

## Nottingham Select Board Meeting

11/06/2023

### APPROVED Minutes

**Approved as amended on December 4, 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.

Mr. Bartlett made an announcement that there is a Concert to support the food pantry. It will take place at the Nottingham Community Church (106 Church Street) on November 12, 2023 from 3 to 5 PM.

He also noted that there was a structure fire that happened this evening and said that everyone's thoughts and prayers are with the residents of that house.

#### **Approve Manifests: A/P 10/30/2023 and Payroll 10/31/2023**

*Mr. Welch made a motion to approve the accounts payable manifest of 10/30/2023 and payroll manifest of 10/31/2023. 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 10/11/2023, 10/16/2023, 10/27/2023, 10/30/2023**

*Mr. Dabrieo made a motion to approve the public minutes for 10/11/2023 as amended. Mr. Shirland duly seconded. Motion carried by a 4:0:1 roll call vote. Mr. Morin - aye, Mr. Dabrieo – aye, Mr. Shirland - aye, Mr. Welch – aye, Mr. Bartlett – abstained due to not being present at that meeting.*

*Mr. Dabrieo made a motion to approve the public minutes for 10/16/2023 as amended. Mr. Shirland 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.*

*Mr. Dabrieo made a motion to approve the public minutes for 10/27/2023. Mr. Shirland duly seconded. Motion carried by a 4:0:1 roll call vote. Mr. Morin - aye, Mr. Dabrieo – aye, Mr. Shirland - aye, Mr. Bartlett – aye, Mr. Welch – abstained due to not being present at that meeting.*

*Mr. Dabrieo made a motion to approve the public minutes for 10/30/2023 as amended. Mr. Shirland 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.*

## **Nottingham Select Board Meeting**

**11/06/2023**

### **APPROVED Minutes**

#### **Approve non-public minutes 10/16/2023 and 10/27/2023**

*Mr. Dabrieo made a motion to approve the non-public minutes for 10/16/2023 and 10/27/23 as presented. Mr. Shirland duly seconded. Motion carried by a 4:0:1 roll call vote. Mr. Morin – aye on both sets, Mr. Dabrieo – aye on both sets, Mr. Shirland – aye on both sets, Mr. Welch – aye on 10/16/2023 and abstained on 10/27/2023 as he was not present at that meeting, Mr. Bartlett – aye on both sets.*

#### **BOS Reports from Assigned Boards/Committees: Budget, Planning Board, CIP, Marston.**

##### **Budget Committee**

Mr. Welch provided an update for the last Budget Committee meeting which did not accomplish much and said that the Committee will meet again this Thursday.

##### **Planning Board**

Mr. Morin provided an update on the Planning Board which cancelled its last meeting due to a lack of a quorum. He said that the next meeting is scheduled for this Wednesday to discuss a subdivision.

##### **CIP Committee**

Mr. Dabrieo said that the Committee will meet a week from tomorrow.

##### **Marston**

Mr. Dabrieo said that the dugouts are almost done.

##### **Town Administrator Report**

Ms. White spoke about the following:

- Ms. White requested a motion to unseal the minutes of the non-public session held on February 27, 2023 (reviewed 10/16/2023).

*Mr. Dabrieo made a motion to unseal the non-public minutes from 02/27/2023. Mr. Welch 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.*

- Brian Allen obtained a quote from Fisher Plows of Lee to install a sander in the new utility pickup for \$6,326. This will enable the truck to be used for both plowing and sanding, which will be helpful for parking lot and intersection cleanups. There may be some additional fabrication required for proper fitment between the toolboxes. She requested a motion to approve the purchase of the sander, and any necessary fabrications,

## **Nottingham Select Board Meeting**

**11/06/2023**

### **APPROVED Minutes**

up to \$7,000, and to expend the money from the same NH DOT Highway funds used to purchase the new utility truck. The current balance is \$46,277.

There was a discussion about the original intent to not put the sander on this utility truck which would put unnecessary wear and tear on the body of the truck and reduce its life span. Several Board members were against putting the sander on the new truck and suggested using the existing trucks for sanding purposes.

- The Planning Board has an application before them to be heard this Wednesday, and the applicant is requesting to change the cistern type from poly (as required) to concrete, or in lieu of a cistern, add sprinkler systems to each proposed home with the reasoning being the substantially higher cost of poly/fiberglass cisterns. Planning Board Chair Ed Viel is seeking input from the Town. Ms. White asked if the Board would want to defer the question to CMA Engineers for their opinion?

Mr. Morin provided further details about the subdivision and said that this is a post approval request. Members discussed the need for more information and Mr. Morin said that the Planning Board will most likely do the same at their next meeting.

- Ms. White spoke with Brady Rambo at NHDES regarding the application process for the public water supply at Marston. The application has already been submitted but it was missing required documentation. She is working to compile the information needed including a site plan to include the well location, the average consumption and acreage currently being irrigated, and to set up quarterly testing for bacteria and annual testing. Once this documentation is supplied, the application will be processed for a transient water supply which will enable the use of the bubbler.
- With assistance from Owen Friend-Gray, the Town has applied for a NHDOT Road Safety Audit for the intersection of Route 156/Raymond Road and Deerfield Road and Ledge Farm Road. There have been 7 crashes reported in the past 10 years with one of those crashes being a fatality involving a motorcycle this summer.
- Due to the declining temperatures over the next week, it has been decided that it would be best to hold off on the new playground build until spring. The temperatures are forecasted for next week are in the high 40's, which will not be sufficient for the concrete to set properly.

There was a brief discussion about storing the equipment until spring safely and installing it with the help of volunteers during the community day in the early spring.

## **Nottingham Select Board Meeting**

**11/06/2023**

### **APPROVED Minutes**

- Steve Rollins joined us last week as the new Highway Director. Additionally, Tyler Hollinrake, and Jim Caverly join the Highway Department in the past two weeks, both with heavy equipment operator experience and grader operator experience.

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

#### **Investment Policy Review/Signature**

Ms. White said that the changes include incorporating suggestions made during the Board's work session and addressing a missing Schedule A for approved financial institutions. To remedy this, Ms. White updated the language to include federally insured banks chartered under New Hampshire or federal laws, with branches in the state. The website of the Treasurer for the State of New Hampshire has a reference list of qualifying financial institutions. Ms. White added that the Town also can utilize the New Hampshire Public Deposit Investment Pool as needed. She added that this was the only change made other than the annual review and pre-adoption.

*Mr. Dabrieo made a motion to approve the Town Investment Policy as amended. Mr. Shirland 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.*

#### **Petition and Poll License Agreement**

Ms. White explained that the poll is being installed on Stevens Hill. It just needs to be signed. All members agreed to sign it.

#### **Facilities Manager Job Description**

Members reviewed the Job Description. Ms. White said that the posting will run until November 27<sup>th</sup>. Everyone agreed.

### **General Business**

#### **Hydraulic Sander – Opening bids**

Mr. Bartlett noted that the bid is for the 2018-2019 Fisher steel Caster 9t 3-yard hydraulic sander which is being sold "as is where is" with no warranty expressed or implied. There is only one bid submitted for \$419 by Matt Picking. The Board discussed the low bid and the perceived value of the sander, noting that it was removed due to issues after one season of use. A motion is made and seconded to decline the offer from Matt Picking for \$419. The board suggests exploring other avenues to sell the sander, such as Craigslist or Facebook Marketplace, and to determine a more reasonable asking price based on the condition.

*Mr. Morin made a motion to deny the bid of \$419 by Matt Picking for the hydraulic sander. Mr. Dabrieo 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.*

## **Nottingham Select Board Meeting**

**11/06/2023**

### **APPROVED Minutes**

#### **Appointments - times tentative and subject to change**

##### **7:00 PM PLIA Presentation**

Neil Santos and Pam Kelly who are in charge of the Milfoil program on Pawtuckaway Lake. Milfoil was first discovered nine years ago and has spread to 16 areas on the lake. The presentation discussed the efforts to control milfoil, including volunteer teams, grants, and the use of a selective plant growth hormone called Procellacor and Diver Assisted Suction Harvesting. The grant application was approved by NHDES for \$52,000, covering 100 percent treatment in high-density milfoil areas. Mr. Santos emphasized the importance of ongoing efforts to manage and prevent milfoil growth in the lake. He also showed a video to illustrate the extent of milfoil infestation in certain areas on the lake. Mr. Santos also highlighted the role of Lake Hosts in preventing the spread of milfoil.

Mr. Santos concluded his presentation with a discussion of future costs and the need to maintain funds for invasive species treatment which are estimated to be around \$60,000 and the Town will have to provide a certain percentage as a match, depending on the grant. Mr. Santos noted the importance of maintaining the town's Reserve Fund for Invasive Species to address potential future challenges. They mention that the fund may be supplemented by grants, and the need for ongoing support from the town to ensure the lake's long-term health.

The Board asked Mr. Santos to provide the same presentation during the budget deliberative session.

##### **Eugene Reed**

Mr. Reed raised concerns about the use of impact fees, particularly related to the Marston well project. He questioned the nexus between new development and the well project and emphasizes that impact fees should only be used for capital projects directly related to new development. Mr. Reed suggests that the board refund the \$6,700 in impact fees related to the Marston well project. Mr. Reed also questioned the use of ARPA funds and the fact that they were considered municipal funds when calculating the proportions of impact fee and municipal costs when applied to the Marston well project.

There was discussion about whether ARPA funds are municipal funds and whether the Town can allocate these funds to the various projects in Town.

The Board acknowledged Mr. Reed's concerns and expresses the intention to seek legal advice for a more detailed and specific understanding of the situation.

Mr. Reed also requested to be copied on the communication with the attorney regarding this matter.

##### **General Business**

##### **Department Budget Review**

##### **Highway Department and Recycling Center**

Ms. White said that she had spoken to Steve Rollins, who recently joined the Highway Department, and she would like to give him the opportunity to review the budget before finalizing it.

She noted that there is a possibility of moving road maintenance expenses into a Warrant article due to tax cap constraints this year.

## Nottingham Select Board Meeting

11/06/2023

### APPROVED Minutes

#### **Social Services**

Ms. White said that the only outstanding request is to Lamprey Healthcare. Richie McFarland is joining forces with Waypoint, therefore the requests from the latter will increase, while the lack of requests from the former will offset that increase.

She said that she is hoping to get the draft to the Board by the end of this week.

The discussion shifted to the schedule for budget-related meetings. The department heads are set to present before the Budget Committee on the 16th, and the Board can focus on budget discussions during its meeting on the 20th. A special meeting on November 27th was scheduled for detailed discussions and decisions on budget cuts to achieve the targeted 4% tax rate cap.

#### **Town Building Lease Agreement**

Mr. Bartlett provided a brief description of the purpose of the Town building lease agreement for the old fire station, specifically for one of its bays. The agreement is with a resident who wishes to lease a bay for storing tanks used in servicing portable toilets. The building is acknowledged to need some work, and the lease is seen as a way to generate income for maintenance and repairs.

The Board discussed the following:

- The lease is for a short term, initially for six months with the option to renew for a year.
- The lessee understands that they are renting the space "as is" without heating or major modifications.
- The space will be used to store tanks related to the portable toilet service, and the lessee will provide their insurance.
- The possibility of using the lease income for building maintenance.
- A suggestion to start with a short-term lease to evaluate how it works for both the town and the lessee and then proceed or not with the longer term lease.

Mr. Reed suggested the Board consider the liability and inform the insurance company of the change of use.

*Mr. Dabrieo made a motion to approve the lease for six months as written to be revisited after that. Mr. Welch seconded the motion. Motion carried by a 5:0 roll call vote. Mr. Morin - aye, Mr. Dabrieo - aye, Mr. Shirland - aye, Mr. Welch - aye, Mr. Bartlett - aye.*

#### **Action Items to review at the next meeting.**

##### **Budget**

##### **Purchasing the trailer for aluminum cans for the Recycling Center**

##### **Placing jersey barriers at the Recycling Center where there is erosion**

Ms. White noted that the Recycling Center will remain open on Veteran's Day.

#### **Public Comment.**

Chelli Tennis from the Nottingham Food Pantry spoke about the pivotal role of the Town's Food Pantry which is operating as a separate non-profit entity with close ties to the community. She

## Nottingham Select Board Meeting

11/06/2023

### APPROVED Minutes

noted that the pantry extends its assistance beyond providing food, covering utility bills, fuel, and even car registrations. She said that the Food Pantry is reliant on community donations, it has seen an increase in the number of families served, particularly the elderly. Ms. Tennis underscored the concerns about the Town's welfare budget line item, which was previously reduced, emphasizing the need for sustained or potentially increased support for the food pantry to address the growing needs of the community.

There was discussion highlighting the essential contribution of the Food Pantry and the importance of community backing to meet the expanding assistance requirements. Members noted that the residents can support the Food Pantry by attending the concert and donating to it directly.

Eugene Reed asked for a clarification on the 4% tax cap. Ms. White explained that that the 4% limit applies to the appropriation, the amount to be raised by taxation, not directly to the tax rate itself. The Board emphasized that the Budget Committee's upcoming budget proposal cannot exceed a 4% increase over the final appropriation from the previous year.

#### **Adjournment:**

*Motion made by Mr. Welch to adjourn the meeting, which was 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.*

The meeting adjourned at 8:04 PM.

Submitted by Alvina Snegach

Nottingham Select Board Meeting

11/06/2023

APPROVED Minutes

DATE: 11-6-23

BOARD OF SELECTMEN MEETING

NAME

ADDRESS

- |                           |                         |
|---------------------------|-------------------------|
| 1. <u>Rob Desrosiers</u>  | <u>75 STAGE Rd</u>      |
| 2. <u>Doug Bates</u>      | <u>30 Langrey</u>       |
| 3. <u>Chelli Tennis</u>   | <u>17 Robin Hood PR</u> |
| 4. <u>Allan Grant</u>     | <u>20 gravel Pit RD</u> |
| 5. <u>Mary Wicket</u>     | <u>5 Tremblay Dr</u>    |
| 6. <u>Doug Cummings</u>   | <u>348 Stage</u>        |
| 7. <u>Judith Cummings</u> | <u>348 Stage</u>        |
| 8. <u>Gene</u>            | <u>345 Stage Rd</u>     |
| 9. <u>Tom DUFFY</u>       | <u>Tuckaway Shores</u>  |
| 10. <u>NG/L SANTOS</u>    | <u>SHORE DRIVE</u>      |
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