

**Nottingham Select Board Meeting**

**1/13/20**

**Approved Minutes as of 1/27/20**

**1 Call to Order**

2 Members Present: Chair Tony Dumas, Tiler Eaton, John Morin,

3 Absent: Vice Chair Ben Bartlett, Donna Danis

4 Others: Judy Doughty, Therese Thompson, Patricia Roix, Charlotte, Fyfe, Susan Schneider,  
5 Chris Mills, Gail Mills, Peter White, Donald Roix, William Scimone, Joan Tulk, Rhoda Caprone,  
6 Beth Benham, Robin Proulx, Dianne Wright, Kevin Jordan, Romas Danais, Viktoria Alkova,  
7 Peter Terninko, Dale Shemoney

8 Chair opened the meeting at 6:30pm with the Pledge of Allegiance.

**9 Approve Manifests**

10 **Mr. Eaton made a motion to approve the accounts payable manifest of 1/13/20 and payroll**  
11 **manifest of 1/14/20. Mr. Morin seconded. Unanimously approved by a vote of 3-0.**

**12 Approve Minutes**

13 Minutes from 12/16 and 12/31 will be done at next meeting when there is a full board.

**14 Action Items from Last Meetings**

15 No action items from last minutes.

**16 BOS Reports from Assigned Boards/Committees**

*17 Budget Committee*

18 Mr. Sterndale said they went over the 2<sup>nd</sup> draft of the town budget.

*19 Planning Board*

20 Mr. Eaton said a person asked for an extension.

*21 CIP*

22 Mr. Sterndale said they will have info to report tomorrow.

*23 300<sup>th</sup> Celebration*

24 Mr. Soreff said on Feb. 23 there is a fundraiser with gundalows.

*25 Marston Property*

26 Mr. Sterndale said they are waiting to hear on one grant application.

**27 Town Administrator Report**

28 Mr. Sterndale said the BOS authorized 2 properties to become tax deeded. The tax collector is  
29 working on these. The other 2 properties have paid the full amount due to the town for their

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taxes. Another property will be sold and at that point, the town will receive its back taxes. There was a bid process for the property on Freeman Hall Road and the buyer backed out. If BOS has town report dedication suggestions, they should reach out to Mr. Sterndale.

The sales ratio is 82.5%. Assessments are 20% below market value. Chief Vilchuck was voted to be chief by the fire department for the next year.

**General Business**

*Cable Franchise Fund request*

**Mr. Morin makes a motion for the Board to approve the expenditure of up to \$12,972 from the Cable Franchise for the replacement of school audio equipment. Mr. Eaton seconded. Unanimously approved by a vote of 3-0.**

*Primary Election Planning*

Mr. Sterndale said there is a request from the moderator asking the town to provide the election workers food for February 11, election day.

**Mr. Eaton made a motion to spend up to \$500 for food for the election workers on February 11. Mr. Morin seconded. Unanimously approved by a vote of 3-0.**

*2020 Budget*

The operating budget is increased by 6%. The new health insurance saved \$20k. The heating system from the highway garage was paid for with 2019 money. Mr. Sterndale went over the revenue resources. The revenue for last year exceeded what the town was expecting for revenue. The new bank that town has their accounts in is giving a better return. Mr. Sterndale asked the BOS if they want to put the community center kitchen remodel expenditure into the 2020 budget. They will speak about this possibility when all the members are here. Mr. Dumas asked about security cameras for the road shed.

*Impact Fee request*

Mr. Sterndale asked the BOS what they would like to do about impact fees for the school. Mr. Sterndale said it's likely that school needs to know before the deliberative session. The request from the school board is for preliminary expenses, including architect and engineering fees for plans to expand the capacity of the Nottingham School. Mr. Dumas asked if they can put this off till the full board is here. Mr. Dumas said he was in favor of giving the impact fees to the school. Mr. Morin said it is the School Board's money and the School Board needs to get this part done in order to move forward with their proposed addition. Mr. Morin said he is in favor of giving the money to the School Board.

**Appointments:** *John Terninko*

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63 Mr. Terninko passed out handouts to the Board about superfunds and an article about a pediatric  
64 cancer cluster around the area of Coakley landfill which surrounds the areas of Rye, New Castle,  
65 Portsmouth, Greenland and North Hampton. There are 7 children affected by this and 2 have  
66 died. In addition, there are 4 cases of adult RMS in the Rye area which is very uncommon. Mr.  
67 Terninko said this information relates to why the town passed an ordinance from dumping. Brent  
68 Tweed is suing the town about this ordinance. Peter White, president of the **Water Ordinance** is  
69 wondering what the town is doing to protect this ordinance. Mr. Sterndale said at midnight  
70 tonight is the deadline that the plaintiff needs to do **something**. At that point, the town will  
71 respond. Mr. White said he hopes the town will defend this ordinance and protect against  
72 hazardous dumping. Mr. Eaton said he received many emails when he worked at Pease that there  
73 were issues due to the hazardous materials being dumped in that area and it concerned him at the  
74 time. Mr. Dumas asked if there was a list of contamination sites in Nottingham. Mr. Terninko  
75 said there was a site in Nottingham where there was contamination and it was coming from two  
76 55 gallon barrels on a property adjacent to person who had issues on his land because of this. Mr.  
77 Soreff asked to clarify about litigation. Mr. Dumas said at town meeting, the town voted and  
78 passed a rights based ordinance to protect the water. There is a lawsuit that followed from a  
79 person who felt it violated his/her individual rights. Dale Shemoney spoke about Woburn and  
80 Merrimack where there was contaminated water. He moved here because Nottingham was a  
81 clean place and did not have a lot of manufacturing going on. Mr. Shemoney continued to say if  
82 a chemical comes in, it will affect the aquifers. Mr. Dumas said CELDF tried to intervene on the  
83 town's behalf; Mr. Sterndale said it was on the citizen's behalf. Mr. Terninko said that CELDF  
84 provides services all over the world and it may cost money for their services. Gail Mills, who has  
85 been working with the Nottingham Water Alliance for the past 12 years, said CELDF said they  
86 would represent the town of Nottingham and they asked for their expenses to be paid (hotel, car  
87 and other minimal expenses). Mr. Eaton asked if the town knew if people were dumping  
88 hazardous waste and also commented that the town was not inviting these types of business into  
89 the town. Judy Doughty spoke about the USA Springs issue and that DES gave the water  
90 company the permit to the detriment of the town of Nottingham. The citizens who voted for this  
91 toxic waste ordinance in March wanted to be proactive because they feel like the state and  
92 federal government will not help Nottingham. Charlotte Fyfe said she supported the ordinance.  
93 She is concerned that citizens can sell the use of their property to companies who could spread  
94 sludge over their land. She continued to say that the ordinance is looking for large scale issues  
95 not a neighbor using Roundup. She said all the people at the meeting tonight are asking for the  
96 BOS to take this issue serious. Mr. Terninko asked what the process is going forward. Mr.  
97 Sterndale said they will get the judgement and discuss with counsel on how to respond to it. Mr.  
98 Sterndale said the Board has to weigh the cost of winning and losing in the contexts of a single  
99 lawsuit. Mr. Dumas said there has been zero harm brought forward because of this ordinance,  
100 meaning if this ordinance is in place, no one's personal liberties are being affected. Mr. Morin  
101 said it is good to see the people coming forward to discuss this issue at the BOS meeting and it is  
102 being noted. Romeo Danais said they don't need to wait for someone to be harmed before they  
103 protect the grounds.

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104 Mr. Danais said he has spoken to Mr. Sterndale about the USA Springs property in the past. He  
105 wrote an offer for the purchase in 2019 and hasn't heard anything yet from the BOS. Mr. Dumas  
106 said they are looking at a number of options for the property, and they are not making a final  
107 decision on any offers right now. Mr. Danais said the property is not gaining any revenue right  
108 now. He continued to say that the person/organization who previously owned the property can  
109 redeem the property up to 3 years but the town can still sell the property now. Mr. Danais would  
110 like the BOS to make a decision on his offer. Mr. Morin said he was sorry that the Board did not  
111 get back to him about this sooner. Mr. Danais asked what the town is gaining by waiting. Mr.  
112 Morin said they may put the property up for sale after April. Mr. Morin said he would not accept  
113 Mr. Danais' offer as is because the property is worth \$1.2 and Mr. Danais' offer was \$400K. Mr.  
114 Dumas said on the advice of their counsel they are waiting till after April which will be the 3-  
115 year mark of when the prior owner can come back to pay the back taxes and reclaim the  
116 property. Mr. Danais said he spoke to a lawyer, and the lawyer is auctioning off properties in  
117 another town 2 months after the town seized it. Mr. Dumas said it is not arbitrary that the BOS  
118 has not made any decisions on the property.

119 **Review Action Items for Next Meeting**

120 Minutes, kitchen community center remodel, school impact fee usage

121 **Adjourn**

122 **Mr. Morin made a motion to adjourn at 8:01pm. Mr. Eaton seconded. Unanimously**  
123 **approved by a vote of 3-0.**

124