

SUNAPEE BOARD OF SELECTMEN
6:30PM Town Meeting Room
Monday, February 12, 2018

Present: Chairman Josh Trow, Suzanne Gottling, Vice Chairman,
John Augustine and Donna Nashawaty, Town Manager.

Absent: Fred Gallup and Shane Hastings

Also, Present: See attached sign-in sheet.

REVIEW OF ITEMS FOR SIGNATURE:

Motion to approve the following CZC's:

Parcel ID: 0108-0017-0000 46 Westwood Road, 47 Westwood Nominee Trust 2008

Parcel ID: 0115-0053-0001 Perkins Pond Road, Kevin Barton

By Selectman Gottling, seconded by Selectman Augustine. Unanimous.

APPOINTMENTS

7:00PM No Thru Trucking Ordinance

Chief David Cahill and Scott Hazelton, Highway Director presented a "draft" copy of the proposed No Thru Trucking Ordinance to the Board. Chief Cahill recapped the concerns that the residents on Central Street had expressed at an earlier BOS meeting on this subject, using the street as a shortcut to harbor, number of children who live on the street and the traffic safety concerns. This "draft" copy is somewhat vague because at the last meeting residents of other streets also had concerns, so this ordinance is not only about one particular street. After some discussion and changes to the ordinance, the following is the ordinance as amended.

Town of Sunapee

NO THROUGH TRAFFIC/TRUCKS ORDINANCE

ARTICLE I – No Through Trucking and Prohibited Trucking

Section 1 – Authority to Regulate:

The Sunapee Board of Selectmen's authority to adopt regulations is set forth in RSA 41:11 relating to regulation of the use of town roads, and RSA 47:17, VII and VIII which specifically authorizes the Board of Selectmen to make special regulations as to the use of vehicles upon particular highways and to exclude such vehicles altogether from certain highways.

Section 2 – Conformity with Signs:

No person shall operate a vehicle in the Town of Sunapee except in conformity with the requirements or directives of traffic signals, signs and devices, and in the manner specified in RSA Chapter 265.

Section 3 – Vehicular Traffic Restrictions: (No Through Traffic)

No person shall operate a truck as defined by RSA 259:115-b, excepting a "light truck", as defined in RSA 259:50 on the following streets in a manner that allows the operator to travel from one end of the street to the opposite end as through traffic without stopping for either business or as a resident of that street, such vehicle described as light truck shall not be used or identified as a company or commercial truck with or without trailer attached.

Section 4 – Waivers:

It is the intent of this ordinance to reduce the amount of traffic using these roads as short cuts or pass through. The Board of Selectmen shall have the authority, and/or invest authority in the Sunapee Road Director and Sunapee Chief of Police, to grant permission for special exceptions.

Such permission shall be written to an applicant who applies for deviation from the provisions of this ordinance. The applicant shall demonstrate that the circumstances are unique, the alternative route is unreasonable, and the use of the restricted public highway is in the public interest. The Board, Road Director or Police Chief shall have the authority to attach such conditions to the permission, as it deems prudent and necessary.

Section 5 – Trucks Prohibited:

No person shall operate a truck as defined by RSA 259:115-b, excepting a “light truck”, as defined in RSA 259:50 on the following streets: **Central Street**

Section 6 – Penalty:

Any person who violates this ordinance shall be subject to a violation and result in a fine of \$50.00 for a first offence, \$100.00 for second offence and \$250.00 for each subsequent offence. Payment shall be paid at the Sunapee Police Department within 72 hours of violation.

Section 7 – Effective Date

Having held a duly noticed public hearing on April 9, 2018 the Board of Selectmen by majority vote adopted this Ordinance on **XXXX** which shall be the effective date hereof.

Approved as amended by the Sunapee Board of Selectmen on **XXXX**
Board of Selectmen.

The Board will hold a public hearing on this ordinance on Monday, April 9th at 7:00PM in the Town Office Meeting Room.

PUBLIC COMMENTS:

Chief Cahill update the Board on the In-House Field Training progress of the new Full-Time and Part-Time Officers.

SELECTMEN ACTION

•Expendable Insurance Trust Fund

Donna Nashawaty stated that the Town of Sunapee has an Expendable Insurance Trust Fund that pays the deductible, when a claim is filed. There is a \$1,000 deductible on the claim for the bad valve that flooded the Safety Services basement, which could be taken from this fund. Selectman Augustine asked what the original purpose of the fund was when it was set-up. Donna Nashawaty replied it was for insurance deductibles, but has never been funded or used since she has been here fourteen (14) years. Selectman Augustine asked if it was Property and Liability Insurance and have there been other opportunities to use the fund. Donna Nashawaty replied that it was for Property and Liability claims, but the town has not had a lot of claims. There might have been a couple of times the fund could have been used. **Motion to expend \$1,000 from the Property Expendable Insurance Trust Fund by Selectman Gottling, seconded by Selectman Augustine. Unanimous.**

•Town Manager’s Contract

Donna Nashawaty gave the Board a copy of her contract at the last BOS meeting. Since the Board did not reply to the Town Manager within the timeline stated in the contract, it renewed for three (3) years. The Town Attorney suggested that the Board make a motion for the minutes that they understand that by not invoking the not renewable clause that the contract is renewed automatically and the dates are suitably forwarded. **Motion to acknowledge and authorize the three (3) year renewal of the Town Manager’s contract, with the necessary adjustments by Chairman Trow, seconded by Selectman Gottling.**

The Town Manager annual review is due March 1st. The Town Manager will be out on medical leave as of tomorrow and didn't know how the Board wanted to handle this. After some discussion, Chairman Trow will email the review form to Barbara Vaughn, who will distribute to the other members of the Board for their comments. The Board will do the Town Manager's annual review at the March 12th BOS meeting.

- Authorize Chairman to Sign Septic Pre-Approval Letter

Donna Nashawaty stated that a resident/contractor will bring in a septic design to the Zoning Administrator, who will stamp and sign that the plan is approved by the Town of Sunapee. The Town started this process back when the Town had tighter guidelines than the State did, which both are now equivalent. There is no reason that the Town would deny the plan. The Planning/Zoning Departments have asked the Board to approve the request to remove the town from the State Septic Pre-Approval List. If the Town's guidelines again become tighter than the State's, the process can be reinstated by writing a letter to the State. Chairman Trow read the letter that will be submitted to the State. **Motion to approve the request from the Planning/Zoning Departments to be removed from the State Septic Pre-Approval List by Selectman Gottling, seconded by Selectman Augustine. Unanimous.**

- Letter to Governor, RE: Wild Goose Boat Launch

Donna Nashawaty was contacted by the Town Administrator in Newbury asking if the Sunapee Board of Selectmen would consider writing a letter to the Governor to reaffirm their opposition to the construction of the Wild Goose Boat Launch on Lake Sunapee in Newbury. A letter written by the New London Board of Selectmen was included as a sample. After some discussion, the Board amended the letter and asked the Town Manager to email to the Chairman of the Commission. **Motion to send the letter as amended to the Chairman of the Commission by Chairman Trow, seconded by Selectman Gottling. 2 in Favor, Selectman Augustine Abstained.**

CHAIRMAN'S REPORT

- Selectman Augustine asked if there was a sign-in sheet at the Deliberative Session and if not should there be one since there was a sign-in sheet at the Budget Public Hearing. Donna Nashawaty replied that would be a question to ask the Moderator, who runs the meeting. Selectman Augustine thought it would be a good idea to have some kind of mechanism to make sure, the people who are voting are residents.
- Selectman Augustine said that in previous years there was a formal motion and second to move the article to the ballot, but that didn't occur. Chairman Trow replied that it was the Moderator's decision, who felt since they were already on the warrant, so it would go to the ballot. Selectman Augustine said it was the Moderator's decision, Chairman Trow replied yes.
- Selectman Augustine wanted clarification on what the protocol is when an individual Selectman Speaks at the Deliberative Session. Selectman Augustine stated that when Selectman Gallup got up and asked that the petition article be discussed first, not last, he was speaking for himself and not speaking on behalf of the Board of Selectmen. Selectman Augustine asked if he was interpreting that correctly because as a group this was not discussed. If he was speaking for himself, Selectman Augustine feels he should not have spoke from the podium. Chairman Trow replied then Selectman Augustine also shouldn't have spoke from the podium. Selectman Augustine replied that he was invited by the Moderator to address the petitioned warrant article, but then went to the side microphones for any other questions or comments on the warrant article. Chairman Trow replied that is a question that will need to be clarified for the future.

In Chairman Trow's opinion both discussions should have been done at the side microphones, but that is the Moderator's decision.

- Selectman Augustine went to the Transfer Station and found out the ticket machine was broken and was told by the Attendant that they weren't going to get a new machine because there was no money in the budget. Selectman Augustine doesn't remember formally being told the machine was working, or they weren't getting a new machine because there was no money in the budget. What is the status of the machine. Chairman Trow replied that it was discussed with the Board this past summer. Donna Nashawaty replied that the machine has been having problems over the last couple of years, but finally broke a couple of months ago. The machine was expensive and Scott Hazelton decided not to put it in the budget for this year. There is a new procedure in place, which they will see how it works.

TOWN MANAGER REPORTS

- Update on Pignataro Payments

Donna Nashawaty reported there was no update on Rocco Pignataro, who didn't show up on Friday like he said he would with the December and January payments. At this point, he will be Behind three (3) payments. Donna Nashawaty will update the Board at the Feb 26th meeting.

- End of Year Update Report & End of Month Through January 2018

The Board reviewed both the End of Year and January End of Month Reports.

- Selectman Augustine asked if the Board was going to try and reschedule the ABC Committee Meeting given two (2) out of five (5) members said they would not be able to make it. The Board asked the Town Manager to contact the three (3) members and get a firm RSVP from them.

Meeting adjourned at 8:08PM

Respectfully Submitted by,

Barbara Vaughn

Administrative Assistant