

**Official Minutes as of 12/16/19
Nottingham Select Board Meeting
12/9/19**

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, Michael Clare, Peter Wewrzonde, Mike Russo, Charlene Andersen, Pam
6 Kelly, Cheryl Smith

7 Chair opened the meeting at 6:30pm with the Pledge of Allegiance. Mr. Dumas thanked
8 everyone for coming to the parade this past weekend.

9 Approve Manifests

10 **Ms. Danis made a motion to approve the accounts payable manifest of 12/2/19 and payroll**
11 **manifest of 12/3/19. Mr. Bartlett seconded. Unanimously approved by a vote of 5-0.**

12 Approve Minutes

13 **Mr. Bartlett made a motion to approve the public minutes from 11/26/19 as amended. Ms.**
14 **Danis seconded. Unanimously approved by a vote of 5-0.**

15 **Ms. Danis made a motion to approve the public minutes from 11/18/19 as written. Mr.**
16 **Morin seconded. Unanimously approved by a vote of 4-1, Mr. Dumas abstaining.**

17 **Mr. Bartlett made a motion to approve the public minutes from 11/4/19 as written. Mr.**
18 **Eaton seconded. Unanimously approved by a vote of 4-1, Ms. Danis abstaining.**

19 Action Items from Last Meetings

20 Town road standards

21 BOS Reports from Assigned Boards/Committees

22 Budget Committee

23 Mr. Morin went over the town budget at the BC meeting.

24 Planning Board

25 They are meeting on Wednesday.

26 CIP

27 Ms. Danis said they are meeting next Tuesday.

28 300th Celebration

29 Mr. Soreff said they have sold many ornaments.

30 Marston Property

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Ms. Danis said they are done work on the fields for the season. The property is open; people can snowshoe in the back but Ms. Danis requested that people stay off the front where the fields are. Ms. Smith said there was significant erosion at the Marston property going into the wetlands; she will send pics to the Board.

Town Administrator Report

Mr. Sterndale said the parade and craft event went well Saturday. Town report time is coming up; the BOS dedicates the book to someone and asked the Board for their suggestions. They are also looking for a cover photo. The Secretary of State set Feb. 11 for the primary. School Board is coming to BOS next week. Impact fee information was sent to BOS. Police Lt. Brian Spagna announced his retirement; he has been with the force for the past 22 years in Nottingham.

General Business

Mr. Eaton made a motion to appoint Jonathon Rydberg to the Conservation Commission. Mr. Bartlett seconded. It was unanimously approved by a vote of 5-0.

Marston Property Grant

Mr. Sterndale discussed a grant for fencing, etc for the ball fields. It is for up to \$75,000. There is some archaeological work that needs to be done as well in order to receive this money. The group applied for a trails grant of \$12-15K for Marston property.

Sale of Town Property

Ms. Danis made a motion to accept the bid for Map 1, Lots 117 and 118 for \$1000. Mr. Eaton seconded.

Mr. Morin didn't want to accept this bid for \$1000; Mr. Bartlett concurred. Mr. Dumas said these smaller lots would be lumped in with another lot that this person owns and he questioned if it would be large enough for a house lot even at that point. Mr. Sterndale is not sure. Ms. Danis said the town has held onto these lots for 4 years. Mr. Dumas asked what the town is going to do if they don't accept these lots; he thinks the Board should sell it to the abutters. Mr. Eaton said they could ask him for another bid; Mr. Bartlett said they should have a reserve amount. Mr. Bartlett said he doesn't think they are doing their due diligence by letting a property go for \$1000. Mr. Sterndale said the intent was to put these lots together to be a larger lot. Ms. Danis said even with merging, it is still less than a typical lot size. Mr. Sterndale said it is about an acre including the bidder's current property. It is a steep lot and may not be usable in certain areas. Mr. Sterndale said they have done this process of adjoining the properties for several properties in the past. Ms. Danis said the purpose is to get this back on the tax pool, not to make money.

The vote did not pass with a vote of 2 yay: Mr. Dumas, Ms. Danis and 3 nay: Mr. Morin, Mr. Eaton and Mr. Bartlett. Motion fails.

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Mr. Morin made a motion to reject the offer of Map 1, Lot 91 with a bid of \$200 due to the restrictions that the bidder put on the bid. Mr. Eaton seconded. Motion was approved unanimously approved by a vote of 5-0.

Mr. Bartlett made a motion to accept the bid for Map 13, Lot 12, Freeman Hall Road for \$31,800 Mr. Eaton seconded.

Ms. Danis said this is a viable lot to build a home on, and it is assessed at double the price. Mr. Bartlett said he feels more comfortable with this bid. Mr. Morin said he would like someone to bid at least half of the assessed cost. Mr. Eaton said it is a decent bid, and he is in favor of the bid. Ms. Danis asked what they would do next if they rejected this bid. Mr. Sterndale said they could list it with a realtor or auction it. Mr. Bartlett said the costs for that could be high and the town could make less money than what the current bid is. Ms. Danis is in favor of the bid.

It was approved by a vote of 4 yay, 1 nay from Mr. Morin.

Ms. Danis made a motion that the Town of Nottingham authorizes Kortney Dorow, Parks and Recreation Director, to apply for and enter into contracts related to the State of New Hampshire Land and Water Conservation Fund Local Assistance Program. Mr. Eaton seconded. It was unanimously approved by a vote of 5-0.

Class V Road Standards

Technical terms used in the engineer's suggested road standards were discussed. Mr. Russo, who is an engineer, explained terms that the Board had questions on such as a stopping sight distance. He explained it means that a person in a car can see 90 feet in front of him/her. Ms. Danis asked about K value. Mr. Russo explained that the curve is left/right. Ms. Danis said they need a better definition so people who live on these roads can understand it more easily. Mr. Dumas said there is a qualified opinion from an engineer, and they could answer questions about this in layman's terms. Ms. Danis said they need to ask for a standard in laymen's terms. Mr. Bartlett said they need to move forward; the engineers are the professionals when it comes to building/upgrading a road. Ms. Danis said they have a right to question things they don't understand. Mr. Bartlett said they had an engineer explain, and they need to move forward. Mr. Morin said they need to move forward as well. Mr. Bartlett said they need to come with one standard and move forward. Mr. Russo distributed notes from a book that he believes will help the Board to make decisions. He suggested using one road standard based on DOT standards. Mr. Morin asked if the town can stop maintaining a road that doesn't meet the standards that were developed. Mr. Russo said it would be up to the town. Mr. Eaton read a law regarding roads. Mr. Russo said it is appropriate that the roads can be maintained by the town at a cost to the residents who live on those roads and other towns have done this. Mr. Eaton said leaving the roads as EL is the best option unless they are marked as gated/private. Mr. Bartlett reminded the Board that the attorney suggested they develop one standard. He said they are working on the EL standard. Ms. Danis said they could wind up with 2 standards still. Mr. Dumas said they could come up with a standard that is outside of their jurisdiction because the roads are not the town's roads, they are private roads. There was discussion about public benefit about ramps and if those

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104 are usable by the town for fire department. Mr. Dumas asked how these roads are benefitting the
105 town in a way that is greater than the benefit of the town maintaining. Mr. Dumas and Mr. Morin
106 had a discussion about private property and whether roads should be maintained with taxpayer
107 money. Mr. Dumas said none of these roads qualify under the law to be roads. Discussion from
108 audience ensued about roads. Mr. Dumas said they are private roads; the town has been
109 maintaining them under EL status but it's not a legal obligation and the EL status can be
110 removed anytime. Mr. Morin said this isn't a difficult decision.

111 Ms. Andersen suggested assigning Mr. Sterndale to rewrite EL policy or create a sub-committee
112 to do this. She suggested putting in public benefit into the policy. Another option is leaving the
113 policy from 2011 as is although there are still problems. Mr. Clare said that the community raises
114 \$2.5M from tax dollars from these roads. The roads have been maintained over the years and
115 should be continued.

116 Ms. Danis said Ms. Andersen's points are well taken.

117 Ms. Danis made a motion to leave the EL policy as is and end the debate of the town maintaining
118 the roads for 50 years.

119 Mr. Bartlett is in favor of tweaking the policy and is in favor of having Mr. Sterndale write the
120 policy as he believes a committee won't work. He said the town owes it to the community.

121 **Mr. Morin seconded.**

122 Mr. Eaton said he wants to help people in the community except for those who are in private
123 gated communities.

124 Mr. Sterndale said he has posed 3 main questions: Will the board consider public benefit? Will
125 road owners bear any responsibility for maintenance? And, What level of service will the town
126 provide? This problem is not going away.

127 Mr. Dumas said they are passing the problem to another Board to decide. Mr. Eaton said that he
128 has never seen a large amount of people come forward to say that we should not take care of the
129 roads. He said they could just continue to do what they are doing. Mr. Bartlett said they should
130 limit liability and lawsuits.

131 Mr. Sterndale said they need to have a policy/guidance and need guidance on spots that are
132 unsafe. Bailing out is not the solution.

133 Ms. Danis withdraw her motion.

134 **Ms. Danis made a motion to focus on the existing EL policy. Mr. Morin seconded.**

135 Ms. Andersen suggested she and Ms. Danis work together on the EL policy. Ms. Danis said they
136 have served on the Board before and typically don't always agree but have come up with
137 compromising solutions. The Board concurred.

138 **It was passed unanimously approved by a vote of 5-0.**

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139 Ms. Andersen and Ms. Danis agreed that they could have something mid-January. Ms. Danis will
140 be out on January 13.

141 The Board reiterated that nothing has changed regarding EL roads and they will continue to be
142 maintained the same.

143 *2019 Budget*

144 There will be \$175-225K left in the budget. Mr. Sterndale will come to the next meeting with
145 suggestions on encumbrances for gravel pit, Ledge Farm Road, PC replacements. The sander is
146 being fixed; there is another that they are using. Mr. Sterndale said he has quote from one
147 electrician; Mr. Eaton asked questions about the bid. Mr. Eaton said his team will do the
148 electrical work for free.

149 **Appointments**

150 **Review Action Items for Next Meeting**

151 EL lane policy, goals

152 **Adjourn**

153 **Mr. Eaton made a motion to adjourn at 8:37pm. Mr. Morin seconded. Unanimously**
154 **approved by a vote of 5-0.**

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