

Town of Raymond
Board of Selectmen Draft Minutes
Friday May 1, 2020
2:00 PM
Raymond High School Media Center

Meeting Called to Order at High School by: Vice Chair, Campbell 2:00 p.m.

Board of Selectmen in Attendance:

Jack Barnes
Scott Campbell
Christopher Long
Kathleen Hoelzel
George Plante

Town of Raymond Staff:

Joseph Ilsley – Town Manager
Deborah Intonti – Executive Assistant/Recorder

Board of Selectmen Excused: none

Pledge of Allegiance: The Pledge of Allegiance was recited.

Public Comment:

Attorney Harris: Attorney for Sheehan and Phinney Law Offices who represents the Owner of Pine Acres Campground/RV Resort in Raymond was invited into the meeting to speak during public comment. He stated that Pine Acres has tried and will continue to work with the Town regarding the patrons and employees of the resort. He further stated that Pine Acres has delayed opening as a result of these discussions and does not plan on opening until next week. The Governor of NH identified RV Resorts as essential services several weeks ago and the task force appointed by the Governor solicited and received input from municipalities regarding the opening of campgrounds and RV resorts. Yesterday that task force voted unanimously to recommend to the Governor guidelines that allows RV resorts such as Pine Acres to open. It is my understanding that the Governor has scheduled a press conference today at 3:00 p.m. where he will discuss the reopening parts of the economy and it is expected he will address the task force recommendations regarding RV resorts. Pine Acres suggests that if the Town takes action to close Pine Acres, prior to the Governor's press conference that action will conflict with the Governor's determination that Pine Acres is an essential service and could possibly conflict with the guidelines recommended by the task force that are likely to be approved by the Governor today. We understand that the Town has concerns about opening while implementing restrictions, which Pine Acres has already committed to above and beyond those guidelines recommended by the Governor and State Health Officials, Pine Acres remains committed to working with the Town; talk specifics and how they will be implemented if and when the RV Resort opens.

Tina Thomas/Raymond: Asked about how the Board would make a decision on Pine Acres before the Governor's statement scheduled today at 3:00. Chairman Campbell stated that we would break out of this meeting to listen to the Governor before making any decision.

Daryle: asked that if Pine Acres opens, would campers be able to have a fire. Chief Hammond responded that there is a seasonal campfire permit on the premise at this time.

Ginny Bosse/Massachusetts: Wondered why the Town would not consider reopening the campground with the social distancing?

Chair asked Ms. Intonti to read the email correspondence that was received.

49

50

51 **Agenda:**

52 **Board Discussion on reopening Private Campgrounds**

53 Mr. Ilsley, Town Manager gave a history of what we have completed so far and the continuing concerns we are
54 working on.

55 **Background:** On April 1, 2020, the Town of Raymond's Emergency Operation Center (EOC) held a joint
56 meeting with the Town of Nottingham to discuss regional support to COVID-19 and area-specific risk
57 factors. After this meeting, in an effort to protect the residents of our communities, the Town of Raymond and the
58 Town of Nottingham decided to pursue Governor Sununu's support to *immediately and completely close all*
59 *recreation activities at Pawtuckaway State Park*, citing the following risk factors to residents of both communities
60 and their region:

61 **Migration from Higher Risk Areas:** With Rockingham County quickly becoming the COVID-19 epicenter in
62 New Hampshire, it is most likely migration to this park will not come from lower risk communities, but rather
63 from high risk communities outside of New Hampshire.

64 **Surge in Local Population Density:** The demand for the activities offered at this park can be the equivalent of a
65 10%-20% surge in local population density.

66 **Increased Demand on Local Supply Chains:** The private sector in smaller communities' is already struggling
67 to meet the local demand on essential items; this increase will only exacerbate this issue and increase the risk of
68 exposure in our communities.

69 **Increased Exposure to First Responders:** Based on the already witnessed trends regarding migration from
70 higher risk areas and the surges in population density; municipalities with emergency response obligations to state
71 parks have a higher risk exposure for COVID-19.

72 Concurrently, the Town of Raymond worked with local private campgrounds to address this risk holistically by
73 creating public and private partnerships to mitigate risks to the community and patrons.

74 The effort with private campgrounds identified the terms of a proposed memorandum of agreement (MOA) which
75 was to be signed by April 29, 2020. The option to pursue a MOA allowed public and private parties to avoid the
76 Town taking official action to compel private campgrounds to close.

77 On April 29th, the corporate office opted to not sign the agreed upon MOA and expressed their intent to open on
78 May 5th, 2020.

79 As expressed to the Governor, there are significant health risk to our residents if these venues are allowed to open.
80 Below identifies specific data points to clarify the how private campgrounds pose specific increased risk factors
81 within our community.

82 **Migration from Higher Risk Areas:**

83 **Current Local Risk:**

84 On 29 April 2020; the Governor stated Rockingham County was "The Hot Bed of the Crisis" for Covid-19 with
85 640 confirmed cases in the past four days, there have been in Raymond an 18% increase in confirmed COVID-
86 19.

87 **Current Risks from likely higher areas of migration (as of 20 April 2020):**

88 Massachusetts: 60,265 Cases of COVID-19 confirmed, and 3,405 Deaths related to COVID-19 (3rd in the Nation).
89 In addition to that, the neighboring MA Counties (within 25 miles) Middlesex; 13,799 (Highest in all of New

90 England); Essex; 8,380 (2nd highest in MA and 3rd in all of New England); Connecticut: 26,767 Cases, 2,168
91 Deaths (11th in the Nation); Rhode Island: 8,247 Cases, 251 Deaths (21st in the Nation) in context the infection
92 rates of just the New England servicing area represent nearly 10% of all infections in the United States. If you
93 add in New York and New Jersey, this number of those likely to be serviced by local private campgrounds
94 increases the infection rate to 50% of all documented cases in the United States. In addition, there is a gap in State
95

96 **Guidance or Private Campgrounds Quarantine Plan:**

97 Currently there is no proposed plans by the state or private campgrounds to enforce the 14-day quarantine.
98 Furthermore, the State Emergency Operation Center has indicated this responsibility would likely fall on the
99 municipalities to enforce. However, no plan has been officially identified by the State.

100 **Surge in Local Population Density:**

101 The private campground capacity in the Town is between 300-400 sites which would be equivalent to a 10%
102 increase in dwellings in the Town.

103 **Increased Demand on Local Supply Chains:**

104 The increased number of individuals patronaging local stores, restaurants or other services, compounded by the
105 likelihood many of these members serviced by private campgrounds would come from higher risk areas; increase
106 the risk of infection to our community, and draws away from critical resources for our residents.
107

108 **Increased Exposure to First Responders:**

109 Emergency Response Stats: Between 2017 and 2019, Town Emergency Services responded to private
110 campgrounds which are only open 6 months out of the year 239 times. This the equivalent of an emergency
111 response every 2.3 days that these facilities were opened.
112

113 **Required Additional Support:**

114 Between 2017 and 2019, in addition to emergency responses, there have been 261 law enforcement checks at
115 these locations. In context, the combined emergency service presence at these facilities (239 responses /261
116 checks) is the equivalent to a presences of emergency services at these facilities every 1.09 days these facilities
117 are open. In summary, there is a significant increase in emergency service requirement for these type of activities
118 within the town of Raymond. This increase coupled with the likelihood of individuals migrating from higher risk
119 areas, places a significant risk on municipal emergency services and their families. In addition, this risk exposure
120 possesses the risk of a catastrophic loss in local emergency services and community spread of Covid-19.
121

122 In listening to the comments made at the beginning of the meeting, regarding the concerns from municipalities
123 that in the beginning of January we did petition the Governor’s Office to close these campgrounds and further
124 that multiple municipalities across the State have not had any part of these discussions however the campground
125 associations have been involved with the petitions with the State agencies. There has been an absence on input
126 from municipal authorities and there has been an absence of true translation of local risk factors to the State
127 agencies to make decisions. Regarding trailers/campers, there are no restrictions that the Town intends putting
128 in place and we do not intend to stop people from picking up their property at this location; that would have to
129 be worked out with the management of the campground.
130

131 Mr. Gregory Arvanitis – Raymond Health Officer/Building Inspector:
132 Mr. Arvanitis repeated the numbers regarding deaths to the panelist. He stated the States guidance regarding the
133 14-day quarantine regulations falls on the municipalities and it will be virtually impossible to enforce and track.
134 We simply do not have the staff to cover these stipulations. As previously stated, we are looking at an additional
135 300-400 people coming into the Town who will be patronizing our local retail stores, including our one grocery
136 store in Town who already are strained keeping supplies for our residents on their shelves. He commented on the
137 first responder numbers that Mr. Ilsley stated in his presentation; Mr. Arvanitis stated we could see those numbers
138 stay steady or even increase and how are we going to ensure the health and safety to our first responders. In short,
139 understanding the Governor’s guidelines, and without the supports in place to assist these municipalities, it is my
140 recommendation that the campgrounds stay closed until we can assume, we are through the worst of this pandemic
141 curve.
142

143 Chairman Campbell had the meeting host read some of the questions in the Q & A section. One was directed for
144 the Fire Chief to answer and the other was a general question regarding Governor's orders. One was directed to
145 the Town Manager. Vice Chairman Hoelzel asked what a seasonal fire permit. Chief Hammond responded that it
146 allows a person to get a fire permit a year, that allows a person to have a fire without having to contact the fire
147 department every time which has restrictions for draught- this is governed by the State of New Hampshire Fire
148 Wardens. We get daily updates via multimedia platforms to identify the five different classes; depending on the
149 number it limits burning. One question was regarding police patrols are the campground. Chief Labell stated that
150 has not been in the discussions and there is no plan to patrol for social distancing at this time.

151
152 Mr. Arvanitis read a statement: On Friday, March 13, 2020 the President of the United States declared a National
153 Emergency concerning the COVID-19 outbreak; at the same time, the Governor of the State of New Hampshire
154 issued an Executive Order 2020-04 issued a State of Emergency regarding the COVID-19 virus. Medical experts
155 stated that COVID-19 is most commonly spread through the air by coughing and sneezing, close personal contacts
156 such as touching or shaking hands, touchpoints on objects/surfaces with the virus on it and then touching ones
157 face, mouth or eyes before washing your hands. On Monday, March 23, 2020 the Governor of New Hampshire
158 issued Executive Order 2020-16; prohibiting gatherings of ten or more people. The Center for Disease Control
159 (CDC) reports that COVID-19 may be spread before the infected person shows symptoms of the virus. (Executive
160 Order 2020-23). In the days since the Governor of New Hampshire declared the State of Emergency the COVID-
161 19 outbreak in the State has expanded significantly (Executive Order 2020-23). The Department of Health and
162 Human Services (DHHS) and the Division of Public Health has found that the community transmission of
163 COVID-19 continues to increase in the State (Executive Order 2020-23). Rockingham County currently has a
164 higher incidents of persons with COVID-19 with the increase closures of public and recreational spaces
165 throughout New England and the country persons outside of the State include people in that area with a high
166 infection rates traveling to New Hampshire to recreate and temporarily reside therefore exponentially increased
167 risk of community spread in New Hampshire and any surge in the Town of Raymond put the population in our
168 community at a higher risk for COVID-19. These are the guidelines that we are adhering to at this time.

169
170 Attorney Roman, legal counsel for the Town of Raymond read the options statement for the Board to consider.
171 She was instructed to prepare some language regarding the public health regulation and after the recess to allow
172 us to listen to the Governor's statement, the Board can then consider which options they would want to pursue.

173
174 This is a public health regulation coming from the Town's Health Officer who has the authority to issue but is
175 not effective without a vote from the Board of Selectmen per the Statute.

176 ***EMERGENCY PUBLIC HEALTH REGULATION #2020-01***

177 ***1.01 AUTHORITY***

178 *Pursuant to the authority of New Hampshire RSA 147:1, and any other applicable state statute, and given the*
179 *worldwide COVID-19 pandemic posing a real and current threat to public health, the Raymond Health Officer*
180 *makes the following regulation to protect the public health.*

181 ***1.02 PURPOSE***

182 *The purpose of this Regulation is to protect the public health by protecting the public from COVID-19 infection*
183 *given the following:*

- 184 • *On Friday, March 13, 2020, the President of the United States of America declared a National Emergency*
185 *Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.*
- 186 • *On Friday, March 13, 2020, the Governor of the State of New Hampshire issued Executive Order 2020-*
187 *04 declaring a state of emergency due to the Novel Coronavirus (COVID-19).*
- 188 • *Medical experts report that COVID-19 is most commonly spread:*
 - 189 ▪ *Through the air by coughing and sneezing;*
 - 190 ▪ *Close personal contact, such as touching or shaking hands;*
 - 191 ▪ *Touching an object or surface with the virus on it, then touching your mouth, nose, or eyes before*
192 *washing your hands,*
193 *(see Governor's Emergency Order #23).*

- 194 • On Monday, March 23, 2020, the Governor issue Emergency Order #16 prohibiting gatherings of 10 or
195 more people.
- 196 • The CDC reports that COVID-19 may be spread before an infected person shows symptoms of the virus
197 (see Governor’s Emergency Order #23).
- 198 • In the days since the Governor declared a State of Emergency, the COVID-19 outbreak in New Hampshire
199 has expanded significantly (see Governor’s Emergency Order #23).
- 200 • The Department of Health and Humans Services, Division of Public Health has found that community-
201 based transmission of COVID-19 continues to increase in the State (see Governor’s Emergency Order
202 #23).
- 203 • Rockingham County currently has a higher incidence of persons with COVID-19.
- 204 • With the increased closures of public and recreational spaces throughout New England and the Country,
205 persons outside of the state, including persons from areas with high infection rates, are traveling to New
206 Hampshire to recreate and temporarily reside, thereby exponentially increasing the risk of community
207 spread in New Hampshire.
- 208 • Any surge in population within the Town puts the community at higher risk for exposure to COVID-19.
- 209 • On May 1, 2020 the Governor issued Emergency Order #40 and the “Stay at Home 2.0 Public and Private
210 Campgrounds – COVID-19 Reopening Guidance” which per the Governor’s May 1, 2020 Press Release,
211 constitute “the bare minimum standards which businesses must meet to maintain or begin operations”
212 (collectively, “Governor’s May 1st Orders”).

213 **1.03 ENFORCEMENT**

214 *The Town of Raymond Health Officer and the Raymond Police Department are hereby authorized to enforce the*
215 *provisions of this regulation any person willfully violating this regulation shall be guilty of violation*

216 **1.04 DEFINITIONS**

217 *“Campground” shall mean, for purposes of this regulation, any privately owned place open to the public upon*
218 *payment of a fee, which has been divided into 10 or more defined spaces upon which tents may be erected or*
219 *recreational vehicles may be parked for the purposes of recreational camping or non-permanent occupancy and*
220 *which may or may not also include cabins, camping units, or other structures or vehicles for non-permanent*
221 *occupancy.*

222 **Option 1: Campgrounds Closed:**

223 *All campgrounds as defined within the Town of Raymond shall be closed and no users or campers are permitted*
224 *on campground property until the Governor of the State of New Hampshire allows lodging providers to re-open*
225 *in which case campgrounds shall be subject to the same restrictions on opening and operation as placed on*
226 *lodging providers in any reopening order or until the New Hampshire State of Emergency is lifted whichever*
227 *occurs first. This regulation is effective immediately upon issuance pursuant to RSA 147:1.*

228 *As stated, this would require a motion and a vote of the Board of Selectmen.*

229 **Option 2: Campgrounds Open:**

230 *All campgrounds within the Town of Raymond shall comply with all State requirements and shall comply with all*
231 *State guidance issued for any phased reopening or full reopening of businesses in the State of New Hampshire. In*
232 *addition, all campgrounds within the Town of Raymond shall adhere to the following requirements:*

- 233 1) *All buildings, store, administrative, laundry, recreation hall, café, arcade, pavilions are closed.*
- 234 2) *All bath houses are closed*
- 235 3) *All playground and beaches are closed*
- 236 4) *No group activities or social gatherings, virtual activities are permissible*
- 237 5) *No guests other than registered guests allowed onto individual sites*
- 238 6) *Post in at least five locations and enforce at 14-day self-quarantine requirement as well as the State of*
239 *New Hampshire Coronavirus Disease 2019 self-quarantine guidance found at the New Hampshire*
240 *COVID website*
- 241 7) *Enforce 6-foot social distancing of non-family groups*

242 Campground management is responsible for enforcement of this regulation at the campground. Any municipal
243 costs associated with the enforcement of this regulation and emergency responses to the campground during the
244 State of Emergency will be the responsibility of and billed to the campground owners.
245 Effective Date: This regulation shall remain in effect until the Governor State of New Hampshire allows lodging
246 providers to reopen in which case campgrounds shall be subject to the same restrictions on opening and
247 operations as is placed on lodging providers or until the New Hampshire State of Emergency is lifted whichever
248 occurs first. This regulation is effective immediately upon issuance and pursuant to RSA 147:1
249

250 Mr. Ilsley stated that one of the campers of Pine Acres provided us with a letter that stated these above and beyond
251 restrictions that was stated to the campground residents. Essentially it highlights Pine Acres attempt to do this and
252 the control would be entirely under the Pine Acres management and their ability of when it is not going to be
253 done. Since this is truly a public safety issue the insurance that needs to be enforced and when these restrictions
254 will be lifted should not be under the purview of the private business in my opinion.
255

256 Selectman Barnes made a motion to recess the public meeting of the Board of Selectman until 4:00 p.m. in order
257 for the panelist to listen to the Governor’s public health statement to the State; Selectman Plante, Motion Carried
258 per roll call vote 5-0-0.
259

260 The Board reconvened at 3:53p.m. to continue the public meeting. Mr. Ilsley stated that due to the Governor’s
261 orders in his public statement it is his recommendation that the Board proceed with Option 2 which codifies as a
262 health code with the understanding that if Pine Acres could not maintain those types of requirements, then at that
263 point in time the Board would resume closing the campground due to health concerns. Attorney Roman asked if
264 she could have a moment to speak to the Town Manager offline and apologized that she could not include the
265 Board, but it is not possible in this setting. Permission was granted by the Chair to the Attorney and Town Manager
266 at 4:01:27. Chairman Campbell instructed Ms. Intonti to read the letter from Pine Acres that was forward to her
267 via email. Chairman Campbell found the documentation, he read the information into the record.

268 Mr. Ilsley at Attorney Roman returned to the public meeting at 4:09:53, we still believe that Option 2 is still viable
269 but with the absence of any clarity on what he means by “member” we would like to take the opportunity to legally
270 review what the Governor stated in his plan and if possible come back and have a Board of Selectmen meeting on
271 Monday for a vote. In addition to that, we would like to reach out to the campground and if they are committed to
272 working with us, then we may be able to propose instead of the Board voting on an ordinance, having a
273 MOU/MOA that these measures be in place and will work with the Town in an agreement which is codified that
274 they will open these venues at a time that is deemed safe. Chairman Campbell didn’t see a problem with waiting
275 until Monday but was hesitant to give any more leeway to this business as we have had the “rug” pulled out from
276 under us before. Vice Chairman Hoelzel agreed with Mr. Ilsley’s proposal. Attorney Roman agreed to work with
277 their attorney. Selectman Plante commented on the “member” statement; he wanted to know if it applied to out of
278 state seasonals? Mr. Ilsley stated he assumes that what it means but would like the opportunity for himself and
279 legal to look at it first. Selectman Barnes made a motion continue this meeting and reconvene on Monday, May
280 4th at 4:00; seconded by Vice Chair Hoelzel; Motion Carried via roll call vote 5-0-0.

281 Selectman Plante made a motion to adjourn, seconded by Selectman Barnes; Motion Carried via roll call vote 5-
282 0-0. Meeting adjourned at 4:20 p.m.
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These minutes are in draft form therefore are subject to change.

Minutes Recorded By:

288 Deborah Intonti, Executive Assistant to the
289 Board of Selectmen and Town Manager