

Minutes
Nottingham Selectmen's Meeting
June 18, 2012

6:33 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: Charles A. Brown – Town Administrator, Dawn Wirkkala – Secretary, Susan P. Mooney, John Terninko, Celia Abrams, Gail Mills, Chris Mills, Judy Doughty, Romeo Danais

OUTSTANDING MINUTES:

Motion: Motion by Mr. Rafter, second by Mr. Carpenter to approve the minutes of the June 4, 2012 meeting as written.

Vote: 3 – 0 in favor

Motion: Motion by Mr. Rafter, second by Mr. Carpenter to approve the minutes of the June 6, 2012 meeting as amended.

Vote: 3 – 0 in favor

Ms. Wirkkala stated she omitted herself and Mr. Brown as attendees on both May 2012 Selectmen Meeting minutes. The selectmen agreed to correct the omission and also add Mr. Brown to the June 6, 2012 Board of Selectmen Meeting minutes.

MANIFEST SIGNATURE:

Motion: Motion by Mr. Rafter, second by Mr. Carpenter to approve the 6/18/12 manifest.

Vote: 3 – 0 in favor.

DEPARTMENT REPORTS:

Building Department: None

Fire Department: A recommendation was received to give a performance award to Cassie Tourigny, recognizing her efforts willingness to go above and beyond while the department was understaffed. Chair Bonser thanked Ms. Tourigny for all her hard work.

Motion: Motion by Mr. Carpenter, second by Mr. Rafter to support Chief Vilchok's recommendation for a performance award to Cassie Tourigny.

Vote: 3 - 0 in favor.

Highway Department: Road reconstruction continues, no blasting was needed on Halls Way, and "No Thru Trucking" street signs have been ordered for Lincoln Drive based on a complaint.

Police Department: All vehicles are back and the new vehicle is in service. Mr. Carpenter stated the new car is a nice vehicle; Mr. Brown stated it is in a rotation schedule for all officers to use. The Police Chief will be submitting a request for a Ford Explorer in the next Budget cycle, trading out the Expedition. The Explorer is better rated for fuel economy, maintenance, and with a police package available it will be more practical than the Expedition. Chief Foss is on vacation this week.

Recreation Department: None.

Town Office: Mr. Brown will be on vacation starting Wednesday until Monday June 25, 2012.

SIGNATURE FILE:

	Signature Item/Subject	From	Signed
1.	NH Dept of Safety – Radio Enhancement Grant	Police Dept.	MB
2.	Building Committee Appointment – Gary Anderson	Bldg Committee	All
3.	Route 152 and Halls Way Intersection Reconfiguration Agreement between Nottingham and Olkovikas/Gardner	Highway Dept.	All

**Minutes
Nottingham Selectmen's Meeting
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4.	Salary History	Town Admin.	All
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Mr. Brown reported the previously signed Radio Enhancement Grant has been returned for the signature of the Chair of the Selectmen.

Motion: Motion by Mr. Rafter, second by Mr. Carpenter to sign the Building Committee Appointment of Gary Anderson as an at large member and until rescinded, per recommendation of the Building Committee Chair.

Vote: 3 – 0 in favor.

Motion: Motion by Mr. Carpenter, second by Mr. Rafter to sign the Route 152 and Halls Way Intersection Reconfiguration Agreement between Nottingham and Matthew Olkovikas and Brieghan Gardner.

Vote: 3 – 0 in favor.

The selectmen reviewed salary history information and the proposed wages for summer recreation staff.

GENERAL BUSINESS/REVIEW: Review the status of new, on-going, and previously discussed concerns, questions, or tasks/items.

Redistricting: Chair Bonser stated the court decision will be released Tuesday. Ms. Wirkkala stated Representatives Tasker and Reagan had been requested to supply a written response to the Selectmen's question and concerns and a response has not yet been received. In addition, a formal written request was mailed to town representatives to attend the July 2, 2012 meeting.

Conservation Commission: Mr. Brown reported the Conservation Commission received notice from Ronald Kennard with an offer to purchase his 34 acre parcel on Kennard Road for \$34,000.00, for placement in Conservation. The letter and supporting documentation was given to the Conservation Commission for review and consideration.

Ledge Farm Road Intersection: Mr. Carpenter stated an email from Robert Claxton was received regarding possible road safety issues on Ledge Farm Road with the newly approved 22 lot Rocky Hill sub-division; proposed Rocky Hill Road. The sub-division road is on a narrow section, within an "S" curve of Ledge Farm Road and proposes a smaller 20 foot section of paved road, versus a standard 24 foot width. Mr. Brown stated the sub-division has been approved, the appeal period has passed, and the only recourse could be for a private agreement. The concern was previously brought to the Planning Board, the sub-division plan approved, and work will begin when the bond is received. Mr. Rafter stated he would further review the concern with the Chair of the Planning Board. Mr. Carpenter wanted to make sure the concern was addressed and responded to. Ms. Mooney stated there was no traffic study, but there had been a lot of conversation with Rockingham County Conservation District (RCCD) and the engineering firm. Ledge Farm is dirt at 18 feet wide; the proposed entrance is paved at 20 feet wide.

Chair Bonser and Mr. Carpenter asked Mr. Rafter to clarify the issue with the Planning Board, if they are widening the road and if not, why.

PEG Installation: If agreed upon, new equipment installation and training use will take place on Wednesday. Once installation is complete the transition can then begin. The meeting room will be painted and furniture shifted. The total installation price is about half the original proposal total. Mr. Carpenter thanked all the participating parties for their contributions and it was decided a letter would be drafted. Training will start with Town Office employees and a second training will be

Minutes
Nottingham Selectmen's Meeting
June 18, 2012

scheduled for school employees. Changes to the program policy regarding operational standpoint will be brought forward in the near future.

APPOINTMENTS: 7:00 pm: John Terninko – USA Springs, 7:15 pm: None, 7:30 pm: None.

7:00 pm with John Terninko and Romeo Danais: Mr. Danais stated the idea was presented about a possible private Nottingham taxpayer purchase of the USA Springs property in the auction process. Individuals have already come forward with donations, and additional donations are being sought. Discussion has taken place with parties interested in a placing a bid to establish possible uses for the property, to include light industrial, conservation, some type of educational purpose, or a combination of any or all of the suggestions mentioned.

An LLC is planned, providing individuals the options to either make a donation for conservation purposes or for a possible financial investment. All plans would be contingent upon the ultimate decision that would be established for the land, based on the available resources, or what investors can be found. There is currently \$155,000.00 available for the auction, but there are also many others who are willing to donate for the conservation purpose.

An auction kit has been received and discussion with the auction firm has established that the back taxes will be paid with the sale; however the creditors may have the ability to refuse a bid if the bid amount is not to their liking and Mr. Terninko feels there may be the potential for the court to re-establish the permits if it is in the best interest of the highest bidder.

Mr. Danais stated if the group is the successful bidder he would like the selectmen to consider a possible delay in payment of any fees associated with the transfer, future taxes, until the plans can be established for its use. Mr. Terninko clarified they are only looking for a delay in future tax payment and not an abatement of taxes due. Chair Bonser stated a written proposal should be brought to the Town regarding the tax delay and deferred interest to establish a legal opinion regarding the processes available to the town.

Mr. Danais reported the current structures on the parcel, the concrete pad and frame of a building and smaller sheds, could be considered both a pro and con depending on the ultimate condition of the structures. Mr. Terninko proposed planning for a possible use for learning purposes and approaching UNH for a research and teaching area. Mr. Danais stated the Conservation Commission would be interested in assisting in the purchase, but can not take action until the property is purchased. Additional discussion took place about possible uses for the land, including educational, industrial, retail, or conservation.

General discussion took place about the possible results of the auction, including the Stalking Horse bidder - a group that will establish a minimum acceptable bid, the potential asset value of the water withdrawal permit and how the permits may be part of the consideration for some of the parties placing bids. However, no specific information regarding the status of the permits, quality of water testing's, or any other land specific issues is part of the auction material, and due diligence is required from any potential buyer.

Mr. Danais would provide a copy of the bid package to the selectmen. It was stated bids are due by July 13 and then oral bids can be presented on July 20 from qualified bidders. Mr. Terninko and Mr. Danais will be attending the auction.

Mr. Danais stated there would be a review of NHDES documents but it was unknown if other parties have requested to also review the documents. Mr. Terninko asked if documents were available for review at the town offices and Mr. Brown stated it does have documents.

**Minutes
Nottingham Selectmen's Meeting
June 18, 2012**

121 Discussion took place about the testing process after contamination was discovered on the narrow
122 "bowling alley" parcel, and it was stated there was no pump test after the contamination was
123 supposedly abated.

124 Mr. Rafter stated there are only four weeks until the bid was due and while the current board may
125 be favorable to a delay of fees and taxes and would like to see a proposal. However, it could not tie
126 the hands of any future board members.

127 Mr. Carpenter stated the town should be looking to see how and what it can do to make sure there is
128 support for the plan. Chair Bonser stated the selectmen usually cannot sign a contract for longer
129 than one year and it would need town meeting approval for special considerations.

130 Mr. Danais stated the group has not yet created a planned bid. Chair Bonser stated if needed, a
131 special board meeting could be held to assist in the process, and the group should maintain contact
132 with Mr. Brown regarding their status.

133 Mr. Danais stated brainstorming for potential options continues and any additional public
134 suggestions are welcome to assist in a plan and prevent another large water company the possibility
135 of moving in. NHPR will be writing a story about the continuing issues taking place, which will
136 help provide much needed publicity and hopefully provide more people willing to donate.

137 Mr. Brown was asked to review the tax deferral issue with the town attorney for potential options.

138 Discussion took place about any possible available town funds and it was stated there wasn't the
139 ability to utilize unreserved fund balance without approval from the NH Department of Revenue or
140 Budget Committee.

141 The group was asked to draft a more formal proposal regarding the specific items they need from
142 the town in order to establish what can and can not be done by the town. Information regarding the
143 status would be presented at the July 2, 2012 Selectmen's meeting. Board members thanked Mr.
144 Danais and Mr. Terninko for their initiative and actions, and their commitment.

145 **ADJOURNMENT:** Having no further business,

146 8:06 PM **Motion:** Rafter, second Carpenter to adjourn.

147 **Vote:** 3 – 0 in favor.

148 Respectfully Submitted,

149 Dawn Wirkkala