

TOWN OF NOTTINGHAM
Selectmen's Meeting
April 11, 2011

6:40 PM, Chair Anderson opened the meeting and asked all those present to stand for the Pledge of Allegiance.

Members Present: Gary Anderson; Hal Rafter

Members Absent: Mary Bonser

Guest: Tammie Croft, LGC Member Relations Representative

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; Chris Mills; Gail Mills;

ADMINISTRATIVE BUSINESS

Chair Anderson acknowledged Ms. Croft and invited her to the mic. Ms. Croft thanked the selectmen for their time and indicated she is here to thank Nottingham for their membership, explain the services available to us as members of the New Hampshire Municipal Association (NHMA) and Local Government Center (LGC), and to answer any questions. Ms. Croft handed out packets and gave a brief history of NHMA & LGC, noting that it began in 1941 with the purpose of sharing information. The Municipal Association is the advocacy arm, while Health Trust, which began in 1984 offer insurances such as property liability and workers compensation. She directed the selectmen's attention to the brochures included in their packets, noting that these were only some of the benefits offered to members of NHMA & LGC.

Chair Anderson indicated he has used some of the programs through LGC and has learned lots. He recommends the trainings to Mr. Rafter. At Mr. Rafter's inquiry, Ms. Croft explained the most common day to day services provided to selectmen is the use of legal services, adding that any town business questions can be directed to LGC. If they are not immediately available to answer, they can, at the least, usually point the inquirer in the right direction. She mentioned the Selectperson's Institute training provided by the partnership of NHLGC and Antioch University, noting that it is a popular program and fills fast. Ms. Croft recommended use of their web site at nhlgc.org. Mr. Rafter inquired as to any updates LGC provides in regard to current legislative activity and whether they lobby. Ms. Croft reported that they publish a weekly legislative bulletin, which is available on their website, and they most definitely lobby on issues that affect their membership as a whole. The Municipal Advocacy Commission (MAC) is a 75 member commission that focuses on current issues. Ms. Chauvey receives the weekly Legislative Bulletin by e-mail, which she forwards to the selectmen. Mr. Brown informed Mr. Rafter that the town receives notice of items NHMA is lobbying on and is allowed one voting delegate, which has been Mr. Brown the past two years, when they hold the hearings to determine their stance. There was discussion around the many publications of LGC and their availability to the members. Ms. Croft mentioned Town and City, a monthly publication, provided to the membership towns as a courtesy. Again, she referred the selectmen to the website. Mr. Rafter inquired as to whether the website is public. Ms. Croft indicated it was and, as a member, some publications would be complimentary but some would need to be purchased. Mr. Brown mentioned the Wage and Salary Report produced by LGC, noting it has gone electronic this year.

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Ms. Croft indicated more and more items will be going electronic throughout this upcoming year. There were thanks all around. Ms. Croft stepped down and left the meeting.

The selectmen reviewed the signature filing signing appointments for the two Nottingham Conservation Commission appointments voted on at the March 28, 2011 meeting. Chair Anderson and Mr. Rafter decided to table the minutes in the absence of Ms. Bonser.

Mr. Brown reported that Ms. Horvath, Director of Recreation, has received a request from The Press Room Gang, one of the bands she is attempting to obtain for the Summer Concert Series, to make donation to the Portsmouth Maritime Festival in lieu of payment for the band. The town's attorney has informed Mr. Brown this is a legal and valid request. There was discussion around the amount of the donation for the band. Mr. Brown believes it will be somewhere around \$250-\$300 but will confirm with Ms. Horvath. Ms. Horvath is also requesting authorization to purchase two pieces of bouncy house equipment out of the recreation revolving account. The units are \$2,000 and \$2,495 with \$400 in freight costs. Chair Anderson noted the equipment must be inspected every year at a cost of \$130 per unit. The town's liability insurance covers the bouncy houses and has a \$1,000 deductible. There was discussion around life expectancy of the equipment. Mr. Brown will follow up with Ms. Horvath. The selectmen will make a decision on the two issues at the next meeting.

Mr. Brown reported he has received an e-mail from Attorney Kate Miller. She is still waiting on a response from Comcast to the last cable franchise contract proposal. It is on Mr. Somers' (Comcast representative) calendar for the beginning of next week. There was a brief discussion around the current extension.

Mr. Brown informed the selectmen that the town must upgrade its 457 Non-Qualified Deferred Compensation retirement plan. There are two full-time employees who wish to join; however, the plan is too old and cannot accept any new members. The new plan would be a 457B. There is a \$1,500 fee to put the plan together. There was a brief discussion around the current provider and the company providing the quote, the employees who wish to join, and looking at other quotes. At Mr. Brown's request for suggestions on who to contact, Mr. Rafter noted he would check with his current employer, who is also a non-profit. Mr. Brown informed Mr. Rafter that he would like to resolve this issue as soon as possible.

Mr. Brown reminded the selectmen the ZBA would meet tomorrow evening to decide on the selectmen's rehearing appeal for the ZBA's March 1, 2011 case.

At Mr. Rafter's inquiry, Mr. Brown reported he received a copy of a court order in the USA Springs bankruptcy case. The fee requests will be withdraw without prejudice and resubmitted due to the length of time that has passed. Next hearing is May 20, at 9:00 AM – USA Springs has been told to have a plan in place or they will go back to Chapter 7 for liquidation. Mr. Brown noted that NH Soils has continued testing through the bankruptcy process. Should USA Springs come out of bankruptcy with a plan, NH Soils is hoping to continue their work with them.

Mr. Rafter informed all that he had checked in with the school to see if the selectmen might hold the meeting with the senators and representatives at that location. The school is closed for vacation next week; however, is available Thursday, April 28 or Friday, April 29. Mr. Brown

94 feels the biggest problem will be getting these individuals to attend the meeting on short notice.
95 Mr. Rafter suggested they invite the five representatives from District 6, the two or three senators
96 representing House District 3, and the selectmen and residents from the other three towns in
97 House District 3 (Northwood, Deerfield, and Candia). There was discussion around where the
98 meeting should be held. In regards to format of the meeting, Mr. Rafter feels the selectmen
99 should have first shot at questions, suggesting they allow the public to submit written questions
100 that could possibly be drawn from a hat. It was determined the school would be a better location
101 than the Municipal Office Complex. The underlying theme of the meeting is the dramatic fiscal
102 and non-fiscal legislation being proposed. Mr. Rafter feels it is the selectmen's job to lobby on
103 behalf of the town.

104
105 **Motion:** Rafter, second Anderson to host a meeting on April 28th with the senators and
106 representatives of Nottingham, Northwood, Deerfield, and Candia, and to invite the selectmen
107 and residents of said towns to participate in the meeting.

108 Discussion: Chair Anderson inquired about communication with the school. Mr. Rafter offered
109 to do the 'leg work' for the meeting. Mr. Brown asked what was required of him. Mr. Rafter will
110 contact Mr. Brown tomorrow to work out details.

111 **Vote:** All in favor. Motion passed: 2-0
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113 Mr. Brown noted he had two addendums to the Personnel Policy Manual. There was a brief
114 discussion around the addendums. The selectmen will wait for the return of Ms. Bonser before
115 voting on the two addendums.

116
117 Chair Anderson informed all that Mr. Brown had inquired and received a response regarding the
118 legality of a criteria checklist for the determination of emergency lanes. He read part of the
119 response, which noted that, in essence, the RSA requires it. Chair Anderson will draft something
120 for the next meeting. Mr. Rafter raised the issue of establishing which roads are currently being
121 maintained and which roads have been declared emergency lanes. He feels the town is bound to
122 immediately cease maintaining those that have not been designated as emergency ways. There
123 was discussion of a master list of roads. Ms. Chauvey noted there is a master list in the fixed
124 asset system. This database can, most likely, be sorted by private versus town road status. Mr.
125 Rafter noted that once the designated roads have been established the selectmen will need to
126 notice a public hearing for Mr. Ovens' request of establishing Lamprey Drive as an emergency
127 way.

128
129 Chair Anderson informed all the Building Committee had met last Monday evening. They
130 discussed logistics and are looking at exactly where in the sand pit the new garage should be
131 placed. He is encouraging them to continue to focus on the size of the building. The shape may
132 be determined by the type of building (i.e., steel, wood, etc.). Steel may be a cheaper way for the
133 town to go. Mr. Brown reported Mark West has provided some aerial photographs of the area.
134 There may be a need for some work to be done with culverts at the entrance. Mr. West
135 suggested putting out some feelers for a study. Mr. Brown indicated the need for an RFP for a
136 site review. Mr. Colby, Nottingham's Building Inspector, had raised the issue of how critical the
137 building is to town function in regards to what may need to go into the new building. There was
138 a brief discussion around generators and such. Mr. Brown will have the temporary building
139 inspector, Gene Perreault, look into this.

Chair Anderson noted he had a meeting with the recycling crew last Saturday. They are working on coming together as a team. There is a need for one or two volunteers to help on Saturday's with directing people to the right containers and providing outside support. There was a brief discussion around setting and fine tuning some guidelines for volunteers. Mr. Brown feels most can be taken from the employee manual.

Mr. Brown informed the selectmen he had received an e-mail containing the draft report regarding the Lamprey River nominations but declined to download it because it is 327 pages. Mr. Rafter, noting that the selectmen receive large attachments to their e-mails suggested downloading these items to the website instead of e-mailing them to the selectmen. At Ms. Chauvey's inquiry, Mr. Rafter indicated he was referring to things such as LGC's weekly newsletter and any other public information. Ms. Chauvey responded that she receives the e-mail from LGC and simply forwards it to the selectmen; there is no one to support downloading all this data to the website. Mr. Brown informed the selectmen he had received an inquiry from a resident asking why we do not publish our police log on the web site. This inquiry was forwarded to Chief Foss. Mr. Brown indicated the bottom line is there is no staff for this, especially for items that are of no value to anyone. Mr. Rafter noted that it is public information and available for those asking. There was a brief discussion around publication supporting the need for additional staff. It was noted that Chief Foss reports police activity annually and it is included in the Annual Town Report. There was more discussion about the website and the possibility of adding links to other sites.

Mr. Brown noted the selectmen had received a copy of a letter from a resident addressing some concerns about the traffic that will be caused by a proposed development on Ledge Farm. Mr. Brown indicated that the road is in poor shape and a development of 20 or so houses would have an impact on the road. Chair Anderson noted the issue has been raised at the Planning Board meetings and he expects it will be addressed again as the project moves forward. The argument by the developer is that the development road will be a better road than Ledge Farm. Mr. Brown noted that Ledge Farm Road would need to be traveled to get to the development.

It was noted that the selectmen are obtaining town government e-mail addresses. They are not operational at this time but will be shortly. They will be ganderson@nottingham-nh.gov, mbonser@nottingham-nh.gov, and hrafter@nottingham-nh.gov.

Having no further business,

Motion: Rafter, second Anderson to adjourn the meeting.

Vote: All in favor. Motion passed 2-0

Meeting adjourned at 8:10 PM.

Respectfully submitted,

Traci Chauvey
Recording Secretary

Approved as amended at the April 25, 2011 meeting.