

#### **1. Use of RSA 83-F Utility Values**

**To see if NHMA will:**

- a) **SUPPORT** legislation that clarifies, under RSA 83-F, that no determination of utility value by the Department of Revenue Administration can be used in any way by the utility taxpayer in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17;
- b) **OPPOSE** any mandate that calls for the exclusive use of the unit method of valuation in the appraisal of utility property, by either administrative or legislative action; and
- c) **SUPPORT** the continuing right of municipalities to use any method of appraisal upheld by the courts.

**Revised by the committee to combine two existing policies.**

#### **2. New Hampshire Retirement System (NHRS)**

**To see if NHMA will SUPPORT** the continuing existence of a retirement system for state and local government employees that is strong, secure, solvent, fiscally healthy, and sustainable, that both employees and employers can rely on to provide retirement benefits for the foreseeable future. Further, **to see if NHMA will SUPPORT** continuing to work with legislators, employees, and the NHRS to accomplish these goals.

To that end, to see if NHMA will:

- a) **SUPPORT** legislation that will strengthen the health and solvency of the NHRS, ensure the long-term financial sustainability of the retirement system for public employers, and consider options and alternatives that provide reasonable changes in contribution rates;
- b) **OPPOSE** any legislation that: 1) expands benefits and would result in increases to municipal employer costs; 2) assesses additional charges beyond NHRS board-approved rate changes on employers; or 3) expands the eligibility of NHRS membership to positions not currently covered;
- c) **SUPPORT** the restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan;
- d) **SUPPORT** the inclusion of municipal participation on any legislative study committee or commission formed to research alternative retirement system designs and the performance of a complete financial analysis of any alternative plan proposal in order to determine the full impact on employers and employees; and
- e) **OPPOSE** any action to further restrict municipalities' ability to employ NHRS retirees in part-time positions, either through hours restrictions or through imposition of new fees/costs.

**Existing policy, revised by the committee.**

### **3. Expansion of Local Authority to Institute Fees**

To see if NHMA will **SUPPORT** legislation that allows a municipality to exercise local control of non-property tax revenue streams with local legislative body approval to meet demands for services and/or infrastructure. Examples of such legislation may include such actions as: (a) allowing a municipal to adopt an additional surcharge under the meals and rooms tax on hotel occupancy within the municipality; and (b) allowing a municipality to increase the maximum optional fee for transportation improvements when collecting motor vehicle registration fees. **Existing policy, revised by the committee (existing policy supports a local option meals and rooms tax surcharge).**

## **Priority Policy Recommendations**

### **4. Enforcement of Motor Vehicle Registration Laws**

To see if NHMA will **SUPPORT** amending motor vehicle registration laws to strengthen the enforcement of those laws (through stepping up law enforcement and increasing penalties, including fines) to ensure collection of all state and local registration fees owed by New Hampshire residents.

**Explanation:** Municipalities are realizing a significant and growing annual revenue loss of motor vehicle permit fees and other fees, due to NH residents registering their automobiles, trucks and all other types of trailers through non-government agents in the State of Maine. Currently, RSA 261:140

only requires a \$100 fine for these violations, an insignificant amount when compared to the much greater savings a resident realizes when obtaining low-cost “multi-year” registrations (up to a 12-year period) through the State of Maine. Municipalities all over the state are vulnerable to online registrations. Businesses with fleets are specifically targeted. **Submitted by Portsmouth City Council.**

#### **5. Lien for Uncollected Ambulance/EMS Billings**

**To see if NHMA will SUPPORT** legislation to ensure the collection of unpaid bills for ambulance and other emergency services.

**Explanation:** Municipal EMS, unlike hospitals and home health care providers, have no remedy available for the collection of unpaid billing for ambulance service except through a collection agency (@33% fee) or small claims court. These mechanisms do not guarantee the municipality will be made whole and can be punitive to the responsible party when they can least tolerate it. Ambulance service has evolved dramatically from simply transporting individuals to the hospital. Today, early medical intervention significantly increases a patient’s survival probability; therefore municipal EMS is expected to provide costly basic and advanced life support before and during transport. Currently when faced with an unpaid ambulance billing, municipalities have to choose between sending the bill to collections, small claims court, or writing off the bill. Collections or small claims potentially exposes the responsible party to a burden at an inopportune time. To write off the debt unfairly places the financial burden on the taxpayers of the responding municipality. **Submitted by: Barbara Lucas, Town Administrator, and Neil Irvine, Selectman, Town of New Hampton.**

#### **6. Ownership Name Changes**

**To see if NHMA will SUPPORT** legislation requiring entities to file name changes and ownership changes at the registry of deeds to ensure that property taxes are assessed to the proper owner.

**Explanation:** Presently, name changes and property acquisitions by stockholders are not filed at the registry of deeds. Municipalities don’t know if ownership has changed, resulting in bills and other notices going to improper property owners. **Submitted by: Kathryn Temchack, Director of Real Estate Assessments, City of Concord**

#### **7. Collection of Delinquent Taxes on Manufactured Housing**

**To see if NHMA will SUPPORT** legislation to create a study commission to address municipal concerns regarding delinquent property taxes and/or municipal utility fees on manufactured housing on land of another. Such commission to include appropriate interested stakeholders. **Existing policy.**

#### **8. Tax Exemptions for Charitable Organizations**

**To see if NHMA will SUPPORT** creating a commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects under RSA 72:23-k, and **SUPPORT** reimbursement from the state for the costs of municipal services provided to state-owned properties. **Revised by the committee to combine two existing policies.**

## **9. Clarification of Elderly Exemption, Prorating Disabled, Deaf and Blind Exemptions**

**To see if NHMA will SUPPORT**

- a) Changes in RSA 72:39-a, 72:29, and 72:39-b to define “household income” for elderly exemption qualification consistent with the definition of “household income” used by the state in qualifying residents for the Low & Moderate-Income Homeowners Property Tax Relief Program under RSA 198:56-57 and Rev 1200; and
- b) Legislation prorating the disabled, deaf and blind exemptions under RSA 72:37, 37-b, and 38-b when a person entitled to the exemption owns a fractional interest in the residence, in the same manner as is allowed for the elderly exemption under RSA 72:41.

**Revised by the committee to combine two existing policies.**

### **Standing Policy Recommendations**

#### **10. Assessment Methodology for Big Box Stores**

**To see if NHMA will SUPPORT** legislation clarifying the assessment methodology for big box stores if used and occupied for the purpose for which they were built. This methodology would not employ comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.

**Explanation:** Large box stores such as Walmart, Lowe’s, Home Depot, Target, etc. have been successful in other states in obtaining large assessment reductions by using comparable sales or rentals of abandoned or deed-restricted properties. **Submitted by: Kathryn Temchack, Director of Real Estate Assessments, City of Concord.**

#### **11. Income Approach on Appeal**

**To see if NHMA will SUPPORT** legislation that prohibits the use of the income approach by a taxpayer in any appeal of value if the taxpayer, after request by the municipality, has not submitted the requested information. **Existing policy.**

#### **12. Charitable Definition and Mandated Property Tax Exemptions**

**To see if NHMA will OPPOSE** legislation that expands the definition of “charitable” in RSA 72:23-/, unless the state reimburses municipalities for the loss of revenue. **Existing policy.**

#### **13. Sale of Tax Deeded Property**

**To see if NHMA will SUPPORT** amending RSA 80:89 to require proof that the municipality *sent* the required notice of impending tax deed rather than proof that the taxpayer actually *received* the notice. **Existing policy.**

#### **14. State Revenue Structure and State Education Funding**

To see if NHMA will **SUPPORT** asking the state to use the following principles when addressing the state's revenue structure in response to its responsibility to fund an adequate education:

- That revenues are sufficient to meet the state's responsibilities as defined by constitution, statute, and common law;
- That revenue sources are predictable, stable, and sustainable and will meet the long-term needs and financial realities of the state;
- That changes to the revenue structure are least disruptive to the long-term economic health of the state;
- That the revenue structure is efficient in its administration;
- That changes in the revenue structure are fair to people with lower to moderate incomes.

Further, to see if NHMA will **SUPPORT** legislation prohibiting retroactive changes to the distribution formula for adequate education grants after the notice of grant amounts has been given. **Existing policy.**

#### **15. Changes to the Official Ballot Process and Default Budget**

To see if NHMA will **OPPOSE** changes to the official ballot process (SB2) including changes to the calculation of the default budget, unless such changes are a local option presented to the legislative body for approval. **Revised by the committee (existing policy opposed any increase in the 60% bond vote requirement in SB 2 municipalities).**

### **Infrastructure, Development and Land Use**

#### **Action Policy Recommendations**

##### **1. Municipal Use of Structures in the Right-of-Way**

To see if NHMA will **SUPPORT** legislation granting municipalities a designated space to use for any purpose, including leasing to a private entity, upon all poles, conduit, and other structures within the rights-of-way without paying make-ready costs. This includes a requirement that the owners of utility poles and conduit do the necessary work to make that space available. **Existing policy, revised by the committee.**

## **2. Municipal Authority to Adopt More Recent Codes**

To see if NHMA will SUPPORT legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions.

**Explanation:** Allowing municipalities to adopt current codes will promote best practices for health, safety, and welfare. **Submitted by Portsmouth City Council.**

## **3. Municipal Cooperation**

To see if NHMA will SUPPORT legislation clarifying that municipalities and other political subdivisions may cooperate to perform together any functions that they may perform individually, including but not limited to providing services, raising revenue, constructing and maintaining infrastructure, and engaging in economic development efforts. **Existing policy.**

# **Priority Policy Recommendations**

## **4. Regulation of Short-Term Rentals**

To see if NHMA will SUPPORT legislation authorizing municipalities to regulate short-term rental of residential properties, including licensing requirements and health and safety protections. This should not be interpreted to limit existing authority to regulate such uses through municipal zoning ordinances and land use regulations.

**Explanation:** Municipalities across the country are increasingly forced to address problems associated with short-term rental of residential housing units, which are typically facilitated through the online platforms of AirBnB, VRBO, Home Away, and others. Problems arise often in single-family residential neighborhoods, in which transient residential occupancy introduces instability and conflict (e.g., noise complaints with no recourse other than to call the police).

Some jurisdictions have already addressed this through legislation, sometimes accompanied by comprehensive agreements with the online platform operators to submit to regulation. A related issue is whether the state is able to collect meals and rooms tax for such temporary uses, which are similar in some regards to B&B operations and hotels/motels. **Submitted by Ben Frost, Planning Board Chairman, Town of Warner.**

## **5. Highway Funding**

To see if NHMA will SUPPORT a state transportation policy that ensures adequate and sustainable funding for state and municipal highways and bridges to promote safe and reliable transportation and corridors and economic development for the citizens of our state and for the travelling public. The policy should include:

- Maintenance of the proportionate share of the state highway fund that is distributed to cities and towns under current law;

- No further diversion of state highway funds for non-highway purposes; and
- Increased funding, which may include the state road toll, highway tolls, local option fees, user assessments, and other revenue sources as necessary.

Existing policy, revised by the committee.

#### 6. Water Quality and Infrastructure

To see if NHMA will **SUPPORT** legislation that ensures adequate and sustainable investment to maintain or make necessary improvements to the state's critical water infrastructure (public drinking water, wastewater, and stormwater systems, and dams); that works to provide affordable water, wastewater, and stormwater services; that encourages regional and innovative solutions to water, wastewater, and stormwater issues; that supports decisions that rely on science-based standards; that supports local decision making; and that supports economic progress in the state while protecting public health and safety. **Combination of existing policies, revised by the committee.**

#### 7. State Adoption of Building and Fire Codes

To see if NHMA will **SUPPORT** a policy encouraging the state to: (1) adopt updated editions of national/international building and fire codes; (2) streamline the code adoption process while facilitating examination of changes that benefit the state economy; (3) encourage training opportunities for local code enforcement personnel.

**Explanation:** Multiple versions of codes are confusing for all parties. The state's adoption of updated codes would simplify municipal decision making in scheduling code ordinance updates. The quality of enforcement varies significantly among municipalities due to different levels of experience and training. Better training would lead to more consistent enforcement. **Submitted by Portsmouth City Council.**

### Standing Policy Recommendations

#### 8. Current Use

To see if NHMA will **OPPOSE** any legislative attempt to undermine the basic goals of the current use program and **OPPOSE** any reduction in the 10-acre minimum size requirement for qualification for current use, beyond those exceptions now allowed by the rules of the Current Use Board. **Existing policy.**

#### 9. Scientific/Technical Standards for Regulatory Legislation

To see if NHMA will **OPPOSE** regulatory legislation that is not based on relevant scientific and technical standards that are broadly accepted by peer review and feasibly achieved.

**Explanation:** In the past legislative session, bills were filed that attempted to supersede standards set by regulatory agencies without the applicable deliberation and processes associated with creating regulations. **Submitted by Portsmouth City Council.**

**10. Land Use and Environmental Regulation and Preemption**

To see if NHMA will **SUPPORT** legislation that (a) recognizes municipal authority over land use and environmental matters, (b) limits the establishment of comprehensive statutory schemes that supersede local regulation, and (c) recognizes that even when local environmental regulation is preempted, compliance with other local laws, such as zoning and public health ordinances and regulations, is still required. **Existing policy.**

**11. Energy, Renewable Energy and Energy Conservation**

To see if NHMA will **SUPPORT** legislation encouraging state and federal programs that provide incentives and assistance to municipalities to adopt energy use and conservation techniques that will manage energy costs and environmental impacts, promote the use of renewable energy sources, and promote energy conservation, and **OPPOSE** any legislation that overrides local regulation. **Existing policy.**

**12. Oppose Statewide Zoning Mandates**

To see if NHMA will **SUPPORT** a policy recognizing the legislature's authority to establish statewide priorities in zoning and land use regulation, but **OPPOSE** legislation that limits reasonable local control in implementing those priorities, or that unreasonably mandates specific criteria that municipalities must follow. **Existing policy, revised by the committee.**

**13. Conservation Investment**

To see if NHMA will **SUPPORT** permanent funding for the Land and Community Heritage Investment Program and **OPPOSE** any diversion of such funds to other uses. **Existing policy.**





## Legislative Principles

In addition to the established Legislative Policy positions adopted by the New Hampshire Municipal Association membership, the following principles should guide staff in setting priorities during any legislative biennium:

1. Consider unfunded mandate issues that violate Part 1, Article 28-a of the New Hampshire Constitution to be paramount. Identify them and oppose them.
2. Work to maintain existing revenue streams to municipalities, (i.e. revenue sharing, meals and rooms tax, highway, and other state aid). Be especially watchful of proposals to reduce local aid in order to meet other funding commitments.
3. Advocate to maintain existing local authority.
4. Support issues which provide greater authority to govern more effectively, efficiently and flexibly at the local level, including local option legislation. If the legislature is considering adopting a program that is particularly controversial at the local level, support a requirement that a local legislative body vote is necessary before full implementation of the measure.
5. Support bills proposed by individual municipal members, except when they conflict with these principles or other NHMA policies. Staff should prioritize time and resources when there are competing demands in order to focus on NHMA's broad agenda first.
6. Encourage exemptions from state taxes rather than local property taxes when legislative intent is to preserve statewide resources.
7. Advocate for municipal representation on all state boards, commissions, and study committees which affect municipal government and have non-legislative members.
8. Work cooperatively with other groups and associations to support efforts to improve the delivery of services at the local level.
9. Support municipal efforts toward effective regional cooperation and delivery of municipal services.
10. Support efforts to develop a statewide technology network that fosters increased communication and greater compatibility among levels of government and within and between agencies in all levels of government.

## 2019-2020 NHMA Legislative Policy Process Questions & Answers

**1. What is the purpose of establishing NHMA legislative policy?** The New Hampshire Municipal Association (NHMA) is the voice of New Hampshire's cities and towns before the state legislature and state agencies. Adoption of legislative policy allows your municipal voice to be heard through the actions of your organization – NHMA. By adopting legislative policy, local officials can tell elected representatives what they feel are the major concerns of cities and towns.

The NHMA Board of Directors oversees NHMA's advocacy activities. Legislative policy positions direct the board and NHMA staff in representing municipalities before the legislature and state agencies.

**2. How are legislative policy recommendations prepared?** In the spring of each even-numbered year, NHMA forms legislative policy committees addressing different aspects of municipal government. The three committees this year are:

1. Finance and Revenue;
2. General Administration and Governance; and
3. Infrastructure, Development, and Land Use.

These three policy committees consider issues and problems derived from their own experience as local officials, issues sent in by other members or brought to them by staff, past policy positions, and issues resulting from the most recent legislative session. Each committee holds several meetings during the spring and develops policy recommendations to be voted on by member municipalities at the Legislative Policy Conference.

**3. Who votes on adoption, amendment, or rejection of these recommendations, and when?** On Friday, September 14, 2018, at 9:00 a.m., the 2019-2020 NHMA Legislative Policy Conference will be held at NHMA offices (25 Triangle Park Drive) in Concord. ***Each member municipality will be asked to appoint a voting delegate to cast its vote at this conference.*** Each member municipality, regardless of size, has one vote on all policy matters.

In the absence of any other designation by the board of selectmen, aldermen, or council, a voting delegate card will be issued at the door (in order of priority determined by the NHMA Municipal Officials Directory) to:

Mayor/Chair of Board of Selectmen/Council Chair

**OR**

Mayor Pro Tem/Vice or Assistant Mayor/Council Vice Chair

**OR**

Selectman/Alderman/Councilor

**OR**

City or Town Manager/Town Administrator/Administrative Assistant

**4. Will other policy proposals be voted on at the conference?** Yes, municipalities will have the opportunity to submit floor policy proposals for consideration at the conference. Each floor policy proposal must be approved by the governing body of the municipality submitting it, but the

proposals will not be reviewed or recommended by NHMA's legislative policy committees. Floor policy proposals will be voted on separately at the conference.

**5. How does our voting delegate determine a position on these recommendations?** We urge each municipality's governing body to discuss the recommendations in advance of the Legislative Policy Conference and vote to take a position on each one, in order to give direction to the voting delegate. Otherwise, your voting delegate is free to cast your municipality's vote as he or she desires. ***You do not need to notify NHMA of your positions on the policy recommendations; just provide that information to your voting delegate.***

**6. How are the policy recommendations presented and voted on at the Legislative Policy Conference?** The chair of the board of directors, as the presiding officer of the Legislative Policy Conference, introduces the entire set of recommendations of each policy committee, one committee at a time, as a slate. The chair and vice chair of each committee will be available to address questions. Any voting delegate may ask that a recommendation be set aside to be debated and voted on separately. The remaining recommendations are voted upon as a slate. After the slate from each policy committee has been voted, the voting delegates will return to those items set aside for separate debate and vote. It is at this time that individual items can be killed, amended, passed over, laid on the table, etc. Votes are by a display of voting delegate cards.

**7. Are policies adopted by a simple majority vote?** No. NHMA's by-laws require a two-thirds affirmative vote of those members present and voting for approval of any NHMA legislative policy.

**8. Why is the Legislative Policy Conference separate from the November annual meeting?** The Legislative Policy Conference must be held before the annual conference to meet the legislative deadlines for the filing of new bills. The staff needs time after adoption of policies to draft bills and secure sponsors.

**9. How will I know what policies are adopted if I don't go to the Legislative Policy Conference?** The final 2019-2020 NHMA Legislative Policies will be printed as a supplement in the November/December 2018 issue of *Town & City* magazine. We will also post them on NHMA's web site at [www.nhmunicipal.org](http://www.nhmunicipal.org).

**10. What happens if an issue that is not covered by any of these policies comes before the legislature?** The NHMA Board determines the position that the staff will advocate on issues not covered by specific NHMA legislative policies. The policy conference also endorses a set of Legislative Principles, which augment the specific legislative policy positions by setting forth general principles that guide staff in their advocacy efforts.



**New Hampshire Municipal Association  
2019-2020 Legislative Policy Process**

**Floor Policy Proposal**

Submitted by (name) \_\_\_\_\_ Date \_\_\_\_\_

City or Town \_\_\_\_\_ Title of Person Submitting Policy \_\_\_\_\_

Floor Policy Proposal approved by vote of the governing body on (date) \_\_\_\_\_

To see if NHMA will SUPPORT/OPPOSE:

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Municipal interest to be accomplished by proposal:

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Explanation:

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A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Mail to 25 Triangle Park Drive, Concord, NH 03301; or email to [governmentaffairs@nhmunicipal.org](mailto:governmentaffairs@nhmunicipal.org). **Must be received by August 10, 2018.**