

**TOWN OF NOTTINGHAM
Selectmen's Meeting
October 24, 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: Karen Davidson; Sue Mooney & Celia Abrams, Nottingham Conservation Commission

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; Cheryl Smith; Deb Fernald Steven; Jim Ovens; Dennis Vachon

MINUTES

SEPTEMBER 12, 2011 (Meeting)

Motion: Bonser, second Rafter to accept the minutes of the September 12, 2011 meeting, as written.

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

SEPTEMBER 26, 2011 (Meeting)

Line 113: Change *for* to *forth*

Motion: Bonser, second Rafter to accept the minutes of the September 12, 2011 meeting, as amended.

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

OCTOBER 11, 2011 (Meeting)

Line 34: Add *on the next occurrence* to the end of the last sentence.

Line 82: Remove the space from the word *the*

Line 100: Change *needed* to *need*

Line 104: Change *Rafter* to *Stucker*

Line 123: Change *and* to *a*

Lines 155 thru 210: Put costs in the 10 year plan list.

Line 275: Add *by the federal government*

Line 292: Change *engineer* to *engineering*

Line 322: Remove the extra occurrence of *support*

Line 336: Change *Irvin* to *Irving* and the */* to *a*.

Line 342: Change Elinor to Elinore

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

Discussion: There was a brief discussion around the terms of the second station and the 90-day waiting period. Mr. Brown will make contact with Comcast to begin the process of getting the second station installed.

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

OCTOBER 17, 2011 (Workshop)

Line 36: Change *Am* to *AM*

Motion: Bonser, second Rafter to accept the minutes of the September 12, 2011 meeting, as amended.

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

48 **ADMINISTRATIVE BUSINESS**

49
50 Mr. Brown reported Ms. Horvath has hired a new recreation assistant, the fire chief is out on
51 medical leave, and the road agent is doing very well recuperating from his surgery.

52
53 The highway garage is moving along very well.

54
55 We have received the invoice for participation in the Household Hazardous Waste Day. It is \$0.
56 Raymond receives a grant for this event, which is split between the three participating towns of
57 Raymond, Auburn, and Nottingham. Only eight Nottingham households participated this year
58 and the cost is completely covered by the grant funding. Mr. Brown requested authorization to
59 sign the papers to participate, again, next year.

60 **Motion:** Bonser, second Rafter, to sign the agreement for participation in Household Hazardous
61 Waste Day with Raymond for 2012.

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

63
64 Mr. Brown informed the selectmen he has received a commitment from both Representatives
65 Case and Reagan for the November 7 meeting.

66
67 Mr. Brown reported that USA Springs' attorney had contacted the office for an updated statement
68 last week. It was faxed within the hour.

69
70
71 **APPOINTMENTS**

72
73 **7:00 PM – KAREN DAVIDSON – WARRANT ARTICLE QUESTIONS**

74 At 7:00 PM ,Chair Anderson acknowledged Ms. Davidson.

75
76 Ms. Davidson reminded all that there would be a National Take Back the Drugs day sponsored
77 by Michaela Horvath in conjunction with the Nottingham Police Department and the DEA on
78 Saturday, October 29, 10:00 AM to 2:00 PM at the Nottingham Police Department.

79
80 Addressing the selectmen, Ms. Davidson indicated she had been reading past articles from other
81 towns and noted they include both an explanation of the legally written warrant and the tax
82 impact amount. She would like to have these included on Nottingham's. Mr. Brown explained
83 he writes a narrative every year that explains the warrants and started including the tax impact on
84 them last year. There was discussion around the availability of the narrative. It will be placed on
85 the website this year for access by all. She inquired next about offsetting revenues. Mr. Brown
86 and Ms. Bonser informed her this is included every year.

87
88 Moving on to petition articles, Ms. Davidson inquired about a timeline. Petition articles need to
89 be to the town clerk five weeks prior to town meeting. They are due by February 7, 2012. Ms.
90 Bonser and Mr. Brown informed Ms. Davidson that if it is a zoning article or an article which
91 effect the budget, it needs to go to the planning board or budget committee, respectively, well
92 before this date. Signatures can be collected at any time and the town clerk needs to have
93 enough information to verify the signatures are from registered voters. There was discussion

94 around how it is determined whether something goes on the ballot or the warrant. Mr. Brown
95 and Ms. Bonser explained it is all according to RSA. Mr. Brown advised Ms. Davidson to visit
96 the DRA website for more information.

97
98 Ms. Davidson asked the selectmen to consider reviewing and updating the Vision Statement
99 included in the town report. The current version is from 2003. The selectmen agreed this should
100 be done.

101
102 Ms. Davidson inquired about the bond reports in the 2010 Annual Town report noting that the
103 balances had not changed from the year before. Mr. Brown said he did not know why the
104 balance had not changed. He would need to contact the Treasurer to inquire. Ms. Bonser
105 informed Ms. Davidson that the town treasurer is an elected official and as such, Ms. Davidson
106 could contact Ms. Travis herself.

107
108 There were thanks all around. Ms. Davidson stepped down and left the meeting at 7:20PM.

109
110 7:15 PM – CONSERVATION COMMISSION – DISCUSSION RE: MERRIAM-DAGGETT & TASKER
111 PROPERTIES

112 At 7:20 PM ,Chair Anderson acknowledged the Conservation Commission members present.

113
114 Commission members, Sue Mooney and Celia Abrams, as well as the land owners' attorney,
115 Dennis Vachon, took a seat at the selectmen's table.

116
117 Chair Anderson addressed the commission members and explained the selectmen had spoken
118 with council to address the benefit to the town of purchasing the property when it is already
119 protected by an easement. If purchased, it turns into a liability for the town. Ms. Abrams
120 informed him it is mainly to ensure public access. If the property is privately owned, it can be
121 restricted. There was discussion about Mulligan Forest and different types of conservation
122 agreements. Ms. Mooney reminded all of the continuity these two properties would bring to the
123 Four General's Greenway and lands under conservation easements. Mr. Brown indicated there is
124 also concern about whether the town would be responsible for ongoing maintenance if the
125 invasive species comes back and proliferates. Ms. Mooney informed him the town would not be
126 responsible for anything beyond the completion of the initial remediation agreement, which is
127 paid for by the wetlands reserve program. Chair Anderson inquired about maintaining pathways
128 and, referring to Mr. Terninko's property, whether or not these two properties are considered
129 prime properties for use of conservation funds. Ms. Mooney asserted the 80+ acres of land are a
130 good use of \$50,000 from the conservation fund. Mr. Rafter indicated the selectmen are under
131 the impression there may be other liabilities or responsibilities to the town if they purchase the
132 property, and clarified with Ms. Abrams and Ms. Mooney that there is no responsibility beyond
133 the initial remediation and that in the Conservation Commission's judgment this was a good use
134 of funds. Ms. Abrams informed Mr. Rafter the town could have a forestry plan , if they wished,
135 but it is not required. Ms. Bonser does not agree that it would be a good use of funds. She
136 believes the town will be spending \$50,000 for a liability that is under federal easement. The
137 land is already protected and the owners have already been paid. She voiced concern over the
138 invasive species issue, acknowledging the commission member's denial of ongoing maintenance,
139 noting that the selectmen's council indicated this area of the agreement could be a problem. She

140 feels the town has many large projects coming up in the future, such as the school addition,
141 highway garage, and recreation building, and funds should be spent wisely, as the town's people
142 may not be able to support another easement through taxes. She does not feel that anyone is
143 lining up to buy this property and there is no need for the town to jump forward. Ms. Mooney
144 indicated there are no large projects on the table, at this time. Attorney Vachon explained the
145 monies paid to the owners of land being placed under easement is a fraction of the value of the
146 property should it be developed. He indicated there is interest in the property as a horse property
147 but because if the interest by the Conservation Commission, throughout the project, the plan was
148 to sell it to the town. He also indicated there is a right of way issue with the recycling center and
149 feels that ownership by the town will resolve this. There was a brief discussion around studies
150 that would have taken place in order to qualify for the wetland's reserve program. Ms. Bonser,
151 again, stated she believes we should be acquiring easements, not property. Mr. Rafter clarified
152 with the guests that there are two properties that are completely covered by the easements and a
153 separate property with the house and barn. Ms. Abrams informed everyone \$9,000 of the
154 \$50,000 would be coming back to the town to cover the land use change tax. She feels this
155 property would be very beneficial to the community, noting it abuts the school property and
156 indicating the possibility for an outdoor classroom. There was more discussion between Ms.
157 Bonser and commission members about the responsibility of the town in regards to the invasive
158 species. Ms. Smith asked if the selectmen could provide them with a copy of the attorney's
159 concerns so they may respond. Contact with the attorney was verbal. There was more
160 discussion around the value of the property, the monies already paid to the owners, and the
161 federal government. The selectmen will go through the contract and provide the Conservation
162 Commission and Mr. Auger written concerns to address.

GENERAL BUSINESS

166
167 Ms. Bonser announced she had heard word of a national emergency broadcast test that would
168 take place at 2:00 PM on Wednesday, November 9. No televisions, phones or other forms of
169 communication will be available for up to three and one-half minutes. She will try to obtain
170 more information.

171
172 Mr. Brown raised the issue of a budget workshop. The selectmen determined they will meet on
173 Monday, October 31, at 6:00 PM.

174
175 Mr. Brown informed the selectmen that health insurance is going to increase 12.5%. This is a
176 firm number. He will look at employees and plans this week. Figures will be available for the
177 workshop on Monday.

178
179 Mr. Brown asked the selectmen to consider whether to put forth a warrant article for an assessing
180 capital reserve fund. The revaluation takes place every five years and a capital reserve fund
181 would help ease the blow of having to raise and appropriate the entire amount every five years.

182
183 The Superior Court hearing for the case against the Zoning Board is still scheduled for October
184 26. Mr. Brown and Ms. Bonser will travel together.

Ms. Bonser inquired about a meeting with Gunner Foss, as Emergency Management Director, to discuss and take action in regards to Fairpoint's unresponsiveness. After a brief discussion, it was decided that Mr. Brown will have a conversation with Chief Foss.

Mr. Rafter noted there has not been an update from the Board of Selectmen in the last few community newsletters and inquired as to whether that is something the Chairman should do. Ms. Bonser indicated the selectmen have selectively submitted articles in the past. Mr. Rafter feels regular updates would be a good practice to get into. Chair Anderson will work on something.

Ms. Chauvey informed the selectmen it is time for them to start thinking about the dedication and the Selectmen's Report for the town report. These will be due December 31, 2011.

Having no further business,

Motion: Anderson, second Rafter to adjourn the meeting.

Vote: All in favor. Motion passed 3-0

Meeting adjourned at 8:27 PM.

Respectfully submitted,

Traci Chauvey
Recording Secretary

Approved as amended at the November 28, 2011 meeting.