

Nottingham Select Board Meeting

1/27/20

Official Minutes as of 2/10/20

1 Call to Order

2 Members Present: Chair Tony Dumas, Vice Chair Ben Bartlett, Tiler Eaton, John Morin, Donna
3 Danis

4 Absent:

5 Others: Steve Soreff, Chris Sterndale

6 Chair opened the meeting at 6:34pm with the Pledge of Allegiance.

7 Approve Manifests

8 **Ms. Danis made a motion to approve the accounts payable manifest of 1/27/20 and payroll**
9 **manifest of 1/28/20. Mr. Morin seconded. Unanimously approved by a vote of 5-0.**

10 Approve Minutes

11 **Ms. Danis made a motion to approve the public minutes from 12/16/19 and 12/31/19 as**
12 **amended. Mr. Morin seconded. Unanimously approved by a vote of 5-0.**

13 **Mr. Morin made a motion to approve the public minutes from 1/13/19 as written. Mr.**
14 **Eaton seconded. Unanimously approved by a vote of 3-2 abstentions (Mr. Bartlett, Ms.**
15 **Danis).**

16 Action Items from Last Meetings

17 No action items from last minutes.

18 BOS Reports from Assigned Boards/Committees

19 Budget Committee

20 Mr. Sterndale said Shawn McLean went to the BC meeting last week to discuss the highway and
21 recycling departments. Mr. Dumas asked if there were questions about recycling. Mr. Sterndale
22 said there were some discussion about plastics and recycling financials.

23 Planning Board

24 Mr. Eaton was out of town for the meeting.

25 CIP

26 Ms. Danis said they met a week ago. CIP is updated and ready for publication in town report.

27 300th Celebration

28 Mr. Eaton said they are meeting Thursday night.

29 Marston Property

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Ms. Danis said they met with NYA this morning to discuss fundraising. NYA is a non-profit and people can donate money to NYA to be used for Marston property.

Town Administrator Report

Mr. Sterndale went over the dates for upcoming meetings and deadlines. The next BOS meeting is 2/10/20. Mr. Morin will not be able to come to the 2/10/20 meeting but will be at the primary election day, 2/11/20. There will be 2 public hearings on February 24 during the BOS meeting (SB2 and change in the land use tax revenue). Mr. Morin will not be at that meeting either.

There is no dedication for town report as of yet.

BOS discussed when they will be at election day.

Mr. Dumas said the town has been served with a lawsuit from a group of people who live on private roads/EL. There could be a large number of plaintiffs. The Board has not discussed it together, and they will be discussing with legal counsel. There are two members who live on these roads, Mr. Morin and Ms. Danis.

Mr. Morin said he will be recusing himself.

Ms. Danis said:

Throughout the process and many passionate discussions relating to Emergency Lanes, I have worked hard to remain objective and to seek a win-win solution for both residents, who have legitimate concerns, and the Town of Nottingham, which has legal obligations. I believe we were working towards that by updating the Emergency Lane policy.

With the filing of a class action suit, the petitioners are asking for all emergency lanes, including my own, to be accepted as Town Roads.

I wish we could have achieved a win-win without getting to this point. But since we are here, my involvement in any further discussions as a Select Board Member may be viewed as a conflict of interest and I will recuse myself from any discussions related to the class action suit from this point forward.

I will not participate in any legal action against the Town related to this matter.

I hope that the class action can be fully resolved as quickly as possible. I look forward to continuing to serve the Town of Nottingham on all other matters.

Ms. Danis concluded.

General Business

Finalize 2020 Budget

Mr. Sterndale said \$35K has been added to the budget for legal fees. Mr. Sterndale said they don't have anything budgeted for the kitchen community center. They had budgeted \$18k last year. Mr. Bartlett asked if that included the floors. Mr. Sterndale said it does not. It includes new

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sinks and painting, etc. Mr. Bartlett asked what happened if the floor is exposed as there may be an asbestos issue; Mr. Sterndale said they can handle that on a small scale. Mr. Bartlett asked Mr. Sterndale if they can get a quote for the floor in kitchen. Mr. Sterndale said there could be asbestos testing done. Mr. Bartlett said he believes they should do the project correctly. Mr. Morin asked if they knew asbestos was in the floor; Mr. Sterndale said they do not know. Ms. Danis asked if they had the money if there were problems that arose from redoing the kitchen. Mr. Eaton said there isn't much wrong with the kitchen. Mr. Morin said his concern is asbestos, but he believes the kitchen should be updated. Mr. Bartlett said if asbestos is in one room, it's likely in the whole building, and it is concerning as the general public uses this building and town employees work in this building. The school moved out of this building because of hazards yet the town still uses this building. Mr. Dumas suggested testing for asbestos and then come up with a plan for the future. Ms. Danis said she suggests focusing on this the 2nd half of this year. Mr. Morin said they could do it in the summer. The maintenance line will include asbestos testing.

Ms. Danis asked about town hall electric. Mr. Sterndale is updating those numbers. Mr. Sterndale said it's 7% increase. There could be more citizen petitions as well. Mr. Dumas asked how much they owe on fire station. Mr. Sterndale said the payments are structured as declining interest bonds and the town makes additional payments with impact fees yearly. \$325K is owed on the fire station.

Mr. Bartlett said that regarding Line 288 recycling center equipment, the plow for the Bobcat is a want, not a need. Mr. Sterndale said they are getting a grant for the tire storage; they received a grant but it was not large enough. They are getting a paper dumpster cover. Mr. Morin asked if the plow could be reused for something else. Mr. Sterndale said it is only used on the Bobcat. Mr. Morin wanted to find out what Mr. McLean thinks. Mr. Sterndale said this is what Mr. McLean wants. This is used for cleaning around the dumpsters. Mr. Eaton asked how much the plow is; Mr. Sterndale said it is \$2500. Ms. Danis said they hired the Public Works Director and if he says this will improve the operations, she agrees with the purchase. Mr. Eaton hopes they will use it if they get it and will use it for more than plowing around dumpsters. Mr. Bartlett asked where they will store it. Mr. Sterndale did not have a clear answer as of yet. Mr. Dumas said he doesn't have a strong opinion; it's a short money item.

Ms. Danis said the budget is a good, solid budget and a reasonable budget increase. Mr. Dumas concurred.

Mr. Eaton made a motion to approve the budget, as amended. Mr. Bartlett seconded. Unanimously approved by a vote of 5-0.

Impact Fee Request

Mr. Sterndale said the School Board needs a decision on the impact fees that they have requested to use for architectural study. Mr. Dumas said the attorney said the School Board's request was valid.

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107 **Ms. Danis made a motion that the Board approves the release of up to \$26,395 of school**
108 **impact fees for preliminary work, architectural, and engineering services for school**
109 **expansion plans. Mr. Morin seconded.**

110 Mr. Eaton asked if the School Board will be coming back to ask for more of the impact fees. Ms.
111 Danis said unless there is a strong reason not to, the funds should be released to the School
112 Board. There was further discussion about whether this is an adequate use of the impact fees.

113 **Unanimously approved by a vote of 5-0.**

114 Mr. Morin wanted the Board to be aware that they still had the offer from Romeo Danais for Rte.
115 4 property. Mr. Sterndale said he is meeting with a realtor for that property. Mr. Morin said he
116 believes the town should keep the cell tower as the town makes money on this.

117 **Review Action Items for Next Meeting**

118 **Adjourn**

119 **Mr. Morin made a motion to go into non-public at 7:41pm under RSA 91-A:3, II, L & E.**
120 **Mr. Bartlett seconded. Roll call vote: Mr. Morin-yay, Mr. Eaton-yay, Mr. Bartlett-yay,**
121 **Mr. Dumas-yay and Ms. Danis-yay. Unanimously approved by a vote of 5-0.**

122 Ms. Danis and Mr. Morin had left the non-public meeting at 7:55pm. The public meeting
123 resumed at 8:20pm.

124 **Mr. Eaton made a motion to seal the non-public minutes of 1/27/20. Mr. Bartlett seconded.**
125 **Roll call vote: Mr. Eaton-yay, Mr. Bartlett-yay, Mr. Dumas-yay. Unanimously approved**
126 **by a vote of 3-0.**

127 **Mr. Eaton made a motion to adjourn at 8:22pm. Mr. Bartlett seconded. Unanimously**
128 **approved by a vote of 3-0.**

129