

**Minutes
Nottingham Selectmen's Meeting
May 18, 2015**

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

Members Present: Mary Bonser, Donna Danis and Mark Carpenter

Others: Town Administrator Chris Sterndale, Secretary Dawn Calley-Murdough, David Plant, Donna Plant, George Gilman, Judy Doughty, Arthur Stockus, Loren Martin, Jon Rice, Sandra Weston, John Morin

MANIFEST SIGNATURE:

Motion: by Ms. Danis, second by Mr. Carpenter to approve the May 11, 2015 accounts payable and May 12, 2015 payroll manifests.

Vote: 3 – 0 in favor.

OUTSTANDING MINUTES:

Motion: Mr. Carpenter, second Ms. Danis to approve the minutes of the May 4, 2015 meeting as amended.

Vote: 3 – 0 in favor.

SELECTMEN BOARD/COMMITTEE/LIASON REPORTS:

Planning Board: Ms. Danis reported two public hearings were held and the plans were approved. The Board discussed the proposed Maple Ridge sub-division, and reviewed a new plan design, which creates a cul-de-sac off of a cul-de-sac road access. The board has previously indicated they are not in favor of that type of road access and there was mixed sentiment regarding the new. Mr. Carpenter stated both the Police and Fire Chiefs have also expressed disapproval of that type of road access because of emergency and safety issues, believing the issue was agreed upon and would not be brought up again. Ms. Danis stated the developer did not receive approval for funds to purchase a conservation easement to leave vacant a portion of the land in the three phased plan. The developer is now to seeking approval for building a cul-de-sac off a cul-de-sac to retain the vacant area, or he may need to develop the entire lot, eliminating the conservation section.

Chair Bonser asked if the Selectmen should discuss the needs of proposed open space developments, which requires the Town to provide conservation monitoring of the open spaced area. Ms. Bonser stated based on new studies she is also concerned that the smaller lots have a higher rate of septic failure because they cannot support stone and pipe septic systems, a better system with a much longer life.

Ms. Danis and Mr. Carpenter requested to review the information on septic failure and the Town's responsibility for monitoring the open space conservation easements.

Ms. Danis stated there have also been questions about the posting of meeting information on public bulletin board at the post offices. Ms. Calley-Murdough stated meeting dates and times for primary boards and committees are posted at both post offices meeting the statutory posting requirements. Additional meeting information and agendas are posted at the main post office 100% of the time, but that bulletin board is for the entire community and many times Town notices are lost underneath other public postings. The West Nottingham Post Office has changed of the hours they are open to the public, reducing access to the bulletin board, but every effort is made to post notices there as well. A note has been posted letting people know meeting information can also be found on the Town website.

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PLIA/NHDES Meeting: Ms. Danis reported she attended the quarterly meeting and is very pleased with how NHDES has engaged in a partnership with the PLIA, with an increased effort to provide and report data and other information and work with residents.

Ms. Danis reviewed the change in how much water was drawn down at the Drowns Dam/Fundy section of Pawtuckaway Lake with the hope of reducing phosphorus levels. The aquatic plant survey also continues.

NHDES has started work on the new draft of the In-stream Flow report, with a final report due by September 1, 2015 and the next quarterly meeting with PLIA will take place around the same time.

Budget Committee: The next meeting is Thursday, May 21st at 7:00 pm.

TOWN ADMINISTRATOR/DEPARTMENT REPORTS, MAIL & SIGN ITEMS:

School Dry Hydrant: Damage to the dry hydrant appears to come from freezing, as the pipe was not buried deep enough and contains plastic materials versus a better quality material. Repairs should not be overly expensive and will take place this week.

The Selectmen expressed concern about additional damage in other sections of the pipe, under the road and/or across the street. Mr. Sterndale reported once the current repairs take place it should be possible to determine if there are any other damaged areas that will need repair.

Highway: A sink hole was identified on Lavoie Drive, a portion of the road was not passable in the morning, but was filled in to make it passable; more work is needed to complete the repairs.

Recreation: The fishing derby took place on May 16th with approximately 60 participants.

Police: Chief Foss was elected President of the Rockingham County Police Association. The Selectmen requested to have a congratulations card sent.

Recycling: The search for a new baler will start within the next couple of weeks, and prices coming in where expected.

The Recycling Center staff has requested a review and reconsideration of the having the center stay open until 7:00 pm on Thursdays, as they have very few customers. The staff is currently keeping count of how many customers are being received to help determine if a change is needed.

Fernald Easement: Mr. Sterndale reported the easement has not yet been approved and the Town payment has been returned; the closing date has not yet been determined. The Conservation Commission is aware of the issue.

Tax Bills: Mr. Sterndale reported tax bills were mailed out the prior week.

APPOINTMENTS:

7:00 pm: Board of Assessors/Avitar Associates: Mr. Sterndale stated the meeting was to provide information about the town-wide revaluation timeline and the steps that will be completed before the upcoming Assessing 101 class is held on June 1st.

Ms. Martin reviewed the process and steps taking place by the assessing company as the new values are established. Staff and vehicles are in town now, completing the individual property review process to finalize the data collection that took place over the prior five years, with a comparison of neighboring and sale properties for consistency, reviewing land and topography; a quality control review.

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Ms. Martin reviewed the sales are being analyzed but she does not have specific value information to report to the Selectmen. Once the quality control and analysis is completed the final data entry will take place and preliminary values established. The preliminary values will be shared with the Board of Assessors for review, and after the new value letters will be mailed to each property owner. The old and new values and revaluation data for all properties will be available for review at the Town Offices and on-line. The letter will contain specific directions and information on where to find the old valuations and provide instructions on how to schedule a review hearing. The goal is to mail letters during a summer period, when a larger portion of lake owners will be in town. Assistance will be provided to those who aren't internet savvy and need more help understanding the process.

Ms. Martin provided the dates of the steps needed to complete the revaluation:

Final property review/Sales Analysis Completion: May 2015.

Preliminary Values/Supporting Data to the Board of Assessors: early June.

New Value Letters mailed to property owners: late June/early July.

Property Owner scheduled hearings: middle or late July.

The Selectmen stated their specific request to have information in the new value letter explaining where property owners would find both the old property data information. The Selectmen specifically requested to review a copy of the letter prior to it being mailed to property owners.

Ms. Martin stated a town-wide list of values will be made available in many different formats.

Mr. Carpenter stated he received a recent complaint about an owner being visited without advanced notice and requested that the early notification step continue to take place. Ms. Martin stated data collection is not taking place at this time; only the driving review of the existing data collection taking place.

Mr. Sterndale reported the June 1st Assessing 101 class has been posted in multiple locations around town, and the meeting will be recorded and re-aired on Channel 22. Additional information about the upcoming revaluation changes will appear in the next Nottingham Newsletter and more information will follow after about letter will soon be mailed.

Ms. Martin asked to include in the newsletter article that if an owner does not receive a letter they should contact the Town Offices.

Mr. Carpenter stated he is very supportive and impressed by the work completed by Ms. Serino, the Assessing Coordinator, in her daily duties and in trying to get the word out about the upcoming revaluation which has helped to keep things quiet and positive. Ms. Martin stated the town has made a big effort to make sure the revaluation information has gotten out to the public. The Selectmen thanked everyone for attending.

7:15 pm: Town Clerk Sandra Weston: Ms. Weston stated the Deputy Town Clerk Pam Twombly has resigned from her position, effective immediately, which is causing an unexpected complication. Ms. Weston explained she long ago scheduled to take a vacation during the month of June.

Ms. Weston stated an original plan was to provide coverage with a Town Clerk from another town, but according to town council, the Town Clerk position must be filled by a Nottingham resident. An alternate plan can be to close the Nottingham Town Clerk's office and send residents to another town to register their vehicles during her time away. Ms. Weston explained

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Nottingham will not lose any revenue, but she will not earn any fees from the processed registrations.

Discussion took place about the available options for filling the position temporarily with a Town Clerk from a different town and the possible risk for Nottingham. Mr. Sterndale reviewed the response from the Town Attorney regarding an inquiry about assigning a temporary clerk from out of town.

After discussion the Selectmen supported closing the Town Clerk's office and moving the registration process to the Epping Town Clerk. The Selectmen stated detailed early notification should be given to residents letting them know when the office will be closed and where they can go to register their vehicles at that time; notices should be posted in as many places as possible.

The Nottingham Town Clerk's Office will be closed June 8th to June 18th and will re-open on Monday, June 22nd. Mail-in, on-line and in person registrations that are received on or before June 4th will be processed as they are received. Registrations received after June 4th will be processed beginning on June 22nd. The Epping Town Clerk can process registrations and provide certified copies of marriage certificates and vital statistics from June 8th to June 18th only. The Epping Town Clerk is located at 157 Main Street, Epping NH. The Epping Town Clerk office hours are Monday 11:00 am to 7:00 pm, Tuesday/Wednesday & Thursday 9:00 am to 3:30 pm, and on Friday 9:00 am to 2:30 pm.

Ms. Weston stated Ms. Twombly precedes her election as Town Clerk, and she has been Deputy Town Clerk for many years.

Interviews for a Deputy Town Clerk will need to take place, with the intent to train an individual who would run for the Town Clerk in the next election. Ms. Weston stated the selected person must receive 30 days of local training before they can take the state training.

GENERAL BUSINESS:

Nottingham Newsletter: Chair Bonser reviewed the articles that would be included in the upcoming newsletter. Mr. Carpenter stated he will include information regarding the 2014 Recycling data.

Coe-Brown Tuition Question: Chair Bonser stated she received a letter from Ms. Teresa Bascom asking if the Selectmen and/or the Town can sue the Nottingham School Board over their decision to pay the entire Coe-Brown tuition as it could put a heavier financial burden on many Nottingham residents. Chair Bonser reviewed her concerns regarding the School Board decision to pay the full Coe-Brown tuition despite having a majority of voters vote against doing so, and mentioned recent information about the Town of Croydon and their decision to pay tuition to private schools and how it might set precedence for other towns. Chair Bonser suggested the Selectmen write to the School Board stating their concerns and ask for them to further explain the legal basis for the policy change and if there is a directive from the NH Board of Education regarding the recent statute change. Chair Bonser stated she and others are angry about the lack of clear answers from the School Board about their decision and is concerned that the school board is setting costly precedents in our own town.

Ms. Danis stated the Selectmen have already brought the issue to Town Counsel and the response was that the Selectmen do not have the authority over the policies of the School Board. The School Board has not indicated they would make payments to any other school, and saying so is only causing unnecessary fear. Ms. Danis stated she does not support sending any

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additional requests regarding the Coe-Brown tuition issue to the School Board and feels that if the other Selectmen choose to seek more information they should do so as individuals. Ms. Danis stated she is very upset about the anger and angst that have been brought up for the town and between the different boards.

Mr. Carpenter stated the Selectmen do have the right to ask additional questions. He is also upset that the School Board dismissed individuals who asked questions and expressed concerns about the policy change and have they not answered questions regarding the legal basis for making the change. Mr. Carpenter stated he agrees that the Selectmen do not have authority to tell the School Board what to do.

Ms. Danis stated the School Board feels they have answered the questions to the best of their ability and will not release information under Attorney Client privilege, in the same way the Town would not release similar information.

Mr. Carpenter stated he does not believe the School Board or SAU has given enough information regarding the change, despite being asked multiple times; almost being stonewalled with the questions. The Board of Selectmen does not have the ability to tell the School Board what to do but the Selectmen can officially ask them questions.

Motion: by Chair Bonser, second by Mr. Carpenter that the Board of Selectmen to write to the Nottingham School Board stating our concerns that the School Board may be establishing precedent by paying full tuition to a non-contracted school and asking them to indicate with specificity and documentation, the legal basis for their claim that they must pay full tuition to only Coe-Brown Northwood Academy. Also, to ask why it believes that the NH Board of Education has not sent out a directive to all schools, including Nottingham, relative to the change in the RSA and why the NH Board of Education is not citing towns, such as Barrington, for failing to abide by this change to the RSA.

Vote: 2 – 0 in favor, 1 opposed. The motion passed.

Motion: by Ms. Danis, second by Mr. Carpenter that the letter reflects that it's being sent by a vote of 2 to 1 by the Board of Selectmen and there is one member in opposition.

Vote: 3 – 0 in favor.

Mr. Carpenter stated he would never support the Board of Selectmen taking any legal action against the School Board.

Ms. Doughty reviewed her history as a School Board member and her knowledge of the prior practice of agreeing to pay the Coe-Brown tuition. The voters supported a past warrant article that stated the Town should only pay the Dover tuition rate to Coe-Brown. The 2015 vote regarding the tuition differential appears to be ignored by the School Board; despite how close the vote was and it has caused a significant amount of animosity toward the School Board.

Ms. Danis stated she is concerned there are some parents who are afraid to voice their opinions. It is her personal opinion, based on the available educational data that indicates Coe-Brown is a better school than Dover High School, providing higher standardized test scores, better options and opportunities to students. Nottingham residents should be willing to support the students of Nottingham.

Mr. Gilman stated he is not confident that the current School Board won't pay the tuition to other private schools, as he did not think they would return the tuition differential payment to parents without support.

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Mr. Carpenter stated he supports the decision for parents to choose where they will send their children to school and hoped to see different solutions presented to help people who might not be able to pay the additional tuition amount. Mr. Carpenter stated his company would have been willing to offer scholarship money to help fund students whose families have financial hardship, as it does with an organization on the west coast.

Chair Bonser stated she isn't against education and isn't opposed to choice of school, but does oppose ignoring the vote.

Motion: by Ms. Danis, second by Mr. Carpenter to close the topic of discussion tonight.

Vote: 3 – 0 in favor.

Paving Bid: Mr. Sterndale reviewed the information received for the paving and reclamation bids, stating the overlay is the most expensive part of the process, and Pike provided the lowest overall bid.

Mr. Fernald stated during the opening of bids that even though he preferred working with a couple of the other companies, it made sense to select Pike as their bid was the lowest bid submitted. Mr. Sterndale reported it is possible that the companies could have worked together, and Pike can sub-contract the work out, but it would be at the prices indicated. There will be some fluctuation because of the market prices, but it should be relatively similar.

Motion: by Ms. Danis, second by Mr. Carpenter to approve the Pike Industries bid for paving services for 2015.

Vote: 3 – 0 in favor.

Roofing Bid: Mr. Sterndale reviewed the bids received for roofing the gym and kitchen areas of the Community Center building, and is recommending Gary Anderson Home Improvement as the winning bidder.

Mr. Sterndale stated Mr. Anderson was selected based on prior work history and the ability to keep the business local.

Motion: by Ms. Danis, second by Mr. Carpenter to approve the selection of Gary Anderson Home Improvement LLC for re-roofing of the community center gym.

Vote: 3 – 0 in favor.

Budget Review: Chair Bonser stated her only concern with the current expense report is the town building heating expenses. Mr. Sterndale he is keeping a close watch on the budget but the winter expenses are in line with prior years. Mr. Sterndale reported the expense report is for four months (1/3 of the year) and he does expect to put a spending freeze in place later during the year just to make sure the total budget is kept.

Mr. Sterndale stated many of the capital improvement expenses and other larger expense items don't take place until after the first tax bills are mailed but overall expenditures are mostly where they should be at this time of the year. The presentation to the Budget Committee is being finalized to provide them a format they are more familiar looking at.

The other Selectmen expressed no concerns about the budget expense information.

Code Enforcement: The Selectmen supported the decision of the Building Inspector to seek the opinion of the Town Attorney regarding a property that notes violations to the Nottingham Zoning Ordinances and possible NHDES rules.

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

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8:08 PM Motion: by Chair Bonser, second by Mr. Carpenter to enter non-public under RSA 91-A:3 II(a).

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

8:16 PM Motion: by Ms. Danis, second by Mr. Carpenter to exit the non-public session.

Vote: 3 – 0 in favor.

The Selectmen approved non-public minutes and made no other decisions during their non-public session.

ADJOURNMENT: Having no further business,

8:17 PM Motion: by Ms. Danis, second by Mr. Carpenter to adjourn.

Vote: 3 – 0 in favor.

Respectfully Submitted,

Dawn Calley-Murdough