

SUNAPEE BOARD OF SELECTMEN
6:30PM Town Office Meeting Room
Monday, August 31, 2015

Present: Josh Trow, Chairman, Suzanne Gottling Vice Chairman, John Augustine,
Fred Gallup, Emma Smith and Donna Nashawaty, Town Manager
Also Present: See Sign-in Sheet
Chairman Trow opened the meeting at 6:30PM

REVIEW OF ITEMS FOR SIGNATURE:

Motion to approve the following CZC's:

Parcel ID: 0218-0081-0000 54 Sargent Road Ted Gallup

Parcel ID: 0133-0107-0003 31 Maple St. Bugs in the Woods (Cornelio)

Parcel ID: 0125-0003-0000 14 Garnet Hill Rd. Margaret Binette

Parcel ID: 0115-0053-0001 94 Perkins Pond Road Kevin Barton

By Selectman Gottling, seconded by Selectman Augustine 4 if Favor 1 Abstain

Motion to approve the following AFTER THE FACT:

Parcel ID: 0125-0003-0000 14 Garnet Hill Rd. Margaret Binette

Parcel ID: 0115-0053-0001 94 Perkins Pond Road Kevin Barton

By Selectman Gallup, seconded by Selectman Gottling Unanimous

APPOINTMENTS

6:50PM-Scott Blewitt came to ask the Board to transfer \$32,508.37 from the special recreation fund to the general fund to cover the attached list of expenditures.

Motion to transfer \$32,508.37 from the special recreation fund to the general fund to cover the listed expenditures by Selectman Gallup, seconded by Selectman Gottling. Unanimous.

Harbor House Livery Public Hearing

Chairman Trow opened the second of two public hearings on the potential sale of the Harbor House Livery (HHL) at 7:00PM. Mike Durfor, Chairman of the Harbor House Livery Committee did a slide presentation on the history of the HHL to the members of the public that couldn't make it to the first HHL public hearing.

Some of the comments from the public:

Question-Great presentation, wonderful concept. Was the process ever opened up for competitive bidding? Chairman Trow stated that to his knowledge, there was no competitive bidding on this project. Selectman Augustine said that this was the number one comment that he has heard from the public, has the building been publicly announce as being for sale. To the best of his knowledge, it has not, which may or may not have been the right decision in the past. But, given where we are today, with a willing buyer and a group of people who are motivated to go get donations, it's the right decision. Donna Nashawaty stated that part of the reason this works is because there is a non-profit that can go out and get foundations, grants and some matching funds, whereas, the homegrown investor would have to put his cold, hard cash up in order to watch the profit margins.

Question-Is there a bona-fide music school that has expressed an interest? How many students will there be and what's the age group? Mike Durfor replied that the Better Future Alliance (BFA) contacted a number of different music institutes to get a sense of what the current marketplace is for that type of thing. There have been no discussions with anybody in terms of a music school because we don't have the building yet.

Question-After the building is transferred, what if the non-profit group cannot raise sufficient funds and is there a legal requirement to modify the building to what we just saw or are they free to do whatever they choose to do with whatever amount of money they raise? Chairman Trow said that after the transfer, it's just like any other building, if you don't pay your taxes the Town can take the building back. Chairman Trow continued by saying, on the legal requirements of the building, there is a "draft" deed that the Board will be discussing later in the meeting, which has certain restrictions regarding preserving different pieces in the building. Mike Durfor stated that what he presented were conceptual ideas and that they would have to go to the Planning Board for a site plan review before any changes to the building could occur.

But the question was if after the sale and the assigned non-profit can't raise sufficient funds for the music concept, can they do another business in the building, such as a pet shop? Donna Nashawaty read one of the covenants of the "draft" deed that might give the public a better understanding of what the Town has in mind for the building;

"The property conveyed herein shall be used for community use. In accordance with this covenant, the owner is required to provide for public access and community use of the buildings herein conveyed. Community use is defined as a use that highlights the property's social, cultural, architectural, and historical significance in the town's history and may be accomplished by the following, including but not limited to, dedicating physical space within the building open for community use and/or offering programs to the general public that make use of the building for community use purposes."

Donna Nashawaty stated that the people raising the money are going to be promoting the music life village concept, but it could be arts by the time it's done.

Question-I know the Selectmen have the ability to buy and sell property, but with the impact of this, why it isn't going to warrant? Chairman Trow replied that the Selectmen were given the authority with two public hearings, but in his mind, one of the reasons was to accelerate projects that were happening. If the town had to wait for the warrant article, you could be waiting anywhere from three months to fifteen months. But, requiring the two public hearings gave the ability for public input.

Comment-After the charrette, the momentum for this came from public sentiment that they wanted that building to look like it does now and wanted to work with someone who would accept deed restrictions and work within those limitations. The HHL committee came in the picture to fulfill the desire of the community for the future.

Comment-Very impressed by Mike Durfor's presentation, but frightened by this whole thing. She did not move to Sunapee to have a small group of people decide that a music school would go in our harbor. We have a lovely harbor and the Wednesday night band concerts are wonderful, but the last two years the attendance has been down. It's just not clear who will be at the music school and she would like to see articles in the newspaper on this, for people who can't attend these public hearings.

She wonders if the Town of Sunapee really wants to give up a jewel to an almost unknown, other than having faith in the Riverway. She is very sad to think that our community really doesn't have the opportunity, even though it's publicized, to respond, understand and feel confident about this endeavor. Selectman Augustine stated the point about the Town keeping the building and leasing it out, it would cost roughly three million dollars to get that building to a place where you could allow someone to use it. So as a community we would have to decide if we wanted to pay three million dollars to take on the management opportunity that these folks are willing to take on. Chairman Trow stated that this is a group of local devoted people who want this to become a community center. Chairman Trow is not saying it's going to be, there's no guarantee, but what the Board is doing is its best effort to make sure that does happen.

Comment-I think it's a great idea. I've been a resident for over fifteen years. She feels that going to the Riverway is a process that will work. We all want Sunapee to be better than it is and want it to grow, but not too much. We all like the small town feel. But if we do it right and have a group of people who want to preserve the harbor and have a track record of being able to do that, than I think it's our best option. Jolyon Johnson, on behalf of the Riverway, stated that the Riverway did not seek out to purchase the HHL building, but it is a key part to the harbor. The mission of the Riverway is to preserve and enhance the lakeside village.

Donna Nashawaty had a meeting with the Thrift Shop workers last week and the need to have the thrift shop remain operationally in Sunapee was very important to them.

Comment-Lived in Sunapee for thirteen years and feels Sunapee takes great pride in everything it does. He has read books on the history of music back to the thirties, which he likes and the sense of community. He is always looking for great moments and feels this is an opportunity to be great, by restoring a building like this one. He was shown the plan for the building today and was very impressed, especially with the Café. He thinks it's a great project and anything he can do to help, he would love to do.

Don Bettencourt, Budget Advisory Committee, asked the Board could addressed the conflict with the statement on the slide that said no taxpayer funds would be requested now or in the future and item four on tonight's agenda to consider spending up to \$26,000 in repairs before selling it for \$1. Chairman Trow replied that the item on the agenda was for repairs to the cupola and the clock that came before the Board a few meetings ago. This was something the HHL committee was looking to do, which was within the funds they had in the capital reserve fund. One of the items in the "draft" deed is to preserve and maintained the clock and cupola in the current condition and to be kept in proper working order. The Board is selling the building requiring them to keep control and repair of the clock and cupola, which Chairman Trow feels it would be in the worst possible interest of everybody and setting a horrible precedence of the town were to sell it in broken condition. The Board will meet on Tuesday, September 8th at 7:00PM for a vote on selling the HHL building. After a few more comments, the public hearing was closed at 8:50PM.

PUBLIC COMMENTS

- Chief Cahill wanted to update the Board on a couple of happenings at the police department. As a result of a lightning strike back in July, the police radio console will be replaced, which has a cost of \$46,000. The town will be responsible for the deductible of

\$1,000. A drug drop box was installed this morning in the police department lobby for residents to drop-off unwanted prescription drugs.

The department will be involved in a sobriety checkpoint next week with the State Police. Since the beginning of the year, Chief Cahill has been trying to come up with programs to better inform the community on services, questions and complaints. One of the programs is Coffee with the Chief, which has been well attended. Some road studies have been done with the new traffic counter that was purchased from a grant from the Highway Safety Agency. The department will be sending out a weekly activity/log email. To subscribe click the following link and follow the instructions www.town.sunapee.nh.us/subscriber.

SELECTMEN ACTION

- Donna Nashawaty stated that Scott Hazelton put together two RFP's (Request for Proposal) for the Harbor House Livery Repairs (Painting & Clock), which includes the cost of all equipment, materials and labor necessary to complete the projects.

Motion to approve spending the total amount of the two proposals, \$12,100 for the clock and chime repair and \$10,720 for painting the cupola from the HHL capital reserve Selectman Gallup, seconded by Selectman Gottling. 4 in Favor 1 Opposed
Motion to approve spending \$961.04 for bills that were missed from 2010 by Selectman Gallup, seconded by Selectman Gottling. Unanimous

CHAIRMAN'S REPORT

- Selectman Augustine feels as part of the due diligent process for the sale that the Board should get the documentation for the new non-profit organization, whatever shows that it is a legitimate, legal entity. Barbara Sullivan offered to get the documents to the Board.
- Selectman Augustine stated that what he heard from the people was not so much the proposal or the plan, but the process of how the building gets transferred.

TOWN MANAGER REPORTS

- Donna Nashawaty went over details of the Harbor House Livery "Draft" Deed to the Board.
- Donna Nashawaty has gotten word back from Charitable Trust regarding the cy-pres. They would like more discussion about the dates and the timing of when we would actually conclude some sort of a sale. A meeting has been set-up with the Town Manager, the Town Attorney, Terri White Chairman of the Library Trustees and the Library Attorney in Concord on September 24th.
- Donna Nashawaty updated the Board on the Planning Board Subdivision complaint on Lake Ave.
- Donna Nashawaty has had the opportunity to make a connection with the local TV station. One of the General Manager at the station is exploring how we might be able film our Selectmen's meeting at little to no cost.

Meeting adjourned at 9:46PM

**Submitted by,
Barbara Vaughn
Administrative Assistant**

Approved: _____

Joshua Trow, Chairman

Suzanne H. Gottling, Vice Chairman

John Augustine

Frederick Gallup

Emma Smith