

TOWN OF NOTTINGHAM
Selectmen's Meeting
April 25, 2011

6:32 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

Members Absent:

Guest: Janet Horvath

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; Chris Mills; Gail Mills; Donna Danis; Pam Kelley

ADMINISTRATIVE BUSINESS

Chair Anderson acknowledged Janet Horvath, Director of Recreation, and invited her to the mic. Ms. Horvath indicated she was here to follow up on several open issues. She addressed the bounce houses she wishes to purchase from the recreation revolving fund. They are rented, for various events, at an average of \$200 each and require pick up, usually in Exeter. Barrington purchased one several years ago and is very happy with the purchase. Ms. Horvath plans to use the bounce houses for Summer Camp and Nottingham Day, as well as other possible uses including school use. They store easily and life expectancy depends on care but the average is 10 years. They are commercial grade; made of heavy plastic. The bounce house can be erected in the multi-purpose room, the castle cannot.

Motion: Bonser, second Rafter to allow Ms. Horvath to expend \$4,700 from the recreation revolving account to cover the purchase of two bounce houses and shipping.

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

Next, Ms. Horvath addressed the request for a donation to the Portsmouth Maritime Festival in lieu of payment for The Press Room Gang to play the Summer Concert Series. Ms. Horvath would like to offer a \$250 donation from the Summer Concert Series monies.

Motion: Bonser, second Rafter to make a \$250 donation to the Portsmouth Maritime Festival out of the Summer Concert Series funds.

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

Ms. Horvath turned the conversation to the use of PayPal for payment of recreation program registrations. She has not come across any reason the recreation department should not move forward with this venture. She noted that the town's treasurer, Cheryl Travis, had voiced concern over hacking, but all research indicates this is not a high risk on the side of the town. PayPal maintains good security and when hacking occurs, it tends to happen on the payers side, not the payees side. It was noted that the town will not have or maintain individual's credit card information through use of PayPal. PayPal gathers and maintains this information in their records. There was more discussion around charging a fee for use of PayPal. Ms. Horvath has clarified she can charge different fees for different programs. Mr. Brown indicated he believes Visa will not allow the provider to charge a fee to cover the cost. There was discussion around

why other towns are not using PayPal. Mr. Rafter noted that someone has to be first. Ms. Bonser would like to be able to benefit from experience of another town. Ms. Horvath noted that two local businesses use it. Ms. Bonser requested Ms. Horvath to inquire with LGC. Ms. Horvath will do some more follow up with LGC and the two local companies who are using the program.

Ms. Horvath informed the selectmen someone wants to do a food garden, here at the complex, and donate all produce to the food pantry. They have offered their equipment, labor, and experience. Ms. Horvath suggested the site of the old community gardens, next to the Dame School. There was discussion around parking and the ongoing issues it poses. The building committee is focused elsewhere, for the time being, with the collapse of the highway garage. The selectmen agreed a garden could be placed on this site this year but no long term commitment could be made.

Ms. Horvath informed the selectmen she wished to hire an employee to lead a line dancing program. The recreation department runs programs either by contracting or by hiring. The agreement with this individual does not warrant a contract due to the small amount of money involved. She will be hired for one and one-half hours a week and paid an hourly wage of \$12.00. Line dancing will take place at the old town hall on Monday evenings.

There were thanks all around. Ms. Horvath left the meeting.

MINUTES

MARCH 28, 2011 (Meeting)

Line 112: Remove the word *to*

Line 113: Reword sentence beginning, "*Mr. Brown indicated...*" to read better.

Line 132: Change *many* to *some*

Line 139: Change *though* to *thought*

Line 174: Add the date *April 1st* after *Friday*

Line 243: Change *selectmen* to *selectman*

Motion: Bonser, second Rafter to accept the minutes of the March 28, 2011 meeting as amended.

Discussion: Ms. Bonser requested a clean copy of committee assignments. Mr. Rafter asked if the Impact Fee Study Steering Committee should remain on the list since the Impact Fee Ordinance has been passed. Ms. Chauvey explained the committee is still active. Passage of the ordinance is only one step of the process.

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

APRIL 11, 2011 (Meeting)

Line 99: Change *question* to *questions*

Line 121: Change *road* to *roads*

Line 147: Remove the reference to Therese Thompson, as Mr. Brown received the information from someone else.

Line 170: Add the word *Road* after the word *Farm* and the word *be* between the words *to* and *traveled*

Motion: Rafter, second Anderson to accept the minutes of the April 11, 2011 meeting as amended.

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

ADMINISTRATIVE BUSINESS Cont.

The selectmen reviewed billing manifests and mail. A request was received from Sam Demeritt, Chairman of the Nottingham Conservation Commission to hire Landry Surveying, LLC and expend up to \$3,300 from the conservation funds to re-stake the restricted conservation lands around the properties in the Highlands development. There was discussion around the necessity for re-staking and more permanent solutions. Chair Anderson read the work listed in the quote, noting the quote was \$2,300 - \$3,300 (not to exceed). There was discussion around the need for a medallion every 50'. Mr. Rafter inquired about how often the medallions need to be replaced and whether the land is town owned or under an easement. Mr. Brown explained that this is the first time a request has been made to re-stake the land and at least two of the larger developments' conservation lands have been deeded to the town by the developer. This led to a brief discussion around cost to maintain these areas.

Motion: Bonser, second Rafter to have the Nottingham Conservation Commission check into a more permanent method of marking the conservation lands.

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

The selectmen reviewed the addendums to the personnel policy previously disseminated and discussed. One was an omission from the full time vacation section, the second was clarification of holiday pay for volunteer firefighters.

Motion: Rafter, second Bonser to accept the addendums, as proposed.

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

The selectmen signed a 60-day extension request for the cable franchise and letters of protest to be submitted with NHRS payments. The extension is needed because the selectmen have not received any response from Comcast on the last proposal and the letters of protest have been a standard procedure since the downward shift of costs to municipalities for NH Retirement System payments.

There were no department reports.

Mr. Brown informed the selectmen that Paul Colby, Nottingham Building Inspector, is hoping to return the week of May 16, 2011.

Cemetery Trustees have informed Mr. Brown roads within the cemeteries are in need of repair. The grader will not work as the mold board is too large at 14'. Mr. Fernald, Nottingham Road Agent, will attempt to fix them with the loader but this, also, may be too big.

Mr. Brown read a letter he wrote on behalf of the selectmen to Nottingham's representatives asking them to vote "No" on SB156, which allows dealerships to issue vehicle registrations. There is much opposition to this bill from our town clerk as well as town clerks from other municipalities. Chair Anderson noted the dealerships can hold the monies up to 20 days unless

the municipalities allow electronic transfer of funds. Chair Anderson and Ms. Bonser thanked Mr. Brown for writing the letter.

Mr. Brown informed the selectmen he has sent out an RFP for an evaluation of the river crossing going into the pit. It is not known whether it will require a bridge or other options to properly cross the river, prior to placing the new highway garage at the site. This is just a review of the river crossing, not an engineering study. The RFP went out to four companies on Friday, April 21, 2011. There was a brief discussion around replacement options for the three culverts currently in place.

Mr. Brown noted he has made other inquiries regarding the town's 457(b) retirement plan. He had previously received a quote from Angel Pension Group to write a new plan for \$1,500. He has received a quote from another company for \$1,300 plus \$300 annual maintenance fee. He noted the current plan has lacked maintenance and has not been updated since its incorporation. New employees cannot be added to the current plan. Mr. Brown was advised by an attorney who specializes in this area that the quotes received are reasonable. He was, also, advised to check into the old plan to be sure nothing is in jeopardy and to see about possible mitigation. Priority is to protect the participants. Mr. Brown recommends going forward with Angel Pension Group to prepare a new plan. There was a brief discussion around what should be tackled first. Mr. Brown will check into the status of and ramifications to the old plan prior to moving forward with the new plan.

GENERAL BUSINESS

Chair Anderson handed out draft copies of emergency lane criteria. Ms. Bonser, noting the three issues before the board (ex-Chairman Bock's motion, the request from Mr. Oven's regarding Lamprey Drive, and the criteria) wants to have a consult with the attorney. Chair Anderson felt that was a good direction. Mr. Rafter feels the selectmen should get something more concrete together before expending funds on a consult. Ms. Bonser feels the selectmen require some guidance. Acknowledged by Chair Anderson, Ms. Danis inquired about protocol at the Selectmen's Meeting. Chair Anderson invited her to speak. At Ms. Danis' inquiry, Ms. Bonser indicated that Chair Anderson's draft of the criteria was a public document. Chair Anderson informed the public he felt he could not make an informed decision on emergency lane status without having a list of criteria to work from. After a brief discussion, Mr. Brown indicated it does not matter when an emergency lane is designated, it must meet the RSA requirements for an emergency lane designation. Acknowledged by Chair Anderson, Ms. Mills asked if the consultation with the attorney would be a public meeting. After a brief discussion, Mr. Brown stated that consultations with attorney are not meetings and, therefore, not subject to 91-A. Ms. Mills indicated she was going to check on that. Acknowledged by Chair Anderson, Ms. Chauvey asked Chair Anderson if his list of criteria were from the RSA's or if they included "embellishments" for the Town of Nottingham. Chair Anderson indicated his list was both. Chair Anderson proceeded to read his draft list of criteria. Mr. Brown will seek out available dates for a consultation with the attorney. Mr. Rafter made the following comments. He noted that the first two bullets addressed the RSA and the requirement of public benefit, adding that the remaining bullets addressed condition of the roads (i.e., width, condition, etc.). He feels that the

first two items are what need to be further defined in the criteria. Ms. Bonser raised the issue as to whether all private roads should be so marked. Some residents spoke in support of this.

Mr. Rafter suggested the selectmen return to the discussion at the next meeting. There was more discussion around consulting with the attorney. Mr. Rafter, again, noted he feels the selectmen need to have something concrete for the attorney to review. There was more discussion between Mr. Rafter and Ms. Bonser about attorney consult. Mr. Brown will make some calls to see when the consult can take place. Mr. Rafter inquired about a list of roads. A list will be mailed to the selectmen prior to the next meeting.

Ms. Bonser inquired about the highway garage insurance. Mr. Brown informed the selectmen he received word the building had recently been adjusted to a value of \$223,000. The town will get eighty percent of the value up front and twenty when complete, as long as the building is completed within two years. Contents were insured for an additional \$35,000. Chair Anderson informed all that the building committee is currently looking at the fire station as a model. The highway garage does not need to be as big but should contain a small office area, a bathroom, and a shower. There will not be any lifts, as this poses a liability and most work requiring a lift is outsourced. The highway garage, unlike the fire station, will not have radiant heating.

Ms. Bonser asked the other selectmen to consider writing a bill to submit to Nottingham's representatives to permanently protect Pawtuckaway State Park as conservation land. There was a brief discussion around this request. The selectmen will seek legal advice during their consult with the attorney.

The proposed meeting with Nottingham's representatives has been cancelled due to lack of participation; we were only able to secure one acceptance. The selectmen may plan to move forward with this meeting in the fall.

Having no further business,

Motion: Rafter, second Anderson to adjourn the meeting.

Vote: All in favor. Motion passed 2-0

Meeting adjourned at 8:42 PM.

Respectfully submitted,

Traci Chauvey
Recording Secretary

Approved as amended at the May 9, 2011 meeting.