

SUNAPEE BOARD OF SELECTMEN  
6:30PM Town Office Meeting Room  
Monday, February 8, 2016

Present: Josh Trow, Chairman, Suzanne Gottling Vice Chairman, John Augustine,  
Fred Gallup and Donna Nashawaty, Town Manager  
Absent: Emma Smith  
Chairman Trow opened the meeting at 6:30PM

**REVIEW OF ITEMS FOR SIGNATURE:**

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

**Parcel ID: 0218-0008-0001 16 Chippendale Drive Jeremy Clay**

**Parcel ID: 0125-0047-0000 48 Dewey Beach Road Mike & Rena Yokum**

**Parcel ID: 0107-0024-0000 1114 Lake Ave. James & Janice Harrison**

**Parcel ID: 0107-0024-0000 1114 Lake Ave. James & Janice Harrison**

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

**Motion to approve the following Land Disturbance Bond:**

**Parcel ID: 0107-0024-0000 1114 Lake Ave. James & Janice Harrison**

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

**APPOINTMENTS**

**•7:00 PM – Mount Royal Academy**

Board Members and Headmaster accompanied by Attorney Brad Cook, representing Mount Royal Academy, wanted to come and update the Board on the happenings at the school and invited any questions the Board would have about the school, hopefully starting a dialog with the Town, which will result in good communication to avoid any misunderstandings. A packet was handed out, which included a fact sheet on enrollment numbers, towns served, average class size, faculty and administrative staff numbers, governance, operations and community uses. Selectman Gallup feels the school is good for the area and offered to be a liaison between the town and school if necessary. Chairman Trow was curious if there has been a motion or did he miss the information regarding the septic system required by the state. Mount Royal Board of Directors Chairman Tom Brown stated that about a year ago the Town requested that the school have a study done on the septic system. The school hired Septic Inspectors and Engineers, as well as taking ongoing water samples, because it is really a function of usage not so much versus number of students. Derek Tremblay, Headmaster stated the initial inspection had no problems and the follow-up inspection, which was done a couple of months ago received a "good" rating. The monthly water usages reports are given to the Town Manager. Since he's been at the school there have been no problems with the septic system since he's been at the school and the system is pumped twice a year. Derek Tremblay continued by saying, as far as the motion, he doesn't believe the state is requiring anything further to be done at this time. Chairman Trow replied that the motion was from December 2014 and the school had 90 days to submit the 240 student plan. Derek Tremblay said the plan is in the works, but since Mount Royal has not reach the

student population and there are no problems right now, the school has not pursued further.

Donna Nashawaty stated that the Town's understanding is the State requires an approved septic plan design on file. The current plan design is for 175 students. The system that is installed, which Donna Nashawaty reported to the Board on December 2014, had a "good" rating and the school had 90 days to submit a new design plan for the 240 students and staff to the Department of Environmental Services (DES). Chairman Tom Brown stated that he believes it is based on usage, which is determined by water flow, not students. Donna Nashawaty replied that was not what the State was telling the Town and it would be great if the State sent a letter to the Town stating that Mount Royal was in compliance, because in the meantime the State keeps telling the Town that there needs to be a new design submitted. Chairman Trow stated that part of the problem is that the Town is dealing with an organization who is trying to do the right thing for their students and the school, but the Town is kind of in a crunch because the State doesn't let you get away with anything, but the Town needs resolution whether they tell us what you are saying or that the school needs a new design plan. Attorney Cook said the school will get clarification from the State on what needs to be done. Donna Nashawaty wanted to state this publicly, that the Town sewer line is right down on Route 11, which is not that much of a distance from the school. So part of the issue might be if the septic system fails, the cost of a septic system versus hooking up to the town sewer system. Water & Sewer Chairman Ted Gallup suggested a possible option might be if the school had a plan to get an easement from the Town to run a line down Old Georges Mills and from the State to go under Route 11 to connect to the town sewer line, it might not cost a lot of money and could satisfy the State. Donna Nashawaty asked about access; there has been an issue with Route 11 and the access onto Seven Hearths and Fred Gallup, Scott Hazelton and Donna Nashawaty went down to the Department of Transportation (DOT) in Concord to argue with the State about where to put slower speed zones and turning lanes. The school recently reach out for help, from our State Representative, the Town Office and Highway Safety Committee. The Highway Safety Committee recently sent a letter to the school asking if it would be possible to hire a professional Traffic Engineer to help Mount Royal through the process. Donna Nashawaty thinks that the problem is two-fold, in addition to access, one of the problem has been the growth. With 50 students the parents would drop them off and they would fit in the parking lot, over 100 students, they line up in order to make the queue, now with over 200 students they're lined up down to the end of Seven Hearths. The neighbors are complaining because they can't get by the cars because they're lined up on both sides of the road, never mind if the plows need to go up and down the road. At one point, the Town and Mount Royal explored the class 6 road that runs from the entrance of Mount Royal down to Old Granliden. Road and some other possibilities. One of the discussion was that the school wanted to parallel park on the side, keep the road open and suggested the Town would do the improvements, but the Selectmen could not see the benefit to the Town. Then there was the discussion where that would go and there were some very large trees and Donna Nashawaty got concerned that there wasn't a survey of that road. Donna Nashawaty feels that a Traffic Engineer could give suggestions on a better flow or route. Selectman Gallup offered to be a liaison between the Town and school to keep the lines of communication open, which Chairman

Trow thought was a good idea and hoped any issues that came up could be resolved and to keep the good relationship with the school.

•7:30PM –Request to Accept \$8,000 Donation to Fix Patrol Boat Motor.

Chief David Cahill made a request to the Board of Selectmen to accept an \$8,856 donation from the Sunapee Police Benevolent Association to purchase and install the patrol boat motor and allow the Association to use the old motor as a trade to reduce the cost of the new motor or sell the old motor outright so the Association can cover some of their investment. In addition, Chief Cahill requested to withdraw \$1,697.60 from the Revolving Police Fund to replace safety equipment, the three season jackets that are used when on a police detail. **Motion to approve the withdrawal from the Revolving Police Fund in the amount of \$1,697.60 to replace the worn-out safety equipment by Selectman Gallup, seconded by Selectman Augustine. Unanimous**

#### SELECTMEN ACTION

•Set Public Hearing to Accept Donation

**Motion to set a public hearing on March 7<sup>th</sup> at 7:30pm to accept the \$8,000 donation from the Sunapee Police Benevolent for Police Patrol Boat Motor by Chairman Trow, seconded by Selectman Augustine. Unanimous**

•Abbott Library Appointment

**Motion to reappointment Sharon Palmer as an Abbott Library Trustee Alternate by Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

•Recap of Deliberative Session

Selectman Augustine feels whether it's the Selectmen's meeting to run or not, he thinks it's appropriate that the Board of Selectmen comment on the situation whether to have deliberation at the Deliberative Session or not. Once the motion was ruled out of order, that just squelched all conversation on the topic. One thing Selectman Augustine has always liked is that the Board of Selectmen's meeting have always been open to public comments whether they were positive or negative. Chairman Trow feels it is not the Board's place to tell him how to run his meeting. In his opinion, Chairman Trow stated as he had said before, that it was not the Selectmen's meeting and if people decide is that Harry Gale is not a good Moderator or you don't like the way he runs meetings; he comes up for reelection. Selectman Gottling believes that the public did hear a great deal of information on what the motion was about, before the motion was introduced. Selectman Gottling feels that it was not the motion itself that was being ruled down, but it was the appropriateness of the person introducing the motion and she felt there were many options; like giving it to another person to introduce would have been a very easy thing to do and would have solved the problem. Ted Gallup said it was confusing to him when he looks at what the Budget Advisory Committee (BAC) guidelines are that the Town prints out. When the BAC have meetings with the Selectmen and School Board to talk about budgets, and they come to a conclusion and the Selectmen who is responsible for the BAC, then the BAC Chairman to get up at the Deliberative Session and throw all of that work that was worked together on away. Ted Gallup then read a section from the BAC

guidelines regarding differences in recommendations by the Board and BAC. Ted Gallup feels the Selectmen should be keeping an eye on a Board that's running a little bit out of line. Chairman Trow stated that there have been some questions regarding this and he thinks the Board is going to have to review to see if the BAC is still operating in the vain of how the Board expects. Chief David Cahill stated that as a Department Head, he feels that after working for 4 months putting the budget together with the Selectmen and BAC, what happened at the Deliberative Session was not appropriate and the subject of cutting \$50,000 should have been discussed during the budget process, not at the Deliberative Session. After discussion, the Chairman moved on to the next agenda item.

•Board of Selectmen Job Description

It struck Selectman Augustine throughout the course of the budget season that the topic of employee performance review came up quite often and he took from those conversations that there is an expectation that the town employee shows up to work and do an appropriate job to get pay. The fact that the Board of Selectmen don't have the same type of requirements placed upon them makes them look hypocritical, when others are expected to show up and perform to get paid and don't have the same expectations of ourselves. Selectman Augustine thinks it would be beneficial if there was a job description for the Board of Selectmen position, and in that job description it would spell out the requirements to collect the stipend. Chairman Trow stated that there is a legal description of the Board of Selectmen duties in an RSA. The stipend is simply a stipend, unless we go to something like the Water & Sewer Department has, which is that you get paid per meeting, but the description of a stipend, if you are in the job, as long as you're not fired or step-down, you will receive the stipend, which is the way it is currently written for the Board of Selectmen. Selectman Augustine asked if someone puts no time in, why do they deserve to get paid. Chairman Trow feels that if someone didn't put any time into it that they would generally have a fairly good reason. If you had a person who actively didn't want to participate that is who you would approach and say you need to reconsider being on this Board. Chairman Trow stated that there is nothing the Board can do to physically remove someone. Chairman Trow does not feel there is a reason to focus on this issue. Selectman Gallup stated that the Board does have a performance review every 3 years, it's called reelection. Selectman Gallup went on to say, that you are always a Selectman, whether you're at a BOS meeting, the Deliberative Session or in the local coffee shop, you are on duty every single day. Donna Nashawaty stated that RSA 41:8 describes the duties or job description of the BOS.

•Capital Improvement Committee

Selectman Augustine thinks if the voters approve the Capital Improvement Committee that's on the ballot in March, it would be very beneficial to know what their roles and responsibly will be. Donna Nashawaty provided the Board with the description for current Capital Improvement Committee in Bow and Moultonborough, which the Board will discuss after the March 8<sup>th</sup> election.

•Board of Selectman Appointment Calendar

Selectman Augustine wanted to know what the BOS appointment calendar looked like for the coming year. Selectman Augustine stated inviting various groups to discuss issues or happenings would keep the lines of communication open between the Town and organization, such as Mount Royal.

Selectman Augustine thought it would be a good idea to invite the Thrift Shop to discuss future plans with the group. Donna Nashawaty will set-up an BOS appointment with the Thrift Shop.

#### PUBLIC COMMENTS

- Don Bettencourt suggested voting with clickers at Deliberative Session, instead of the voice vote. The voice vote makes it hard to weed out the people from out of town, who should not be voting. Chairman Trow replied that he only knows of 4 people who were from out-of-town, the rest of the audience he believes were Sunapee residents There is a cost for the clickers and the Moderator did state a paper ballot could be done. It's up to the Moderator how he wants to run the meeting.
- Chief Cahill reported that Robert Riessle, the new full-time policeman is in his 6<sup>th</sup> week at the Police Academy, he has 10 more to go.
- Spec Bowers feels the Moderator at the Deliberative Session, made up a rule, when he ruled something was out of order, and took away the rights of a private citizen, with no basis what so ever parliamentary rules of order or the rules that were specified at the beginning of the session. Chairman Trow replied that the Deliberative Session is the Moderator's meeting and in the end, if the people decide that what the Moderator is doing is inappropriate, there is the opportunity to overrule.
- Charles Smith has had the position of Moderator for many years and knows the rules. Charles Smith feels Harry Gale was legitimate under the rules

#### CHAIRMAN'S REPORT

- Selectman Gallup will be absent for the March 21<sup>nd</sup> meeting.

#### TOWN MANAGER REPORTS

- After discussion the BOS voted to not include the BAC Town Committee Report in the 2015 Town report. **Motion to exclude the report of the Budget Advisory Committee in the 2015 Town Report by Selectman Gallup, seconded by Selectman Gottling. 3 in Favor Selectman Augustine Abstained**
- Donna Nashawaty has 3 encumbrances, totaling \$11,998.06 that need to be carried over. The 3 encumbrances are:  
Safety Services Building--\$9,100-construction of 3 dorm-style rooms upstairs  
Hydro-\$900-Granite State Hydro Dues  
Fairpoint-\$1,998.06-Billing errors on summary bills  
**Motion to approve the 2015 encumbrances, in the amount of \$11,998.06 by Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

**Meeting adjourned at 9:35PM**

**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**