

Minutes
Nottingham Selectmen's Meeting
March 11, 2013

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: Charles A. Brown, Town Administrator, Dawn Wirkkala, Secretary, Gail & Chris Mills, Judy Doughty, Sandra Vilchock, Casluh Chamberlain, Jaye Vilchock, Dan Brothwell, Gail Powell

OUTSTANDING MINUTES: Postponed to the next meeting.

MANIFEST SIGNATURE:

Motion: by Mr. Carpenter, second by Chair Bonser to approve the 3/11/2013 manifest.

Vote: 2 - 0 in favor.

General Business and Department Reports:

Fire Department: Chief Vilchock introduced Mr. Daniel Brothwell, the new career full time fire fighter and reviewed his work history and experience as a fire fighter and EMT.

Mr. Carpenter stated he is very impressed with the conversations he has had with Mr. Brothwell, he is a good choice, and looks forward to working with him.

Chair Bonser welcomed Mr. Brothwell, stating she has also been impressed and the Town is very lucky to have him at the Fire Department.

Mr. Rafter welcomed Mr. Brothwell.

Highway Department: Mr. Brown and Mr. Fernald reviewed the recommendations for purchase of the new highway truck with the Selectmen.

Mr. Fernald stated three bids were received and after review of the bids and discussion with the bidders for clarification of truck and plow criteria and options, he is recommending McDevitt Trucks for the truck and Donovan Equipment for the truck equipment to be the winning bidders; the bid amount is lower than the original warrant article amount.

Mr. Fernald reviewed his knowledge and experience with prior highway vehicles, including the ease and quantity of vehicle maintenance and repair work in comparison to the types of trucks submitted in the bid process, supporting his recommendation. The new vehicle is a Mack Truck and will have an automatic transmission. The bid includes a five year repair warranty.

Mr. Carpenter asked about the amount in the Highway Truck Capital Reserve Account and Mr. Brown stated there is enough to be able to pay the entire amount for the truck, plows and radio.

Chair Bonser asked if the amount in the warrant article should be revised during Town Meeting.

Mr. Brown recommended an amendment to reduce the amount requested.

Motion: by Mr. Carpenter, second by Mr. Rafter to accept Mr. Fernald's recommendation for the truck, the plows, dump body and the radio.

Vote: 3 - 0 in favor.

Chair Bonser thanked Mr. Fernald for the great work the Highway Department has done in keeping Town roads in great shape during the winter months.

School Board Concern: Ms. Doughty and Ms. Mills presented a letter from Superintendent Ludwell expressing concern on behalf of the School Board regarding the installation of propane tanks at Fernald Lumber, specifically financial and safety concerns.

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Ms. Doughty stated there is a financial concern with the need of additional plowing for emergency evacuation requirements in case of an accident and additional information is being sought about possible insurance implications.

It was stated copies of the letter would be sent to the Fire and Police Departments.

Ms. Doughty and Ms. Mills asked about the progress of the installation. Chair Bonser stated the proposed installation is in the hands of the Fire Chief at this time.

Chair Bonser requested the School Board compile all of their questions, concerns, and potential changes the school might have to make with the installation of the propane tanks and give them to the Selectmen for review. It was stated the School Board would continue to review the issues and get back to the Selectmen.

Mr. Rafter stated the Superintendant's letter does not list specific concerns, as now being discussed, and all the concerns should be presented. The Zoning Board provided approval on a variance, the Planning Board approved the application and the last step needed to start installation is the building permit, which is conditional to approval of a fire safety plan.

Mr. Mills shared his personal experiences with school evacuations; while trial runs typically run smooth, things don't always go according to plan when there is a true emergency situation.

Ms. Powell also shared her prior experiences with school evacuations.

Ms. Doughty stated she looked forward to the joint School Board and Board of Selectmen meeting. Mr. Carpenter stated he believed the joint meetings would be productive.

SIGN ITEMS: Mr. Brown reported there is a Pole License that needs signatures.

Mr. Carpenter asked if this form was received every time a pole was installed. Mr. Brown reported he believed a new license is only required for new poles and not for poles being replaced.

Motion: by Mr. Rafter, second by Mr. Carpenter to approve the Public Services request for the pole license on Merry Hill Road.

Vote: 3 - 0 in favor.

Warrant Article Move/Second List: Mr. Carpenter asked about the process that would take place during Town Meeting. It was explained that one board member would make the motion, another would second and the person who makes the motion typically is the first to explain what the article is about. There would be a review of each of the department budgets for Article 8 and the plan included having the Budget Committee sit at the front of the room with the Selectmen.

The Selectmen determined who would move and second each of the articles.

Mr. Brown reviewed the recently received concerns about Articles 17 and 18, the discontinuance of Winter Street and Gravel Pit Road, as concerns and questions have been reported from some abutters. Additional information is needed to clarify the planned discontinuance and recommends the Selectmen table the Articles until the next Town Meeting.

Mr. Rafter stated the Town had previously stopped maintaining one of the roads some time ago and the discontinuance would remove liability of the Town. Mr. Brown reported Gravel Pit Road is a Class XI road, and has been for many years, but there are questions about Winter Street.

Mr. Carpenter asked if the warrant articles were tabled, does it mean they are tabled until the next meeting and Mr. Brown stated he believed so.

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Chair Bonser asked if the Planning Board has received notice of new developments being planned on either of the roads. Mr. Rafter stated information was presented in 2012, which started the closure process, but nothing else has come forward. It was stated the roads are Class XI and there are limitations to development.

Mr. Carpenter asked if there was the ability to change the wording of the warrant articles to allow for road closure but contingent for getting all the necessary information, to prevent exposing the Town to potential liability with new development.

It was decided that Mr. Rafter would motion and Mr. Carpenter would second to table Articles 17 and 18 at the beginning of Town Meeting.

Chair Bonser reminded each of the Selectmen that someone should also plan to invoke RSA 40:10 for each of the warrant articles.

Mr. Brown stated Article 23 should be motioned by the petitioners. In regards to the article, per the attorney the decision to delay payment on taxes isn't allowed or permitted through Town Meeting. The Selectmen have the ability to take the action to delay payment of taxes; the warrant article can be changed on the floor and the Selectmen can take the recommendation under advisement. Mr. Brown reported that as of today the LLC has not been registered with the Secretary of State. It was requested to re-check if the LLC has been registered Friday before Town Meeting.

Mr. Carpenter asked for clarification about the intent of the actions of Article 23 and stated if there is anything the Town can do to help support the action, then that action should be taken.

Mr. Carpenter stated he would like to try and help the situation in protecting the water. Chair Bonser stated the petitioner is responsible for making the change to the warrant article language, but could receive help with wording if they asked.

It was stated coffee and donuts would be available at 9:00 am and then lunch would be provided at 11:30 am during Town Meeting; citizens were encouraged to stay for lunch.

Chair Bonser recommended early arrival to sign in before the meeting start.

Polling Shifts: Mr. Rafter asked which and when Selectmen would cover times at the polls. It was decided Chair Bonser would not have a shift helping at the polls as she is on the ballot. Mr. Rafter and Mr. Carpenter would both be available during the busiest times, morning and after work, and would work out the schedule for the remaining parts of the day during the election day.

Next Agenda: Mr. Rafter asked to include draft job descriptions on the March 25 agenda for Selectman Chair duties. Chair Bonser stated she is unsure about binding future boards. Mr. Carpenter stated he believes having guidelines are helpful to new Selectmen and they should be reviewed.

Police Department/Fire Department: Mr. Brown reported he received a copy of a police report of computer crime where a personal laptop used for Fire Department email related activities had been hacked into while in use at the Fire Station, which brought up some concerns about lack of anti-virus software and possible security issues for the Fire Department. The Selectmen recommended sending the Town IT technician to the Fire Department for any needed corrections and upgraded security measures.

Mr. Carpenter asked about the other departments and Mr. Brown reported security measures are in place for all other departments.

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- 126 Mr. Rafter suggested disconnecting from the internet when not in use and the other Selectmen
127 agreed with the suggestion.
- 128 **SB167 Hearing:** Mr. Carpenter reminded everyone about the hearing for water rights on Senate
129 Bill 167 for Wednesday, March 13 at 9:30 am.
- 130 **APPOINTMENTS:** None
- 131 **ADJOURNMENT:** Having no further business,
132 7:35 PM **Motion:** by Mr. Carpenter, second by Mr. Rafter to adjourn.
- 133 **Vote:** 3 - 0 in favor.
- 134 Respectfully Submitted,
- 135 Dawn Wirkkala