

Minutes
Nottingham Selectmen's Meeting
May 20, 2013

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

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

Others: Charles A. Brown- Town Administrator, Dawn Wirkkala - Secretary, Scott DeRoche, Marjorie Carlson - Bookkeeper, Jaye Vilchoc - Fire Chief

MANIFEST SIGNATURE:

Motion: by Mr. Carpenter, second by Ms. Bonser to approve the 5/27/2013 manifest.

Vote: 3 - 0 in favor.

OUTSTANDING MINUTES:

Motion: by Ms. Bonser, second by Mr. Carpenter to approve the public minutes of the May 6, 2013 meeting as amended.

Vote: 3 - 0 in favor.

General Business and Department Reports:

Fire Department: Mr. Brown reported the Fire Chief has scheduled a non-public meeting tonight to discuss approval for an employment offer.

Mr. Brown stated an energy efficiency audit has been scheduled with PSNH at the station to review electric usages for possible savings and better information on calculating peak uses for billing.

Town Offices: Mr. Brown reported there will also be an energy audit of the Library and Community Center/Town Offices.

The Selectmen requested a comparison between old and new electric bills to calculate if upgrades can provide savings. They also asked if there would also be a review of the back rooms at the Community Center as electric use should be considered with the possible renovations.

Building Department: Mr. Brown reported Mr. Colby is asking for Selectmen approval on a request from Ms. Darla Cote to use her RV as a temporary living unit. Mr. Colby's memo states he has completed a physical review of the site and documented that the conditions of the temporary use agreement will include a useable water source, plan for septic removal, and the use will terminate once the Certificate of Occupancy is issued.

Mr. Brown reported this type of request has been approved before, with both positive and negative results. After discussion the Selectmen requested the agreement between Ms. Cote and the Town end no later than December 1st. Ms. Cote's letter indicates the RV will only be used as temporary living if her current residence sells before completion of her new Nottingham residence.

Motion: by Mr. Carpenter, second by Ms. Bonser, to accept Mr. Colby's recommendation to allow a temporary RV living unit on 91 Priest Road, for a duration not to exceed December 1, 2013.

Vote: 3 - 0 in favor.

Town Office: Mr. Brown reported a request has been received by Liars Paradise to close Church Street for a few hours on Tuesday, July 2, 2013 for their Cruise Night Food Pantry fundraiser. This request is in anticipation of higher number of participants and attendees, as the fundraising event involves another car club.

Mr. Carpenter stated Liars Paradise has had Cruise Nights in prior years, the first night of this season is this Tuesday, May 21 from 6:00 pm to 8:00 pm, and he has participated in the past. There are always great vehicles to see, live music and everyone has a great time.

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The Selectmen agreed as long as the Fire and Police Department won't have a problem, and asked if barricades would be on site and if police coverage was needed. Mr. Brown reported the Police Chief did not have issues with the request, the store has some road barriers, and police aren't needed.

Mr. Carpenter encouraged citizens to attend any Cruise Night, and only one canned food per attendee is suggested for the Food Pantry Fundraiser.

Motion: by Mr. Carpenter, second by Ms. Bonser to close Church Street on July 2 from approximately 5pm to 9 pm in support of the Cruise Night Food Pantry fundraiser.

Vote: 3 - 0 in favor.

Highway Department: Ms. Bonser asked about an update for the bridge project and Mr. Brown stated he didn't have a specific update, but there is a planned delivery date of August 1, 2013 for the concrete bridge forms.

Marston Homestead: Mr. Brown reported the settlement agreement has been returned by the NH AG's Office with some additional changes to the contract. The Town Attorney has given preliminary approval, but he will comment after a more thorough review. The requested changes included the exact dollar amount being paid to the state, Nottingham will retain ownership of the property in perpetuity and that the property be for public purposes, the state will release all liens provided the Town retains ownership, and the agreement will not limit the ability of the state of NH to take legal action against the former owner Mr. Lee. Mr. Brown stated the State did not want to lose their ability to prosecute the prior owner and the Selectmen agreed with the recommended changes.

Mr. Brown stated the State of NH originally requested a conservation easement, but it is no longer going to be required.

Mr. Brown asked who the Selectmen wanted to sign the contract. The Selectmen agreed that Mr. Brown should sign the agreement given the number of years he has worked on the project.

The Selectmen mentioned that Mr. Brown's name should be included in the final official name of the park.

SIGNATURE FILE: The Selectmen only had one document to sign a salary change form.

Selectmen Reports:

Budget: Mr. Carpenter reported the meeting will be this Thursday and he would present the 1st quarter Town Budget information. Mr. Brown reported all revenue and expense information has been put together and is ready for the meeting.

Pawtuckaway Lake: Ms. Bonser reported there would be a meeting between NH DES, PLIA members and any other interested citizen to discuss the winter test pulse data and review the proposed changes to the winter draw down levels on Pawtuckaway Lake.

Recreation: Ms. Bonser reported notice was received from Ms. Horvath that the May 11th fishing derby had 66 children participate and thanks were expressed to the sponsors: Liar's Paradise, Demmon's Store, Mountain Road Trading Post, Riverbend Realty, the Turcotte Family, Epping Electric who provided lunch for everyone, Chet Batchelder and Steve Tread who helped to measure the fish, and the help received from the UNH Alpha Gamma Rho fraternity who's members cooked the lunch of hot dogs and fish that were caught.

The Free-Cycle went very well and plans are in the works to hold another. There was little to donate or dispose and monies collected will buy wood chips and repair playground equipment.

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There will be three specialty summer camps; British Soccer, Drama Camp and the regular summer camp. There will also be two rafting trips, one for kids and another for the Ladies.

BOS/BOA Meeting: Ms. Bonser reported on the meeting with the Board of Assessors (BOA) and there were only some general questions. Mr. Carpenter stated he wants to continue the quarterly meetings, establishing a better working relationship and communication method between the Selectmen and Avitar, to prevent the same type of concerns that were expressed during the last contract signing.

Ms. Bonser stated she requested the BOA to have a higher level of participation in the assessing and abatement process; encouraging them to be more active in the decisions and to engage Avitar in completing the assessing processes.

Chair Rafter stated the BOA was established to manage and address the work of the assessors, because it was previously determined the Selectmen were not taking an active enough role. Ms. Bonser stated she feels the BOA is falling into the same method of oversight as the BOS had been accused of doing and the BOA should participate more in the process of assessing.

The BOS will meet with Avitar and the BOA in August.

Planning Board: Chair Rafter stated a membership change has taken place, the board is not legally allowed to have two Conservation Commission members and the alternate member has resigned. Mr. Carpenter asked if a new alternate would be sought and Chair Rafter stated another would be. The Planning Board is starting to review their priorities to address in the Master Plan Tasks.

APPOINTMENTS: 7:00 pm: Scott DeRoche, NHMA/2014 Healthcare Changes, 7:30 pm: Non-Public

7:00 pm: Mr. DeRoche reviewed his position with the NHMA and stated he was here to review and answer questions regarding the upcoming federal healthcare changes.

Mr. Brown asked about the Affordable Care Act notice deadline regarding the upcoming healthcare changes and if the LGC will provide towns with sample notices. Mr. DeRoche stated he believed the notice being referenced is the notice of exchanges (insurance groups and plans being offered to everyone), but the deadline has been postponed. The LGC does have an expectation for a Federal notice that can be revised specifically for NH.

Mr. DeRoche reviewed the information he had regarding the healthcare changes, but stated changes are received weekly from the Federal Government updating and clarifying information as they go. There are still many areas that do not have defined answers; there are more questions than answers at this time.

Highlights from Mr. DeRoche:

- The State of NH decided not to create their own health insurance plan for the exchange and it appears any company offering insurance in the state is required to be part of the exchange.
- The first step the town should complete is to establish how many 30 hour a week employees they have based on an averaging calculation.
- There will be tax subsidies based on income for individuals who need to purchase their own insurance.
- Information from the Federal Government is incomplete and new information comes in almost every week. There are very specific criteria to establish the quantity of full time employees.

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- Pieces are still missing, but the intent is to provide any individual the ability to get answer.
- Proposed public plans will be a lower end/poorer coverage, less than what most employers may be able to offer.
- Many School and Municipalities are reviewing their staffing methods and hours offered; those on a fiscal year, July to June budget may have a harder time the first year because they have the last 6 months of their budget that didn't necessarily account for possible penalties. Schools are looking at how they employ their paraprofessionals.
- There isn't the expectation of a huge jump in premiums; the only difference will be offering insurance through the exchange. There was concern that if only those people needing insurance join the exchange it would cause an increase in the premiums of the exchange.
- There are still many unknowns by the state or even the Federal Government; financial, insurance plans, premiums, penalties.
- Currently education hours don't appear to count toward the 30 hour a week calculation, but on call work hours will.
- Denial of coverage for pre-existing conditions is no longer allowed and being phased out of traditional insurance policies. There are many concerns regarding pre-existing conditions with the exchanges and people seeking coverage only when they need insurance. Some state exchanges are taking steps to limit the length of time coverage will be offered; similar to current insurance offers of one time a year open enrollment.
- Portions of this process will be indefinitely postponed because of non-enforcement. There are other areas considered safe harbored for an attempt at compliance; but doesn't believe the exchange is going to be put off, but possibly postponement of penalties.
- Health Trust is conducting business as normal and estimates for increases should be established during October/November.
- Accessibility has been established but not necessarily affordability.
- Mr. DeRoche stated it is his understanding that if you offer insurance plans in NH you must participate in the exchange.

Mr. DeRoche stated the first step is to calculate the number of full time employees. If the Town has less than 50, they have nothing to worry about and if they have more than 50 there is time to make budget changes. Updates from the government are becoming more specific and the NHMA is providing a review of the government updates.

Mr. DeRoche stated the current understanding is that no fines will be issued until 2015. Everyone, every business has started to review and calculate hours it takes for operation in consideration of the possible changes.

The Selectmen thanked Mr. DeRoche for coming.

7:30 pm:

NON-PUBLIC SESSION: The Board entered non-public under RSA 91-A:3 II(b)

7:56 PM Motion: by Ms. Bonser, second by Mr. Carpenter to enter non-public under RSA 91-A:3 II(b).

Vote: Bonser – Yea, Carpenter – Yea, Rafter – Yea. 3 - 0 in favor.

Motion: by Ms. Bonser, second by Mr. Carpenter, to seal the non-public minutes.

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Vote: Bonser – Yea, Carpenter – Yea, Rafter – Yea. 3 - 0 in favor.

8:08 PM Motion: by Chair Rafter, second by Ms. Bonser to exit non-public session.

Vote: 3 - 0 in favor.

The Selectmen and Chief Vilchok agreed on offering employment and notice will be mailed to the selected candidate.

General Business:

Master Plan Implementation Guide: After discussion the Selectmen determined they would select three to four items from the entire list for further discussion and possible action. There were additional questions about the wording and the type of action needed for some of the items in the list, which would also be reviewed.

300th Celebration Committee: Ms. Bonser stated Mr. Brown had thoughts about some people and committees. After discussion the number of members and initial participants was decided; there would be seven members, one each from the police and fire departments, library, historical society, DAR, 275th Celebration and a public member.

The Selectmen asked if Mr. Welch was interested in participating in the first group and be the Selectmen's Representative. Mr. Brown believed he would not be.

Chair Rafter asked about the initial charge to the committee to present to the public. Ms. Bonser asked if the information provided by Mr. Welch was enough for the initial charge. Chair Rafter stated he would make modification to the initial steps and the other Selectmen agreed.

Chair Rafter stated he felt the committee should make recommendations for warrant articles, which will be presented by the Selectmen. General discussion took place about what items should be part of the first committee.

BOS Chair Roles & Responsibilities: The Selectmen discussed the proposed changes in the Roles and Responsibilities. Chair Rafter and Mr. Carpenter agreed there could be a process that the Chair would follow, similar to the process currently used and Ms. Bonser disagreed because there could be too many possibilities for miscommunication and felt contact should only be through Mr. Brown. It was stated there will be times where it is important for the Chair to speak on behalf of the board and Mr. Brown agreed.

Motion: by Chair Rafter, second by Mr. carpenter to adopt the Roles and Responsibilities of the Chair of the Board of Selectmen as amended.

Vote: 2 - 1 in favor, Ms. Bonser opposed.

Job Description Discussion: Mr. Brown stated most of the descriptions are completed, more specifically for the TA Secretary position, but there are others that may need more review. Mr. Brown asked if all the duties should be listed or primary duties, because the majority of duties are required even though they are the primary duties of one; all employees provide back up coverage to the others.

Mr. Carpenter suggested having the employees review their own job descriptions for modifications and updates.

Mr. Brown would distribute the descriptions to employees for updating, but his biggest concern was getting the response that the duties weren't up to an individual.

Marston Homestead Sub-Committee: Mr. Carpenter hasn't received any feed back from Ms. Anderson. Mr. Brown reported one evaluation of the buildings has taken place about possibly

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saving the building. The barn construction took place in approximately the 1840's and there are only 3 sections that could be rebuilt, but it would be at a significant cost.

A demolition quote was also received at an approximate \$25,000.00. However the work may have to wait until after Town Meeting 2014 for a warrant article to fund the work. The demolition company suggested using the available clean material as fill, to help reduce the cost, but there are unknowns about the possible types of materials that could be found in underlying areas of the barn.

Mr. Carpenter stated he still wants to move forward with getting students and groups together to work on a plan.

Mr. Brown stated he will try and get the fields mowed and smaller trees removed.

NON-PUBLIC SESSION: The Board entered non-public under RSA 91-A:3 II(a)

9:01 PM Motion: by Chair Rafter, second by Mr. Carpenter to enter non-public under RSA 91-A:3 II(a).

Vote: Bonser – Yea, Carpenter – Yea, Rafter – Yea. 3 - 0 in favor.

Motion: by Ms. Bonser, second by Mr. Carpenter, to approve the May 6, 2013 non-public minutes as amended.

Vote: 3-0 in favor.

Motion: by Ms. Bonser, second by Mr. Carpenter, to seal the non-public minutes.

Vote: Bonser – Yea, Carpenter – Yea, Rafter – Yea. 3 - 0 in favor.

9:19 PM Motion: by Chair Rafter, second by Ms. Bonser to exit non-public session.

Vote: 3 - 0 in favor.

No decisions were made during the non-public meeting.

ADJOURNMENT: Having no further business,

9:20 PM Motion: by Mr. Carpenter, second by Chair Rafter to adjourn.

Vote: 3 - 0 in favor.

Respectfully Submitted,

Dawn Wirkkala