

**TOWN OF NOTTINGHAM**  
**Selectmen's Meeting**  
**October 11, 2011**

6:30 PM, Chair Anderson asked all those present to stand for the Pledge of Allegiance.

Members Present: Gary Anderson, Mary Bonser, Hal Rafter

Members Absent:

Guest: Tim Witham, Animal Control Officer; Brian Stucker, former Chair, Cable Franchise  
Renewal Advisory Committee & current Moderator; Janet Horvath, Director of  
Recreation; Ken Costello, Consultant; Sam Demerit, Conservation Commission;

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; John  
Terninko; Dennis Vachon, Esq.;

**ADMINISTRATIVE BUSINESS**

Chair Anderson acknowledged Mr. Witham and invited him to the table. Mr. Brown informed the selectmen there had been a breakdown of communication and Mr. Witham had not received information of a complaint from Officer Eaton, who had responded to the call on Shore Drive from Rockingham Dispatch while Mr. Witham was away, in a timely manner.

Chair Anderson thanked Mr. Witham for coming in and explained he had been contacted by the complainant regarding this issue, so he wanted to follow up and find out where things are at.

Mr. Witham informed the selectmen this owner has been given warnings and written citations over a two year period. First offense was a verbal warning. On June 28, 2010 a written warning was issued. On July 24, 2010 a ticket for \$50 was issued. On August 14, 2010 a ticket for \$100 was issued and the owner was scheduled for court. On September 2, 2011 another ticket for \$50 was issued. A year has passed since the last citation so the case does not go to court. Mr. Witham further informed the selectmen that the complainant has been calling his cell phone when he should be going through dispatch for calls. Mr. Rafter inquired as to whether the ticketing cycle is a twelve month period or a calendar year. It is a twelve month period. Mr. Brown suggested that Mr. Witham issue a ticket and take the dog next time. The owner would be responsible for the SPCA fees as well. There was a brief discussion around this action. Mr. Witham has not taken the dog in the past but feels the situation is heading in that direction. Chair Anderson polled the selectmen. They all concurred the dog should be impounded on the next occurrence.

There were thanks all around. Mr. Witham left the meeting.

Mr. Brown reported the roof, new floor, and electric are complete at the new highway garage. No vehicles can drive on the floor for a week. Mr. Brown believes they will be done well before the December 1 deadline. The contractor is inquiring about the air compressor. Mr. Brown noted they need one with a horizontal tank.

The new pick up is ready. The plow is being installed now and it will go for the sander installation tomorrow. Chair Anderson noted for the record the purpose of the purchase of a one ton is to get around town, not to get down the lake roads.

Mr. Brown inquired about setting up a time to meet with department heads on their budgets. He will be out on Thursday. There was a brief discussion. The selectmen agreed to meet with

department heads on Monday October 17<sup>th</sup> beginning at 8:00 AM.

## **APPOINTMENTS**

### **7:00 PM – BRIAN STUCKER – CABLECAST UPGRADE INFORMATION**

At 6:53 PM ,Chair Anderson acknowledged Mr. Stucker.

Noting Mr. Jamele's absence, Mr. Stucker inquired about how to proceed. Mr. Brown informed Mr. Stucker that he and Ms. Chauvey had gone over to Deerfield to see their set-up. Mr. Jamele is willing to help us out, if we want to do the same thing. He noted that the diagram and list of equipment he provided to Mr. Stucker is all he has for information. The system is basic. He asked Mr. Stucker to provide his thoughts.

Mr. Stucker agreed the system as shown on Mr. Jamele's diagrams would work, noting the switches could be a big issue in that if a switch is hit by accident broadcasting could be shut down. He indicated the diagram was a classic conference room set-up. Mr. Brown explained that Mr. Jamele had run tests on our audio and felt the interference was coming in the return feed from Comcast' he believes our microphones are adequate. Mr. Stucker felt it could be coming from anywhere including the modulator or encoder. Again, Mr. Brown noted that Deerfield's set-up is very basic.

Mr. Stucker informed the selectmen the intent of the warrant article was to provide a lot more capability. Referring to the diagram, he commented on there being only one camera. Mr. Brown noted the camera should be moved from the back of the room. Mr. Stucker's thoughts were more toward several cameras with automation capabilities. There was a brief discussion between Mr. Stucker and Ms. Bonser about automation and technology. Mr. Brown hypothesized as to whether all that was necessary.

Mr. Stucker raised the issue of the policy that is in place regarding cablecasting and made comment the policy is written to address the situation at hand and would need to be re-written. He addressed the issue of video on demand (VOD). Mr. Brown noted that he cannot even log in remotely. He feels VOD is far off in the future. There was more discussion around VOD being linked to the website and Mr. Stucker's ideas for the future of broadcasting. He noted that the research of the committee was based on the survey responses and the results cannot be accomplished with the set-up Deerfield has. At Ms. Chauvey's inquiry, Mr. Stucker reported 70 to 80 surveys had been returned. Mr. Stucker raised the issue of the second channel. Mr. Brown agreed the system on the diagram would need to also be purchased for the school. Mr. Stucker informed all that the video server, by Lextronics (?), he had had in mind would serve both channels at the same time, adding that it is what the TV stations use. The only setback would be that the school could not do maintenance at the same time the town was doing maintenance; only one person can access the server at a time. Mr. Stucker inquired about the franchise fee; the committee had worded the contract for quarterly payments. Mr. Brown reported he had received the signed contract back from Comcast but has not had a chance to review it. He noted that he will need to contact Comcast in six months for the second channel as he does not believe they will come forth with it on their own.

At Mr. Brown's inquiry, Mr. Stucker informed all that Comcast recommends Access A/V out of Concord for all its public access needs. Mr. Stucker reported that Access A/V handles 70% - 80% of all public access in the region. Mr. Brown noted they have done work at the town office; they relocated some equipment.

Referring to the diagram, Mr. Stucker inquired as to whether the town would need to buy all the items listed. Ms. Bonser read the section of the September 26 meeting minutes pertaining to the items and costs. Mr. Stucker agreed with the approximate pricing. Mr. Stucker acknowledged the diagram was an economical, workable way to proceed. Mr. Rafter suggested a video server could be added at any time in the future. Mr. Stucker agreed, noting that amount of bandwidth needed to keep the site functioning.

Mr. Rafter suggested the selectmen focus on the second channel and the audio quality at this time. Chair Anderson agreed that more consideration needed to go into their next step. Mr. Stucker reminded all that the town's broadcast frequency runs through the school before it goes out. This is something that will need to be considered with any changes being made.

Changing gears, Mr. Stucker addressed the selectmen as Town Moderator. He informed the selectmen he believes they should be prepared for a December Primary. The date has not been set; however, it appears it will most likely be in December. He feels the budget for 2012 looks good. There will be four elections in 2012.

There were thanks all around. Mr. Stucker stepped down and left the meeting.

#### 7:15 PM – RECREATION 10-YEAR PLAN PRESENTATION

At 7:26 PM, Chair Anderson acknowledged Ms. Horvath

Ms. Horvath took a seat at the selectmen's table and introduced herself and Mr. Ken Costello. Mr. Costello is the consultant who was hired through Hoyle, Tanner & Associates after a Request for Proposal process. Ms. Horvath explained that the need to assess the recreation department came up in conjunction with the Master Plan update. Recreation has grown tremendously in the past ten years and the assessment takes into account all opportunities for recreation whether provided by the school, the Nottingham Youth Association, the recreation department, or various other avenues. Ms. Horvath asked Mr. Costello to speak to the process involved in creating the plan and the plan itself.

Mr. Costello explained the process took about a year and began with looking at what Nottingham already had in terms of both programming and facilities. He noted the recommendations in the 10-year plan are based on structured active recreation as there is already a lot of opportunity for passive recreation in town. He informed all that 1,800 surveys had been mailed to Nottingham residences and a little less than ten percent were returned. He produced a chart showing past and present use, and future recreation use/needs that was created from the returned surveys. Although the chart included activities offered by NYA and the school, the recreation department provides many more opportunities and the chart includes items such as Nottingham Day, holiday functions, and the Summer Concert Series. Mr. Costello explained that recommendations are

based off standard studies by UNH and development guidelines created by the National Recreation Association and NH Parks & Recreation Association.

The initial product of the 10-year plan was the needs assessment, which evaluated and outlined current program and facility deficiencies. The 10-year plan is flexible and should be reviewed periodically over the years; however, Mr. Costello feels the town should be able to meet its needs if the plan is followed. Mr. Costello further explained that all cost estimations are broken down in detail to include design, bid, and build. It does not take donations into account. Chair Anderson noted the generosity of the community with its donations to repeatedly repair the current baseball field at the Community Center after the floods. Mr. Costello reported that Candia's building cost them almost nothing compared to the value due to donations for the site work, foundation, and electrical work.

Mr. Costello addressed the recommendations of the ten-year plan:

Year 1 Baseball field for the school and repair of town hall facilities, estimated costs are \$321,364.41 and \$82,237.23 respectively.

The school has first rights on the fields at the Municipal Office Building, as they do not have a field of their own. This throws off all teams when there are weather related events that delay or cancel games. The fields are unsustainable due to repeated flooding. The kitchen and gym at the community center are in need of repairs and updates. These spaces are used for after-school enrichment programs, recreation department activities, and other town groups, as well as groups not associated with the town.

Year 2 Town Beach improvements, estimated cost is \$32,146.72.

Parking is an issue, as well as, boat launching. The town beach area is very small and residents want a place to be able to launch kayaks, canoes, and such. Minimal work could improve this area.

Year 3 New softball/t-ball field, \$244,115.17.

Mr. Costello explained that the softball/t-ball field has some major issues with rock outcroppings and its use as things other than field play, such as overflow parking.

Year 4 Two new baseball fields with an overlap field, estimated costs is \$681,508.89.

Mr. Costello reiterated the non-sustainability of the Municipal Office Building fields. These fields need to be moved out of the floodplain. He further explained that baseball fields, designed and built as actual baseball fields, will require less maintenance than a field such as the Community Center's that is simply a field. He noted that the 10-year plan does not identify a specific site but does identify the pieces of property owned by the town.

Year 5 A new Community Recreation Building, estimated cost is \$3,127,307.13.

Mr. Costello presented a sketch. Ms. Horvath explained the concept of the building is based on Candia's building because Ms. Horvath is familiar with the building, its uses, and its capabilities. At Mr. Brown's inquiry, Mr. Costello indicated the building, as sketched, is approximately 27,000 square feet. Mr. Brown noted it is larger than the Municipal Office Building. Mr. Costello agreed and reported the sketch includes, among other things, a gymnasium, a synthetic turf field, office space, a multipurpose room, a senior's center, and locker rooms with showers. He explained gym space is a

critical issue in the town. The gym at the school is booked every day of the week, into the night. He also explained that the proposed locker rooms with showers were based on using the building as an emergency shelter. The town could decide not use it as a shelter and simply put in changing rooms. Chair Anderson asked whether this building could be viewed as a revenue maker or if there would be ongoing costs to keep it running after the initial cost of building. Ms. Horvath indicated she believes it will generate some revenue but not be self supporting. She listed several ways in which funds would be generated, including renting of the building spaces to other leagues and groups. She will research this further.

Year 6 Outdoor Basketball Court, estimated costs is \$57,300.03.

Mr. Costello noted there is lots of discussion around where the court should be, including the idea of refurbishing the court outside the Municipal Office Building.

Year 7 Redevelop Town Complex into a Community Common with expanded parking, stage, walking trails, etc. and develop a recreational outdoor skating area, cost estimates for these are \$240,225.78 and \$49,194.44 respectively. When the baseball fields are moved, this area could be used as a lawn field and would require less maintenance than ball fields. In the winter, the area could be used for an outdoor skating area.

Year 8 Skate and Bike Park, estimated cost is \$160,599.08.

Ms. Horvath informed all this inclusion came from the surveys. The surveys were rated and evaluated, not all requests were included. Mr. Costello noted this is a growing trend. It provides an opportunity for kids to congregate and enjoy physical activities. Once developed it requires little maintenance.

Year 9 Outdoor Tennis Courts (total of two), estimated cost is \$150,446.00.

Mr. Costello explained this was a top request on the surveys.

Year 10 Synthetic Field, estimated cost is \$2,056,654.88.

Mr. Costello noted this is a talking point. It was not a request but is a way to maximize land usage of the field area. It provides excellent opportunities for spring sports and is easily maintained. It will also allow for flexibility of increased field usage.

At Ms. Bonser's inquiry, Ms. Horvath stated there are only two hardcopies of the 10-year plan. Mr. Rafter inquired about receiving it electronically. Mr. Costello indicated it could be e-mailed without the appendices. The appendix includes plans, maps, town data, funding ideas, and so forth. The selectmen would like an electronic copy.

At Mr. Rafter's inquiry, Mr. Costello explained the Master Plan is being finalized and the 10-year recreation plan will be incorporated therewith. Ms. Bonser suggested Ms. Horvath submit CIP requests.

At Mr. Terninko's inquiry, Ms. Horvath explained the 10-year plan is a balance of needs and requests based on Nottingham's recreation trends and growth over the past ten years. She informed all that when the recreation department took over the soccer program six years ago there were 92 children enrolled. Now there are 160-180 children enrolled and they are playing on fields of considerably less quality due to the repeated flooding. The community was requesting more adult opportunities. The recreation department has added programs such as Zumba, Tai Chi, Martial Arts, and Line Dancing that all have large numbers of participants. Programs are affected by what other towns offer or do not offer. There are many out of town

people who pay an extra charge to join our programs because the program is not offered in their town. She takes into account what surrounding towns are offering before making a decision to start a program.

Ms. Horvath made the following public announcements:

- Flu Shot Clinic, Wednesday, October 12, 10am-Noon, Nottingham Municipal Building
- National Prescription Drug Take Back Day, Saturday, October 29, 10am-2pm, Nottingham Police Department. The Nottingham Police Department and the Drug Enforcement Administration (DEA) will give the public an opportunity to prevent pill abuse and theft by ridding their homes of potentially dangerous expired, unused, and unwanted prescription drugs. Bring your medications for disposal to the Nottingham Police Department at 139 Stage Road. The service is free and anonymous, no questions asked. This service is provided by Michaela Horvath, the 2009-2012 NH State DARE Youth Advisory Board representative, in conjunction with the Nottingham Police Department, as part of her senior project at Coe-Brown Northwood Academy.
- Nottingham Recreation's Halloween Party, Saturday, October 29, 1-3pm.
- Trick or Treat, Sunday, October 30, 5-7pm.

There were thanks all around. Ms. Horvath and Mr. Costello left the meeting.

7:30 PM – CONSERVATION COMMISSION – PURCHASE OF PROPERTIES UNDER EASEMENT

At 8:05 PM, Chair Anderson acknowledged Mr. Demeritt

Mr. Demeritt and Ms. Abrams set a map on the easel and took a seat at the selectmen's table. Mr. Demeritt explained the Nottingham Conservation Commission is looking to purchase two pieces of property that border the North River and are currently under easements; the Merriam-Dagget property and the Tasker property. They are interested in these properties for two reasons. First, they feel the prices are relatively cheap, and secondly, they will provide passive recreation opportunities for residents. They indicated that private ownership could preclude residents from use of these properties.

*Point of Order: Ms. Chauvey left the meeting for approximately 20 seconds.*

The Merriam-Dagget property, Map 19 Lot 1, is 46.41 acres and they are looking for \$38,886. The Tasker property, Map 20 Lot 2, is 47.01 acres and they are asking \$11,750. The will connect with the Four General's Greenway and become part of the travel way for larger wild life. At Mr. Rafter's inquiry, Mr. Demeritt confirmed the money for these purchases would come from the conservation fund and would not impact taxes. Ms. Bonser reminded all she wants the selectmen to consult with their attorney on these purchases.

Mr. Demeritt informed the selectmen that Mr. Terninko is looking to put most of his remaining land into an easement. The Conservation Commission is amenable to paying for this. There are 110 acres remaining.

Mr. Rafter inquired about a deadline for the Merriam-Dagget and Tasker purchases. Attorney Vachon, attorney for the landowners, indicated the sooner the better. Ms. Bonser inquired about the price paid for the easement on these properties by the federal government. She was informed Tasker received \$70K and Merriam-Dagget received \$200K. Mr. Brown will schedule a meeting with the selectmen's attorney. A public hearing will be scheduled after the meeting with the attorney. Mr. Demeritt and Ms. Abrams stepped down.

Acknowledged by Chair Anderson, Attorney Vachon took a seat at the selectmen's table. He informed the selectmen about a tax incentive program available to municipalities to help people maintain old barns. Ms. Merriam and Ms. Dagget are interested in preserving the house and barn on their other property. This property has been for sale since 2008 and they are concerned that whoever purchases the property will tear down the house and barn and subdivide the property into three house lots. The house is post and beam and in good shape. The connector from the house to the barn is in bad shape, as is the barn itself. Attorney Vachon spoke of RSA 79D and asked the selectmen to consider putting the program forth for adoption at the 2012 Town Meeting. He offered to have someone from the NH Preservation Alliance come speak with selectmen regarding the program. The town must adopt the program before property owners can apply. Northwood and Deerfield have both adopted the program. Mr. Brown offered to get in touch with someone at NH Preservation Alliance, noting this is where he got the grant for the engineering study of the Grange.

There were thanks all around. Attorney Vachon stepped down.

### **GENERAL BUSINESS**

Ms. Bonser noted there is an issue at the recycling center with the hours of operation. People are showing up at five o'clock, which means the employees are not getting out at five. There was discussion around closing at 4:45 and 4:30. Mr. Brown will look into this further and speak with the employees.

Mr. Rafter reported the date for the first draft of the town budget presentation to the budget committee has been changed to November 10.

Mr. Rafter reminded the selectmen about the meeting they had attempted to set up with the Senator and Representatives and suggested they make another attempt. There was a brief discussion. The selectmen concurred they should make another attempt and agreed to invite them to the November 7<sup>th</sup> meeting. Mr. Rafter will do the leg work.

Chair Anderson read an e-mail received from Neighborhood Guardians (NG) requesting that the Town object to dismissal of the fraudulent lawsuit. Mr. Brown informed Chair Anderson that the NG e-mail had been received after a request from Gail Mills. Ms. Mills request had been sent to the attorney, to which the attorney responded, but the NG e-mail came under the same response. Chair Anderson read a paragraph of the response which acknowledged the Mills' concern with truth of statements made regarding permits; however, that issue does not fall within

the jurisdiction of the bankruptcy court. A letter will be sent to Ms. Mills with the attorney's response.

Mr. Brown reported that department heads are submitting budgets with a two percent COLA increase. All selectmen are in support of this.

Mr. Brown informed the selectmen that the town owes the state over \$100K for overpayment of Mill Pond Bridge. FEMA paid more than originally estimated/expected. Final accounting indicates overpayment by \$114K.

Mr. Brown submitted a CIP worksheet for 2013 for a highway shed at the pit.

Mr. Brown has made initial contact with DES regarding the Lee property. DES wants \$10K. Mr. Brown will put an article together regarding the town's intent to retain the property. The property is 42 acres. A survey will be required at some point. Mr. Rafter inquired as to whether the state will provide us with a comprehensive proposal. Mr. Brown does not know. DES inquired about recreational plans for the property. Mr. Brown needs to gather information and submit a counter proposal.

Mr. Brown informed the selectmen Irving called today with a price on #2 heating fuel of \$3.21 per gallon and propane at \$2.25<sup>7</sup>. Hartmann quoted \$3.17 for #2. There was a brief discussion around pricing. Mr. Brown will make more calls before locking in.

Chair Anderson read a letter from PSNH in follow up to tropical storm Irene.

Chair Anderson read a letter from Elinore Russell praising Jack Myers for his maintenance of Berry Road.

Mr. Brown informed the selectmen that PSNH puts on an information meeting each year that is really quite informative. He will forward the information to the selectmen.

Having no further business,

**Motion:** Bonser, second Rafter to adjourn the meeting.

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

Meeting adjourned at 9:13 PM.

Respectfully submitted,

Traci Chauvey  
Recording Secretary

**Approved as amended at the October 24 meeting.**