

**Board of Selectmen
August 3, 2020
Selectmen's Meeting Minutes**

Present: Select Board Members – Ed Haskell, Bob Berti & Isaac DeWever
Town Administrator – Joe Chivell

NOTE: The conference room at the Rumney Town Office Building has been arranged for this meeting so that the three Board of Selectmen and Town Administrator are seated six feet apart from each other. Five chairs are arranged to allow public members to attend and be seated a social distance of six feet apart. Face masks are available and offered to all entering the meeting.

6:30 PM Meeting opened by Selectman, Ed Haskell. Payroll and accounts payable checks were reviewed and signed.

The following document reviewed and signed:

- Corrective Cemetery Lot Deed

6:45 PM The Board of Selectmen invited the property owners of Map/Lot 16-05-04 to the meeting to discuss the changes being made to the property and how it relates to the deed restrictions, Shoreline Protection Act and Subsurface rules as set by NH-DES. Also present were Janice Mulherin, Rumney Conservation Commission, and Judi Hall, Rumney Planning Board. An alternate meeting area had been arranged outside on the west end of the building. All parties were comfortable with the arrangement in the meeting room, so the meeting was held inside.

Selectman, Isaac DeWever, made the initial introductions of everyone included in the meeting. Selectman, Bob Berti, explained that concerns had been brought to the Board. Berti stated that after receiving the complaints he and Conservation Commission Chair, Janice Mulherin, walked to the back of the property to check on the status of the deed restrictions. Two concerns are State level issues and one is at the town level.

One issue that should be addressed at the State level is the work that has taken place within the area that would require a Shore Line Protection Act Permit. This work includes the gravel road, gravel pads that the campers and RV's park on, and any hookups that have been put into place for the campers/RVs. There is no work allowed, without a permit, within the first 50' of a shoreline, restrictions decrease as work is moved out to 250' of the shoreline.

The second issue that should be addressed at the State level is the actual campers, whether it is a private campground or not. NH-DES has oversight of campgrounds, the disposition of gray and black water, and pressurized water to the campers.

The issue to be addressed at the local level is the actions being taken within the 100-year FEMA floodplain. The property was advertised and sold with restrictions addressing the activity that can and can not be taken within the flood plain. If you are outside of the flood plain, then there is no issue. The Town is unaware of any engineering that may have been done before any work

was started or completed.

Harold Morse spoke for the owners. Morse indicated the group had not completed any engineering. Morse felt that they were staying within the agricultural and forestry restriction. The land is being used for a private campground; it is not being rented nor is it open to the public. The campers are made up of family and a few friends. Harold Morse said setting aside the shoreline issues, they have tried to be good neighbors and would like to discuss the restrictions at some point. Morse stated they have planted corn in the area and felt that was agricultural.

Selectman, Bob Berti, stated that the restrictions reduced the value of the property at the time it was auctioned. Berti stated that several residents did not want the Town to auction the property and wanted the Town to keep the property for its river frontage. Selectman, Bob Berti, said the Board could talk about meeting the owners halfway, but the activities need to stay out of the flood plain and he personally does not see camping as either agriculture or forestry use.

Janice Mulherin, Rumney Conservation Commission Chair, stated the camping means people using water, resulting in water in and water out. How does the gray and black water leave the campers?

Harold Morse stated they use the holding tank behind the old trailer. The gray and black water is removed from the campers by placing it into a tote and then disposing of it into the holding tank that is behind the trailer. The tank is then pumped as needed. Sometimes gray and black water is removed while still contained in the camper when the camper is moved off site.

Selectman, Isaac DeWever, stated he understands why they would like to camp in the area, and he does appreciate the amount of work they have put into cleaning up the property. DeWever stated he would like to walk the area to see the work that has been done.

Harold Morse stated that he would not think a two-foot ditch would require a Shore Line Protection application, but they will look into it.

Selectman, Bob Berti, asked about the water spicket attached to the electrical post. Christine Morse stated they use that to attach a hose to fill the holding tanks. She added that she would prefer to have someone there if anyone else wants to walk the property.

The discussion ended that the property owners will follow up with NH-DES and with feedback from NH-DES both parties can then follow up on any deed restriction issues. Town Administrator, Joe Chivell, asked that the Morse's Cc the Town on any correspondence with NH-DES.

7:08 PM Public Forum – There was no public present.

7:08 PM Town of Rumney Moderator, Jim Buttolph, asked to meet with the Board of Selectmen to discuss the upcoming Primary Election and the General Election. Buttolph explained that there have been “ZOOM” meetings with the NH Secretary of State on how to handle the election

days as it relates to mask rules, this is still undetermined. Additional discussion has been around PPE and absentee ballots. PPE will be available for pickup on August 13th. School is not in session for the Primary Election on September 8th. The Moderator has requested that a police officer be present during the election day. It is unknown if school will be in session for the General Election in November. The need of a Police Officer onsite for the General Election will be determined later.

Jim Buttolph reported that the Democratic Party has requested that two Democratic Inspectors be utilized the day of the election. Buttolph explained the inspector can be used for any duty the Moderator deems necessary. The inspectors are nonpaid volunteers.

7:30 PM Town Administrator Report –

Minutes of the July 20, 2020 Board of Selectmen Meeting were made available for review. Selectman, Ed Haskell, made a motion to accept the July 20, 2020 meeting minutes. The motion was seconded by Selectman, Isaac DeWever. There was no discussion on the motion. The motion passed 3-0.

A Letter of agreement to use the field owned by Brad and Lori Eaton, and the parking lot owned by Brian and Diana Paquette for the August 8th Old Home Day Fireworks Display, were reviewed by the Board. The Board approved the agreements. Selectman, Ed Haskell, made a motion to authorized Town Administrator, Joe Chivell, to represent the Town while meeting with the Eaton's and Paquette's and to sign the letter of agreement. Selectman, Bob Berti, seconded the motion. There was no discussion on the motion. The motion passed 3-0.

Selectman, Isaac DeWever, reported that the final Old Home Day Meeting will take place August 4th. DeWever stated that he had obtained grade stakes to mark the parking areas in the Eaton's field. The OHD group is still looking for volunteers to help with parking. DeWever indicated Police Chief, Brett Miller, still has some misgivings about using the Rumney 8th graders to assist with the evening's events. DeWever reported that a mailing about the fireworks went out to Rumney residents.

Selectman, Ed Haskell, wanted to thank Town Administrator, Joe Chivell, and Cemetery Trustee, Linda LaPrad, for straightening out the issues leading up to Evelyn Ray's funeral this past weekend. There had been some communication issues in arranging for the service. Haskell wanted it noted in the minutes his appreciation for the matter being taken care of.

The discussion of renting a storage container was brought up by the Town Administrator. Chivell is concerned with the dry storage of the PPE items and equipment that will be delivered next week to be used during the upcoming elections. Chivell stated that there is no storage area in the Town Office Building and is concerned about the dampness of the old town garage. It was determined to wait and see the volume of space the PPE and equipment will need once delivered.

The July 2020 Fire Chief Monthly Report was made available for review.

Town Administrator, Joe Chivell, provided an overview of the Grafton County Superior Court

August 3, 2020 Rumney Board of Selectmen Meeting Minutes – Draft Version

hearing in the matter of Rumney, NH v. Albert & Duane Daigle. The hearing was to address the Town's allegation of an illegal junk yard at 172 School Street. The Judge ordered the Daigle's to bring the property into compliance within 30-days. The Town was issued permission to inspect the property after the 30th day. The inspection has been coordinated with Ken Knowlton of MRI.

Rumney Tax Collector, Lila Williams, submitted a request for a refund of taxes to the property owner of Map/Lot 02-01-17. The refund was requested due to a double payment. The Board approved the refund.

Rumney Road Agent, Nick Coursey, asked that the issue of road damage be brought to the Board's attention. Runoff from privately owned roads; Anderson Road and Loop Drive, are starting to cause damage to Cross Road and Doetown Road, both Town roads. The Board directed Town Administrator, Joe Chivell, to draft a letter outlining the State RSA as it addresses road damage. The letters are to be sent to the owners of the properties along the two private roads.

The June 2020 Monthly Treasurers Report was made available for review.

Rumney Road Agent, Nick Coursey, submitted a Purchase Order Request form for a heavy-duty floor jack that is currently on sale. This specific purchase was discussed during the 2020 Budget process. The Board discussed the issue of the spending freeze still being in place, but the item is needed for repairs done inhouse to save money and the jack is currently on sale for a good price. The Board agreed to allow the purchase and signed the purchase order request form.

The 2020–2021 Highway Block Grant Aid Notice was made available for review. Town Administrator, Joe Chivell, did indicate there is a slight decrease. The decrease was anticipated, related to the COVID-19 issues, but the decrease was not as bad as expected. It will still bear watching for the second half of 2021 and into 2022.

8:00 PM Old Business-

Rumney Police Chief Resignation Letter. During the Board of Selectmen Meeting on July 20, 2020, Rumney Police Chief, Brett Miller, submitted his resignation. Selectman, Ed Haskell, had requested that the Board not act on the resignation until a later meeting.

Selectman, Isaac DeWever, made a motion to accept the Letter of Resignation from Rumney Police Chief, Brett Miller. Selectman, Bob Berti, seconded the motion. Motion was open for discussion, there was none. The motion passed 3-0.

Copies of the ongoing Police Department Policy Review and Re-write were shared with the Board of Selectmen. The copies show correspondence between Police Chief Miller and Sean Kelly, Director of Services and Senior Consultant MRI. The Board determined that the Policies for: Use of Force, Taser, Baton, Pursuit, Evidence, Patrol Operations, and Firearms should be completed with the assistance of Sean Kelly. Those policies should then be accepted and put into place. The review of the remaining Police Department Policies should be completed by the next Police Chief and used to create a set of goals for the new chief. The Board asked the Town

Administrator to communicate this with Sean Kelly and Chief Miller.

The Board expects Police Chief, Brett Miller, to work on an exit plan during his remaining weeks.

Selectman, Ed Haskell, reported the Fire Truck Committee has not met, so there is no update.

Just prior to this meeting a response was received from NH-DOT addressing the follow up questions the Town had sent to them concerning the former Rumney Rest Area appraisal. Copies of the response were shared with the Board members. They will be discussed at an upcoming meeting.

8:30 PM New Business –

Marsha Craig Knoll had sent an email to the Board of Selectmen offering a donation to go towards the Rumney Old Home Day. The acceptance of a monetary donation such as this would need the approval of the Board of Selectmen. Selectman, Ed Haskell, made a motion to accept the donation from Marsha Craig Knoll and to thank her for the donation. The motion was seconded by Selectman, Bob Berti. The motion passed 3-0.

Rumney Road Agent, Nick Coursey, received notice that the State will be inspecting the Sand Hill Bridge on August 6, 2020. He will forward the report following the inspection. Selectman, Bob Berti, suggested that it may be time to start looking into having that bridge painted.

Selectman, Bob Berti, asked to have Road Agent, Nick Coursey, obtain at least three bids for the upcoming winter sand needs. Berti would like the numbers to help project the budget status as the Town nears the last quarter of the fiscal year.

Selectman, Ed Haskell, recommended the three Board members arrange a Work Session to discuss the path to take following the Police Chief's resignation. It was determined the three Board members would meet in a Work Session on August 10, 2020.

8:35 PM Selectman, Ed Haskell, made a motion to adjourn the meeting. The motion was seconded by Selectman, Bob Berti. There was no discussion. The motion passed 3-0.

Sincerely submitted,

Joe Chivell
Town Administrator
Rumney, NH

Up-coming meeting dates – To be premised upon COVID-19 Emergency Orders

Select Board Work Session	August 10, 2020
Fire Commissioner Meeting	August 10, 2020

Planning Board Meeting	August 11, 2020
Select Board Meeting	August 17, 2020
Planning Board Meeting	August 25, 2020
Select Board Meeting	August 31, 2020
Supervisors of Checklist	September 1, 2020
Town Office Closed- Labor Day	September 7, 2020
Primary Elections Day	September 8, 2020