

**Minutes
Nottingham Selectmen's Meeting
September 9, 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, Clifford Bullock, Kathy Cinfo, Ed Viel, Kristen Lamb, Susan Mooney, Gary Anderson, Sam Demeritt, Celia Abrams, Deb Kimball, Dee Decker, John Terninko, Raelene Shippee-Rice, Paul Colby

MANIFEST SIGNATURE:

Motion: by Mr. Carpenter, second by Ms. Bonser to approve the 09/09/2013 manifest.

Vote: 3 – 0 in favor.

OUTSTANDING MINUTES:

Motion: Ms. Bonser, second by Mr. Carpenter to approve the minutes of the August 26, 2013 meeting as amended.

Vote: 3 – 0 in favor.

Town Administrator Reports, General Business/Review Items, Signature Items:

Highway Department: Mr. Brown stated road repair maintenance has been taking place after the rains, but not a lot of damage has been reported. Ledge Farm Road was paved last Friday and there is an expectation that driving speeds will increase. The new truck is in service with positive reports.

Police Department: Mr. Brown reported discussion is continuing about possible charges for dispatch calls and user fee. It is possible the County Delegation may start charging dispatch and user fees by January 1, 2014. Contact has been made to another municipality for consideration of joining forces for dispatch calls. However, there are still too many unanswered questions and there is a possibility of their receiving grant money.

Fire Department: The new ambulance is expected the first week of October. The ALS service contract will need to be signed once it is received; updates to service dates and fees are expected prior to signature. Mr. Brown stated town counsel reviewed the original agreement for how ALS services are billed, but the new contract should be reviewed again to make sure there are no additional changes.

New Road Name: Mr. Colby provided a request for a new road name.

Motion: by Ms. Bonser, second by Mr. Carpenter to approve the request by Beals and Associates for the name Maple Ridge Road for the Maple Ridge Subdivision by Harbor Street Limited Partnership development; located between Oak Ridge Road and Friar Tuck Lane.

Vote: 3 – 0 in favor.

Fairpoint Lawsuit: Chair Rafter reported he was served paperwork regarding a property tax appeal lawsuit from Fairpoint Telecommunications, regarding their property assessment for 2012. Mr. Brown reported he believed this case is similar to the lawsuit for the poles assessment.

Discussion took place about the worst case scenario of having to reimburse significant property taxes to Fairpoint and what the possible attorney fees might be for 2014 budget consideration. Mr. Brown would submit the paperwork to the town attorney and stated there have been minimal

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charges with the original pole lawsuit because the charges are being split between multiple municipalities. More information would be given to the Selectmen when it became available.

Board of Selectmen Department/Board/Committee Reports:

Planning Board: Chair Rafter stated the Planning Board did not receive any objection statements regarding the scenic road paving, a meeting took place with Mr. Mettee regarding proposed changes and updates to ordinances and to address Master Plan proposed changes, and preliminary information was received regarding a building rental at Fernald Lumber.

Mr. Carpenter and Ms. Bonser had no reports.

Mail & Correspondence & General Business:

Mail: Mr. Brown reported information has been received about NH DOT starting to work on their ten-year road work plan and the quarterly cable franchise fee payment has been received.

Library Invasive Weed Plan: Mr. Brown reported the weed treatment contract was received and signed. The contract contains a stipulation to access the back area through Mr. Webber's driveway. After discussion with Mr. Webber permission was given to use his driveway and town authorization was given to him to drive his 4-wheeler to his neighbors.

Mr. Carpenter asked if the treatments proposed for 2014 would include accepting new bids. Mr. Brown stated the Library accepted two other proposals at this time, and the signed contract includes work for both 2013 and 2014.

E 9-1-1 Emergency Contact: Mr. Colby reported the Town was asked if it wanted to participate in a reverse 9-1-1 emergency telephone and/or cell phone text notification system. There is no cost to participate for the Town except a few man hours to learn the system, it would report on any natural or man-made disasters, and has a simple disaster reporting system/method. The Town Administrator, Police Chief and Mr. Colby would be the assigned staff to report the disaster information to E-9-1-1 for notifications. Information is submitted through their website and calls and/or text messages sent.

Motion: by Ms. Bonser, second by Mr. Carpenter to sign the agreement to participate in the E-9-1-1 Emergency Notification program. Designated officials shall be Chief Foss, 9-1-1 Director Mr. Colby and Town Administrator Mr. Brown.

Vote: 3 – 0 in favor.

Motion: by Ms. Bonser, second by Mr. Carpenter to have Mr. Brown sign the emergency contact contract with E 9-1-1.

Vote: 3 – 0 in favor.

APPOINTMENTS: 7:00 pm: Conservation Commission/Kennard Easement and LUCT/CC Fund Cap; 7:20 pm: Recycle Center Sub-Committee; 7:30 pm Pawtuckaway Lake Level/NH DES Meeting Review.

7:00 pm Conservation Commission: Chair Rafter asked to talk about the Kennard property Easement, specifically the charges to manage the easement. Mr. Demeritt stated Rockingham County Conservation District (RCCD) was asked to hold the easement and they indicated they should be considered only as a last resort and Southeast Land Trust, typically charges higher amounts than what Bear Paw submitted.

Discussion took place about the individual fee lines in the easement estimate; an appraisal isn't needed for the Town owed property, the attorney fees estimate was possibly too low, and the

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increased stewardship contribution fee has been increased by Bear Paw for all new easements. Mr. Demeritt stated the stewardship fee is a one time charge to pay for any future costs for the property, including forest management, legal, and maintenance/monitoring fees.

Ms. Bonser asked about the Forest Society and Mr. Demeritt stated the parcel was too small and would only be considered if it were physically attached to Mulligan Forest.

The Selectmen did not have any additional questions regarding the easement and would wait to hear back from RCCD about their cost.

Mr. Carpenter stated he wanted to discuss a possible plan with the Conservation Commission about establishing a monetary cap to funds being put into the Conservation Fund. This is based on prior warrant articles presented during Town Meeting and trying to find a balance between the amount of funds in the Conservation Fund and property taxes being raised. The balance available would always be held at the maximum amount and any additional funds received would be returned to the town general fund; anytime the fund falls below the maximum any new funds would be diverted back to the Conservation Fund.

Mr. Carpenter stated after review of the Conservation Fund transactions he is suggesting a maximum amount of \$420,000.00 as the cap for the fund. The intent of this meeting is to start discussions with the Conservation Commission to try and find an agreement to support establishing a maximum amount for possible passage at Town Meeting.

Ms. Mooney stated a commitment has been made to spend \$100,000 for the Oak Ridge Sub-Division and \$12,500.00 for the Kennard Easement. However, there are additional projects under consideration and in the bargaining phases in the amount of \$1,100,000.00.

General discussion took place about the proposed projects and the potential costs, including wanting to consider larger project in addition to continuation of the Four General's Greenway project. Ms. Lamb stated fund money is sometimes a buffer to help find matching grant money for projects.

Chair Rafter stated the legalities of how flexible the Town can be in setting up a maximum funding should be researched; two year increments may require a new vote every time a change is considered. Ms. Bonser stated all incomes and expenses must be reviewed and considered with consideration of budgets and trying to keep property tax rates low.

Mr. Terninko asked how much a \$100,000.00 reduction can change the tax rate. The Selectmen responded property values can impact the tax rate, but it could be an estimated \$0.15 to \$0.20 per \$1000.00 of value savings; there should be a consideration of any monies saved. Discussion took place about the implied and suggested savings and expenses from conservation land and development.

Mr. Demeritt stated there is only so much land in the Current Use, it is a limited resource.

The Selectmen thanked the Conservation Commission members for attending the meeting.

7:20 pm Recycle Sub-Committee: Mr. Carpenter reviewed the purpose of the committee, as the decreasing trend in amounts of recyclable materials can be seen for a few years, before the change in hours at the Recycle Center in 2013. The intent is for the committee to try and find ways to increase the amount being recycled and reduce the amount of funds spent to dispose of trash. The committee should work quickly to find specific suggestions for possible changes, both qualitative and quantitative, recommend suggestions for a recycle program, consider what

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additional types of materials might be recycled and how recycling should be enforced. It is known that there are recyclable materials going into the trash and not the recycle bins.

Ms. Cinfo stated there are concerns the existing policies are not being followed by administration; if the Selectmen don't help with enforcement of the policies and staff it is difficult. Ms. Bonser stated the committee will only be effective if the Selectmen and staff are willing to enforce what policies are in place. Mr. Brown stated consistent enforcement of the existing policies is important.

General discussion took place about the types and quantities of materials recycled, possible best methods to increase recycling, other options citizens use to dispose of their trash, the cost of other options and recommendations for policy changes to make the process easier.

Mr. Anderson stated one hard part is finding out how many people are recycling.

Chair Rafter stated an email was received indicating this is the 40th Anniversary of the Recycle Center, the longest running center, and there should be some acknowledgement.

The Selectmen thanked those willing to participate. Ms. Wirkkala volunteered to be a representative for the Selectmen. Mr. Viel asked about a public response questionnaire for Nottingham Day and the Selectmen supported the idea.

It was stated the change of hours at the Recycle Center would change to 9:00 am to 5:00 pm Thursday through Saturday as of November 1, 2013.

Pawtuckaway Lake Level: Ms. Bonser stated the meeting to discuss the changes to the Lamprey River Water Management Plan and the winter drawdown amounts was changed to Monday, September 16, 2013 from 6:30 pm to 8:30 pm.

USA Springs: Chair Rafter asked if any additional information was received from NH DES or the attorney about the additional requests regarding the permit extension. Mr. Brown stated no answers have been received.

Ms. Bonser stated she has concerns about a wait and see approach. Typically NH DES considers a lack of response that there are no concerns regarding the issue, and the Town should send a response regarding their requests.

Mr. Brown stated he would contact town counsel about a response.

Rymes Application: Ms. Bonser asked if a response has been received from Rymes about the required report corrections. Mr. Brown stated no response has been received as of yet.

The Selectmen decided a follow up letter should be provided to Rymes giving two additional weeks to respond to the requests.

Sign Policy: Chair Rafter asked to review the draft sign policy at the next meeting because of a few complaints he received about the church sign on the side of the road. Mr. Carpenter stated a sign policy isn't needed. Ms. Bonser stated there hasn't been a problem in the past, it is a community service, consideration can take place on a case by case basis; a policy isn't needed.

The Selectmen agreed to disregard the idea of a sign policy.

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

8:20 PM Motion: by Chair Rafter, second by Mr. Carpenter to enter non-public under RSA 91-A:3 II(a).

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

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Motion: by Ms. Bonser, second by Mr. Carpenter to exit the non-public session at 8:57 pm.

Vote: 3 – 0 in favor.

Motion: by Ms. Bonser, second by Mr. Carpenter to seal the non-public minutes of 9/9/2013.

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

The Selectmen did not make any decisions during the non-public session.

ADJOURNMENT: Having no further business,

8:58 PM **Motion:** by Ms. Bonser, second by Mr. Carpenter to adjourn.

Vote: 3 – 0 in favor.

Respectfully Submitted,

Dawn Wirkkala