

## Nottingham Select Board Meeting

10/16/2023

### APPROVED Minutes

**Approved as amended on November 6, 2023.**

#### **Call to Order**

**Members present:** Ben Bartlett, John Morin, Tim Dabrieo, Matthew Shirland, and Steve Welch.  
Others: Town Administrator Ellen White.

**Members of the public:** Please refer to the signup sheet at the end of this document.

**Members Excused:** none

**Pledge of Allegiance:** meeting began with a Pledge of Allegiance and a moment of silence for peace.

#### **Approve Manifests: A/P 10/16/2023 and Payroll 10/17/2023**

*Mr. Shirland made a motion to approve the accounts payable manifest of 10/16/2023 and payroll manifest of 10/17/2023. Mr. Morin duly seconded. Motion carried by a 5:0 roll call vote. Mr. Bartlett – aye, Mr. Morin - aye, Mr. Dabrieo – aye, Mr. Shirland - aye, Mr. Welch – aye.*

#### **Approve public minutes 10/02/2023**

Ms. White and Mr. Dabrieo noted some corrections to the 10/02/2023 draft minutes in the packet.

*Mr. Dabrieo made a motion to approve the public minutes for 10/02/2023 as amended. Mr. Dabrieo duly seconded. Mr. Welch duly seconded. Motion carried by a 5:0 roll call vote. Mr. Morin - aye, Mr. Dabrieo – aye, Mr. Shirland - aye, Mr. Welch – aye, Mr. Bartlett – aye.*

#### **Approve non-public minutes 10/02/2023**

*Mr. Dabrieo made a motion to approve the non-public minutes for 10/02/2023 as presented. Mr. Morin duly seconded Mr. Welch duly seconded. Motion carried by a 5:0 roll call vote. Mr. Morin - aye, Mr. Dabrieo – aye, Mr. Shirland - aye, Mr. Welch – aye, Mr. Bartlett – aye.*

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

##### **Budget, Planning Board, CIP, Marston**

Ms. White provided the update of the Budget Committee Meeting where the review of the third quarter financials was done as well as the recap of the school meeting, which was successful for the state adequacy grants. The next meeting will be held on the first Thursday in November.

Mr. Morin said that the Planning Board did not have any cases to review at its last meeting.

Mr. Dabrieo said that the CIP meeting has been scheduled for Tuesday, November 13<sup>th</sup>.

Mr. Dabrieo said that there are no updates for the Marston Property Committee.

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#### General Business

##### Town Administrator Report

Ms. White spoke about the following:

1. Ms. White scheduled a dedication ceremony for the Chair of Honor that was donated by Rolling Thunder for Friday, 10/27/2023 at 9:30 AM at the Town Clerk's office.
2. The School District reported issues with the toilets not filling or flushing correctly at the Old Town Hall. They have removed the toilets, cleaned them, and that only corrected the issue for the day. Beaudette Plumbing completed a water test during a recent service call and found iron levels to be excessive. They recommended a pre-treatment system and provided a quote for \$6,400. Ms. White asked the Board if they would like to proceed with the water pre-treatment system at the Old Town Hall for the estimated cost of \$6,400.

Discussion ensued about the efficiency of the suggested system, potential cost of maintaining it, the adequacy of funds that are left for the year to cover this work or not, etc.

The Board requested Ms. White to seek additional quotes but consensus was that this needs to be done.

Skip Seaverns from the public gallery stated that for awhile that water in that building was not potable and asked that could also be addressed.

3. Ms. White said that the budget review tonight will consist of the following departments:
  - Police Department
  - Emergency Management
  - Parks & Recreation
  - Conservation Commission
  - Elections
  - Town Clerk/Treasurer/Bookkeeper

Other budgets will be discussed at the meeting on October 30<sup>th</sup> along with insurance rates, unemployment calculations rates, etc.

General Correspondence:

- Two pieces of correspondence regarding closing access to the Town Beach in the off season suggesting that the Board negotiate with the property owners some type of settlement on the use of the access road for walking the area by the residents.

Discussion ensued about the access being closed before and lack of enforcement before. Mr. Bartlett noted that the Board can ask but it is ultimately up to the property owners whether to allow it or not.

Ms. White said that the budgets from the departments she noted earlier are also in the TA report in the packet.

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#### **Action Items Review from Last Meeting**

##### **1. Correspondence regarding Berry Road**

Dirk Grotenhuis, 3 Poor Farm Road, introduced himself and said that he sent a letter with all the background of the issue, which is a multitude of various violations that are happening at the multifamily property that is adjacent to his house. He said that he was in front of the Board because there was very little related code enforcement action since the property has received a variance from the Zoning Board of Adjustment to become a multifamily one. The conditions of that variance were that the owner submit a site plan to the Planning Board for approval, which was never done and the owner has made multiple improvements to his property without any consideration for Town regulations and requirements, like the 100 foot buffer for any multifamily property to the abutting residential ones. Mr. Grotenhuis also told the Board about the issue with moving the shed that also occurred on that property, which since then has been resolved due to code enforcement. Now the owner of that property has proposed, via Site Plan review, to expand the parking area for that property, and Mr. Grotenhuis is getting the impression from the Code Enforcement Officer that he would be allowed to proceed as planned, thus, violating the 100 residential buffer once again. Mr. Grotenhuis had also submitted a letter to the Planning Board expressing his concerns. He added that there was a new shed constructed on that property, which he submitted a complaint about the fact that it has been permitted. Mr. Grotenhuis said that he has spent his own money on surveyors and trying to protect his property rights and said that he thinks that the Town should be protecting everyone's property. In response to that complaint the Town's Code Enforcement officer issued an Administrative Ruling dated October 19, 2021, stating, that "any future expansion will require a site plan". The response from the Town's Attorney, Upton & Hatfield dated June 8, 2022, stated "If any future expansions are requested, the Town will require a site plan of the owner of 7 Berry Road."

Mr. Grotenhuis reiterated his request that the regulations need to be followed by everyone and enforced by the Town. He said that what was originally approved as a four unit property is now being leased as 13 bedroom rooming house. He then listed all the proposed improvements the owner has proposed on the site plan application and asked the Board to ensure that the property rights are protected.

#### **Department Budget Review**

**Fawn Woodman, Nottingham Police Chief**, went over the changes in the proposed Department budget and provided the rationale for the increases for those lines that went up. Those were fulltime, part time employees' salaries, which cover merit increases and holiday pay. The overtime line which covers the shifts for those taking sick time, vacation time, training, etc. Chief Woodman also answered questions from the Board about part time position, which only covers two shifts per week. Chief Woodman noted that prosecution services line went up due to the increased cost to hire the service. Training line went up due to ammunition cost rises, firearms training, and in-service training being expanded. Software licensing line will be going up due to going to a different system to match the Rockingham County one and state accreditation. Services contracts line also

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went up due to the cost of IT services and the body cameras grant match that will have to be paid every five years and the decision to use the Tech Fund for that purpose. The gasoline line was cut last year and Chief Woodman said she's anticipating going over that line this year; therefore, she increased it for 2024. Telephone line went up to cover the cost of having cell phones in the cruisers. The Internet line went up due to Comcast rates rising, and the miscellaneous line went up due to cover communications and outreach activities.

Then Chief Woodman answered questions about the use of the fuel cube at Smoke Street, 2024 Cruiser being in the budget versus proposed as a Warrant Article, trade in value of the old cruiser, etc.

Chief Woodman said that the total Police Department proposed budget number of \$969,689 is comparative to many other Police Departments around.

Chief Woodman then briefly went over the Emergency Management Department budget which she said is staying the same as the last years one.

**Kortney Duball, Parks & Recreation Department Director**, presented the Department proposed budget. Ms. Duball explained that there is a significant increase in the salary lines. She said that in the past year she tried to focus on the Recreational Revolving Fund and tracking program income and expenses. The Rec Revolving Fund's income as of August was \$222,000, and expenses were \$217,000, resulting in a nearly break-even situation. Ms. Duball said that significant expenses that are part of the Rec Revolving Fund are benefits, program supervisors' and seasonal staff compensation and half of her assistant's salary; and that she proposes to move her assistant's salary in full to the General Fund to allow the Rec Revolving Fund to support growth. Ms. White said that she supported that decision as it will make budgeting more transparent.

Ms. Duball also noted that Mention of the increase in programs and events from 33 to 56 and that there are challenges in accommodating more programs due to limited staff and the need for additional space. She said that she prepared a project list that includes priorities like gym floor replacement, updating mats, addressing structural issues with the bandstand, making safety adjustments to the Town Hall, and repaving areas near the playground. Allocation of funds to cover these projects and discussions about the importance of transparent budgeting.

Ms. Duball noted that the Town beach gatekeeper stipend should be covered from the General Fund and not by the summer camp or after care programs. She also noted the rate increase for summer camp and after care due to rising costs to run them, with no decrease in attendance.

Then Ms. Duball went over all the lines that will remain unchanged including overtime, postage, training, maintenance.

She then spoke about the Recreational Programs line which she increased due to event funding adjustments for events like National Night Out and Halloween festival.

Ms. Duball said that the Rec office supplies, equipment and telephone lines all went up due to the new computer system for tracking programs, walkie-talkies, and recreation cell phones.

There was discussion about the van used by the Department, potential future needs, and exploration of options like looking into state surplus for potential cost savings.

Ms. Duball also talked about the possibility of a Warrant Article to establish a Recreation Commission to advocate for and promote recreational activities in the community and support the

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acquisition and maintenance of public recreation areas and facilities. She noted that there will be five members and there is already interest in the community to join it. Ms. Duball provided some examples of Warrant Article language.

Ms. Duball concluded with an announcement of upcoming events, including the Halloween festival and a call for volunteers. She also noted that the playground structure build is scheduled for November 18<sup>th</sup> and said that volunteers are welcome.

**Dee Decker, on behalf of the Supervisors of the Checklist**, presented the budget proposal for them. She said that the election budget consists of three parts – Town Clerk, Moderator, and Supervisors of the Checklist and she is only here to present the latter. She also said that she did not reflect any of the costs associated with equipment that needs to be cleaned up or replaced. Then Ms. Decker discussed the complexity of predicting turnout and managing election-related responsibilities, spoke about the multifaceted duties of the Supervisors before, during and after elections, and the associated training efforts. She noted a significant increase in the salary budget and explained how she arrived at the larger number. Ms. White noted that the number on the sheet in the packet is wrong and corrected it from \$19,114 to \$20,800. Ms. Decker noted that the lines for postage, printing, advertising, and office supplies have gone down. She then said that the line for training includes training the election workers and is not for the Supervisors themselves. These will be made required and will take place on November 30<sup>th</sup> from 10 AM to 12:30 PM and from 6 to 8:00 PM. The line for equipment went up due to the need to upgrade the computer hardware/software used by the Supervisors. Ms. Decker concluded that the portion of the Supervisors' proposed budget came up to \$27,331. Ms. White added that the Moderator proposed portion of the budget is \$1,200 for a stipend, and additional \$12,100 for compensation to election workers who are paid \$10/hour. Ms. Decker noted that they will possibly need more support and a higher number of election workers as the number given for this year is lower than what has been used in 2020 during the pandemic and the turnout next year may be higher.

Ms. Decker mentioned a proposal for new ballot count machines due to the machine's service discontinuation. She also talked about the statewide database of all voters that is being worked on to be more user-friendly. Ms. Decker also explained the decision not to pursue tablets for voter check-in in Nottingham as it would be quite expensive.

There was a brief discussion of the advertising line, which Ms. Decker said that the Supervisors' portion of it was zero. She also answered questions about the printing line, election workers training and budgeting for that, number of Supervisors,

Ms. Decker also proposed a Warrant Article to reconsider the compensation structure for the moderator and suggested an hourly or stipend-based system per election event due to increased responsibilities.

**Tracy Black, Tax Collector**, went over her Department budget proposal line by line. She stated that she added 3% cost of living adjustment to the salaries line; explained that she is hoping that the postage line will go down as she encouraging taxpayers to receive their bills online through the website and newsletter; said that there is a need to purchase special paper for printing tax bills; mentioned the conferences and certification trainings that her Department staff attend and the dues

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for those along with attendance expenses; clarified the expenses related to liens and notifications to the Registry of Deeds, and that she anticipates similar expenses to the previous year but noted a potential decrease in liens. Ms. Black noted the \$4,000 line just for Avitar software expenses and addressed the office supplies allocation. Other lines Ms. Black talked about were mortgage research and miscellaneous which includes Invoice Cloud for online billing and payment collection.

**Sam Demeritt, Chair of the Nottingham Conservation Commission**, presented the proposed budget for the Conservation Commission noting minimal changes. Mr. Demeritt mentioned pending dues and conference expenses, along with an upcoming conference on November 4th. He explained issues with a water testing meter used for the Volunteer River Assessment Program, indicating a potential \$2,500 cost for repair or replacement as he was informed by NHDES. Mr. Demeritt discussed the Trails Committee's plan to publish a booklet featuring town trails and considers selling booklets for fundraising. He also mentioned an upcoming conference in Pembroke and concluded by highlighting the overall Conservation Commission's budget's slight increase of \$115.

### **Open Bids Received for RFP – Oil and Liquid Propane**

Ms. White said that only three bids have been received.

Mr. Shirland summarized the bids as follows:

- Suburban Propane offers \$4.699 per gallon for heating oil and \$1.999 per gallon for propane.
- Palmer Gas and Oil proposed fixed prices of \$3.399 per gallon for heating oil and \$1.899 per gallon for propane.
- Irving's bid included \$3.446 per gallon for heating oil and \$1.416 per gallon for propane.

A comparison of the bids revealed that Irving had a lower price for propane and a slightly higher price for heating oil compared to Palmer Gas and Oil. The estimated fuel usage for November 1st, 2022, through September 8th, 2023, was 5,400 gallons of heating oil and 8,400 gallons of propane. The estimated costs, based on consumption and bid prices, were discussed. Irving seemed the more cost-effective option overall, with potential savings of just shy of \$4,000.

*Mr. Shirland made motioned to accept the bid from Irving for heating oil and liquid propane. Mr. Dabrieo duly seconded, and motion carried by a 5:0 roll call vote. Mr. Bartlett – aye, Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Dabrieo – aye, Mr. Welch – aye.*

### **Rosborough Appeal – Unmerging of Lots, Map 72, Lot 22**

Ms. White said that the abutter has appealed the decision of the Board made at the last meeting to unmerge lots on Mooers Road. Jim Rosborough, the abutter, questioned the assessor's site visit or lack thereof and had concerns about the location of the driveway and building across two lots. Ms. White noted that there was talk about doing survey to precisely determine the location of the

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structure but she was not sure how conclusive it will be. Mr. Rosborough is appealing the decision based on RSA 676:5, which requires an appeal to the Zoning Board of Adjustment.

Discussion ensued about the details of the merger, how many lots there were originally, where the property lines are, existing structure on the lot, etc.

Ms. White noted that after the appeal period is over, the Town will have to file with the Registry of Deeds the new lot descriptions. General consensus was to advise Mr. Rosborough to proceed with the appeal to the ZBA if he is inclined to do so and also inform the unmerged lots owner of that possibility.

#### **Action items for the next meeting.**

- 1. Berry Road review (update from CEO and Town Counsel)**
- 2. October 30<sup>th</sup> – budget review**

#### **Public Comment**

There was none.

Mr. Welch said there was a proposal for a bonfire event similar to one held in the previous year to foster community engagement. The Board expressed approval, with the logistics to be worked out later.

#### **Non-Public Session**

*Mr. Shirland moved to enter non-public session at 8:38 PM pursuant to RSA 91-A:3, II (a), (b), and (m) Seconded by Mr. Dabrieo. Motion carried by a 5:0 roll call vote. Mr. Bartlett, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye, Mr. Morin - aye.*

Non-public session was entered at 8:38 PM

#### **Resumption of Public Session**

The public session was entered at 9:15 PM.

*Mr. Dabrieo moved to exit the public session at 9:15 PM, Mr. Shirland duly seconded. Motion carried by a 5:0 roll call vote. Mr. Bartlett, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye, Mr. Morin - aye.*

*Mr. Shirland moved to seal the non-public minutes; Mr. Dabrieo duly seconded. Motion carried by a 5:0 roll call vote. Mr. Bartlett, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye, Mr. Morin - aye.*

#### **Adjournment:**

*Motion made by Mr. Dabrieo to adjourn the meeting, which was seconded by Mr. Shirland. Motion carried by a 5:0 roll call vote. Mr. Bartlett, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye, Mr. Morin - aye.*

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The meeting adjourned at 9:16 PM.

Submitted by Alvina Snegach



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DATE: OCTOBER 16 2023

BOARD OF SELECTMEN MEETING

NAME

ADDRESS

PLEASE PRINT CLEARLY!!!

1. DIRK GROTHUIS	3 Poor Farm Road
2. Tracey Black	83 Gehig Rd
3. Kormy Dubaul	Pec Director
4. Skip Seaverns	340 Stage Road
5. Rob Desrosiers	75 Stage Rd
6. Doug Bates	30 Camprey
7. Mary Cochran	5 Thornblay Dr
8. Sam Demberitt	213 Old Turnpike Rd
9. Judith Cummings	348 Stage Rd
10. Doug Cummings	348 Stage
11. Ann Decker	11 Lakeview Dr
12.	
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PLEASE PRINT CLEARLY!!!