

**TOWN OF NOTTINGHAM
Selectmen's Meeting
January 31, 2011**

6:35 PM, Chair Bock opened the meeting and asked all those present to stand for the Pledge of Allegiance.

Members Present: Peter Bock, Gary Anderson, Mary Bonser

Guest: Chris Mills

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; Brian Stucker, Town Moderator

ADMINISTRATIVE BUSINESS

Chair Bock asked the public to consider the highway department while facing parking issues with all the snow this winter and more to come.

MINUTES

OCTOBER 12, 2010 (Non-Public Session (e))

Motion: Bonser, second Anderson to accept the minutes of the October 12, 2010 non-public session as written.

Vote: All in favor. Motion passed: 3-0

NOVEMBER 29, 2010 (Workshop)

Motion: Anderson, second Bonser to accept the minutes of the November 29, 2010 workshop as written.

Discussion: Chair Bock noted for the record that the figure of \$8K - \$10K may be premature.

Vote: All in favor. Motion passed: 3-0

DECEMBER 21, 2010 (Meeting)

Motion: Bonser, second Anderson to accept the minutes of the December 21, 2010 meeting as written.

Vote: All in favor. Motion passed: 3-0

DECEMBER 21, 2010 (Non-Public Session (a))

Motion: Anderson, second Bonser to accept the minutes of the December 21, 2010 non-public session as written.

Vote: All in favor. Motion passed: 3-0

DECEMBER 30, 2010 (Workshop)

Motion: Bonser, second Anderson to accept the minutes of the December 30, 2010 workshop as written.

Vote: All in favor. Motion passed: 3-0

JANUARY 3, 2011 (Workshop)

Line 15: Correct the spelling of *Stockus*.

Line 25: Put a period after *Ms*

Line 33: Change *o* to *of*

Motion: Anderson, second Bonser to accept the minutes of the January 3, 2011 workshop as amended.

Vote: All in favor. Motion passed: 3-0

JANUARY 10, 2011 (Non-Public Session (a))

Motion: Bonser, second Anderson to accept the minutes of the January 10, 2011 non public session as written.

Vote: All in favor. Motion passed: 3-0

JANUARY 26, 2011 (Workshop)

Motion: Bonser, second Anderson to accept the minutes of the January 26, 2011 workshop as written.

Discussion: Chair Bock was not present for the workshop and asked for clarification of discussion around a proposed warrant article. Ms. Bonser explained that she is putting forth a citizen's petition. Timber owners have voiced concern over activities, such as scientific studies, that are taking place on their private property. They are asking for courtesy and would like to be notified prior to entrance onto their property. This petition does not have any effect on emergency services. Mr. Brown ran it by the town attorney who indicated it is not legal in that municipalities have no say over private property. Ms. Bonser noted that Attorney Teague was not aware that there is, currently, coinciding legislation at the state. The hope is to get both pieces passed at the same time.

Vote: All in favor. Motion passed: 3-0

ADMINISTRATIVE BUSINESS Cont.

The selectmen review bills.

Mr. Brown reported the printed circuit board in the generator went causing the generator to repeatedly turn itself on. It has been replaced but was out of warranty by three months.

Sandy Weston has informed Mr. Brown there is new legislation requiring landlords to file contact information with Town Clerks. This would require a public hearing. There is a \$1K fee for not filing. Mr. Brown agrees with Ms. Weston it would cost more to institute the fee than would be brought in. There is no indication of who will enforce this legislation.

Mr. Brown noted the next deadline for the Nottingham Community Newsletter is February 4. There was discussion around whether the selectmen had anything to submit. Mr. Brown will check to be sure town meeting dates are printed.

Chair Bock publicly thanked the many people, including Mr. Anderson and the Boy Scouts (led by Dan DeButts) for all their work on updating the Food Pantry area.

Mr. Anderson reported the mold has been removed from the old town hall and a new tank has been installed. Mr. Brown reported there will not be any fuel in the new tank until Wednesday.

92 **APPOINTMENTS**

93
94 **7:00 PM – CHRIS MILLS – CAMPAIGN SIGNS**

95 At 7:00, Chair Bock acknowledged Mr. Mills and invited him to the mic.

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97 Mr. Mills took the mic. The selectmen discussed whether Mr. Anderson should recuse himself
98 but decided against he should not because he was acting as a Selectman during the incident to be
99 discussed. Mr. Stucker and Mr. Anderson will also have the opportunity to speak to the issue.

100
101 Mr. Mills read a letter from the Attorney General's Office written in response to a complaint filed
102 by Mr. Hal Rafter. He noted that the issue was discussed at the November 22 meeting but tabled
103 until such time that Mr. Stucker could attend a selectmen's meeting. He indicated that he had e-
104 mailed Mr. Stucker several times to obtain a date to no avail. He was surprised to see the subject
105 on the agenda for the meeting of December 13. He stated that he contacted the selectmen's office
106 to inform them he would not be able to attend, and was dismayed when he watched the taping to
107 see that the issue had still been discussed. Mr. Mills was further dismayed to hear the selectmen
108 determine the issue a 'non-issue'. He feels that Mr. Anderson should have recused himself from
109 the discussion and, since Mr. Bock was absent, there would not have been a quorum to determine
110 the issue to be a 'non-issue'.

111
112 Mr. Mills noted the issue with campaign signs is an on-going issue. He reminded the selectmen
113 of the issue with republican signs in front of the school and fire department a couple of years
114 ago, adding that Mr. Stucker, as Co-Chair of the Republican Committee had been contacted
115 several times to move them. Reading from the letter Mr. Mills had read earlier, Ms. Bonser
116 noted the only people with authority to move signs are town maintenance personnel and law
117 enforcement. Mr. Mills then reported another incident where he had asked Chief Foss about
118 placing campaign signs on town property. Chief Foss had asked him to not place signs at the
119 intersection of Routes 152 & 156. Mr. Mills then placed a sign on the corner of Mill Pond Road
120 and Kelsey Road. A nearby property owner repeatedly removed the signs. Mr. Mills retrieved a
121 total of five signs from the property owner.

122
123 At this point, Chair Bock made a public announcement that signs should not be placed at the
124 intersection of Routes 152 & 156 by any organization as it is a safety hazard.

125
126 Mr. Anderson reported that he did not recuse himself as he was acting in the capacity of
127 selectman. There was discussion around the process being a learning process for all involved.
128 Mr. Mills stepped down.

129
130 Acknowledged by Chair Bock, Mr. Stucker took the mic. He read the Moderator's Incident
131 Report he filed on November 5, 2010. He noted for the record he never attempted to remove the
132 sign. He feels he acted appropriately and responsibly as the Town Moderator. Mr. Stucker also
133 read a letter from the Adjutant of the VFW in Rochester stating the sign in question was in direct
134 conflict with their recommendations. He had a letter from the Commander in Chief of the
135 National VFW stating that a vote of no confidence had been taken in regards to the VFW-PAC
136 on October 15th, which essentially dissolved the PAC. It was noted there are two distinct issues
137 at hand; the sign, itself, and the authority to remove the sign. Chair Bock guided the discussion
138 back to the issue of authority to remove the sign.

Mr. Mills joined Mr. Stucker at the selectmen's table and reported both Mr. Stucker and Mr. Anderson were polite when they approached. There was some disagreement over exactly what was said. Mr. Mills is concerned that someone not so politically 'savvy' may turn over a sign. There was discussion around what had been, what could have been, what wasn't. Mr. Stucker reiterated this is a learning process for all. Chair Bock thanked all for their input and reminded the public that all residents are encouraged to take an active role in their community. Mr. Stucker and Mr. Mills stepped down and left the meeting at 7:35PM.

ADMINISTRATIVE BUSINESS Cont.

Ms. Bonser asked Chair Bock if he had opportunity to review the inclement weather policy they had adopted during his absence. Mr. Brown reviewed the policy noting that the Town does not close; however, if someone does not want to drive in a storm they may stay home. They will not get paid for the day unless they use vacation time. If you do come to work and the Town should close, you will be paid for the day.

The selectmen reviewed and voted on the warrant.

Motion: Bonser, second Bock to recommend Article # 4 in the amount of \$3,264,123.

Vote: All in favor. Motion passed: 3-0

Motion: Anderson, second Bonser to recommend Article # 5 for \$192,690.

Vote: All in favor. Motion passed: 3-0

Motion: Bonser, second Bock to recommend Article # 6 for \$49,000.

Vote: All in favor. Motion passed: 3-0

Motion: Anderson, second Bonser to recommend Article # 7 in the amount of \$50,000.

Vote: All in favor. Motion passed: 3-0

Motion: Bonser, second Anderson to recommend Article # 8 in the amount of \$50,000.

Vote: All in favor. Motion passed: 3-0

Motion: Anderson, second Bonser to recommend Article # 9 for \$15,000.

Vote: All in favor. Motion passed: 3-0

Motion: Bock, second Anderson to recommend Article # 10 in the amount of \$32,000.

Vote: All in favor. Motion passed: 3-0

Motion: Bonser, second Anderson to recommend Article # 11 to establish a revolving fund and to authorize the deposit of 50% of the cable franchise fee revenues into this established fund.

Vote: All in favor. Motion passed: 3-0

Motion: Bonser, second Anderson to recommend Article # 12 in the amount of \$47,620.

Vote: All in favor. Motion passed: 3-0

Motion: Bock, second Bonser to recommend Article # 13 in the amount of \$24,963.

Vote: All in favor. Motion passed: 3-0

Motion: Bonser, second Anderson to recommend Article # 14 in the amount of \$4,000.

Vote: All in favor. Motion passed: 3-0

Motion: Bock, second Anderson to recommend Article # 15 to support a change in the disbursement and distribution of the land use change tax monies received by the town and capping the Conservation Fund contribution at \$100K.

Vote: All in favor. Motion passed: 3-0

The selectmen determined they would have a preliminary discussion around who will present what warrant article at the meeting scheduled for February 14, 2011 and will finalize this and meet with the moderator on February 28, 2011.

The following public announcements were made:

- The Food Pantry's Annual Meeting is scheduled for Wednesday, February 2, 2011, 7:00 PM at Blaisdell Memorial Library.
- Budget Committee's Public Hearing for the Town Budget is scheduled for Thursday, February 3, 2011, 7:00 PM, Nottingham Municipal Offices.
- School Deliberative Session is scheduled for Friday, February 11, 2011, 6:30 PM, Nottingham School Gymnasium.

Mr. Brown reported that Mr. Colby, Nottingham Building Inspector, hurt himself returning from vacation. He is currently under doctor's care.

Mr. Brown reported that he would put together a brief narrative for the budget for the selectmen to review.

Having no further business,

Motion: Anderson, second Bonser to adjourn the meeting.

Vote: All in favor. Motion passed 3-0

Meeting adjourned at 7:58 PM.

Respectively submitted,

Traci Chauvey
Recording Secretary

Approved as amended at the March 28, 2011 meeting.