



Town of Hopkinton

Office of Select Board

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-3170 – www.hopkinton-nh.gov

SELECT BOARD PUBLIC MEETING MINUTES Thursday, April 22, 2021

CALL TO ORDER

Chair Dunlap called this special meeting of the Select Board to order at 5:00 p.m. on Thursday, April 22, 2021, via Zoom. Chair Dunlap introduced the members of the Board.

Select Board

Members Present: Sabrina Dunlap, Ken Traum, Steven Whitley, Anna Wells and Jeffrey Donohoe, through video conference.

Staff Present: Neal Cass, Town Administrator

DECLARATION OF CHAIR: Chair Dunlap read the Right to Know Law Meeting Checklist as follows:

As Chair of the Hopkinton Select Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12, pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-646-558-8656 and meeting ID: 340 316 049, or by clicking on the following website address: <https://zoom.us/j/340316049>

b) Providing public notice of the necessary information for accessing the meeting.

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on Town of Hopkinton's website: www.hopkinton-nh.gov and on the Town of Hopkinton's Facebook page.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.

If anyone has a problem, call (603) 746-8242 or email: townadmin@hopkinton-nh.gov.

d) Adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. Let us start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

Roll Call for Select Board

- Sabrina Dunlap and I am alone.
- Ken Traum and I am alone.
- Steven Whitley and I am alone.
- Anna Wells and I am alone.
- Jeffrey Donohoe and I am alone.

ADMINISTRATIVE:

The Board reviewed documents for signature and approved (5-0) the Consent Agenda and approved Mr. Traum to sign for the Board, taking the following action on a motion made by Mr. Traum. Mr. Whitley seconded the motion.

Item	Date	Action	Comment
DEPUTY WARDEN APPOINTMENT FORM			
Richard Maltais Jr.			
Ryan Hughes			
Samuel Atkins			
INTENT TO CUT			
221-033-000 Pine Street	4/22/2021	Approve	50 acres
242-021-000 Penacook Road	4/22/2021	Approve	110 acres
LUCT BILL			
242-013-000 Town of Hopkinton	4/22/2021	Approve	Release Only
PROPERTY TAX EXEMPTION			
230-013-000 22 Stumpfield Road	4/22/2021	Approve	Veteran's Credit
238-015-000 256 Gage Hill	4/22/2021	Approve	Veteran's Credit
208-045-000 Rolf Pond Drive	4/22/2021	Approve	Elderly Exemption
RESIDENCE IN A COMMERCIAL ZONE ASSESSMENT			
227-042-000 601 Maple Street	4/22/2021	Approve	2021 Tax Year
BUILDING PERMIT			
105-037-000 1564 Hopkinton Rd	4/22/2021	Approve	20'X40' Gunite Swimming Pool
257-041-002 35 Elizabeth Ln	4/22/2021	Approve	20'x40" inground vinyl pool
206-004-001 1162 Bound Tree Rd	4/22/2021	Approve	Replace and enlarge deck
222-074-000 429 Park Ave	4/22/2021	Approve	Raze residence
205-002-000 165 Wildwood	4/22/2021	Approve	Construct attached 648 SF deck
227-033-000 331 Maple St.	4/22/2021	Approve	Install 22.25KW Roof mount solar array
104-047-000 63 Penacook Rd	4/22/2021	Approve	Install 22.25KW Roof mount solar array
259-021-002 780 Rollins Rd	4/22/2021	Approve	Construct attached 454 SF deck
AP MANIFEST APPROVED SINCE LAST MEETING			
CH# 66082-66109	4/19/2021	Approved	\$36,805.02

ROLL CALL VOTE:

Sabrina Dunlap	Yes
Ken Traum	Yes
Steve Whitley	Yes
Anna Wells	Yes
Jeffrey Donohoe	Yes

MOTION PASSED 5-0.

DISCUSSION OF TOWN-WIDE MASK ORDINANCE

Ms. Dunlap reviewed the previous action taken by the Board on a Mask Ordinance and the process that would be required to put one in place.

- The Board drafted an ordinance at the end of last year and before it was finalized the Governor's mask mandate was put in place to the town ordinance was not taken to Public Hearing.
- To put a town mask ordinance in place, a Public Hearing will have to be held and then the Board must adopt it.

Select Board members commented:

Ms. Dunlap supports a mask ordinance and feels that the state-wide mandate did increase the use of masks. She is concerned that with kids in school, vaccinations still happening, and things opening back up that more time is needed to wear masks. She noted that enforcement is the real issue.

Mr. Whitley supports Ms. Dunlap's comments, but does have some concerns with the language of the current draft ordinance.

Mr. Traum stated he supports taking a mask ordinance to Public Hearing.

Ms. Wells said that the Governor lifting the state-wide mandate was premature and putting a town ordinance in place is the right thing to do. The Board is charged with the safety and wellness of the community and this is an important part of that, especially to help keep children in classrooms.

Mr. Donohoe said he opposed a town ordinance before, and he still does. Those who want to wear masks are wearing them and those that do not, will not. Most businesses in town still require them and mask wearing should be a choice.

The Board discussed this further and then opened the meeting up to public comment.

Greg Sagris speaking as the owner of Dunkin Donuts said he does not support an ordinance. He said that he is keeping the sign up and most businesses are, but they do not confront those that do not wear masks.

Sarah Mattson Dustin complemented the local businesses for keeping their mask signs up and talking to each other about the subject. She supports a mandate at least through the end of the school year.

Florence Dapice supports a mandate because she is only 13 and cannot be vaccinated at this time. She appreciates that business keeping their signs in place.

Bob LaPree commented that people cannot be forced to wear masks. They are worn to protect others and if a town ordinance is in place, business can put up signs reflecting the ordinance.

Becky Whitley thanked the Board for looking at this. She said that as a parent whose child has just gone back to school this week, its important to assure that children remain in school. There is a hardship on working families when schools are closed.

Norm Goupil noted that many people are traveling next week due to school vacation. He supports an ordinance.

Sabrina S. confirmed that the Board had received the peer review articles she sent showing the science behind this. She supports an ordinance.

The Board then reviewed the draft ordinance and made changes. Attached is the draft ordinance marked up with the changes made by the Board. Mr. Cass will consult with Town Counsel concerning whether the Health Officer should sign the ordinance and whether “Whereas” 4, 5, 6, and 7 can be removed.

Mr. Traum made a motion to move the mask ordinance to Public Hearing to take place on Thursday, May 6, 2021. Ms. Wells seconded the motion.

ROLL CALL VOTE:

Sabrina Dunlap	Yes
Ken Traum	Yes
Anna Wells	Yes
Steven Whitley	Yes
Jeffrey Donohoe	No

MOTION PASSED 4-1.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:48 p.m.

Respectfully submitted,

Neal A. Cass, Town Administrator



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ORDINANCE

An Ordinance Requiring the Wearing of Face Covering or Face Masks Under Certain Conditions Within the Town of Hopkinton

The Town of Hopkinton ordains as follows:

~~WHEREAS, RSA 31:39 authorizes the Town of Hopkinton to make laws pertaining to carrying out the prudential affairs of the town; and~~

~~WHEREAS, RSA 41:8 authorizes the Select Board to manage the prudential affairs of the town; and~~

WHEREAS, RSA 147:1 specifically authorizes towns to make regulations for the prevention and removal of nuisances, and such other regulations relating to the public health as in their judgment the health and safety of the people require, which shall take effect when approved by the Select Board; and

WHEREAS, COVID-19 is a global pandemic with an unprecedented public health emergency; and

WHEREAS, the Town of Hopkinton Select Board recognizes additional measures are necessary to prevent or reduce the likelihood of the spread of COVID-19; and

WHEREAS, infectious diseases are caused by germs such as viruses, bacteria, and parasites. COVID-19 is a viral illness that has the ability to be spread from person to person very easily through respiratory droplets and aerosols. Public Health Officials have determined that it is well established that an individual infected with COVID-19 can transmit the disease whether or not they are exhibiting any symptoms (an asymptomatic carrier); and

WHEREAS, it is clinically established that the best means of slowing the spread of a virus is through minimizing close personal contact with individuals in a public environment, social/physical distancing, covering one's mouth and nose by wearing a face covering, and frequent and proper hand washing; and

WHEREAS, according to the Centers for Disease Control and Prevention, face coverings and face masks are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings, particularly when combined with social/ physical distancing and other sanitary measures such as washing hands or utilizing hand sanitizer; and

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WHEREAS, The New Hampshire State Epidemiologist has determined that community mitigation has been effective in controlling the spread of COVID-19 and continues to be critically important, and that relaxing community mitigation efforts risks additional COVID-19 outbreaks, and

WHEREAS, the Hopkinton Select Board has determined that to continue to reduce the spread and infection of COVID-19, it is in the interest of the health and safety of all Hopkinton residents, visitors, businesses, and the employees of our Town and businesses, to wear face coverings or face masks when entering and existing business establishments, and while inside a business establishment.

NOW THEREFORE BE IT RESOLVED that the Town of Hopkinton Select Board hereby adopts the following Ordinance relative to face coverings/face masks during a period of a public health pandemic and state of emergency as declared by the Governor of the State of New Hampshire.

1. “Face covering or face mask” is defined as a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers at least the nose, mouth, and surrounding areas of the lower face. A face covering or face mask may be factory made, homemade, or improvised from ordinary household materials. For purposes of this Ordinance, a plastic face shield shall NOT be considered a face covering or face mask.
- ~~2.~~ Face coverings or face masks are required upon entering a~~All businesses establishments, open to the public, including any outdoor area unless when outdoors 6 feet of physical distance can be maintained, which are open to the public; shall require all those entering the establishment including any outdoor area where business of any sort is conducted, to wear a face covering or face mask and may refuse entry and service to anyone who refuses to wear a face covering or face mask.~~ All such establishments shall post the requirement for a face covering or face mask.
- ~~2.3.~~ All employees of ~~businesses covered establishments~~ must wear a face covering or face mask when interacting with the public.
- ~~3.4.~~ Members of the public dining at a restaurant may remove face coverings or face masks while seated at their table but must wear a face covering or face mask when entering and exiting the restaurant and moving around the interior ~~or exterior~~ of the restaurant.
- ~~4.~~ “Face covering or face mask” is defined as a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers at least the nose, mouth, and surrounding areas of the lower face. A face covering or face mask may be factory made, homemade, or improvised from ordinary household materials. For purposes of this Ordinance, a plastic face shield shall NOT be considered a face covering or face mask.
5. Face coverings or face masks shall not be required for children under ~~2-3~~ years of age.

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- 6. A face covering or face mask is not required to be worn by any person for whom wearing a face covering may pose a risk for health-related reasons. However, in these cases, special effort should be taken to maintain physical distance of at least six feet from other individuals.
- 7. A person may temporarily remove a face covering or face mask when in a business if obtaining a service or product that requires verification of the person’s identity or age.

8. When on public trails, sidewalks, pedestrian public ways, and recreational lands, the wearing of a face covering or face mask is strongly encouraged when 6 feet of physical distance cannot be maintained.

8.9. To the extent this Ordinance conflicts with stricter requirements set forth in the Governor’s Emergency or Executive Orders on face coverings or face masks, the Governor’s Orders shall apply.

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PENALTIES:

~~Penalties for non compliance by an individual with this Ordinance may be issued by the Hopkinton Police Department or the Town’s Health Officer as follows: 1st offense – a warning, 2nd offense – a \$25 fine, 3rd offense and subsequent – a \$50 fine. Failure to pay the penalty fee after twenty (20) business days may result in the issuance of a summons to appear in court to answer to the charge of violating the Ordinance.~~

EFFECTIVE DATE:

This Ordinance shall take effect upon its passage and shall continue until it is rescinded~~the earlier of rescission~~ by the Select Board ~~or ending of the Governor’s declared State of Emergency.~~

Adopted on this day: _____, 20210

ATTEST:

Carol Harless, Town Clerk/Tax Collector