Bethlehem Board of Selectmen

Meeting Minutes

October 4, 2021

In person – Selectman Caplain, Selectman Hibberd, Selectman Jensen, Selectman Morris – absent: Chairman Boisseau.

Vice Chairman Caplain opened the meeting at 6:00 pm and reminded people to leave their microphones on mute. He continued to remind in-person participants to use the microphone so Zoom participants can hear

**Public Input:**

**Vice Chairman Caplain –** NH Chronicle on at 7pm tonight**.**

**Rita Farrell –** brought auto debris to board – concerned about speeding cars coming down Agassiz into town. Vice Chairman Caplain – board has been looking into permanent feedback signage on road – board has heard Ms. Farrell’s complaints and is working on it.

**Barry Zitser** - Noyes ST – Firing range questions - on Agenda will wait

**Linda Moore** – spoke with road agent regarding dead tree in front of basketball court, old memory tree – will purchase tree when the old one is coming out – Selectman Morris will reach out to road agent to find removal date.

**Sullivan Creative –** Pam Sullivan – highlights on past 2 years marketing plan – the initial phase was to get the new brand rolling and to collect information via our website visits. The first phase was very successful. The NH Chronicle story was a direct response to brand recognition. The next phase involves digital advertising and direct efforts to the markets identified in the first phase. Sullivan Creative is working with the Division of Travel and Tourism to expand into further markets.

**Nancy Strand** - difference in marketing between traveling visitors and families/residents that want to relocate? – Pam Sullivan – first spot in new area is typically a vacation or travel trip then decide to stay. Attract visitors and transform them into residents. Vice Chairman Caplain – initially seek out visitors, then new residents, and finally businesses.

**Rita Farrell** – annual town budget? - $2.7 million – impact of marketing budget will add to town benefits? Pam Sullivan – hard to quantify – pandemic issues still happening but steady traffic in town again.

**Small Acts –** Vice Chairman Caplain – Small Acts of kindness around other towns – businesses offering small acts of kindness to visitors – program that Bethlehem can adopt – community wide community effort – Small Acts North is the program name.

Selectman Morris made a motion for Bethlehem to become a Small Acts Community – Vice Chairman Caplain seconded – roll call – all - less Chairman Boisseau – motion passed.

Gal Potashnick – contact with Small Acts – standards of care listed on their website.

**Police Range follow up –** Vice Chairman Caplain – 2 issues on the table – noise complaintand safety complaint at the former transfer station currently being used as a gun range by the Bethlehem PD – board discussion initially then open to public comments.

Selectman Hibberd – last week – rules that govern gun ranges – exempt from noise complaints per RSA - the board can make decision on land use but can’t regulate police use of the range.

Norm Pelletier – looking for requirements on range started in 2013 – looking for criteria on approval – range is not a safe place to have a range – town can make it a safe range – more land and 16ft berm – high powered

Vice Chairman Caplain – point of order – board discussion at this point – will open to public soon – Selectman Hibberd continued – can only control property – policy in binder on range use – confident in chief that policies are in place and safe – not an expert and trusts police to make decisions. Vice Chairman Caplain – recommendation to select board – hot issue and different opinions exist on the board – suggest getting chief and other chiefs in area to determine safety of range – Selectman Hibberd – 3 chiefs currently issued safe opinion of range – board discussion not correct format for discussion – Selectman Jensen – Mr. Pelletier asked to address select board – Selectman Jensen - not expert on police procedure as well – looked at range and common sense that berm is too small. The board discussed in length the safety of the current range, the conservation easement on the property, converting the range back to a transfer station when the Casella operation closes in town, use of the Alder Brook range, and the board trusting the department head’s judgment. Vice Chairman Caplain opened the floor to public input.

**Norm Pelletier** – wants a well-trained police force – in a safe place – Alder Brook has many acres to train there – chief should meet with range and determine range use – facility not large enough to start with – concern with area behind range – should move forward safely – if using current range, make it safe – fix or close it – Vice Chairman Caplain – talking with chief about back drop – forest behind well posted against trespassing.

**Rita Farrell** – husband was skeet and trap sporting clays champion in US – engineer for DuPont – range next to buildings – safe design for shooting there – can be done in a safe manner – old noise ordinance shouldn’t allow range use – experts can determine range safety.

**Donna Devlin** – where are we talking about? Given information – 1. Strange that some board members have more information than others – would like all members to have all info – 2. Why isn’t chief at meeting?

**Barry Zitser** – does town insurance cover land? Do other town’s insurance cover when using range? – does insurance cover remediation – Selectman Hibberd – spoke with insurance company – fully insured – other police departments sign forms before using range

**Nancy Strand** – no opinion on safety aspect – by 2025 we need the land – need to start working on transition to new range now so it’s ready to take over by 2024 – Selectman Hibberd asked is Ms. Strand is on the transfer station committee? How is it presented to voters? – Ms. Strand – board makes final decision on location – Selectman Morris – committee – nonbinding committee – makes suggestion to town, board makes decision

**Chris McGrath** – at original meeting that approved range – Alder Brook not feasible at that time – believes chief’s safety assessment of range – first meeting at transfer station committee – shells and casings there at that time – will need area again – discussed other possible town land for range use.

The board discussed talking with the chief again and assessing the current range, talking with Alder Brook again, and talking with town insurance company to look at range and give advice.

Selectman Jensen made a motion to have select board ask Primex to review site – no second –

The board discussed rebuilding the berms at the range. Selectman Morris discussed potential lead contamination at the current location as it includes a conservation easement and protected wetlands.

Selectman Morris made a motion to cease using the property as a firing range – no second

**Clay Morris** – insurance says no berm needed – DOE guidelines require backstop, not berm – insurance company hung up on terminology? Is backstop adequate - Selectman Hibberd will contact Primex and check on verbiage

**Façade Grant**

**2 grant applications – 2061 Main St – using façade grant -**

**Frank Claffey** – grant, not loan - $5000 limit – fund pays 50% of costs occurred – Selectman Morris – apartments upstairs but bottom floor not used.

**Selectman Hibberd made a motion to approve grant for 2061 Main St. suggested by committee – Vice Chairman Caplain seconded – roll call – YES Selectmen Hibberd, Caplain and Morris, NO- Selectman Jensen, Absent – Chairman Boisseau – motion passed**

**Second grant – pieces of overall project that need to be done 2053 Main St– multiple steps – Selectman Jensen – recommendation to move ahead**

**Vice Chairman Caplain – made motion to move forward with committee recommendation and stipulations for 2053 Main St. - Selectman Hibberd seconded - roll call – all less Chairman Boisseau - motion passed**

**Assessment appeal contract with Sansoucy**

**Selectman Morris –** agreement for specific appeal case. This contract covers time and materials for the case and was part of the original agreement if this event happens.

**Selectman Morris made a motion to approve agreement with Sansoucy – Selectman Hibberd seconded – discussion - Chris McGrath – cost of agreement? – cost of new appraisal worth cost of contract? – Selectman Morris – possible to add cap to contract – Selectman Hibberd – town can terminate contract at any time – Selectman Morris – can put ceiling in before moving forward – Selectman Morris – rescinded motion. Will reach out to Sansoucy to determine costs and putting cap on spending with new contract.**

**Short Term rental housing discussion**

**Vice Chairman Caplain –** bouncing around for a while – other towns have taken steps involving short term rentals – 2 sides to issue – The board discussed meals and room tax collection, the benefit to local businesses increased travel brings, and possibility of setting up a registration of property owners. Vice Chairman Caplain disclosed he owns an AirBNB and VRBO property. Selectman Morris has been researching neighboring towns and their solutions.

Cathy & Eddie Qi – own AirBNB in town – need business to grow town – AirBNB help bring business in town – 10pm quiet time at their rental – no issues in past 3 years – hard to track taxes with state – AirBNB pay taxes – Eddie – VRBO – starting to track meals and room tax – believe the board shouldn’t do anything to discourage business in town – Eddie – owners responsible for conduct of renters and should go to owner to resolve conflict.

Nancy Strand – agree with registration – like to see fee collected for registry – stats – August 2021 – 53% - of homes in town are occupied by owners – 30% vacant – 20% vacant vacation homes – assuming 20% are short term rentals.

Chris McGrath – doesn’t own AirBNB but takes care of AirBNB – house rules at those properties – short term rentals good for town and bring business – likes idea of charging for registry – Conway passed ordinance and they are being legally challenged – Selectman Morris – because it involves zoning issues – Mr. McGrath – believes town is doing right thing by welcoming AirBNBs.

Meg Stewart – I have a secondary residence in Bethlehem. Myself, my husband and 3 children are avid hikers who prefer spending our time in Bethlehem versus our primary residence. We are respectful of the noise ordinance, CONTRARY to what was stated tonight we VERY actively volunteer in the community in some important groups that improve the wellness and safety of the community, and we spend our income in the town and surrounding towns. While we would love to be there full time, but we have loved ones who need our assistance which prohibits that at present. In order to be in the place that we love to donate our time and enjoy, we have recently considered using our site occasionally as a STR to recoup some of our costs with clearly communicated and defined rules and town ordinances.

I know historically there has been the argument STR may take away from hotels BnB’s, but there is a whole demographic of people who are just never going to use a hotel. Some hotels are not always child or animal friendly either. I was drawn to Bethlehem because it appears to be an inclusive community which is imperative in my value system. Limiting short term rentals is limiting a whole demographic of people who would not otherwise be drawn to the town. One way the community can increase tourism and boost the community’s economy is by way of STR’s.

I can appreciate and understand the concern with noise and trash surrounding short term rentals and I think this responsibility is one that not only STR owners need to be cognizant of in their house rules but also primary residents. I am very orderly with my trash, and I see primary residents who are not, therefore I think it's unfair to specifically note this demographic as irresponsible with trash.

I grew up in a coastal community in MA that doubled in population from Memorial Day to labor day, 20k people to 40k people. This allowed me and many others to meet new people, create new opportunities, and allowed travelers to see the beauty of the town I was fortunate to be raised in. Growing up the community we never ever considered STRs to be a burden… if anything, an asset. The community was happy to have the income flowing in, businesses began to thrive as rentals became more popular and newer or improved infrastructure was able to be built or updated. Additionally, The school system improved significantly and there were more options in the community for children.

At present, to my understanding the town does not maintain a contact list of STR owners. this is part of the reason my family was drawn to Bethlehem because it seemed to be an openminded community that allowed freedom and autonomy to its residents. It is an unrealistic expectation to expect the homeowner to be on premise 24/7. I would propose as a suggestion keeping an organized list of people who do have short term rentals that the town could use as a resource guide if there were a problem that were to arise. This could easily be done and maintained. There is a great benefit to the town from the already high taxes that short term rental owners incur, and I think putting limitations on this in anyway would a step backwards and id go as far to say destructive to the future of the community. I think a small fee is fair, however, you do have to consider that these facilities are paying local cleaners, lawn care companies, and high taxes already consideration should be made that not everyone is in the same situation as the next STR owner. I think grouping all STR owners into the same category is unfair especially as I donate a lot of my free time which with three kids is hard to come by to Grafton Country. (Statement recited at meeting and emailed to admin after meeting to be included in its entirety here.)

The board agreed that all short-term rentals are not the same and can’t be lumped together. They are moving forward looking into possible ordinance language. Chris McGrath – if an ordinance is the way moving forward he would like to see a town vote on it.

Rita Farrell – long time at meeting – thanked board answering questions – fast talking during meetings – asked if people could slow down when talking about issues – feels all issues important and all deserve discussion and importance.

**Budget presentation schedule**

|  |  |  |
| --- | --- | --- |
| 11/29/2021 | 12/6/2020 | 12/13/2020 |
| HIGHWAY | POLICE | LIBRARY |
| GGB | DISPATCH | CONSERVATION COMMISSION |
| TOWN CLERK | FIRE | WELFARE |
| TAX COLLECTOR | AMBULANCE | RECREATION |
| LEGAL | BUILDING INSPECTION | STREET LIGHTS |
| TAN/DEBT SERVICE | INSURANCE | EXECUTIVE |
| ASSESSING | VISITOR CENTER |  |
| PLANNING/ZONING | WOOD ASSESOR |  |

**Other/Follow up from board**

**Fire Department –** spend from capital fund to purchase safety equipment – board would like to see more detail before approving

**Little Pantry –** cameras on property? Selectman Hibberd – may be USDA requirement – will check – Selectman Jensen – builders not comfortable with cameras on property – Selectman Hibberd – will double check on USDA requirements and other town’s use.

**Selectman Jensen – motion to give $1000 from pantry fund to community dinner contingent on research – Selectman Hibberd seconded – roll call – all less Chairman Boisseau - motion passed**

**Solar update –** Vice Chairman Caplain – calling for additional funding – possible $50-60k in funds from charitable grant organization – contingent on matching ARPA funds.

**DOT –** Vice Chairman Caplain – waiting on traffic sign costs – Whitefield and Littleton have state roads in towns – state will not allow towns to maintain state roads in towns – route 302 bridge dangerous expansion joint – redesigning and replacing joint based on board member input.

**Selectman Morris –** as a select board, we need to coordinate with planning board on land use for projects and items on town land.

**Minutes – 9/27/2021**

**Selectman Hibberd made motion to approve minutes from 9/27/2021 – Selectman Morris seconded - roll call – Yes – Selectmen Jensen, Hibberd, and Morris – abstain – Vice Chairman Caplain – absent – Chairman Boisseau**

**At 8:49 Vice Chairman Caplain made a motion to go into nonpublic per RSA 91A-3 II Selectman Hibberd seconded – roll call – all less Chairman Boisseau – motion passed**

**The board discussed unaccounted escrow funds and the research into said funds.**

**Vice Chairman Caplain made a motion to move funds from the escrow accounts into general fund – Selectman Hibberd seconded - roll call – all – less Chairman Boisseau – motion passed**

**Vice Chairman Caplain made a motion to give F Claffey $1000 bonus, C Hammerberg and K Allen $250 – Selectman Hibberd seconded roll call – all less Chairman Boisseau – motion passed.**

**Selectman Hibberd made a motion to include D Wiley in $1000 bonus – Vice Chairman Caplain seconded – roll call – YES – Selectman Hibberd, Morris and Caplain – NO – Selectman Jensen – absent Chairman Boisseau.**

**Board discussed personnel performance.**

**Board discussed legal matters with town owned property.**

**Board came out of nonpublic to discuss renaming Columbus Day to Indigenous Peoples Day – made decision to make it at a public meeting and understand it will be after the fact this year.**

**Vice Chairman Caplain made a motion to adjourn 9:18pm – Selectman Hibberd seconded roll call all less Chairman Boisseau – motion passed**

Respectfully submitted,

Tim Fleury

Administrative Assistant