

**TOWN OF NOTTINGHAM
Selectmen's Meeting
March 28, 2011**

6:37 PM, Chair Anderson opened the meeting and asked all those present to stand for the Pledge of Allegiance.

Members Present: Gary Anderson, Mary Bonser, Hal Rafter

Guest: Janet Horvath, Director of Recreation; Lori Wiberg; Jim Ovens

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; Chris Mills; Gail Mills; Charlene Andersen; Judy Doughty;

ADMINISTRATIVE BUSINESS

MINUTES

JANUARY 3, 2011 (MEETING)

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

Vote: Bonser, Anderson in favor. Rafter abstained. Motion passed: 2-0-1

JANUARY 3, 2011 (NON-PUBLIC)

Motion: Bonser, second Anderson to accept the minutes of the January 3, 2011 non-public session as written.

Vote: Bonser, Anderson in favor. Rafter abstained. Motion passed: 2-0-1

JANUARY 31, 2011 (MEETING)

Line 61: Change *for* to *forth*

Motion: Bonser, second Anderson to accept the minutes of the January 31, 2011 meeting as amended.

Vote: Bonser, Anderson in favor. Rafter abstained. Motion passed: 2-0-1

FEBRUARY 14, 2011 (NON-PUBLIC)

Motion: Bonser, second Anderson to accept the minutes of the February 14, 2011 non-public session as written.

Vote: Bonser, Anderson in favor. Rafter abstained. Motion passed: 2-0-1

FEBRUARY 28, 2011 (MEETING)

Motion: Bonser, second Anderson to accept the minutes of the February 28, 2011 meeting as written.

Vote: Bonser, Anderson in favor. Rafter abstained. Motion passed: 2-0-1

MARCH 10, 2011 (WORKSHOP)

Line 18: Change *Gerald* to *Gearreald*

Motion: Bonser, second Anderson to accept the minutes of the March 10, 2011 workshop as amended.

Discussion: Mr. Rafter noted that the motion in these minutes were up for amendment. The town administrator and the other selectmen explained the minutes of the meeting for March 10 would not change, as that is what happened on that evening. The amended motion would appear

in the minutes of this evening's meeting. Mr. Rafter noted that what is transcribed for the motion is, in fact, not a motion, but a history.

Vote: Bonser, Anderson in favor. Rafter abstained. Motion passed: 2-0-1

MARCH 14, 2011 (MEETING)

Line 47: Change *not* to *no*

Line 72: Change *down* to *town*

Line 73: Change *no* to *not*

Line 90: Add the word *as* between *time* and *the*

Line 103: Correct the spelling of *Chair*

Motion: Rafter, second Bonser to accept the minutes of the March 14, 2011 meeting as amended.

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

DEPARTMENT REPORTS: Mr. Brown acknowledged Ms. Horvath who is requesting authorization to use PayPal. Ms. Horvath stepped to the selectmen's table and introduced Ms. Wiberg, noting that she is a volunteer for Nottingham Day, specifically, she oversees the race. She explained Ms. Wiberg has been instrumental in setting up a web site specifically for Nottingham Day and that she is being pushed to offer on-line registration for the races. Ms. Horvath and Ms. Wiberg have been checking into PayPal. Coe-Brown has recently gone to a PayPal registration process and PayPal offers services and information specifically for municipalities. PayPal requires no commitment or contract and there is no sign-up fee. They take a per transaction fee of 2.9% + .30¢ on transactions between .01¢ and \$3K, a 2.5% + .30¢ fee on transactions between \$3K and \$10K, and a 2.2% + .30¢ fee on transactions over \$10K. There is even separate information on fees for tax payments. Ms. Horvath explained that most transactions would be in the \$30-\$40 range as this is what most recreation programs cost. There was discussion around the time and effort it would save in paperwork and the accounting benefit it would have for the recreation department. Ms. Horvath explained that she does not have all the answers, yet, but wanted to make sure it was ok to move ahead. She needs to look into whether she can charge a different fee for different programs or if it is one set fee. The determination needs to be made as to whether to charge the on-line registrants an additional fee to cover the percentage going to PayPal or to increase program fees across the board to cover the cost. These are just some of the outstanding issues she raised. The selectmen are in support of this initiative, for the recreation department, at this time. At Mr. Rafter's inquiry, Ms. Horvath explained that the PayPal account will be set up on the Nottingham Day website that Ms. Wiberg has set up, which is linked to the town's website. Ms. Horvath and Ms. Wiberg thanked the selectmen. Ms. Wiberg left the meeting.

Ms. Horvath informed the selectmen she has received a request from Nottingham Youth Association and the Jr. Nottingham Baseball League to use the baseball fields. The Jr. Nottingham Baseball League is under Northwood's Cal Ripkin charter, and as such, is covered as an additionally insured on their Certificate of Liability. Cal Ripkin requires four teams for a charter. Epping and Northwood could not meet the requirement; therefore, all three towns are under Northwood's charter. Their plan is to only use the field for practice; however, they have reserved the right to hold some games, if needed. There was a brief discussion around scheduling and availability. Ms. Horvath explained that although there are two separate entities there is approximately the same number of teams as last year.

Motion: Bonser, second Rafter to allow use of the baseball field by the Nottingham Youth Association and the Jr. Nottingham Baseball League.

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

APPOINTMENTS

7:00 PM – JIM OVENS – LAMPREY DRIVE EMERGENCY WAY DESIGNATION

At 7:08, Chair Anderson acknowledged Mr. Ovens and invited him to the mic.

Mr. Ovens explained he had come to request "Lamprey Drive" and "Lamprey Drive East" be designated as emergency ways. Mr. Brown stated he was confused by Mr. Ovens' diagram and there was a brief discussion to clarify roads. Mr. Ovens noted that Mr. Fernald had referred to the extended part of Lamprey Drive as Lamprey Drive East. There was discussion around what is already plowed. Mr. Brown indicated that Lamprey Drive is plowed to the first turn at Indian Run asked if Mr. Ovens was only requesting Lamprey Drive East to be established, since Lamprey was already plowed. Mr. Ovens explained he believed only Indian Run had been properly established as an emergency way. There was more discussion around what is currently plowed and what is established as emergency ways. There was discussion around the power lines that service the substation on Indian Run and whether it is a substation or a transformer. Ms. Mills indicated she had two lists of roads from the town office and Lamprey Drive was not indicated as an emergency way on either. She approached the selectmen's table and had a discussion with Mr. Brown regarding her lists. After Ms. Mills sat back down, Mr. Mills approached the selectmen's table and handed a document to Mr. Brown. At Mr. Rafter's inquiry to Mr. Ovens, it was determined that Lamprey Drive and Lamprey Drive East are currently being plowed but are not designated as emergency ways. Ms. Bonser felt the new motion they were going to make to replace the motion on March 10 would fix the problem. Mr. Mills inquired about the public hearing that made Lamprey Drive and Lamprey Drive East emergency ways, since neither road was on the notice of 1995. Mr. Brown and Ms. Bonser feel that since these roads were plowed prior to the hearing and have been maintained since, there is an indication they were intended to be included in the roads designated as emergency ways. Mr. Rafter feels the selectmen need to assume they were not designated since they are not on the notice and there is no other supporting documentation to indicate they were included. Mr. Brown noted the issue with some of the roads is the need to cross ones that may or may not be designated to get to the ones that are designated, using Union and Rogier as examples. Ms. Bonser, again, indicated she believed the new motion tonight would set the issue to rights. Ms. Mills noted that new roads could not be added into the motion. There was discussion about following the laws. Mr. Brown asked if the issue of the roads that were missed on the notice but are and have been plowed should go to the attorney for opinion.

Chair Anderson informed all he has been giving this issue much thought and would like the selectmen to put together a check list, similar to what the Planning Board uses for reviews, based on the criteria listed in RSA 231:59-a for designation of emergency ways. Ms. Bonser feels no new roads will come before the selectmen for designation, believing that this is an "old" issue for which they are looking for resolution. She is agreeable, as is Mr. Rafter, with Mr. Brown forwarding the issue of the few roads that have been and are currently maintained that are not on

the 1995 notice to the attorney for recommendation. There was discussion of another public hearing.

Ms. Andersen inquired as to how many homes are on Lamprey and Lamprey East. There was discussion around the area being deceiving since you can see across to other roads that you can't get to. Mr. Ovens informed Ms. Andersen there are approximately eight houses on one road, of which five are year round, and approximately seven on the other, of which four are year round. He noted for the record the approximate length of roadways he is requesting designation for is four-tenths of a mile.

Chair Anderson, again, mentioned a checklist, and asked the others to consider this idea. Mr. Rafter agrees with creating a checklist. Ms. Mills asked Mr. Brown to inquire about the requirements of quid-pro-quo when he speaks to the attorney regarding the roads currently being plowed and those designated as emergency ways. There was a brief discussion around the term quid-pro-quo and its relation to emergency ways.

It was again clarified that Lamprey and "Lamprey East" are currently plowed. Mr. Ovens is seeking to have them officially designated as emergency ways. The selectmen thanked Mr. Ovens for his time, noting that no determination would be made this evening, but ensuring follow up on the issue. Mr. Ovens thanked the selectmen. He stepped down at 7:42 PM and left the meeting.

ADMINISTRATIVE BUSINESS Cont.

The selectmen addressed the signature file and billing manifest while Mr. Brown made the following announcements and requests.

USA Springs filed another motion to continue. The judge denied the motion. The hearing is set for 9:00 AM on Friday, April 1st..

Mr. Brown requested reauthorization to sign the landfill certification forms filed by the town each year. These forms are required by DES to certify the town has received no funds for the continued maintenance of the landfill. The Town of Nottingham receives a little over \$3K per year, if we have not received other funds.

Motion: Rafter, second Bonser to authorize Mr. Brown to sign the certification regarding eligible expenditures regarding the landfill on behalf of the Town.

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

Mr. Brown requested a motion authorizing the treasurer and deputy treasure to make transfers of funds between the town's general fund and MBIA without selectman signature. At Ms. Bonser's inquiry, Mr. Brown stated this is a past practice.

Motion: Rafter, second Bonser to authorize Nottingham Treasurer, Cheryl Travis, and Deputy Treasurer, Amanda Travis, to transfer funds between the Town of Nottingham's general fund and MBIA.

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

The selectmen signed four copies of the cable franchise extension agreement. The extension expires at the end of April.

Mr. Brown requested a motion from the selectmen to authorize Gunnar Foss, Nottingham Chief of Police, to sign the agreement between the State of New Hampshire and the Town of Nottingham regarding police coverage for Pawtuckaway State Park. The selectmen perused the agreement, noting the request is for 13 uniformed officers to cover July 1, 2011 through September 5, 2011 and Memorial Day Weekend 2012 through June 30, 2012. Man hours are not to exceed 150 and contract cost is not to exceed \$5,408. There was discussion around payment from the state. Mr. Brown indicated payment comes within the same calendar year but is slow. It was noted the selectmen needed to sign a Certificate of Vote authorizing Chief Foss to sign the agreement.

Motion: Rafter, second Bonser to authorize Chief Foss to sign the agreement with the State of New Hampshire for police coverage at Pawtuckaway State Park.

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

The selectmen signed salary history forms. Mr. Brown noted that new salaries will be in the April 1 payroll and will be retroactive to January 1, 2011.

Patrol Officer Nate Eaton will graduate from the academy April 8th. It has gone very well.

Mr. Brown informed the selectmen he has been getting solicitations for mowing bids. He has gotten a few estimates; however, no one comes close to the current contract. He asked the selectmen if they would like a formal RFP process. After a brief discussion around the estimates Mr. Brown has received, the selectmen determined an RFP process was not required at this time.

The Library Trustees sent a request to the selectmen to have Susan Medieros reappointed as an Alternate Trustee for one year.

Motion: Bonser, second Rafter to appoint Susan Medieros as an Alternate Library Trustee for a term of one year.

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

Sam Demerrit, Chairman of the Nottingham Conservation Commission, sent a request to have Celia Abrams and Cheryl Smith reappointed to the Conservation Commission for a term of three years.

Motion: Bonser, second Rafter to appoint Celia Abrams and Cheryl Smith to the Nottingham Conservation Commission for a term of three years each.

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

GENERAL BUSINESS

Mr. Brown reported he had received an inquiry from a resident about using the Flutter Street location for parking. The fuel system will be cordoned off, but this seems to be a good idea, since a majority of the site could be used. There was a brief discussion around sidewalks; this involves the State's input. Ms. Bonser inquired about any contact from the insurance company. Mr. Brown indicated he had only had contact with the adjuster at this point. There was

discussion around replacement cost and whether that should include depreciation. Mr. Brown will follow up on this. Mr. Anderson reported that the building committee had met on Monday, March 21st. They reviewed a plan from Epping. The goal right now is to establish a foot print size.

Mr. Brown went over his authority with the new selectman, Mr. Rafter, indicating he has whatever authority the selectmen give him. He regularly brings things to the board but takes care of most day to day business on his own. The selectmen are responsible for hiring and firing; however, Mr. Brown does discipline employees without selectman input.

Mr. Brown provided the selectmen with copies of personnel policy addendums. One is to change the wording of the holiday pay for holidays worked for part-time fire personnel. Should they work, the policy currently provides them with pay at two and one half times their regular pay. Fire personnel are volunteers and get paid holiday pay at their regular rate. The other addendum is a paragraph that was omitted from the new policy under the full-time employee vacation policy, which requires two weeks notification of planned vacation time. The selectmen will address these at the next meeting.

The selectmen received a request to buy back cemetery plots. Mr. Brown indicated this has been done in the past.

Motion: Bonser, second Rafter to buy back the Southside Cemetery plots of Guy and Doris Davis for \$400, the original amount paid.

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

The selectmen reviewed committee/board/department assignments. The following was decided:

Board	Board of Assessors	None
Board	Board of Selectmen	All
Committee – BOS Rep.	Budget Committee - Required	Hal
Committee	Building Committee	Gary
Department Liaison	Bldg Insp./Code Admin.	Mary
Committee – BOS Rep.	Capital Improvement Committee	Mary
Committee	Emergency Management – School	None
Committee	Emergency Management – Town	None
Department Liaison	Fire/Rescue	Hal
Department Liaison	Highway	Gary
Committee – Ad-Hoc	Impact Fee Study Steering Committee	None
Committee	Joint Loss Management Committee	None
Committee – Ad-Hoc	Master Plan	None
Commission	Conservation Commission	Hal
Committee	Natural Resources Committee	None
Committee	Nottingham Day Committee	Gary
Committee	Pawtuckaway Lake Advisory Committee	Mary
Board – BOS Rep.	Planning Board – Required	Gary
Department Liaison	Police	Mary
Department Liaison	Recreation	Mary
Committee – Ad-Hoc	School Building Committee	Hal
Department Liaison	Recycling Center	Gary
Board	Zoning Board of Adjustment	None

Mr. Brown reported he has submitted the rehearing application to the ZBA. He will let the selectmen know when a meeting date has been set. There was a brief discussion around the process. Ms. Chauvey explained the ZBA will meet to approve or deny the selectmen's 'application' based on whether or not they believe they overlooked something and might have made an error. This will be decided based solely upon the information provided in the application. No other information may be added at the hearing. If a rehearing is granted, the case will be re-noticed and reheard.

Ms. Bonser spoke about news she is receiving regarding the state budget. She is very concerned. Projections for Nottingham are a loss of \$290K. Combined with the approximated average of .75¢ increase to the school budget, the .20¢ increase to the town budget, and the .95¢ increase due to the \$500K loss in state aid, residents are looking at a \$2.45 per thousand increase in their property taxes. She suggested writing an article for the Nottingham Community Newsletter to warn residents they need to put away extra money. There was a lengthy discussion around the budget and where it's at. The selectmen will wait to see what budget passes before submitting an article to the newsletter.

Mr. Rafter urged the other selectmen to consider inviting our representatives and senator to a meeting, possibly with the four towns that make up the House District. There was talk about the town budget and watching day to day expenses. There was talk about trying to have extra at the end of the year to put into the unreserved fund balance for use toward lowering the tax rate.

Having no further business,

Motion: Bonser, second Rafter to adjourn the meeting.

Vote: All in favor. Motion passed 3-0

Meeting adjourned at 8:55 PM.

Respectfully submitted,

Traci Chauvey

Recording Secretary

Approved as amended at the April 25, 2011 meeting.