

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

Present: Chairman Josh Trow, Suzanne Gottling, Vice Chairman,  
John Augustine, Fred Gallup and Donna Nashawaty, Town Manager  
Absent: Shane Hastings  
Also, Present: See attached sign-in sheet.

**REVIEW OF ITEMS FOR SIGNATURE:**

**MOTION TO APPROVE THE FOLLOWING CZC's:**

**Parcel ID: 0125-0053-0000 56 Old Georges Mills Road, Michael Kemp Sr.**

**By Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

**MOTION TO APPROVE THE FOLLOWING LAND DISTURBANCE BOND:**

**Parcel ID: 0106-0005-0000 1002 Main Street, George Neuwirt**

**By Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

**MOTION TO APPROVE THE FOLLOWING DEMO PERMIT:**

**Parcel ID: 0211-0002-0000 973 Route 11, Robert Sammon Revocable Trust**

**By Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

**MOTION TO APPROVE THE FOLLOWING LAND USE CHANGE TAX:**

**Parcel ID: 0231-0001-0000 Hells Corner Road, EIMIM, LLC.**

**By Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

**APPOINTMENTS**

7:00PM-Kathy Springsteen, Sestercentennial Committee

The Committee requests that the Selectmen approve an expense to Stone Vault of not more than \$850 to engrave the logo and the words, "Sestercentennial Time Capsule" and "To be opened at the Sesquicentennial in 2118.

**Motion to approve an amount not more than \$850 to engrave the logo and the words "Sestercentennial Time Capsule" and "To be opened at the Sesquicentennial in 2118. to the Stone Vault by Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

1. The Committee requests that the Selectmen approve an amount not to exceed \$1000 for Echo Communications to produce 1500 color copies of the Sestercentennial program on 60 lb. opaque stock and saddle stitched. **Motion to approve an amount not to exceed \$1,000 for Echo Communications to produce 1500 color copies of the Sestercentennial program by Selectman Gottling, seconded by Selectman Gallup. Unanimous.**
2. The Committee requests that the Selectmen approve an amount not to exceed \$2000 for 250 printed envelopes at Echo Communications. These will be used for the Sestercentennial postmark and will be sold to offset the cost. **Motion to approve an amount not to exceed \$2,000 for 250 printed envelopes by Selectman Gallup, seconded by Selectman Gottling. Unanimous.**
3. The Barton Insurance Agency has donated \$250 to the Sestercentennial Celebration.

#### 7:15PM-Scott Hazelton- "Draft" Boat Launch & Town Dock Ordinance

Scott Hazelton presented a "draft" copy, for discussion only, of the Boat Launch and Town Dock Ordinance. The draft is compiled from other towns ordinances with similar assets because of all the upgrades that have been done to the boat launch, ramps and parking area. Scott Hazelton stated that the primary purpose of this ordinance is to protect the town's interest in the boat launch area, which right now falls under the Recreation Area Ordinance. Donna Nashawaty stated that the Recreation Area Ordinance only talks about the definition of a boat launch, but not about the use of it and the hours of operation. Selectman Augustine said the document had a lot going on and suggested taking subsections and deal with them one at a time. Scott Hazelton replied that he agreed with him and said that the intent was not to solve anything tonight, but merely to bring this to the Board's attention to figure out what the best way to go about creating something to protect the town's interest. Scott Hazelton thinks that picking parts of this and just talking about them to come up with what's best for the community and best for the town is a great idea. Selectman Augustine asked when Scott Hazelton talks about the town's interest he is talking about the infrastructure integrity? Scott Hazelton replied that it's the boat launch, parking lot and the docks. Selectman Augustine replied that yes, it's that, but also the town's interest in the sense of the residents and taxpayers getting ample access. Donna Nashawaty replied that it would be in the Board of Selectmen's (BOS) hands and would be up the Town Manager and Department Heads to tell the Board if there needs to be controls on the infrastructure. But as far as the other interest of how and where the residents use it is a BOS input into the ordinance. Chairman Trow asked if there was a sense that there was more strain on it from commercial operations or more people or boat traffic. Scott Hazelton thinks it is both. Chief Cahill stated that back in the 80's and 90's Sunapee Police officers were selling day passes and season passes. The Sunapee Police were the administrators of the town's 2 public boat launches and currently the only to access points for boaters other than the limited facility at the Mt. Sunapee State Park. Chief Cahill has worked with all the barge companies over the past couple of years regarding where they're parking, how long they're going to be here and while they're loading and offloading pieces of equipment and found them to be respectful to a busy weekend and where and how they're putting their barges in the water. Chairman Trow said that there were no expectations that anything in the "draft" would go forward without more discussions and public hearings. In Chairman Trow opinion it is a worthwhile item to talk about because the harbor is a huge draw for the town and it does cost money to keep it upright and going. That said, the fact the town funds it, is certainly a question. Personally, Chairman Trow feels having a Police Officer stand there and charge people to use it is probably not the best use of the town's and Personnel's time. Selectman Gallup said he was going to reserve comment and judgement at this point until he can read and digest the draft. Selectman Gallup said he would suggest that all interested parties email the Town Manager, who will forward to the Board with any thoughts and concerns they have so the Board will be able to apply them to what has been presented tonight so the Board can get a handle on what Scott Hazelton is proposing and what the interested parties would like to see. Selectman Gottling asked if there was a maximum weight or size of vehicle that can be accommodated or is there something that over which really would almost likely do damage. Selectman Gottling use to see barges towing a dock or two, but now sees larger equipment on barges.

Donna Nashawaty suggested breaking down the draft into manageable chunks, hours, commercial and residential usage of the dock and parking lot, and then the penalties, which seem

to be the individual items for discussion. Selectman Augustine asked if this was meant to impact this season, Scott Hazelton said no the earliest would be next year. After some discussions and comments from the area contractors the draft copy will be revised and discussed at the next meeting.

•Bridge Jumping Ordinance

Donna Nashawaty received a phone call this morning regarding kids jumping off the roof of the covered bridge and damaging some shingles. The Town can't even put up a sign because there is no town ordinance. The BOS has a discussion regarding this issue a couple of years ago and a "draft" ordinance was written. Donna Nashawaty would like the Board to reconsider adopting a Bridge Jumping Ordinance. Chief Cahill said the issue that really concerns him the most is that bridge and the bridge by the Quack Shack are all around the dam that the state allows Bob Collins to raise and lower, so daily there may be different currents and depths of the water. Scott Hazelton stated that if someone gets hurt jumping off the bridge the town could get sued. Chief Cahill said if an ordinance was in place and signage is present the town could still be sued, but it would show the town was trying to prevent the problem. After some more discussion a **motion was made to set-up a public hearing on September 10<sup>th</sup> at 7:00PM for the Bridge Jumping Ordinance by Chairman Trow, seconded by Selectman Gottling. Unanimous.**

•Bradford Road Bridge

Scott Hazelton updated the Board on the Bradford Road Bridge. An engineer came in to design connections between the steel and wood for the railings, the steel is on backorder. The speed limit was discussed, which was 30mph and now is 25 mph. A Signs will be posted to remind people of the reduced speed limit.

PUBLIC COMMENTS:

•Chris Whitehouse was trying to find some information on the town website and found it difficult to find basic information. He would like to see the financial reports on the website.

SELECTMEN ACTION

•Authorize Chairman Trow to Sign Appreciation Letter

The Perkins Pond Protective Association Board asked the Board of Selectmen (BOS) to write a letter of appreciation for Gary Szalucka, who is stepping down after 20 years of serving as President. Chairman Trow read the letter to the rest of the Board. **Motion to authorize Chairman Trow to sign appreciation letter by Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

•Use of Facilities: 09/25 Outdoor Recreation for Seniors (COA), Dewey Beach.

**Motion to approve the Use of Facilities from the Outdoor Recreation for Seniors to use Dewey Beach on 09/25 by Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

CHAIRMAN'S REPORT

•Selectman Gottling toured the Springfield Electrical Plant today as the State Representative because of 2 bills that were vetoed by the Governor that passed both the House and the Senate regarding sludge disposal.

•Selectman Augustine said the Bridge Jumping Ordinance was not on the agenda, is there a reason why? Donna Nashawaty replied that she received a phone call this morning about kids jumping off the roof of the bridge, which damaged the shingles. After speaking with Chief Cahill she wanted to bring it to the attention of the Board.

- Monthly Expense and Monthly Revenue Reports on Town Website.

Selectman Augustine said at the last BOS meeting it was decided that the monthly Expense and Revenue reports would be attached to the minutes, which was progress, but why couldn't there be a link where the reports were listed directly on the website and not have to scroll through the minutes to find them.

- Recap of Capital Improvements Program Committee (CIPC) First Meeting and CIPC Next Steps.

Selectman Gallup stated that the CIP Committee had their first meeting, and everyone attended the meeting except Randy Clark, who already had a commitment that night. The next scheduled meeting is Thursday, August 16<sup>th</sup> at the Safety Services Building. Scott Hazelton will be presenting his plans for the capital reserves programs that he has in place, and the committee hopes to work their way thru all the departments that have Capital Reserve Funds or need the possible capital reserve funds.

- One Year Anniversary (7/24/17) of Sale Agreement with Sunapee Historical Society for Old Abbott Library.

Selectman Augustine stated that the sign in front of the Old Abbott Library says the Historical Society has already raised \$350,000. With the purchase price only being \$250,000, they have enough money to execute the purchase, although it looks like the sign says they want to raise \$500,000. Has anyone gotten any feedback from the Historical Society about timing or executing the agreement prior to the 2-year deadline? Chairman Trow said it's their responsibility to have the money raised in 2 years and by July 24<sup>th</sup> of next year the paperwork will be signed and the town will be renting from them.

- Update Regarding Building Foundation Inspections Approved Policy versus Current Practice.

Donna Nashawaty said Nicole Gage will be at the August 27<sup>th</sup> meeting to update the Board on the revised Certificate of Compliance (CZC) process.

- Town Employee Job Openings.

Donna Nashawaty stated that there is still an open Truck Driver position and the Finance Account Clerk position has been filled.

## TOWN MANAGER REPORTS

- 2019 Budget- Board request

Donna Nashawaty said it is the start of the 2019 budget season and wondered what the Board would like her to tell the Department Heads in her letter to them regarding their budgets. In the past it was the practice from previous years, of having a realistic budget so they know what it is that you ask for and how you prioritize, needs vs wants should be priority again this. Please fully explain any increases in detail and be prepared to explain during the budget session. Some of the Board feedback was support current services and they don't take things taken out of budget just to make budget look good. The all-day budget session will be held on Friday, November 2<sup>nd</sup> at 8:30AM.

- Summer Town Meeting Agenda

Donna Nashawaty went over the Summer Town Meeting agenda with the Board. That day will be Donna Nashawaty last cancer treatment, so Chairman Trow will be running the meeting.

Selectman Augustine asked what the format was going to be and if after every Department Head was finished would the audience be able to ask questions. Chairman Trow said that historically there might have been 1 or 2 questions after the Department Head was done and at the end of presentations if needed.

**Meeting adjourned at 9:19PM**  
**Respectfully Submitted by,**  
**Barbara Vaughn**  
**Administrative Assistant**

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

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CZC's:

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LAND DISTURBANCE BOND:

Parcel ID: 0106-0005-0000 1002 Main Street, George Neuwirt

DEMO PERMIT:

Parcel ID: 0211-0002-0000 973 Route 11, Robert Sammon Revocable Trust

LAND USE CHANGE TAX:

Parcel ID: 0231-0001-0000 Hells Corner Road, EIMIM, LLC.

2. APPOINTMENTS

7:00PM-Sestercentennial

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7:15PM-Scott Hazelton- "Draft" Boat Launch & Town Dock Ordinance

3. PUBLIC COMMENTS:

4. SELECTMEN ACTION

- Authorize Chairman Trow to Sign Appreciation Letter
- Use of Facilities: 09/25 Outdoor Recreation for Seniors (COA), Dewey Beach.

5. CHAIRMAN'S REPORT

- Monthly Expense and Monthly Revenue Reports on Town Website
- Recap of Capital Improvements Program Committee (CIPC) First Meeting and CIPC Next Steps
- One Year Anniversary (7/24/17) of Sale Agreement with Sunapee Historical Society for Old Abbott Library
- Update Regarding Building Foundation Inspections Approved Policy versus Current Practice
- Town Employee Job Openings

## **6. TOWN MANAGER REPORTS**

- 2019 Budget- Board request
- Summer Town Meeting Agenda

## **7. UPCOMING MEETINGS:**

- 8/02-7:00PM Zoning Board, Town Meeting Room
- 8/07-7:00PM Summer Town Meeting, Town Meeting Room
- 8/08-7:00PM Sestercentennial Committee, Safety Services Building
- 8/09-7:00PM Planning Board, Town Meeting Room
- 8/13-6:30PM Board of Selectmen, Town Meeting Room
- 8/13-7:00PM Fire Engineers, Safety Services Building
- 8/14-5:30PM Recreation Committee, Town Meeting Room
- 8/15-7:00PM Sestercentennial Committee, Safety Services Building
- 8/17-8-19-SESTERCENTENNIAL CELEBRATION
- 8/21-5:30PM Abbott Library Trustees, Abbott Library

# SIGN-IN SHEET

## BOARD OF SELECTMEN MEETING

DATE: 7/30/18

Charles Tremblay  
Don't Jan Beffencourt  
Barbara (Bonnie) Wilson  
Hilary Anson Winer  
Chris Whittetouse  
Mundy & Skip Nolin  
Paul & Jody Manson  
PETER DUBE'  
Frances Harris  
Allan Joan Gould  
Spec Bowers  
GARY SUPREMANI  
Peter M Fenton  
Peter C Fenton  
Steve McGrath

John Miller  
Charles Osborne  
Richard Osborne  
Sue Mills SHL  
Dave Richards  
Aaron Whipple  
Tara Booth  
Dennis Booth  
Pick Green  
Greg Abowick (Dock Engineer)  
Penelope Decks PLOS  
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# **DRAFT for Discussion Only**

## Town of Sunapee

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### **BOAT LAUNCH & TOWN DOCK ORDINANCE**

#### SECTION 1. PURPOSE.

The purpose of this ordinance shall be to promote harmonious use of the Town boat launch and docking facilities by everyone who visits them. This includes Town residents, tax payers, visitors, commercial users, recreational organizations, and organized tournament users. It is important to the Town of Sunapee that we maintain a positive relationship with individuals and groups that regularly launch from the Town boat launch and/or that utilize the Town docks. It is equally important to create a positive relationship with new users. It is for both purposes that we offer this ordinance.

#### SECTION 2. DEFINITIONS. In this ordinance:

- A. *Boat Launch* means real property abutting the waters of Lake Sunapee and owned and maintained by the Town of Sunapee for the purpose of launching boats.
- B. *Boat* shall mean any craft or vehicle which is used for travel on water.
- C. *Commercial* shall mean any enterprise conducted for financial gain or benefit by reason of the sale of goods or services.
- D. *Dock* shall mean any Town-owned structure or other facility used in connection with water access, including, but not limited to, wharf, landing, launch, ramp and boat slips.
- E. *Operator* shall mean any person who shall have physical control of a motor vehicle, including a boat.
- F. *Park* shall mean any Town-owned facility used for passive or active recreation purposes.
- G. *Parking Lot* shall mean any facility used for the convenience of motor vehicles (including boats) in such a way as to provide for non-permanent storage, temporary abandonment, stationary visitation or operator access to nearby attractions including the boat launch.
- H. *Recreational Area* shall mean real Property owned and maintained by the Town of Sunapee for recreational use, including, but not limited to, the following areas: Coffin Park including the Hydro Plant and Information Booth area, Sunapee Harbor, Ben Mere lawn and property, Dewey Beach, Georges Mills Berach, Ski Tow land off Route 103B, boat launches, docks and associated town-owned parking areas. Recreational Area shall mean the buildings thereon, grounds, and any other property necessary for the operation thereof and constituting a part thereof which is now or hereafter will be maintained, operated, and controlled by the Town of Sunapee for public recreation use.
- I. *Trailer* shall mean any wheeled apparatus which is pulled behind a motor vehicle as a means of carrying boats, snowmobiles, recreational vehicles, or any other equipment or loads of materials and/or equipment.
- J. *Tractor Trailer* shall mean any semi-trailer as defined by RSA 259:98 or truck trailer as defined by RSA 259:116, or any vehicle designed to transport commercial loads using a removable container or other apparatus.

### SECTION 3. HOURS OF CLOSING.

No person shall be permitted to remain, stop, or park within the confines of any recreational area between the hours of 10:00 P.M. and 5:00 A.M. prevailing local time, except as provided in subsections A and B.

- A. Any person may apply for a permit from the Board of Selectmen to have use of any recreational area during these times. Said permit to be issued by Board of Selectmen or its designee when it is in the public interest to do so.
- B. Sunapee Harbor and the Ben Mere property will be open at all times, provided however, that the Board of Selectmen may close any portion of these areas when it is in the public interest to do so.

### SECTION 4. PERMITS.

- A. Commercial use of a Recreational Area, including but not limited to boat launch ramps, parking lots, and associated docking structures shall be by permit only and issued by the Board of Selectmen.
- B. Application for a permit shall be a written letter describing the proposed commercial use, the inclusive dates and times of use, and the anticipated impacts on residents, visitors, and other users. The letter must include a very clear statement that the commercial user shall be responsible for any damage that they or their subcontractors do to the recreation area, and shall include a copy of the commercial users insurance certificate with the Town being named as additionally insured.
- C. The Board of Selectman may issue the requesting user a one-time, Single Use No-Fee Permit after they review the proposed use and its impact on the recreational area.
- D. The Board of Selectmen retains to itself the option to issue a Seasonal No-Fee Permit to the requesting user when the Board of Selectmen feel that circumstances warrant that type of permit.
- E. The decision to issue a one-time single-use or seasonal permit rests solely at the discretion of the Board of Selectmen.
- F. The Board of Selectmen retains to itself the option to require the user to post a bond to cover the cost of potential damages that may result from the use.
- G. Permits must be in the user's hand before the proposed use of the Recreational Area begins.
- H. Possession of a one-time, Single Use or a Seasonal, No-Fee Permit, does not forgive or excuse any other rules existing or provided herein.
- I. No commercial user shall preclude others using the boat launch facility for a prolonged period of time, and they shall not exceed the time limit proposed to and accepted by the Board of Selectmen.

### SECTION 5. ACTS PROHIBITED WITHOUT WRITTEN PERMISSION.

- A. No permit is required to launch or haul out pleasure boats at launching ramps for residents and/or tax payer of the Town of Sunapee and/or Town of Springfield. A transfer station

sticker (other sticker type?) must be visible in the windshield of operator of the vehicle for all residents and taxpayers.

- B. All other visitors shall pay a daily boat launch fee of (\$TBD). Daily permit will be provided by (PD part-time staff member??). Visitors may also request a seasonal boat launch pass from (Town Office???) with a fee of (\$TBD). (Where \$\$ gets put?? i.e. revolving fund??)
- C. No commercial vessel, floating dredge or barge is to use the Town docks or to anchor within 100 yards from said Town docks, unless the operator thereof first obtains a written permit from the Board of Selectmen.
- D. No motor vehicles, construction equipment, supplies, or materials shall be stored or parked on a boat launch ramp, or in parking lots/areas adjacent thereto, unless a written permit is first obtained from the Board of Selectmen.

#### SECTION 6. ACTS PROHIBITED

- A. No motor vehicles, wheeled or tracked construction equipment, skateboards, bicycles, scooters, roller blades or the like shall be permitted on Town docks.
- B. No motor vehicles, construction equipment, construction materials or supplies shall be parked or stored on the Town docks.
- C. Under no circumstance will the Town tolerate power loading at Town boat launch ramps. Individuals who power load are subject to a fine of not less than one hundred dollars (\$100.00) for destruction of Town property.
- D. No vessels or watercraft shall be docked in that area reserved for the MV Mount Sunapee or MV Kearsarge boats.
- E. No vessels shall impede the path of the MV Mount Sunapee or the MV Kearsarge boats, or the area directly in the rear of their sterns.
- F. No vessels shall dock in the slip closest to any public launching ramp except that docking for a period not to exceed 10 minutes shall be allowed for purposes of loading and unloading only.
- G. No overnight docking shall be permitted.
- H. No swimming or playing in the water of Sunapee Harbor including the boat launch is permitted.

#### SECTION 7. PENALTIES

- A. Violation of any provision of this ordinance shall constitute a violation, and anyone so convicted shall pay a fine of no less than ??? Dollars (\$TBD).
- B. In addition, persons found to be violating any provision may be denied use of the recreational area by a member of the Board of Selectmen, their designees, or a member of the Sunapee Police Department. Any such denial of use may be appealed to the Board of Selectmen.

#### SECTION 8. ENFORCEMENT.

This ordinance shall be enforced by the Board of Selectmen, its designees, and by the Town of Sunapee Police Department or any other police agency having jurisdiction within the Town of Sunapee in the manner prescribed for enforcement of violations of law by New Hampshire Statute.



**TOWN OF SUNAPEE**  
23 Edgemont Road  
Sunapee, New Hampshire 03782  
Phone: (603) 763-2212 Fax: (603) 763-4925

**COPY**

September 1, 2018

Perkins Pond Protective Association  
77 Piney Point  
Sunapee, NH 03782

To: Gary Szalucka, President

The Board of Selectmen (BOS) understand that you are stepping down as President of the Perkins Pond Protective Association this year, after almost twenty years as serving as President.

The BOS know that the natural environment and beauty of our state is dependent on citizens of our state taking an active role in preserving the environment and you have led the efforts to preserve the beauty of Perkins Pond. The grass roots effort that the association under your tenure, successfully lobbied for and got approval for the sewage system around the pond to replace antiquated septic systems has and will continue to keep Perkins Pond as a great resource for the community.

Thank you for your service as an active member of the Volunteer Lake Assessment Program, sampling Perkins Pond for over 20 years. Please accept our appreciation and congratulations for a job very well done.

Joshua Trow  
Chairman Board of Selectmen

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

**COPY**

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

Name of Organization: Outdoor Recreation For Seniors (COA)

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

Name of Duly Authorized: Al Peterson

Mailing Address: 22 Pine Ridge Rd  
Sunapee

Daytime Phone: 763 5456 Evening Phone: same

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

Event Date: sep 25 Time From: 9:30 am To: 1:30 pm

Please describe the event: we hope to launch kayaks and then picnic afterwards

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 30 # of people and 20 # of vehicles attending our event.

Al Peterson Signature of Responsible Individual 7/18/2018 Date

Daniel Chell Approved by Chief of Police 7-19-2018 Date

Scott Kunt # of Officer(s) will be assigned to event at applicant's expense. Approved by Recreation Director (if applicable) 7-20-18 Date

Al Peterson Approved by Fire Chief (if applicable) 7/24/18 Date

Al Peterson Signature of Approving/Denying Authority (Chairman of the Board of Selectmen) 7/30/18 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  
PROBITING BRIDGE JUMPING ORDINANCE

ARTICLE I – No jumping from bridge in Town of Sunapee

**Section 1 – Restricted access:**

It shall be prohibited to jump, dive or leap from any bridge within the Town of Sunapee. This shall mean jumping, diving or leaping for recreational purposes.

**Section 2 – Waivers:**

It is the intent of this ordinance to avoid the potential risk of serious bodily injury and damage to Town property. The Board of Selectmen shall have the authority 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 and that safety precautions are addressed. The Board, Fire Chief or Police Chief shall have the authority to attach such conditions to the permission, as it deems prudent and necessary.

**Section 3– Penalty:**

Any person who violates this ordinance shall be subject to a violation and result in a warning or a fine of \$25.00 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 8 – Effective Date**

Having held a duly noticed public hearing on XXXXXXXX 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,

Published Aug. 27, 2009 at 05:00AM

## Why jump?

**Recently, a man broke his neck and back while leaping from a bridge into the Deschutes River, but that hasn't discouraged others – which begs the question,**



Bridge jumpers line up to leap off the Gilchrist Street footbridge near Columbia Park on Wednesday afternoon in Bend. Although one man recently suffered a broken neck and back, and a city ordinance calls for fining jumpers up to \$327, jumpers continue to flock to the bridge to take the plunge into the Deschutes River.

Wednesday afternoon, Joel Jensen pulled his raft to the edge of the Deschutes River and clamored over the rocks to the Gilchrist Street footbridge that crosses the river at Columbia Park, passing underneath the sign that announces a city ordinance banning diving from the bridge. Jensen, 40, crossed to the middle of the bridge, chatted briefly with a group of teenagers, and executed a perfect cannonball into the water.

One week ago, 30-year-old Travis Niles was on that same bridge getting ready to jump when he lost his balance and fell into the water headfirst, breaking his neck and back. Niles will be in a back brace and a cervical collar for six to eight weeks but is expected to make a full recovery.

Jumping off bridges is a Bend summertime tradition, Jensen said, and he doesn't expect Niles injuries or the threat of a citation including a fine of up to \$327 will deter many people. He said he's been hurt jumping off higher bridges outside of town, but never seriously, and he's only hit bottom at Columbia Park by swimming down another 5 feet or so.

There were fewer bridge jumpers when Jensen first moved to Bend in 1989, he said, and back then, most jumpers went off the footbridge in what's now Farewell Bend Park, completely unaware of whether it was legal.

It seems like every time you find something fun, somebody wants to take it away, Jensen said.

Christian Owens, 17, said the story of Niles' broken back has circulated widely in the past week, but he doesn't think it will keep him or others from jumping off bridges in the area.

It sucks, but I'm not going to stop jumping in the river, Owens said. Things happen, and if you're going to jump off anything, you're pretty much saying you're going to take the risk to get hurt.

Police patrols have a limited effect at Columbia Park, Owens said. People disperse when an officer shows up, he said, but they reassemble as soon as the officer leaves and continue jumping.

Wes Murphy is the Bend Police Department's park patrol officer and is responsible for keeping people from jumping off bridges in town. Other than the Galveston Avenue and the Newport Avenue bridges, pretty much every bridge in town sees some jumping activity in the summer, he said, but the Gilchrist Street footbridge is by far the most popular.



The city built the bridge to replace an earlier footbridge in 1995 aware of its popularity as a bridge jumping site, the current bridge is lower than the original and features a railing tilted at 45 degrees to deter people from climbing on top.

Murphy said hes heard several arguments in favor of jumping from the bridge. Some point to the Xs carved into the railing that mark safe spots to jump, while others have suggested the no diving sign does not also say no jumping, unlike at other bridges in the area.

They say, Its safe because Ive jumped here a hundred times, and my reply is the current is very strong, and theres rootballs, logs, things that end up in the river and move in the river, including the channel itself, Murphy said. So you might jump off 10 times, and then the 11th time, theres a rootball there. They greet me with silence with that logic.

Nick Vernon, 17, said hes jumped off the bridge nearly every day this summer. Going headfirst off the bridge is a bad idea, Vernon said, but he thinks its safe overall.

People diving, thats a dumb thing to do off the bridge, he said. Were jumping, were doing can openers and cannonballs, stuff like that, stuff that really shouldnt hurt us. Ive seen millions of people do it.

Lizz McAllister, 15, said the river is a great way to cool off in the summer and that its easier to summon up the courage to jump off a bridge than to wade in to the often-icy waters. The risk is part of the appeal of jumping off the bridge, McAllister said, but she goes out of her way to be careful, always jumping from the same spot and always from the bridge deck, not the railing.

McAllister said shes seen people cited by police for jumping from the bridge, but shes more concerned about getting in trouble with her mother than the police. She prefers for me not to, and she said its my fault if I get hurt, she said. And that she wouldnt be changing my diapers if I got paralyzed.

Murphy said hes more interested in keeping people from jumping than writing citations and wont wait to watch someone jump off the bridge in order to write a ticket. Younger jumpers often think theyre invincible, he said, but he thinks stories like Niles will convince some people to think twice before jumping off the bridge.

Kids are right when they say people do it all the time and dont get hurt, Murphy said. But I wouldnt want to be the one in however many people that does get hurt, and best case, spend the rest of your life in a wheelchair, or worse case, drown.

# Bridge jumping ban approved

By **Greg Fish** - December 26, 2017

The Orono Town Council last week approved a new ordinance banning jumping off the Main Street bridge over the Stillwater River, as well as the railroad bridge/trestle over the river.

The ordinance was discussed this fall by councilors, after there were incidents of people jumping into the river this summer. That raised currents about jumpers being caught in the current or striking objects in the water, or being a distraction to passing motorists.

Despite those issues, people could do little about it, as bridge jumping was not specifically banned under town ordinance. Last week's passage of the bridge jumping ban closes that loophole.

Those violating the proposed ordinance can be subject to a fine of \$250, plus the cost of any emergency response to the violator and/or members of the public that are injured or endangered as a result of the violator's actions.

Town officials indicated signs will go up in the areas of the bridge and trestle, most likely in the spring, informing the public of the jumping ban.

**Greg Fish**

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# Clive's new rules may end 'bridge jumping'

Kim Norvell, knorvell@dmreg.com Published 5:00 p.m. CT June 21, 2017 | Updated 12:09 p.m. CT June 28, 2017



(Photo: Kim Norvell/The Register)

A summer pastime enjoyed by generations of lowans could soon be banned in one Des Moines suburb.

Clive City Council members approved a first reading Thursday to make it illegal to congregate, loiter or climb on bridges in the city.

The rule would essentially prohibit people from jumping off the old railroad bridge into Walnut Creek since jumpers would have to climb on the bridge to launch off. But the council decided against a proposal to outright ban jumping.

"How far do we want to go as a city to really go above and beyond what some folks might call reasonable ordinances? This may or not be, I don't know," said Councilman Eric Klein at Thursday's meeting. "But I will say this, last year we had a fatality of a biker on the Greenbelt Trail, but there wasn't a rush to ban biking there."

Klein was referring to the death of 35-year-old Adam Grant Pritchard, of Torquay, Devon, United Kingdom, who veered off the trail (/story/news/crime-and-courts/2016/06/24/cyclist-killed-greenbelt-trail-crash-identified/86330180/) and fell down a rocky embankment last June.

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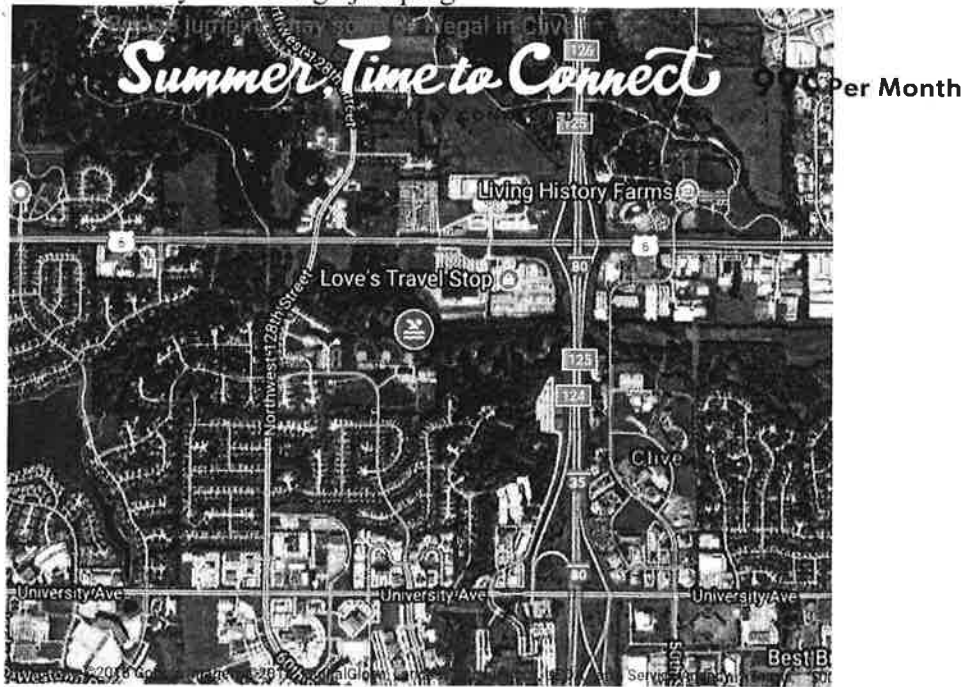
Teenagers have been jumping from the bridge for years, but it has become more popular this summer, according to city officials.

That worries Clive Police Chief Michael Venema.

"If in passing this ordinance we prevent someone from becoming seriously injured on a rock or killed, it would be worthwhile," he said. "There's a lot of danger involved. Creek levels change quite a bit, especially as we enter a dry period."

About 20 teenagers gathered on a recent afternoon on the bridge just north of the Campbell Recreation Area. They took turns jumping from the north side of the bridge where the creek forms a natural pool. Others sat on the wooden ledge listening to music.

"It's Iowa. We don't really have a lot of activities to do and this is honestly really fun," said Sandrah Nasimiyu, 16, of West Des Moines. "It makes you confident and it builds your adrenaline."



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She said she saw videos of people jumping from the bridge on Facebook and decided to try it with a handful of friends. Allison Volk, 20, of Van Meter said she's come five times this summer. There has been a new group of people at the bridge each time.

Nasimiyu and Volk both want Clive to keep "bridge jumping" legal. They pointed out that there are no signs discouraging anyone from jumping or warning them of the potential dangers.

The new rule must pass two additional readings before it takes effect. Violators could face a municipal infraction with a fine of up to \$750, said City Manager Dennis Henderson. Or they could be charged with a simple misdemeanor.

"I don't think that's fair at all," Nasimiyu said.

Councilman Ted Weaver, who lives in the neighborhood, said while he's concerned about jumpers, the change will solve a bigger problem of large groups blocking bikers and walkers who are trying to cross the bridge.

"It's become more of a nuisance in my opinion," he said.

Venema said the police department has received 11 calls about people jumping from the bridge in the past five weeks — more than ever before — though police often don't respond since it's not illegal.

If the changes are approved, the police department plans to increase its presence in the area, Venema said. He also wants to erect signs to notify people that jumping is illegal.

Clive's ordinance would be the first of its kind in the metro. Des Moines has no rules preventing bridge jumping, although it is illegal to swim in the Des Moines and Raccoon rivers in the city.

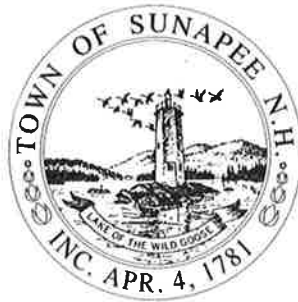
It's a simple misdemeanor to jump from bridges in Cedar Falls. Iowa law requires defendants appear in court on a simple misdemeanor charge.

Linn County considered a similar ordinance in 2011, but rejected it. Concerns were renewed a year later when a boy broke his leg jumping from the Paris Road Bridge, but the Board of Supervisors never passed a new law.

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# **TOWN OF SUNAPEE**

## **AGENDA**

### **"SUMMER TOWN MEETING"**

**August 7, 2018-7:00PM**

**23 Edgemont Road**

**Sunapee Town Offices/Lower Meeting Room**

**Introduction-Joshua Trow, Chairman Board of Selectmen**

**Town Manager-Donna Nashawaty**

**Fire Chief-Dan Ruggles**

**Police-Chief David Cahill**

**Library-Mindy Atwood**

**Town Clerk/Tax Collector-Betty Ramspott**

**Water & Sewer-David Bailey**

**Highway Dept., Transfer Station & Buildings & Grounds-**

**Scott Hazelton**

**Sunapee Schools-Jesse Tyler, Chairman School Board**

**Recreation-Scott Blewitt**

**Tri-Town Assessor-Norm Bernaiche**

Dear Editor,

I recently learned that the Town of Sunapee Board of Selectmen (BOS) is considering a "Boat Launch & Town Dock Ordinance" at the July 30<sup>th</sup> meeting. Sounds reasonable doesn't it? As usual the devil is in the details and as written it won't "maintain a positive relationship with individuals and groups that regularly launch from the Town boat launch and/or utilize the Town docks". Let's examine why...

Buried in the ordinance Sections 4 and 5 are requirements for permits for using a "recreational area", and they specifically point out the ramps and docks (which are already in the definition of "recreational area". They then describe a series of different permits for different uses and time periods, to be controlled by the BOS. Charges for the permits will also be set by the BOS. These permits must be obtained prior to the use of the facility, but no procedure for requesting or issuing permits is defined. Section 5 is only about the ramps and docks and describes what you can and can't do. Residents and Taxpayers must have a transfer station sticker or some other form of identification to use the facilities at no charge.

Here's some of the problems:

Joe Croydon decides he wants to fish the Lake on Sunday, how does he get a permit? Are we going to pay someone to sit at the harbor or the Town Hall from 5:00 am until 10:00 pm waiting for him to show up? Maybe not too bad in the summer, what if he wants to take a cruise on Sunday in October or November?

Sally Newbury doesn't have a vehicle that can tow a boat and relies on a marina to put her boat in and take it out. If that marina is not in Sunapee, the BOS has created an unfair business climate giving a lower cost of operations to Sunapee based businesses. Regardless of where the marina is based and pays taxes, if they have 5 vehicles will they need 5 permits or stickers? I would guess so.

Jim Sunapee has a house on the lake that he visits for 1 month each summer for years. He handles his own boat, puts it in on July 1<sup>st</sup> and takes it out on July 31<sup>st</sup>. He never uses the transfer station but has private trash collection. Will he need 2 permits or one, or will he need to get a transfer sticker?

Bob Manchester comes up for a day of boating, unaware of this Ordinance, what happens when he goes to put his boat in? What happens if he puts it in while the "monitor" is in the restroom?

Let's be realistic, this is going to cause more problems with the boat ramp than it solves. It's going to cost us more than it brings in to do this right. It will slow down activity at the ramp with one more thing people need to address before they launch.

The first line of Section 1 states "to promote harmonious use of" the launch and docks by everyone who uses them. Full disclosure, I help one of the local marina's launch boats during the busy season (most of the boats I help launch by the way are for Sunapee residents). We are at the ramp 5-10 times a day, and once the ramp is clear we are usually in and out within 10 - 15 minutes tops. I have never seen any issues between commercial users and others (or with anybody for that matter). Section 4.1 seems to

imply that there are, and that the commercial users tie-up the resources. If anything, the opposite is true, but we live with it as part of the job, no harm, no foul.

I don't like to complain without providing a solution and would suggest this.

Throw this away! If a dock and ramp ordinance is really needed, start over. Identify the problem you are trying to solve (the current Purpose, from my observation, states 2 problems that don't exist). Look at how similar issues are handled on other lakes; how many have permitting and access fees? The only ones I know of are "private" with no public access.

If there really is a problem with the ramp and dock facilities, state that problem, focus on it and don't conflate it with "Recreational Areas".

Simplify, simplify, simplify. Forget permits and fees, who pays who doesn't and how we manage the permitting process. Use them only as a last resort (unless this is a back door to increase revenues at the expense of our visitors).

One thing this will do if it generates enough complaints to the State, is reopen the Wild Goose / Lake Access question, not sure we want to do that. Let the BOS know how you feel.

Chuck Tremblay  
47 Upper Skijor Steppe  
Sunapee