

**CANAAN BOARD OF SELECTMEN
MEETING MINUTES
Tuesday, August 18, 2020**

Scott Borthwick called the open meeting to order at 5:00 PM at the Canaan Meeting House. In attendance were Selectmen Scott Borthwick, Dave McAlister and Al Posnanski, and TA Samson. Others: Deb Shinnlinger, Dave Shinnlinger, Angie Robinson, Susan Nero, Bob Nero, Ed Carroll, Patsy Carter, Tim Josephson, Helina Josephson, Barbara Dolyak, Julian Quow, David Delgenio, Karen Wolk, Denis Salvail, Nancy Munsey, Ken Munsey, Alix Olson, Martha Popp, Ellie Davis, Allison Rogers Furbish, Louie Jacobs, Jason Hurley, Michael Terceira and Doug Wright.

Minutes August 4, 2020

Motion by Al Posnanski and second by Dave McAlister to approve the minutes of 8/4/20. Unanimous.

Death and Recognition of Tom Marlar

Tom Marlar worked as the Town's Mechanic for the past three years. During the time that he worked with us, he saved the Town a total of \$95,000 by completing repairs that previously had been sent to third party repair services. Tom absolutely believed that this was his duty. He worked as hard as he could to save money for the taxpayers.

Tom Marlar died on Friday, August 14th of a massive heart attack in front of the ambulance bays. It is the consensus of the Town Selectmen and employees that Tom was the best mechanic that had served the Town in the last fifteen years.

He was able to fix anything mechanical in the Town and often in very little time. In the winter, he could also be seen plowing snow in one of the trucks. It wasn't just the Town and taxpayers he helped.

He personally helped many of the people he worked with when their cars had problems. He never charged for it and he was offended if you declined his help.

All of the Town crew that responded to his heart attack were emotionally shaken and felt that they had lost an important friend.

Tom was product of the US Marine Corps where he was trained as a diesel mechanic. After working for 22 years at RSD Leasing in White River Junction, he joined the Town of Canaan "to cut down the commute".

Request for Mask Ordinance

Deb Shinnlinger spoke and indicated that several neighboring towns had adopted mask ordinances and asked the Canaan Board of Selectmen to construct an ordinance to keep children and businesses and citizens safe. She also indicated that it would relieve pressure on businesses to enforce their mask rules. Karen Wolk displayed a full page ad from Dartmouth Hitchcock Medical Center asking people to wear masks and explaining why it is important.

Alix Olson stated that masks are not a sign of shame or weakness. Tim Josephson indicated that town employees need to set an example by wearing masks and indicated that they don't. Deb Shinnlinger said that enforcement isn't critical but we need to send a message. Samson described the actions that the Town has taken. All Town properties require 6 foot distancing for individuals or family groups and the use of masks. He indicated that the rules have been honored at the beach for the most part, at the Common for concerts, at the Common for at least 70% of the time for the Farmers Market and zero on the basketball court. Office employees are behind Plexiglas with only a small slot open. Some employees have been working remotely or are not allowed to interface with the public. Most office employees wear a mask when talking with a person at the Plexiglas window. He also noted that one office worker has a respiratory problem and can't wear a mask. He also said that this employee is protected by Plexiglas which is better for the employee and patrons since masks only help protect one way. All fire, ambulance and police have full PPE and protocols for protection from Covid-19. Transfer station employees are required to maintain 6 foot distancing and traffic flow has been curtailed. The recycling attendant has Plexiglas, gloves and her choice of a respirator, surgical mask or N95 mask. Samson indicated that there is no real enforcement by any of the towns with an ordinance. Dave McAlister noted that an ordinance that is truly an enforceable ordinance needs to be properly constructed and reviewed by the Town lawyer. That process usually costs between \$2,000 and \$4,000 depending on the complexity of the ordinance. Samson stated that the racetrack has strict controls on masks, sanitizing and social distancing that protects the Town. The Board generally recognizes the role of masks but does not want to be in the business of forcing people to use the masks. Dave McAlister suggested that the Board could strongly recommend the use of masks. Visitors asked how this statement can be publicized. Samson indicated that the Town would run it in every flash email. Another attendee asked if the Town would post signs at all Town entry points. The Town indicated that they would be fine with donated signs at entry points. Samson indicated that the Town will print door signs for businesses. Alix Olson asked when this would occur and Samson indicated that it would be completed within 2 weeks.

Noyes Academy

David Shinnlinger handed out literature about Noyes Academy and indicated that the Town website only spoke favorably about the Noyes Academy initiative to be one of the first schools created to provide integrated college education in 1823. He felt that this was not truthful and should have balanced reporting that disclosed the racist actions by Canaan residents to burn the school down. Samson indicated that the website pages on the history of Canaan were created to show the importance of heritage in the Town of Canaan defining what Canaan cares about today. It was not designed to be an in-depth analysis of Canaan's history. Most of the material on the website is composed of one sentence statements and a single picture. The goal of the website is to "sell" the Town. He said that he had been approached last week by a person from Portsmouth indicating that in light of black lives matter demonstrations, it would be more appropriate to acknowledge racists actions in the past. After consideration over the weekend, Samson asked several historians to write a three paragraph statement about the good and bad aspects of Noyes Academy. Chuck Townsend had submitted a history brief as had several others. The Town was asked to link the article on the website to other sources and Samson agreed. Samson stated that it will be difficult to capture the essence of Noyes in three paragraphs because it includes several themes

including the egalitarian efforts of Canaanites, the fears about southern economics and secession, the opposition to blacks, the foment of violence by outsiders and irrational acts of destruction based purely by emotion. He set two weeks as the goal to complete the historical piece.

Paving Bids

Samson distributed the bids for paving. The high price per ton was \$67 submitted by United and the low price was \$61.47 submitted by Blaktop. Bob Scott indicated that the cost for Potato Road and Prospect Hill will be about \$180,000. The contract was awarded to Blaktop by Board consensus.

Transfer Station Personnel

Samson indicated that we have had a lack of coverage at the transfer station recently and he had assigned the part time employee from government buildings to cover the transfer station.

Status of EDA Project

Because of a shortage of federal EDA funds, the project has eliminated increasing the height of Potato Road and up-stream riprap on Orange Brook. The project now totals \$4.8 million of which EDA is \$3.8 million. The Town share is now \$216,800. Samson indicated the application needs to go to EDA in September.

FEMA Reimbursement

We are getting pushback from FEMA on the restoration of Orange Brook. They are stating that we needed a US Corps of Engineers permit although the State indicated that we did not since it was an emergency repair. We did apply but we never received a permit although we did everything that we needed to do. We are contesting it. The amount due to the Town is \$42,885. If this is not paid, it will be offset by other FEMA reimbursement.

Doug Wright Complaint

Doug Wright asked what Sam Frank's policy is regarding police officers carrying Narcan. Samson indicated that Sam Frank will not let his officers carry it since he believes that overdosing is a voluntary act that we should not be facilitating. Wright asked what the Town was doing about it and Samson indicated that the ambulance service carries Narcan. Wright said that the officers were fearful of not being able to address fentanyl contamination for themselves and why doesn't the Board force Frank to carry Narcan. Samson said that by law, Frank is solely responsible for managing police officers. Samson explained that there is an agreement that the general management of the Police Department is through a joint team of the two sergeants and the Chief that reports periodically to the Board. Samson also indicated that short of a Chief committing a major crime, the Board can't terminate him. The Board can set management policy and objectives for the police department. The Board has learned that the most effective way to assure accountability is to have a limited term contract with the Chief. At the end of the contract, the Board can unilaterally decide to renew. Sam Frank has a contract and it expires on February

28, 2023. All personnel evaluations were confidential until last May when the NH Supreme Court required a “weighing of the public’s right to know against the police officer’s right to privacy”. Since we have no idea how to do that and what the standards are, we are turning all requests for personnel over to the courts for review and decision.

Doug asked why he hasn’t received copies of the videos of the interviews between Doug and the police department investigator regarding complaints against Sam Provenza. Samson indicated that the chief believed that they were to remain confidential. Samson indicated that he will talk with Frank.

At 6:30 PM Selectman McAlister moved to enter non-public session to discuss potential candidates for hire and legal matters. Posnanski seconded and motion passed unanimously. At 6:45 PM McAlister moved to exit non-public meeting. Seconded by Posnanski and it was unanimously passed.

At 6:45 PM Selectman Posnanski moved to seal the minutes. McAlister seconded the motion and it was unanimously passed.

Dave McAlister moved to approve a renewal of the Town’s Tax Anticipation Note with Mascoma Bank for a year with the principal set at \$268,000 and interest not to exceed 3%. Second by Posnanski. Unanimous approval.

Dave McAlister moved to accept in accordance with RSA:21-P:43 a sub-grant from the State of New Hampshire Secretary of State and the CARES Act in the amount of \$7,390.67 to be used for the purposes of processing absentee ballots in excess of those cast in 2016 in the Town of Canaan and further to designate Vicky McAlister, the Town Clerk, as authorized agent to sign the grant agreement and reimbursement request form on behalf of the Town. Second by Al Posnanski and unanimously approved.

At 6:45 PM Selectman Al Posnanski moved to adjourn. Second by Dave McAlister. Unanimously approved.

Scott Borthwick, Chairman

David McAlister

Al Posnanski
Canaan Board of Selectmen