

**TOWN OF NOTTINGHAM
Selectmen's Meeting
November 7, 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: Representatives James Sullivan, John Reagan, Frank Case, and Kyle Tasker;

Others: Charles Brown, Town Administrator; Traci Chauvey, Recording Secretary; Mark Carpenter; Marguerite Tucker; Steve Soreff;

Chair Anderson informed the public the selectmen would be meeting with state representative and a senator this evening. He encouraged those viewing to come down and participate.

MINUTES

OCTOBER 31, 2011 (Workshop)

Motion: Rafter, second Bonser to accept the minutes of the October 31, 2011 workshop, as written.

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

Discussion: Chair Anderson informed all that the recycling center staff has inquired about putting funds away for another compactor. They feel they can be more efficient and increase revenue from plastics if they had a compactor dedicated to plastics. Mr. Brown informed the selectmen there is a Capital Reserve Fund for the recycling center. There is very little money in it, at the moment; the last purchase was a baler.

ADMINISTRATIVE BUSINESS

Mr. Brown reported the highway building is coming along. Currently, they are waiting on the plumber, electrician, and PSNH. Mr. Fernald is back to work. He would like to start clearing the area beside the Dame Building. There was a brief discussion around the vegetation. The selectmen agreed it would be good to get a jump on it before next spring.

Department heads need to be scheduled to meet with the budget committee on December 1 & 8.

The fire chief is doing well. He goes back to the doctor's next week for follow up.

Mr. Brown informed the selectmen he has received a couple requests for performance awards; the selectmen will need to meet to review these.

Mr. Brown provided the selectmen with hand outs and informed them he had spoken with the Department of Revenue Administration (DRA) earlier today to update revenues. He has been provided a worksheet for setting the tax rate. It can be completed tonight. He used \$39,000 for overlay; \$35,000 is targeted to cover the pole tax should it be repealed. He has figured the rate for three different scenarios; 1) using no fund balance money put the tax rate at \$20.52; 2) using \$150,000 from the fund balance puts the it at \$20.24; and 3) using \$225,000 from the fund balance puts the new rate at \$20.10.

There was a brief discussion around setting the tax rate by e-mail. Mr. Brown reminded the selectmen they had voted and signed earlier in the year to receive tax data electronically.

There is currently \$725,191 in the fund balance. DRA recommends maintaining a minimum of five percent. Ms. Bonser feels that \$500,000 in fund balance is way too low. The recommended five percent is equal to \$617,609. Mr. Brown recommends using at least \$150,000 towards the tax rate setting.

There was a brief discussion around assessed valuation. It is up \$9,610,420. Part of this is due to utilities. Fairpoint's assessment is \$1,652,400. Mr. Brown informed the selectmen that every \$100,000 affects the tax rate .18⁶□.

Motion: Bonser, second Rafter to expend \$150,000 from fund balance toward the 2011 tax rate setting.

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

Revenues are up \$41,495 higher than last year.

APPOINTMENTS

7:00 PM – DISCUSSION WITH DISTRICT 6 SENATOR AND DISTRICT 1 REPRESENTATIVE

At 7:00 PM, Chair Anderson acknowledged Representatives Case, Sullivan, Reagan, and Tasker.

Chair Anderson asked the representatives to identify themselves and the committees they serve on, as well as recent activities they have been involved with.

Representative Case introduced himself. This is his third term and he serves on the Health and Human Services Committee. Most recently he sponsored a bill requiring all contacts lenses to be fitted. Representative Sullivan introduced himself. This is his second term and he serves on the Commerce and Consumer Affairs Committee. He indicated there has been much tusseling over insurance mandates recently. Representative Reagan introduced himself. This is his third term and he serves as Chairman on the Health and Human Services Committee. They deal mainly with healthcare policy. Representative Tasker introduced himself. This is his first term and he serves on the Criminal Justice and Public Safety Committee.

Ms. Bonser inquired about who handles budgetary issues. Representative Reagan informed her that Finance handles all budgets. She inquired about the timeframe for submitting legislation. She was informed it should be submitted to the Representatives in August or September. Mr. Rafter inquired about the redistricting meetings that are taking place. Representative Reagan indicated the plan, currently, is that each of the four towns will have a dedicated Representative and a 'floater'. Representative Case feels it is confusing.

Ms. Bonser raised the issue of groundwater legislation. She relayed some of Nottingham's experience with the process of for-profit commercial water withdrawal permitting. She asked the

93 representatives to consider legislation that will return some power to the municipalities. She is
94 aware of recent changes that have been made, but she feels it is not enough.

95
96 Ms. Bonser read an e-mail from resident Liz Kotowski concerning the Lamprey River Water
97 Management Plan and its impact on Pawtuckaway Lake, in which Ms. Kowtowski inquired as to
98 whether or not the representatives were aware of the plan and whether or not they would stand
99 up for residents of lake and others opposed to the plan. Representative Case informed Ms.
100 Bonser that Pawtuckaway is not the only lake; there is another. He feels that plan is not a hot
101 topic but acknowledged that those opposed are very vocal. He does not believe the plan is going
102 to be the problem that is being projected. He noted there were only two other lake residents at
103 the meeting he attended. Ms. Bonser voiced concerns about the tributaries becoming dewatered
104 and apologized for not being able to adequately address Ms. Kowtowski's specific concerns,
105 noting that Ms. Kowtowski was not able to attend tonight's meeting. She will encourage Ms.
106 Kowtowski to address the representatives on her own. Chair Anderson indicated the concern
107 most voiced to him was with significant draw-downs, especially during summer months.
108 Representative Case stated the plan is to do small draw-downs throughout the year.

109
110 *Point of Order: In the paragraphs below, Ms. Bonser first indicated she was speaking about*
111 *RSA 385-C but corrected herself later. Minutes are transcribed using 485-C to avoid confusion*
112 *as the passages she read pertained to 485-C, not 385-C.*

113
114 Ms. Bonser returned to the issue of large groundwater withdrawal and RSA 485-C. She
115 indicated she had noticed changes to the RSA while reviewing it for tonight's meeting. She read
116 the noted changes. There was a brief discussion around understanding the language, basing
117 permits on scientific data, and the openings the changes may provide for municipalities. Mr.
118 Rafter and Ms. Bonser asked the representatives to keep an eye on DES and to represent
119 Nottingham's concerns.

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121 Mr. Rafter talked about school funding, noting that seven or eight years ago grant funding from
122 the state was approximately \$1.7 million. This is now down to \$1.2 million even though costs
123 are up. He talked about building aid and retirement contributions. He inquired as to whether
124 there is anything that can be done at the state level to stop the cost shifting. He talked about the
125 cigarette tax being cut ten cents with the hope it would increase sales but then the cost of the
126 cigarettes went up ten cents. He said it is frustrating to watch. He inquired about the education
127 amendment being put forth by Governor Lynch and confirmed with the representatives it was
128 coming up in the next legislative session. Mr. Rafter inquired about Northern Pass and the bill to
129 restrict eminent domain to state and municipal use. The bill is in the Senate. Representative
130 Sullivan discussed some issues with the bill regarding interpretation, prohibitive language,
131 noting the status is to be resolved. There was discussion around the pass being just that – a pass-
132 through. There is no contribution to Deerfield within this project. Chair Anderson raised the
133 issue of pole tax, noting Nottingham has calculated the dollar amounts into the tax rate. He
134 inquired as to what the representatives see happening on this issue. It was a general consensus
135 that the utilities will come forward to have this reversed. There was a brief discussion around
136 how many bills the representatives view during one session. Representative Case noted he
137 counted 138 bills which directly affect the town.

Ms. Bonser inquired about the bill allowing naturopaths to bill under insurance. Representative Sullivan informed her it has not been signed into legislation, at this point, but has passed the committee. Chair Anderson opened the floor to the public.

Acknowledged by Chair Anderson, Mr. Soreff took a seat at the table. Mr. Soreff addressed Representative Reagan and inquired about the status of emergency psychiatric care in NH. Representative Reagan informed Mr. Soreff there is a whole system in place where the sheriff provides transport to Concord Hospital. This process produced a high degree of success.

Mr. Brown informed all that an inquiry had come forth from the library and asked Representative Case to address the issue. Representative Case informed all the inquiry was about the van program that delivers book inter-library. Representative Sullivan informed all the Commissioner of Cultural Affairs has come under pressure to see what else the money can legally be spent for and to make a recommendation for redistribution. Ms. Mann spoke to the qualities of the program from a long-time library employee standpoint. Representative Case noted this program cost Nottingham \$5000, where purchasing the books would have cost \$30,000. This program is much needed, especially for smaller towns. Mr. Brown publicly acknowledged the good work done by Nottingham library staff and thanked them for their efforts.

Chair Anderson called for any other questions from the public. There were none. Mr. Rafter asked the representatives what help they see for the economy from the state. Representative Reagan noted the budget was cut 12.5%. Acknowledging the cut, Mr. Rafter mused that the job loss created by this cut adds to the poor economy. There was a very short back and forth between Mr. Rafter and Representative Reagan. Ms. Tucker inquired about an increase in requests for general assistance. Mr. Brown indicated new people have come in for help that have not been in prior, but stated the amount of requests seem to be steady. He publicly acknowledged the good work of Nottingham's General Assistance Director. Mr. Brown noted the food pantry is very busy but acknowledged the generosity of the community, adding the increase has been well met. Mr. Brown informed all that tax collection is on target with past years. There was an increase in some of the vendor requests that have come through for the upcoming budget season. There was a brief discussion around the amount of services these vendor organizations provide to residents compared to the small amount they request. Some requests were reduced by a vote of the Board of Selectmen. Ms. Bonser announced the Unitarian Church was hosting a concert to benefit the food pantry this Saturday, November 12, at 7 PM.

Point of Order: Representatives Reagan and Tasker left the meeting during the above conversation.

Representative Sullivan, referring to recent legislation, asked the selectmen about whether they believes they would bill taxes more than twice per year. It was a general consensus Nottingham would not do this; however, it is nice to know the option is there should we find ourselves in a position where we cannot operate the town on the twice yearly billing.

The selectmen thanked the representatives for their time. Representative Case informed the selectmen he may not be as easily accessible in the upcoming weeks due to health issues. He is

going in for a lung biopsy on Monday. Representatives Case and Sullivan left the meeting. Chair Anderson called a break at 7:58 PM. The meeting reconvened at 8:06 PM.

GENERAL BUSINESS

The highway department is starting to clear the area beside the Dame Building to address parking. No money is being spent at this time. The road agent had inquired about buying some fill, however, Mr. Brown has asked him to hold off as he may need the money elsewhere.

Ms. Bonser would like to send RSA 485-C to the attorney for interpretation of what rights it provides to Nottingham.

The selectmen reviewed and signed the manifests and signature folder during this time.

Mr. Brown handed out copies of the potential deed list from the tax collector. There was a brief discussion around this process. Mr. Brown believes deeding will take place sometime around mid-December. The list dwindles prior to that and recommendations are made in regards to waiving deeds. Chair Anderson asked how long the waiving goes on. Mr. Brown explained that due to liability it is sometime better to waive the deed as the property (owner) is still liable for the taxes, interest, and penalties that accrue. Chair Anderson inquired about the Lee farm. Mr. Brown indicated he needs to get back in touch with the AG's office.

Mr. Brown provided handouts to the selectmen and noted he had received more numbers from the bookkeeper in regard to the retirement system. The state no longer contributes. The cost for fire/rescue will be \$28,451 and the cost for police will be \$59,655. The employee contribution amount has also changed. It was nine and one-half percent for both police and fire. It will now be 11.8% for fire and 11.55% for police. This all goes toward the question Mr. Rafter was asking in regards to costs over and above salary to hire a new employee. Mr. Brown does not know where the selectmen want to go from here. Health insurance is increasing 12.5%. Mr. Brown has received a quote for the existing plan as well as other options. Existing single person plan will go from \$592.59 to \$666.74, if no changes are made. Currently, there is a \$15 co-pay for seeing either a primary care physician or a specialist. One of the recommended changes is a \$45 co-pay for specialists. This single plan would be \$555.80. There was a brief discussion around the other options presented. Mr. Brown will make copies for the selectmen. The town budget will be presented to the budget committee with the number for the worst case scenario with an explanation that the health insurance has not been decided upon at this time. Going back to the retirement system, Mr. Rafter inquired about percentage increases from last year for comparison. Mr. Brown informed him there had been a change in July.

Mr. Brown provided the selectmen with a copy of an e-mail from the fire chief justifying the request for a new employee. The selectmen reviewed the information. Ms. Bonser acknowledged the aging population and the possibility of more calls but, based on the cost information provided by Mr. Brown, questioned the need in the current economy. Mr. Brown noted the fire chief has indicated he is having difficulty covering shifts. Chair Anderson believes the department is currently being supported by the older volunteers because the younger

volunteers all have regular jobs. Mr. Brown addressed his request for an assistant. He informed the selectmen this time of year is especially difficult as Ms. Chauvey needs to focus on the recycling data, the town report, and the fixed assets. Mr. Brown is currently relying on Ms. Seaverns for most things; however, his desk is piling and he cannot keep up. Ms. Bonser feels requests for new employees should be in the budget and go to the budget committee for feedback, acknowledging that, ultimately, these things are decided by Town Meeting. Mr. Brown will do projections for both a full and part-time position. Mr. Brown has been working on the numbers for the recycling center. He reported they are down, but acknowledged they cannot continue to decline if use continues to increase.

Mr. Brown provided the selectmen with copies of the draft warrant, noting that \$4,000 had been put in for the Lake Host program. Mr. Rafter inquired about the legality of setting up a 'Capital Reserve' account for the assessing revaluation. There was a brief discussion about the reval not being a 'capital' expense. Mr. Brown will check with the attorney.

NON-PUBLIC

Motion: Anderson, second Rafter to enter non-public under RSA 91-A:3 II (c).

Vote: Anderson – yea, Bonser – yea, Rafter – yea. Passed by roll call: 3-0

The Selectmen entered non-public at 8:50 PM.

Motion: Bonser, second Rafter to exit non-public.

Vote: Rafter – yea, Anderson – yea, Bonser – yea. Passed by roll call: 3-0

The Selectmen exited the non-public session at 9:14 PM.

Motion: Bonser, second Rafter to seal the minutes of the non-public session.

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

Having no further business,

Motion: Rafter, second Bonser to adjourn the meeting.

Vote: All in favor. Motion passed 3-0

Meeting adjourned at 9:16 PM.

Respectfully submitted,

Traci Chauvey

Recording Secretary

Approved as amended at the December 5, 2011 meeting.