

**Nottingham Select Board Meeting**

**1-10-22**

**Official Minutes as of 1-24-22**

**1 Call to Order**

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

3 Absent: Donna Danis

4 Others: Lorraine Petrini, Dale Sylvia, Jaye Vilchock, Betsy Warrington

5 The Chair opened the meeting at 6:30pm with the Pledge of Allegiance. Mr. Bartlett recognized  
6 the fire chief and his crew, police chief and her crew and Steve Welch and the 300<sup>th</sup> Celebration  
7 Committee for the bonfire that occurred over the weekend.

**8 Approve Manifests**

9 **Mr. Dumas made a motion to approve the accounts payable manifest of 1-10-22 and**  
10 **payroll manifest of 1-11-22. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.**

**11 Approve Minutes**

12 **Mr. Eaton made a motion to approve the public and non-public minutes from 12-21-21 and**  
13 **12-27-21 as amended. Mr. Dumas seconded. Unanimously approved by a vote of 4-0.**

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

*15 Budget Committee*

16 Mr. Eaton said they are waiting for the BOS for the budget. There are 2 hearing this week for  
17 school and town.

*18 Planning Board*

19 Meeting on Wed. night.

*20 CIP*

21 Mr. Dumas said the meeting was last week. Final info is coming from the school.

*22 300<sup>th</sup> Celebration Committee*

23 Meeting on Thursday.

*24 Marston Property*

25 Ms. Danis is not here. Mr. Bartlett said the back stops are up and it looks great. Mr. Bartlett  
26 thanked Ms. Danis and her crew for moving along with this project.

**27 Town Administrator Report**

28 Mr. Sylvia said Ms. Danis asked for current COVID-19 stats for both Nottingham and the town.  
29 Mr. Bartlett asked the board if they want to keep the mask policy in place at the town buildings.  
30 Mr. Morin said he would like to keep it in place. Mr. Dumas said other towns' cases are going  
31 up. Mr. Sylvia went over the numbers of COVID-19 cases in NH. They have gone up 42% in a

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week. In Nottingham, as of Friday Jan 7, there are 43 known cases and 6 are new. That doesn't count home testing. As of Jan 7, there are 15K active cases in NH. Mr. Eaton said he believes in the masks, and he asked who polices mask wearing in the community center. He said one of the roles of the BOS is to keep Nottingham safe. Mr. Morin wants to keep the mask mandate in town. Mr. Dumas said they should keep the mask mandate in town.

**Mr. Dumas made a motion for the BOS to maintain the mask mandate until they review at the next meeting. The vote was a tie at 2-2, with Mr. Eaton and Mr. Bartlett nay.**

The mask policy will stay in place.

Mr. Sylvia received a complaint about masks not being worn during meetings. He continues to say that if you are going to be at the town buildings representing Nottingham, you have to follow policies. Mr. Dumas said it's a lawful order; the BOS has the right and obligation to maintain the safety of the town. Mr. Bartlett said they don't have much say over elected official. There was further discussion about this.

Mr. Sylvia said they can enforce mask wearing at the town buildings no matter who the person is. Mr. Dumas said people have to wear a mask if they are going to have meetings at the town buildings. Mr. Bartlett asked if the police should be called if people are not complying. Mr. Morin said they should cancel the meeting if people won't wear a meeting. Mr. Dumas said the chairman of the board or committee has the authority to remove anyone whose actions are impeding the business of that meeting. The chairperson would be the right person to ask a person to wear a mask or leave the meeting. Mr. Sylvia suggested reiterating this policy with board heads, department heads, and staff. He spoke to Mr. Sterndale, and he suggested additionally they should get advice from the state. Mr. Dumas said it falls to the committee chair to abide by the rules of the building. Mr. Sylvia suggested the BOS send an email to the department heads, committees, etc.

Mr. Morin said people should not come into the meeting at the town buildings if they don't want to wear a mask. Instead, they can send comments into the chairperson of the board if they choose not to wear a mask and come to the meeting. If they show up to the town building without a mask, they should be told to leave.

Mr. Eaton said these are adults that are in the committees.

Mr. Sylvia said the moderator reached out to him regarding the two upcoming deliberative sessions at the school. The school has a mask mandate, and the moderator wants universal cooperation for these meetings.

Mr. Dumas said if the BOS don't enforce the mask mandate order, they abdicate their authority.

Mr. Sylvia asked if the BOS wants to send an email to the other boards or if Mr. Sylvia should. Mr. Bartlett said they need to be prepared for what is going to happen. Mr. Dumas said if someone shows up and is blatant and is trying to make a political statement, they should be asked to leave. Mr. Bartlett asked if the police should be involved. Mr. Dumas said you call the police

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69 if they are needed. Mr. Sylvia said every board has a BOS rep at it. Mr. Morin said the chair can  
70 shut down the meeting. The people who don't want to wear a mask don't have to come to the  
71 meeting.

72 Mr. Eaton said he doesn't believe he has the authority to tell people to put on a mask. He wears  
73 one because that's what they said you have to do. Mr. Bartlett said it's not the police's duty.

74 **Action Items from Last Meetings**

75 300<sup>th</sup> Committee: Jan. 10

76 Warrant articles: Jan. 10

77 **Assessing**

78 **General Business**

79 *Tax Deed Waivers*

80 The deadline for deeding of delinquent properties is tomorrow. Mr. Sylvia said that Mr.  
81 Sterndale suggested that the BOS approve a waiver for these.

82 The Board concurred to waive the properties for now.

83 Mr. Morin said the first three on the list have been in front of the Planning Board. He would say  
84 yes to the waiver for those. The owner is actively trying to sell these. One of the properties is one  
85 that someone doesn't want. The town has already taken one of these properties and then made a  
86 deal with them for the people to get their land back. This is not their primary residence. Mr.  
87 Morin said he would say no waiver to that. Mr. Morin said he wouldn't take a primary property.  
88 Mr. Bartlett said he is not in favor of taking a property that is owner occupied.

89 Mr. Bartlett suggested waiving them all for now and they will revisit this with Mr. Sterndale  
90 when he comes back.

91 **Mr. Bartlett made a motion for the BOS to approve the tax deed waivers for the current 16**  
92 **properties. Mr. Eaton seconded. It passed by a vote of 3-1, with Mr. Morin nay.**

93 *Event License*

94 Mr. Sylvia said this event did not need the BOS vote as this was already approved since being  
95 under 100 people in accordance with the Special Event Licensing policy

96 *2022 Final Budget*

97 There were some cuts made in the budget.

98 Mr. Dumas said that many towns are putting personnel as warrant articles such as the fire  
99 department personnel. Mr. Sterndale said it's a multiyear approval. Mr. Dumas read what Mr.  
100 Sterndale wrote regarding putting the fire staff as a warrant article. Mr. Dumas said they could

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101 approve the 4.8% increase for the budget and then draft the warrant article for the fire personnel.  
102 Mr. Sylvia said it's warrant Article 6.

103 Mr. Bartlett said he is not in favor of cutting anything from police and fire departments. He said  
104 there was cuts made in radio and vehicle maintenance from the fire dept. The radios are \$2500  
105 each. Mr. Bartlett said they replace 2 every year and use this line for the maintenance of the  
106 radios. If you cut that line, it will prohibit the chief from replacing radios. Chief Vilchuck said  
107 there are some that are 16 years old. It's not a nice to have, it's a have to have. They don't get the  
108 call if the radio doesn't work. Mr. Bartlett said they should not cut that line. Mr. Dumas said they  
109 still have more money than last year in that line. He asked if the money that was cut will it  
110 prohibit them from getting radios. Mr. Dumas said there is \$5500 in there now after the cuts.  
111 Chief Vilchuck said the target is to cover maintenance and buy 2 new radios. Mr. Bartlett said  
112 the radios will be more expensive next year. Mr. Bartlett said he is in favor of putting that money  
113 back into the line. Mr. Sylvia said they reduced that to \$3500 so they have taken more money  
114 away from the fire dept. Chief Vilchuck said this line as is will only fund for maintenance and he  
115 won't be able to get any new radios. Mr. Morin said they took \$2k away. Chief Vilchuck would  
116 like \$5500 in that line so he can purchase 2 radios and maintenance for the rest. Mr. Bartlett said  
117 that \$5500 isn't enough. Chief said he will make do with \$5500. Mr. Morin said he will go back  
118 to \$5500. Mr. Bartlett agreed. Mr. Dumas agreed.

119 **Mr. Morin made a motion to change Line 218 in the town proposed budget from where it is**  
120 **to \$5500. Mr. Dumas seconded. Unanimously approved by a vote of 4-0.**

121 Mr. Bartlett said there was some money cut from vehicle maintenance. Chief said they have to  
122 have this money. This line was underspent this year due to COVID. Chief originally asked for  
123 \$15k. Mr. Bartlett said this covers tires and maintenance. Chief said most of these items happen  
124 in the last quarter. Chief said that \$14k will be tight; he asked for \$15k. Mr. Bartlett said the  
125 chief will not know the cost till the 4<sup>th</sup> quarter. Mr. Dumas asked if there are any other areas in  
126 the budget to shuffle things down. They are trying to take small amounts from many different  
127 areas. Chief said he has absorbed another cut already. He said Mr. Sterndale made a very tight  
128 budget. Mr. Bartlett said they should not skimp on vehicle maintenance.

129 **Mr. Dumas said they make a motion to change Line 215 in the town proposed budget from**  
130 **where it is to \$15k. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.**

131 Chief asked if the warrant article is a simple majority or 2/3 majority for the fire dept. personnel.  
132 Mr. Dumas said it doesn't say. Chief said it's difficult to get a 2/3 majority.

133 Mr. Bartlett asked Mr. Dumas where else they could cut from. Mr. Bartlett said they could cut  
134 the truck and not put money into the vehicle reserve fund. He continued to say that the highway  
135 director has gotten new equipment every year. The fire dept. has been asked to skip years in the  
136 past for new vehicles.

137 Mr. Bartlett said he is in favor of putting the full-time fire coverages forward and letting the  
138 voters decide. Mr. Dumas said many people are in favor of full-time coverage for the fire dept.

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139 Mr. Eaton agreed. Mr. Morin doesn't want it to be voted down. Mr. Dumas said there is not a lot  
140 of difference between the proposed and the default budget.

141 Mr. Bartlett asked what the board thought of the truck and vehicle reserve fund. Ms. Warrington  
142 said both of those items are warrant articles.

143 The Board concurred that the fire personnel will be a warrant article.

144 Mr. Bartlett commended the board and Mr. Sterndale for this budget; it's a solid budget.

145 Mr. Eaton asked about the Social Services lines. Mr. Morin said that none went up from last  
146 year. Mr. Bartlett said he is not in favor of cutting them. The Board will leave as is.

147 **Mr. Dumas made a motion that the BOS to approve the 2022 operating budget of**  
148 **4,429,199. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.**

149 *Warrant Articles*

150 **Mr. Dumas made a motion for the Selectboard to accept Article 6 which reads Shall the**  
151 **Town vote to add (full-time personnel) to the fire department, which calls for salary and**  
152 **benefits for the fiscal year 2023 of \$302,544, and further to raise and appropriate \$100,848**  
153 **for the current fiscal year, such sum representing the additional costs attributable to the**  
154 **increase in salary and benefits. The estimated tax impact is .124 per \$1,000 of property**  
155 **valuation. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.**

156 Mr. Eaton asked if it is paving the dirt part of Case Road on Article 7. Ms. Warrington will find  
157 out.

158 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 8 which**  
159 **reads To see if the town will vote to raise and appropriate the sum of \$100,000.00 (One**  
160 **Hundred Thousand Dollars) to be added to the Highway Truck Capital Reserve Fund**  
161 **previously established. Majority vote required. The estimated tax impact is \$0.123 per**  
162 **\$1,000 of property valuation. Mr. Morin seconded. It was 2-2, with Mr. Eaton and Mr.**  
163 **Bartlett nay.**

164 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 9 which**  
165 **reads To see if the Town will vote to raise and appropriate the sum of \$100,000.00 (One**  
166 **Hundred Thousand Dollars) to be added to the Fire Vehicle /SCBA Capital Reserve Fund**  
167 **previously established. Majority vote required. The estimated tax impact is \$0.123 per**  
168 **\$1,000 of property valuation. Mr. Morin seconded. Unanimously approved by a vote of 4-0.**

169 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 10**  
170 **which reads To see if the Town will vote to raise and appropriate the sum of \$37,000**  
171 **(Thirty-Seven Thousand Dollars) for the purchase of dashboard cameras for the**  
172 **Nottingham Police Department cruisers. Majority Vote Required. The estimated tax**  
173 **impact is \$0.046 per \$1,000 of property valuation. Mr. Eaton seconded. Unanimously**  
174 **approved by a vote of 4-0.**

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Mr. Dumas made a motion for the Selectboard to approve and recommend Article 11 which reads To see if the Town will vote to raise and appropriate the sum of \$37,000 (Thirty-Seven Thousand Dollars) for the purchase of a replacement Handicapped Lift for the Nottingham Public Library. Majority Vote Required. The estimated tax impact is \$0.046 per \$1,000 of property valuation. Mr. Morin seconded. Unanimously approved by a vote of 4-0.

Mr. Dumas made a motion for the Selectboard to approve and recommend Article 12 which reads To see if the Town will vote to raise and appropriate the sum of \$20,000.00 (Twenty Thousand Dollars) to be added to the previously established Revaluation Capital Reserve Fund for the purpose of performing a statutory revaluation of property every five years. Majority Vote Required. The estimated tax impact is \$0.025 per \$1,000 of property valuation. Mr. Morin seconded. Unanimously approved by a vote of 4-0.

Mr. Dumas made a motion for the Selectboard to approve and recommend Article 13 which reads To see if the Town will vote to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) to be added to the Invasive Species Prevention and Eradication Removal Expendable Trust Fund previously established. Majority Vote Required. The estimated tax impact is \$0.012 per \$1,000 of property valuation. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.

Mr. Dumas made a motion for the Selectboard to approve and recommend Article 14 which reads To see if the Town will vote to raise and appropriate the sum of \$33,000.00 (Thirty-three Thousand Dollars) for the purpose of purchasing the necessary fuel, supplies, equipment and maintenance to run the ambulance and billing services for 2022; and to authorize the withdrawal of \$33,000.00 (Thirty-three Thousand Dollars) from the Ambulance and Equipment Replacement Special Revenue Fund created for this purpose. Majority Vote Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.

Mr. Sylvia said the warrant article is for existing roads.

Mr. Dumas made a motion for the Selectboard to approve and recommend Article 7 which reads To see if the Town will vote to raise and appropriate the sum of \$300,000.00 (Three Hundred Thousand Dollars) for highway reconstruction and maintenance work on Case Road, Oak Ridge and Flutter Street, or other roads in Nottingham if a priority arises. This is a non-lapsing appropriation per RSA 32:7 VI and will not lapse until the work is complete or not later than one year after the end of fiscal year 2022, whichever occurs earlier. Majority Vote Required. The estimated tax impact is \$0.370 per \$1,000 of property valuation. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.

Mr. Dumas made a motion for the Selectboard to approve and recommend Article 15 which reads To see if the Town will vote to raise and appropriate the sum of \$300,000 (Three Hundred Thousand Dollars) for the purchase of a new ambulance, and to authorize the withdrawal of \$300,000.00 (Three Hundred Thousand Dollars) from the Ambulance and Equipment Replacement Special Revenue Fund created for this purpose. Majority

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215 **Vote Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation. Mr.**  
216 **Morin seconded. Unanimously approved by a vote of 4-0.**

217 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 16**  
218 **which reads To see if the Town will vote to raise and appropriate the sum of \$48,000**  
219 **(Forty-Eight Thousand Dollars) for the purpose of purchasing a new Ford F350 utility**  
220 **truck, and to authorize the withdrawal of \$48,000 (Forty-Eight Thousand Dollars) from the**  
221 **Highway Truck Capital Reserve Fund established for this purpose. Majority Vote**  
222 **Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation. Mr. Eaton**  
223 **seconded. Unanimously approved by a vote of 3-1 with Mr. Bartlett nay.**

224 **Mr. Dumas made a motion for the Selectboard to edit Article 17 To see if the Town will**  
225 **vote to use Fund Balance to pay off long-term debt acquired to purchase property known**  
226 **as Mulligan Forest in 2007. The balance of this debt is \$255,000. The savings in principal**  
227 **and interest would reduce the tax rate by \$0.052 per thousand of property valuation**  
228 **beginning in 2023. Majority Vote Required. Mr. Morin seconded. Unanimously approved**  
229 **by a vote of 4-0.**

230 Mr. Eaton asked if they are speaking to the Conservation Commission. He said there is a petition  
231 warrant article relating to this.

232 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 17 as**  
233 **amended. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.**

234 **Mr. Dumas made a motion for the Selectboard to edit Article 18 which reads To see if the**  
235 **Town will vote to use proceeds from Fund Balance to pay off long-term debt acquired to**  
236 **build the new fire station in 2007. The balance of this debt is \$136,225. The saving of**  
237 **principal and interest would reduce the tax impact by \$0.051 per thousand of property**  
238 **valuation beginning in 2023. Tax Majority Vote Required. Mr. Eaton seconded.**  
239 **Unanimously approved by a vote of 4-0.**

240 Mr. Eaton wants to make sure the number for the fire dept. is correct. It was updated in the  
241 motion.

242 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 18 as**  
243 **amended. Mr. Eaton seconded. Unanimously approved by a vote of 4-0.**

244 **Mr. Dumas made a motion to amend Article 19 to include Shall the town vote to adopt the**  
245 **provisions of RSA 36-A:4-a, I(b) to authorize the conservation commission to expend funds**  
246 **for contributions to 'qualified organizations' for the purchase of property interests, or**  
247 **facilitating transactions related thereto, where the property interest is to be held by the**  
248 **qualified organization and the town will retain no interest in the property? Majority Vote**  
249 **Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation. Mr. Eaton**  
250 **seconded. Unanimously approved by a vote of 4-0.**

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251 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 19 as**  
252 **amended. Mr. Morin seconded. Unanimously approved by a vote of 4-0.**

253 **Mr. Dumas made a motion to amend Article 20 to include To see if the Town will vote to**  
254 **discontinue and relinquish all public interest in that portion of Cahill Road, beginning at**  
255 **the Northwest corner of Tax Map 68, Lot 51, and extending to its terminus, subject to the**  
256 **condition that the owner of Lot 49-2 conveys an easement for a truck turnaround at a**  
257 **location, and in a form satisfactory to the Board of Selectmen. The estimated tax impact is**  
258 **\$0.00 per \$1,000 of property valuation. Mr. Morin seconded. Unanimously approved by a**  
259 **vote of 4-0.**

260 **Mr. Dumas made a motion for the Selectboard to approve and recommend Article 20 as**  
261 **amended. Mr. Morin seconded. Unanimously approved by a vote of 4-0.**

262 **Appointments**

263 **Review Action Items for Next Meeting**

264 300<sup>th</sup> Committee, Conservation Commission 1/24, tax deed waivers

265 **Non-Public per RSA 91-A:3 II (a), (b), (c), (d), (e), and/or (l) if required.**

266 **Adjourn**

267 **Mr. Dumas made a motion to adjourn the public meeting at 8:15pm and go into non-public**  
268 **RSA 91-A:3 II (c). Mr. Eaton seconded. Roll call vote: Mr. Bartlett-yay, Mr. Morin-yay,**  
269 **Mr. Eaton-yay, and Mr. Dumas-yay. Unanimously approved by a vote of 4-0.**

270 The non-public meeting ended at 8:31pm.

271  
272 **Mr. Dumas made a motion to seal the minutes of the non-public session. Mr. Eaton**  
273 **seconded. Roll call vote: Mr. Bartlett-yay, Mr. Morin-yay, Mr. Eaton-yay and Mr. Dumas-**  
274 **yay. Unanimously approved by a vote of 4-0.**

275  
276 **Mr. Dumas made a motion to adjourn the public meeting at 8:32. Mr. Eaton seconded.**  
277 **Roll call vote: Mr. Bartlett-yay, Mr. Morin-yay, Mr. Eaton-yay, and Mr. Dumas-yay.**  
278 **Unanimously approved by a vote of 4-0.**

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