

Minutes
Nottingham Selectmen's Meeting
April 9, 2012

6:30 PM Chair Bonser opened the meeting and asked all those present to stand for the Pledge of Allegiance.

Members Present: Mary Bonser, Hal Rafter and Mark Carpenter.

Others: Town Administrator Charles Brown, Kayla Maurer, Kevin Prince (NHDOT), Eric Thibodeau (NHDOT), Gary Anderson, Ken Cardillo, Peter Landry, Betsey Saunders, Tom Sweeney and Heidi Seaverns.

Mr. Brown went through a department update for the Board. The Fire Department continues to receive resumes from individuals applying for the full time position(s). The Highway Department has been working on trimming roadsides, sweeping parking lots and other miscellaneous other tasks before the construction project gets started. The Recreation Department has been working with the town baseball leagues in Town with the scheduling of the fields. The fundraiser scheduled for April 22nd will be using the field. Publicity for the event will be handled by the individuals hosting it. Mr. Brown informed the Board that he has already received 17 resumes for the full time position in the Town Office and he has also pulled the ad for the position. Mr. Carpenter asked how the selection process worked. Mr. Brown stated he will conduct interviews with a number of qualified applicants. He stated that the office staff may sit in on the interviews as well. Mr. Carpenter suggested that the Recreation Director & Building Inspector be included in the interview process for a fresh look on the position. It was the consensus of the Board that they would like to interview the top 3 candidates on an off meeting night before a decision is made. Chair Bonser asked if these would be in non-public. Mr. Brown stated the individuals would make that choice. Mr. Rafter asked that the Board receive copies of the resumes prior to their meeting with the individuals. Mr. Brown will keep the Board up to date on the process.

Both Mr. Brown & Chair Bonser attended a meeting of the Historical Society on Wednesday April 4th at the Library. The Society has received notice from the IRS that their 501C status has been cancelled. It is renewable but if the Society goes under the Town umbrella, it (501C status) is probably not needed. There was a discussion about the Society disbanding. If it did disband, all their affairs would then be handled by the Library Trustees (per bylaws & NH Corporation Articles of Agreement). There were a number of people at the meeting that were interested in volunteering. The Town's 300th birthday is in 10 years. Chair Bonser suggested establishing a revolving fund or Capital Reserve Fund for the celebration. She will bring this item up when the Board considers the 2013 budget. Chair Bonser volunteered to be the Board's liaison to the Historical Society. Both Mr. Rafter & Mr. Carpenter had no objections.

Mr. Brown reported to the Board that the Malom Group had filed a motion to again extend the deadline to May 1st for the USA Springs bankruptcy resolution. The Judge granted an extension until April 24th with a hearing scheduled for that day. They appear to be having problems liquidating their European assets.

The members will act on the outstanding minutes at their next meeting.

The Board next addressed the signature file.

The first item to be discussed was the contract for Pawtuckaway State Park Police details this summer. Mr. Brown explained that the Board needs to vote to authorize the Police Chief to sign

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the contract. The time frame for the details runs from July 1st through September 3rd and also from Memorial Day 2013 through July 1, 2013. These details are on an as needed basis, not to exceed 120 hours.

Motion: Rafter, second Carpenter to authorize Gunnar Foss to sign, as agent, the contract for details at Pawtuckaway State Park-billing rate of \$52.00/hour.

Vote: 3-0 in favor. The Board signed the Certificate of Vote document that Mr. Brown had prepared.

Mr. Brown then asked the Board for approval to send a letter to LGC that lists the individuals that are authorized to use the legal services at LGC. In the case of Boards & Committees, the Chairman is listed as the authorized user, assuming a majority vote of the Board. This authorization is not carte blanc for any legal service-the request must be related to the Board or Committee requesting the information. This type of letter is sent every year after the elections.

Motion: Rafter, second Carpenter to sign the letter to LGC with the list of people authorized to use the legal services of LGC.

Vote: 3-0 in favor.

The Board then reviewed the lien release for Map 38 Lot 4 & 4A. Ms. Seaverns explained that this was a release of a Disabled Deferral of taxes and the obligation had been paid in full.

Motion: Rafter, second Carpenter to approve & sign the lien release for Map 38 Lot 4A.

Vote: 3-0 in favor.

Chair Bonser recognized Kevin Prince from NH Department of Transportation (NHDOT). Mr. Prince stepped forward to address the Board. He explained that NHDOT will be paving Route 4 from Ridge Road in Northwood to just west of the Lee Traffic Circle, approximately 9.9 miles (NHDOT project # 22496). Mr. Prince stated that he will notify each of the 4 towns (Northwood, Nottingham, Barrington & Lee) that the project passes through. This stretch of road was last paved in 2003. The project consists of a leveling layer and then a 1 inch overlay. The guard rail terminal units will be replaced with units that are up to today's standards and there will also be catch basin work done as part of the project. The ad for the project is expected to be posted on April 17, 2012. The project has an expected start date of July-August 2012 with completion by September 28, 2012. There can be no paving work during commuter hours mornings & afternoons. There is no paving work allowed on Saturday & Sundays from 10AM-7PM. The guard rail work & catch basin work will be done during the day & paving will be at night. The cost of the project is approximately 2 million dollars (80% Federal/20% State). Mr. Carpenter asked if the was Recovery Act money. Mr. Prince stated it was not. Mr. Carpenter then asked how the road was chosen. Mr. Prince sated it was based on the States 10 year plan (priority list) as well as traffic counts. Mr. Carpenter suggested Route 156 should be looked at soon. Mr. Prince explained that Route 4 is a major corridor. He then provided an agreement for the Board to sign that acknowledges the Town knows that DOT will be in charge of traffic control. The contract administrator will choose detail officers. There will be a pre-construction meeting, which emergency services will be invited to, to provide an opportunity for input. About a week before the work actually starts, DOT will bring in the portable signs to publicize the work. Ms. Maurer asked if residents would be notified by mail. Mr. Prince stated they would not. Chair Bonser asked if the Board could sign the acknowledgement at their next meeting after consulting with the Police Chief. Mr. Prince indicated that would be fine. Mr. Brown reminded the Board

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93 that the DOT will be in charge of traffic control whether the Board signs the acknowledgement
94 or not. Mr. Prince thanked the Board for their time & he and Mr. Thibodeau left the meeting.
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96 The next item to be discussed was Winter Street. The property on Winter Street has sold and the
97 new property owner would like to build a house on the smaller lot which is across Winter Street
98 from the existing house. Mr. Brown & Ms. Bonser had met with the owner & his surveyor a few
99 weeks ago. The research done by the surveyor indicates that Winter Street is a Class VI road that
100 was never properly discontinued. The Town had plowed Winter Street for many years but had
101 done no maintenance on the road itself other than bringing in a load of fill to get a hearse to the
102 house. The heir of the property was sent a letter in 2009 indicating the Town would not be
103 plowing Winter Street anymore. Mr. Cardillo is requesting that the Board of Selectmen authorize
104 a building permit for the new house on Map 12 Lot 17 under the authority of RSA 674:41-I (c).
105 The property owner will need to record the notice of limits of municipal responsibility & liability
106 at the Rockingham County Registry of Deeds and provide a recorded copy of the notice to the
107 Building Inspector before a permit will be issued. The RSA indicates that the BOS can approve
108 the issuance of a building permit once the notice has been recorded and the Planning Board has
109 had an opportunity to comment. Mr. Brown has prepared a letter to the Planning Board for the
110 Board's signature. Both Ms. Seaverns and Betsy Saunders asked the Board if this building permit
111 is allowed how this would effect development on Winter Street in the future. Would this action
112 allow property owners on Winter Street beyond these properties to develop/build? The Board
113 was not certain of the answer. Mr. Brown stated that the BOS will most likely put forward an
114 article to properly discontinue Winter Street. This issue has made the Board aware that there may
115 be other roads that should be properly discontinued as well.

116 **Motion:** Carpenter, second Rafter to approve the letter to the Planning Board asking for their
117 review & comment regarding a building permit being issued on Winter Street (Map 12 Lot 17).

118 **Vote:** 3-0 in favor. Mr. Brown will attend the Planning Board meeting on Wednesday evening to
119 address this issue.

120 At this point, Ms. Saunders, Mr. Cardillo & Mr. Landry left the meeting.
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122 7:35PM Chair Bonser then opened the public hearing for the establishment & amending of fees
123 at the Recycling Center. Gary Anderson stepped forward to address the Board. He explained that
124 while he was on the Board he had worked with the Recycling Center Staff to come with
125 reasonable fees to keep costs up to date and in line with surrounding communities. The Town has
126 not been charging for many items up to this point (computers, printers, scanners). Mr. Brown
127 stated that currently 80% of all the items that go into the electronic dumpster have no fee
128 charged. Mr. Anderson stated with the enactment of these fees a portion of the cost to dispose of
129 these items will be borne by the individual using the service. He also stated that most people are
130 aware of disposal costs and are not opposed to paying a reasonable fee for it. Mr. Sweeney
131 stepped forward. He informed the Board that Gilmanton does not charge for disposal of any
132 items. Mr. Brown explained that the Town charges a reasonable fee for some items to the people
133 using the service to try to offset a portion of the cost of disposal rather than all taxpayers paying
134 for services they do not use. Mr. Sweeney then asked if there was a charge for computer
135 disposal. There is no charge for computers at this time but if the fee schedule is enacted, there
136 will be a \$5 charge for disposal of a CPU or laptop. Mr. Sweeney thanked the Board and stepped
137 down. With no further discussion, Chair Bonser closed the public hearing at 7:50PM. The Board

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expressed concern over the immediate enactment of the new fee schedule and discussed setting a date in the future to allow the public some time to become aware of the new fees.

Motion: Rafter, second Bonser to approve the new fee schedule for the Recycling Center (as posted for the public hearing), effective May 8, 2012.

Vote: 3-0 in favor.

The Board members reviewed bills, signed the manifests and also initialed the new salary histories for all employees. Mr. Carpenter inquired about the percentage rate for the medical billing contract and he thought it was high. Mr. Brown will discuss the issue with the Fire Chief. Mr. Carpenter asked about the letter from the Police Chief to the owner of the business at 80 Stage Road. He asked to review the initial letter from the Chief to the property owner. There is an on going traffic issue with parking on both sides of Stage Road at this location at certain times during the week & weekends. Chair Bonser suggested that No Parking signs be installed by the State since Stage Road is a State highway. Mr. Brown will discuss with the Police Chief.

Mr. Carpenter has prepared a detailed specification sheet for the cable channel upgrade. This document outlines the overall objectives of the upgrades separate from the technology aspects of the project. It outlines the minimums of quality for video & audio components. It will provide for the selection of basic equipment that will allow the ability for upgrades to the equipment in the future. Mr. Carpenter will contact Brian Stucker to obtain some additional vendors to send the bid proposal to. The Board would like Brian McClelland involved in the process. Mr. Rafter asked if the School had been contacted as yet. Mr. Carpenter indicated he had not spoken with anyone at the School as yet. The Board decided to delay sending out the proposal until the School had a chance for input.

Mr. Carpenter then brought up the subject of communication between the Town (Selectmen) & the School (School Board). The Board liked the idea of quarterly meetings between the 2 boards. Mr. Brown will invite the School Board to the 1st BOS meeting in May (May 9th). Among the topics of discussion will be communication between the Boards, trying to foster a sense of community, utilization of space at the school, and the cable channel upgrade.

Mr. Rafter then brought up the Redistricting issue. Many municipalities are unhappy with the final result and are contemplating bringing the issue to the Court to decide it. The Board would like to speak with Nottingham's representatives before anything is decided. Chair Bonser will contact the representatives and ask them to attend the meeting on April 23rd.

Mr. Carpenter then brought up USA Springs and the status of their permits. He asked what permits were transferable and why the value of the permits had not been excluded from the bankruptcy proceedings. He would like to discuss the Water Ordinance. Chair Bonser suggested that Mr. Carpenter review the numerous legal opinions about the ordinance that the Board of Selectmen has received before discussing it. He can also review the list of all permits and when they expire that Paul Colby has compiled. Mr. Rafter believes that the permits are not bankruptcy related. The Board will discuss the issue after Mr. Carpenter has a chance to review the information.

Having no further business,

8:45 PM **Motion:** Rafter, second Carpenter to adjourn.

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185 **Vote:** 3-0 in favor.
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187 Respectfully Submitted,
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191 Heidi Seaverns
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Approved as written
5/7/12