

**Nottingham Select Board Meeting**  
**12/16/19**  
**Approved Minutes as of 1/27/20**

**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: Romeo Danaïs, Christine Dabrieo, Susan, Levenson, Roslyn Chavda, Kathy Brosnan,  
6 John Terninko

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

**8 Approve Manifests**

9 **Ms. Danis made a motion to approve the accounts payable manifest of 12/16/19 and payroll**  
10 **manifest of 12/17/19. Mr. Bartlett seconded. Unanimously approved by a vote of 5-0.**

**11 Approve Minutes**

12 **Mr. Morin made a motion to approve the public minutes from 12/9/19 as written. Mr.**  
13 **Eaton seconded. Unanimously approved by a vote of 5-0.**

**14 Action Items from Last Meetings**

15 EL lane policy, goals

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

*17 Budget Committee*

18 There was no meeting last week.

*19 Planning Board*

20 Mr. Eaton said they met last Wednesday. Two developers came in and were asked to come back  
21 with more info at the next meeting. The Board is working on articles for town meeting.

*22 CIP*

23 Meeting tomorrow night.

*24 300<sup>th</sup> Celebration*

25 No update.

*26 Marston Property*

27 Cheryl Smith mentioned erosion at the last meeting and they are taking care of that.

**28 Town Administrator Report**

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The boiler for the community center is not working as it should. There was a big leak last week in the boiler. They are working on proposal for replacement or fixing. Mr. Sterndale said they may be able to fix it for a year or two although they do have money set aside for a new one. They may look at 2 units or propane. There will be no budget impact for the new boiler.

Mr. Sterndale said Ledge Farm Road is under budget for this year by \$15k but there are several other projects that could use this surplus. Gravel pit, boring, heating system from highway, engineering for Kelsey Road culvert that needs to turn into a bridge, radio repeater, PD hardware could be started and/or completed this year with surplus money. Decisions for encumbrances need to be done before the end of the year and entered into contracts. They will discuss more at the next meeting.

**General Business**

Road standards discussion will be on Wednesday morning between Ms. Danis and Charlene Andersen.

**Appointments**

***Route 4 Property***

Romeo Danais distributed his notes and spoke to the Board about the property on 145 Old Turnpike Road, also known as Map 3 Lots 6, 9 and 10. He said this 'USA Springs has not paid property taxes for the 9 years and \$1M is owed to the town by ways of taxes, etc. He is proposing \$450K cash with no contingencies for financing for sale of this property. He would like to make the steel skeleton portion into a storage location and use the back portion for the solar farm. Documents attached at end of minutes.

There was discussion about title insurance. Mr. Sterndale said they can discuss this proposal in non-public or continue in public. Mr. Dumas said they have been considering a number of options for this property. There is a 3-year time frame that the original owner could redeem the property by paying back taxes, etc. Mr. Danais said that would be his problem if he purchased the property if the original owner came back while he waits for the 3 years to go by. Mr. Morin said the town is making money off the cell tower that is located on Lot 6. Mr. Sterndale said they have to offer the property publicly first before going through a private sale. Mr. Dumas apologized that they have made Mr. Danais wait to discuss this property. Mr. Sterndale said they would need to treat the properties as 3 separate entities, at least for the short term. There was discussion about an easement that leads to Lot 6 where the cell phone tower is located. Ms. Danis asked how the barn restoration is going on his property. Mr. Danais said it is difficult to find people who can work on these types of windows. He is trying to find wood windows to maintain the integrity of the property. Ms. Danis said the Board gave Mr. Danais a tax decrease for fixing up the barn.

***School Board***

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65 The School Board is requesting the impact fees for architectural and engineer work related to the  
66 school building project. Ms. Levenson said there is about \$26k in work for architect design and  
67 civil engineering work; the goal is to get this work done so they can show the DOE so they  
68 would hopefully get building aid. The maximum amount of building aid that they would get is  
69 30% of the project. The best they can do is be 'shovel ready' and submit to the state. The  
70 Planning Board will meet with the School Board on January 8 to go over this as well. \$90k will  
71 cover the final engineering work. Ms. Levenson said the addition will add a music room, science  
72 lab, 4 classrooms as well as break out areas where students/teachers can meet. Mr. Bartlett asked  
73 about the parking and no expansion of kitchen and cafeteria. Ms. Levenson said the architect  
74 said, after speaking to teachers, etc. that the kitchen and the cafeteria are workable. They could  
75 potentially make the cafeteria and gym have a moveable wall, like it was originally planned  
76 when the building was built. Mr. Bartlett asked if the classrooms would handle the amount of  
77 kids. Ms. Levenson said the addition would last many years to come, and they could potentially  
78 move preschool to Nottingham School instead of having the SAU preschool at Northwood  
79 School where it is shared by 3 towns (Nottingham, Northwood and Strafford). Dr. Chavda said  
80 that the preschool will cost the town more because another town has pulled out of the 3-town  
81 preschool. Educationally it is best for the preschool to be in the town, Dr. Chavda said. Ms.  
82 Levenson said it would be roughly \$5M for the addition project. The systems on the roof are ten  
83 years older than the building. They have done a lot of work to improve air quality and security at  
84 the school. The labs don't support the next generation of what students need. Ms. Danis asked  
85 about enrollment projections. Ms. Levenson said they are having those worked on. Currently  
86 they have 525 students. The projections will go out 5-10 years. Ms. Levenson said when the  
87 school addition failed before in 2012, people were more interested in having a middle school.  
88 She believes this plan will benefit all kids: world language classroom, enrichment, updated  
89 science labs, and Tier 3 needs. Dr. Chavda said additionally they could add preschool to the  
90 school. Some classrooms right now have 25-26 kids with one teacher only and no para. There is  
91 as bubble of Grades 5-8 with larger class sizes. Ms. Levenson said the projection from prior  
92 years included data for the whole SAU instead of just Nottingham; the information they are  
93 receiving next week will be more accurate. The only way to get the state to fund the project is to  
94 spend the money for architect and engineering costs. Ms. Danis asked what the School Board  
95 would do to get the money if they didn't come from impact fees. The School Board said they  
96 would have to look at their budget to see if there is a surplus. Ms. Levenson went over  
97 Strafford's plan to create to their own SAU and leave the current SAU as well as take their kids  
98 from the preschool. It will cost more for Nottingham to continue the preschool and SAU. There  
99 was discussion about how many preschoolers at the SAU preschool. Mr. Dumas asked when the  
100 School Board would like to know about the impact fees. Dr. Chavda said as soon as possible.

101 Ms. Levenson asked about shared office space and storage in the community center. Ms. Danis  
102 said there is not usable space at the community center; Mr. Dumas said it is not suitable for  
103 human occupation. Dr. Chavda asked if there was any space at the community center for a  
104 preschool. Mr. Dumas and Ms. Danis said there is no space for preschool at the community  
105 center. Mr. Sterndale said there is land available. Mr. Bartlett asked about storage containers

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106 outside. Ms. Levenson said they have sheds. They are storing educational items and also NYA  
107 equipment. Mr. Sterndale said they may have room for items that the school doesn't need access  
108 for however it's also not secure. Mr. Morin asked if the new design will add storage; Ms.  
109 Brosnan said yes! Dr. Chavda said the school ratings have gone up and the houses are being sold  
110 quickly.

111 Ms. Danis said they are not prepared to make a decision tonight for impact fees. Mr. Morin said  
112 he is in favor of giving the School Board the money for impact fees. Dr. Chavda said because of  
113 full time kindergarten and the great scores, more people are sending their kids to the school for  
114 full day kindergarten. This is the district they will start and stay in. Mr. Bartlett asked about  
115 homeschooling; there are 15 and 10 students in elementary and high school. The Nottingham  
116 School provides no oversight with the homeschoolers; they can come in for field trips, music and  
117 science. Mr. Bartlett asked about preschool; Mr. Sterndale said that is a programmatic change  
118 not because of enrollment. Ms. Levenson said the new developments are large, and the school is  
119 experiencing large enrollments in their kindergarten class. It's over 60, and they expected 42.  
120 Ms. Danis asked to delineate between growth and programs. Ms. Levenson said they are trying  
121 to have 3 classrooms for each grade which they don't have right now. There are 4 full day  
122 kindergarten classrooms right now with 62 kids.

123 **Review Action Items for Next Meeting**

124 Encumbrances

125 **Adjourn**

126 **Ms. Danis made a motion to go into non-public at 8:04pm under RSA 91-A:3, II, A, D.**  
127 **Mr. Eaton seconded. Roll call vote: Mr. Morin-yay, Mr. Eaton-yay, Mr. Bartlett-yay, Mr.**  
128 **Dumas-yay and Ms. Danis-yay. Unanimously approved by a vote of 5-0.**

129

130 **made a motion to adjourn at pm. seconded.**

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

132

133

134

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135 Notes from Romeo Danaïs:

136 December 16, 2019

137 Discussion

138 USA Springs Offer to Purchase/Sell

139

140 Property has not generated any property tax to the Town of Nottingham for how many years? 6 years? 7  
141 years? 9 years? More?

142 I estimate that more than \$1M is owed to Nottingham from delinquent property taxes, legal  
143 fees, interest and costs. You may ask Chris Sterndale for an exact amount of lost income & costs of the  
144 property.

145 The property was marketed with the Kane Co. while in bankruptcy for over three years, two  
146 years at \$2M and one year at \$1M, as far as I know, there may have been one offer made for the  
147 property while in bankruptcy, which was rejected.

148 Now the property sits as an “attractive nuisance” ready for someone to trespass on the  
149 property, fall down and file suit against Nottingham for thousands of \$\$\$. There are no fences nor even  
150 signs indicating ‘No Trespassing’ on the site, there would be no affirmative defenses to an interloper  
151 being injured and filing suit.

152

153

154 Offer is made for \$450,000.

155 A. Could accept the offer and sell the property and put it back on the tax rolls within a very short  
156 period of time. Offer is made for all of the property on the Nottingham side of the  
157 Nottingham/Barrington boundary of the previous USA Springs property to include approx. 170+/- acres,  
158 including a steel skeleton of a partially erected building (Town to allow the continued construction of  
159 the building per approvals from licensed structural engineers), a two-storey house converted to an  
160 office (in very bad condition and a very bad attractive nuisance), two free-standing buildings and a cell  
161 tower.

162 Buyer will make covenants in the offer to not export water drawn from the aquifer. Buyer plans  
163 to utilize the skeletal building for RV storage and the remainder of the land the benign use as a solar  
164 farm, with walking trails.

165 This will not impact the costs of operation of the Town of Nottingham (no new families needing schools  
166 & services, minimal fire & police protection, etc.) and will add to the property tax base once in  
167 operation.

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168                Sale of the property to Buyer will not incur any Real Estate Brokerage or Sales Commissions of  
169 any sort to the Town of Nottingham.

170

171        B.            Could go for an open bid/auction type sale, however, at such a sale, an offer may come in lower  
172 than my offer, remember that at Tax Lien Sales, Buyer must settle up in 30 days – not enough time to  
173 conduct proper due diligence of the property.

174                Buyer will not be able to insure the purchase with Title Insurance due to the fact that the sale is  
175 taking place less than ten years from the date of the Tax Lien Sale.

176                Auctioneer fees are in the range of 12%, further reducing any net proceeds to the Town of  
177 Nottingham, or increasing the cost of any prospective Buyer.

178

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179

180

**ROMEO D. DANAIS, JR.**

181

**3 Ledge Farm Rd**

182

**Nottingham, NH 03290-5004**

183

**(603) 734-4500**

184

**[romicf@yahoo.com](mailto:romicf@yahoo.com)**

185

186 October 22,2019

187

188 The Town of Nottingham

189 Chris Sterndale, Manager

190

191 Re: Former USA Springs site, consisting of approx. 180 acres more or less, known as 145 Old Turnpike  
192 Road, Nottingham

193 Also known as Map 3 Lots 6, 9 & 10.

194

195 I make the following offer to Purchase the above-mentioned property.

196

197 Seller: The Town of Nottingham, NH

198

199 Buyer: Romeo Danais, or assigns

200

201 Location: As described above

202

203 Purchase Price: Four Hundred Fifty Thousand (\$450,000.) Dollars cash, no contingencies for  
204 financing.

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206     Transfer of Title:             Thirty days after Due Diligence Period

207

208     Due Diligence:             Subject to the approval of the Town of Nottingham for use described in Exhibit  
209                                     "A", more or less Ninety (90) days.

210

211     Deposit:                     A Fifty Thousand (\$50,000) Dollar deposit shall be held in the escrow account of  
212                                     Seller's attorney, which shall be refundable in the event Buyer cancels this  
213                                     contract during the Due Diligence period.

214

215     Brokerage:                   The Buyer has not retained a real estate broker and does not anticipate any  
216                                     commissions to be paid by either the Buyer nor the Seller in this transaction.

217

218     Conditions:                 Buyer buys the property in its present condition.

219

220     Thank you,

221

222     Sincerely,

223

224

225     Romeo Danais

226     3 Ledge Farm Rd

227     Nottingham, NH

228

229     Encl: Exhibit "A"

230



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231

232

**Exhibit “A”**

233

234 Regarding that certain property known as the former USA Springs, consisting of approx. 180 acres more  
235 or less, known as 145 Old Turnpike Road, Nottingham

236 Also known as Map 3 Lots 6, 9 & 10.

237

238 The Buyer would like to bifurcate the use of the lot into two separate uses;

239

240 A) The ‘front’ portion of the lot that consists of a partially completed steel skeleton that was to be the  
241 bottling plant for USA Springs would be completed and made into a storage location.

242

243 B) The ‘back’ portion of the lot would be developed into a “Solar Farm”.

244

245 The Buyer does not intend to draw water from the site other than on-site uses consistent with A & B  
246 above.

247

248 End of document

249