

SUNAPEE BOARD OF SELECTMEN  
6:30PM Town Office Meeting Room  
Monday, October 19, 2015

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

Absent: Emma Smith

Also Present: See Sign-in Sheet

Chairman Trow opened the meeting at 6:36PM

**REVIEW OF ITEMS FOR SIGNATURE:**

**Motion to approve the following CZC's:**

**Parcel ID: 0177-0022-0000 88 Marys Road Carl Norenzo Trust**

**Parcel ID: 0104-0048-0000 1043 Main St. Terry Mattson**

**Parcel ID: 0121-0011-0000 15 West Shore Rd. Richard Palmieri**

**Parcel ID: 0113-0010-0000 128 Browns Hill Rd. James Southard**

**Parcel ID: 0104-0033-0000 84 Prospect Hill Rd. Linda Tanner**

**Parcel ID: 0133-0107-0001 11 Saville Lane Undici Property Mgmt.**

**Parcel ID: 0136-0017-0000 322 Lake Ave. Chip Whitcomb**

**Parcel ID: 0125-0047-0000 48 Dewey Beach Rd. Rina Yokum**

**Parcel ID: 0121-0030-0000 83 Fernwood Pt. Rd. Jamie Silverstein**

**Parcel ID: 0103-0013-0000 66 Oak Ridge Rd. Gisela Polleys**

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

**Motion to approve the following LAND DISTURBANCE BOND:**

**Parcel ID: 0118-0018-0000 36 Marts Road Spplatt Family Trust**

**Parcel ID: 0129-0084-0000 6 Abbott Court Corliss Abbott Trust**

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

**Motion to approve the following AFTER THE FACT:**

**Parcel ID: 0104-0048-0000 1043 Main St. Terry Mattson**

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

**Motion to approve the following SIGN PERMIT:**

**Parcel ID: 0129-0043-0006 8F Soonipi Circle Soonipi Circle, LLC**

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

**Motion to approve the following DEMO PERMIT:**

**Parcel ID: 0129-0084-0000 12 Abbott Court Corliss Abbott Trust, but will not  
release until the Town has proper documentation by Selectman Gallup, seconded by  
Selectman Gottling Unanimous**

## **APPOINTMENTS**

7:00PM- Closing on Harbor House Livery to Sunapee Harbor Riverway Corp.  
Chairman Trow stated that the Board has two items before them, the Quitclaim Deed and the Commercial Lease, in the final step of the Harbor House Livery building sale.

•**Motion to authorize signing the quitclaim deed by Selectman Gallup, seconded by Selectman Gottling. Unanimous**

•**Motion to approve the terms of the commercial lease and authorize the Town Manager to sign by Selectman Gallup, seconded by Selectman Gottling. Unanimous**

## **PUBLIC COMMENTS**

•Terri White, Chairman of the Abbott Library Trustee wanted to announce that the one year anniversary of the new library opening is coming up on October 22<sup>nd</sup> with circulation up 14% and patron visits are up 73%. In addition, three weeks ago, the Library Trustees learned from the NH Library Trustees association that Sunapee and the Abbott Library are the recipients of the 2015 Library of the Year Award.

•John Wilson gave a construction update. They started construction on the upper parking lot, which would add 40 more parking spaces.

## **SELECTMEN'S ACTION**

•**Motion to approve the 2015 MS-1 by Selectman Gallup, seconded by Selectman Augustine. Unanimous.** The grand list number-\$1,194,330,595.

•Donna Nashawaty went over the summary of activities for the old Abbott Library Cy-Pres after the discussion from the meeting with NH Charitable Trust.

### **Basis:**

- Town responsible to preserve the interest of the donor and protect the building i.e.: heat, electricity, water, sewer, appropriate winter maintenance and other essential utilities etc...
- Decided to petition the court for disposition of asset
- Success if Selectmen & Library Trustees do it jointly
- Agree on fair market value \$348,000
- Determine Donor & Town Amounts \$240,120/\$107,880

Process (steps to run concurrently with cy pres court action)

- Determine nonexclusive RE agent
- Conditions include Conditional Deed detailing external changes and landscape?  
Need Decision from Board
- Conditions of sale include stipulation of additional days because of municipal transfer of property requires multiple public hearing days and specific date of vote
- Conditions to include the right not to go thru with a sale based on a determination not in best interest of the town
- Sell for a purchase price that gets at a minimum of \$240,120 or have funds certain prior to closing to remove donor interest from property sale.

### Warrant Articles (options)

- Raise funds to purchase \$240,120
- Multi-year warrant article: 3/5 vote required
- Multiple years single warrant article
- Raise funds from Hydro to purchase \$240,120
- Multi-year Hydro payment 3/5 vote required

### Warrant Articles (required based on cy pres)

- Warrant Article in 2016 to establish a 31:19a fund that expenses and income from commercial lease would go into reducing the donor
- Warrant Article in 2018 (2 years) to establish a capital reserve fund and raise approx \$50,000 to go into fund to purchase donor equity. Each subsequent year same warrant article with \$47,530 for next 4 years. Purpose to raise funds to purchase donor equity. Note, donor equity can be reduced by equity funds netted in 2016 commercial lease article.

### Commercial Lease

- Commercial Lease: What we learned is that with an approved cy pres agreement the use of the building while disposing can be allowed for any purpose
  - stay within zoning restrictions
  - number of parking spaces
- Determine non-exclusive RE agent to list for commercial lease and determine market rates

### Other Considerations

- How or where does the Historical Society interest in the building fit into plan?

Donna Nashawaty gave the Board the new agreement with these general changes and details to be worked out for timing of cy-pres approval. She will have an item on next agenda.

**•Motion to authorize the Town Manager to process with the cy-pres by Selectman Gallup, seconded by Selectman Gottling. Unanimous**

**•Motion to approve the Winter Road Maintenance Policy as presented by Selectman Gallup, seconded by Selectman Gottling. Unanimous**

**•Motion to approve the use of facilities from the school for the Homecoming Bonfire to be held on October 2<sup>nd</sup> in the harbor by Selectman Gallup, seconded by Selectman Gottling. Unanimous**

**•Motion to approve the use of facilities from Project Sunapee for the Halloween Celebration to be held on October 31<sup>st</sup> on River Rd./Covered Bridge by Selectman Gallup, seconded by Selectman Gottling Unanimous**

**•Motion to approve the use of facilities for the Bottcher Wedding to be held on June 11, 2016 at the Town Dock in the harbor by Selectman Gallup, seconded by Selectman Gottling Unanimous.**

**•Motion to approve the reappointments of Erica Belisle and Charleen Osborne to the Recreation Committee by Selectman Gallup, seconded by Selectman Augustine Unanimous**

**•Motion to approve the reappointment of Lela Emery to the Conservation Commission by Selectman Gallup, seconded by Selectman Augustine Unanimous**

**•Motion to approve the appointment of Gerard Tracey to the Conservation Commission by Selectman Gallup, seconded by Selectman Augustine Unanimous**

### **CHAIRMAN'S REPORT**

•Selectman Gallup asked if roadside mowing was going to be done this year. Donna Nashawaty replied that it was done. Selectman Gallup asked if it was done on a limited Basis and has it been completed. Donna Nashawaty will ask the Highway Director and get back to the Board.

•Chairman Trow asked if there was a Lower Main Street bridge update. Donna Nashawaty replied that it was on schedule.

•Selectman Augustine asked if there has been any questions or complaints about traffic flow. Donna Nashawaty stated there has been a few from the neighbors regarding people turning around in their driveways.

### **TOWN MANAGER REPORTS**

•Donna Nashawaty wanted to make the Board was aware of the Finance workshops that will be run on next three consecutive Wednesdays. The workshops are sponsor by Sunapee Welfare and Abbott Library, in partnership with Sugar River Bank and Greenpath Debt Solutions and will be held at Abbott Library at 7:00PM.

•Donna Nashawaty, along with Chief Dan Ruggles, gave an overview to the Board on what they know today and what they would recommend regarding the Ambulance service to Sunapee. In 2014, the Town was split 50/50 with Newport Ambulance Service covering the Newport side of Sunapee and New London Ambulance had the New London side of Sunapee. In 2015, the Town paid New London Ambulance \$38,000 and Newport Ambulance \$16,500 for the services they provided. Newport Ambulance told New London Ambulance that they are providing too many of their back-ups and they want to New London Ambulance to address their staffing situation. New London Ambulance said they would, but at a cost to the communities they serve. In the meantime, Newport is addressing their ambulance service. The Newport Selectmen and the Community feel the ambulance is going out of town more than it is staying in. Newport feels they want to address their own needs Newport Ambulance readdressed what it was charging people, Goshen who is currently paying \$14,000, will go up to \$40,000, Croydon who is paying \$13,700 is going up to \$43,000 and Sunapee who is paying \$16,500 is going up to \$77,000. In the discussion, Donna Nashawaty asked them if they were interested in giving the Town an offer on doing the entire Town of Sunapee and they said at this time, they would not, the Newport Selectmen didn't want them to go out of town any more than they were and were only interested in keeping the services they had now.

Donna Nashawaty has met with Richard Riley, New London Ambulance regarding the possible options for covering the entire town and basically got them to agree that if they staffed Sunapee with the amount they would have done with just the New London side for the whole town, would they sign a contract for the next five years that would limit their increases to 2% per year, they agreed.

At this point, Donna Nashawaty recommendation to the Board of Selectmen is that we sign a contract with New London Ambulance for \$56,010 for the whole town, which will take effect on January 1, 2016. Donna Nashawaty and Chief Dan Ruggles have a meeting with New London Ambulance tomorrow to work out the details.

- The Board reviewed the monthly budget through September 30<sup>th</sup>

- Donna Nashawaty negotiated a lower electric rate that PSNH with Nextera for the next twelve months.

- Donna Nashawaty stated that for the past fifteen years the Town has been covered by what was New Hampshire Municipal Association umbrella under HealthTrust, Property Liability and the Municipal Services. During the course of all the lawsuits, All three became separate entities. Further lawsuit Property Liability Insurance Trust didn't have the required balances to continue, so the Secretary of State required that this entity break-up. So on June 30, 2015 Property Liability Insurance Trust will cease to exist. They have set up all their accounts, so that anybody who had an insurance risk that was going to have to be paid from the pot of insurance money, that money is set aside and the Actuaries say it is fully funded. But, because they can't separate the workers compensation and the property liability funds, in order to give the number that the Secretary of State Office Division of Insurance says they should have, they have to go out of business. In the seventies, the Towns in the State of New Hampshire choose "risk pools" and there was an issue when the bottom fell out of the Market of insurance companies, which created a need for municipalities to try and find insurance companies that could cover them, so "risk pools were developed.

The difference between commercial insurance and risk pool management is that there is a liability limitation on regular commercial insurance companies, that when you reach a certain limit of exposure, that municipalities are specially excluded from that insurance risk. So, you need to go to a risk pool because you might be settling for an amount that is higher than a commercial insurance company can cover. Donna Nashawaty is going to ask Primex to give her a quote. Donna Nashawaty's understanding is Primex is reaching out and quoting all the municipalities who are with Property Liability Insurance Trust, but are asking to come out and review all of the town's policies, locations and equipment. The Town uses Primex currently for their workers compensation and if the Town agrees to a three year contract there will be a 15% savings. But for the next four or five months she may be working on some very specific policies, which she will be bringing to the Board for approval.

- The Board received the 2014 Annual Financial Statements and Management Letter from Melanson & Heath. They have offered to come out and do a presentation to the Board and are available on November 2<sup>nd</sup> or November 16<sup>th</sup>. The Board felt that the Management Letter covered any questions that they might have regarding the audit.

- Donna Nashawaty was very sorry to report that Officer Adam Lantiegne has given his notice to Chief David Cahill. Effective December 31, 2015 he will no longer be a Full-Time Officer, but will continue to work as a Part-Time Officer, as he takes on his

new role in a family-owned company. At the November 2<sup>nd</sup> Board of Selectmen meeting, the first item on the agenda will be the swearing-in of the new Part-Time Officer. He will be going to the Academy and could possibly work into the Full-Time position if things work out.

- Donna Nashawaty has been contacted by a resident (Angley) whose property, on Nutting Road was taken by tax deeding in 2010, who would like to purchase it back from the Town.

The amount would be a little over \$9,000, which includes all the interest, the recording fee for the Quitclaim Deed and any taxes owed for 2015. Hopefully, a certified check will be received and this will be on the November 2<sup>nd</sup> BOS agenda.

- LSPA held two meetings, one on June 24<sup>th</sup> and the other on September 24<sup>th</sup> to discuss the multi-town watershed compliance process proposal. The purpose was to share insights on current code enforcement and to reach consensus on how best to ensure that the regulations are followed. The compliance process assures that ordinances and regulations are adhered to throughout the development, implementation, and long term maintenance of a project; and that ongoing education of landowners, contractors, local government officials, and the public occurs. The multi-town meeting was facilitated by Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) and representatives from Sunapee, New London, Newbury and Springfield attended. LSPA would like to meet with the Select Boards and Planning Boards from the four towns to discuss the process. Donna Nashawaty has scheduled a meeting with Michael Marquire, the Town Planner and Roger Landry, Zoning Administrator to discuss the process. Donna Nashawaty will schedule a meeting with LSPA after the budget hearing in January.

- Officer Tim Therrien received an award at last Friday night's Congressional Award Ceremony honoring heroes for his part in saving the neighbor at the Georges Mills store fire.

- Donna Nashawaty read an email to Scott Hazelton from Jim Doherty, the painter of the Cupula, who informed Craig Heino that the lower skirting roof below the cupula is in tough shape. The roof needs to be re-sheathed and shingled and could be completed for \$1,200. Selectman Gallup stated that the Board agreed to paint the cupula and fix the Clock and he feels whatever else will be the Riverway's responsibility.

**Meeting adjourned at 9:44PM**

**Submitted by,**

**Barbara Vaughn**

**Administrative Assistant**

**Approved:** \_\_\_\_\_

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**Joshua Trow, Chairman**

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**Suzanne H. Gottling, Vice Chairman**

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**John Augustine**

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**Frederick Gallup**

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**Emma Smith**