

**Nottingham Select Board Meeting  
December 12, 2022 Meeting  
OFFICIAL MINUTES 12/30/2022**

**CALL TO ORDER 6:32 PM**

**Members Present:** Chair Donna Danis, Vice Chair Tony Dumas, Benjamin Bartlett, Tiler Eaton  
John Morin arrived at 6:35

**Others:** John Scruton, Interim Town Administrator, Steve Soreff, Ruthanne Fuller, DeeAnn Decker

The Chair opened the meeting with the Pledge of Allegiance.

**Mr. Dumas made a motion to approve the Accounts Payable Manifest for December 12, 2022 and the Payroll Manifest for December 13, 2022.**

**Seconded by Mr. Bartlett.**

**Mr. Dumas made a motion to approve the public and non-public November 28, 2022 and December 5, 2022 Minutes. Seconded by Mr. Eaton.**

**Unanimously approved by a vote of 4-0.**

**Mr. Morin arrived at 6:35.**

**BOS Reports from Assigned Boards and Committees:**

*Budget Committee*

Mr. Morin said there was no meeting last week as there was nothing to review.

*Planning Board*

Mr. Morin said there will be a meeting on December 14<sup>th</sup>.

*CIP*

Mr. Bartlett said there will be a meeting on December 15<sup>th</sup>. He mentioned CIP other members: Megan Sebasco (School Board rep), Gene Reed, Michelle King (Budget Committee rep) Sandra Jones (Planning Board rep).

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

*Marston Property*

Ms. Danis had no update.

## **Town Administrator Report**

*John Scruton brought up his first action Item:*

From ARPA Funds- \$42,025.80 for the Birch Road Culvert repair. This shows as an expenditure toward budget for this year, this was an unanticipated emergency and was not in the budget. This amount needs to be taken out of [*ed. - budget line item*] expenditures and put it in the ARPA money. There was discussion by the board of what was repaired, and what a good job was done; and that it came under budget by \$6000.00 by the contractor SUR.

**Mr. Dumas made a motion to fund the Birch Road Culvert repair in the amount of \$42,025.80 from ARPA money. Mr. Bartlett seconded. Unanimously approved 5-0.**

*Second action item:*

Mr. Scruton explained the Town is currently spending a little over \$3000/month to rent the backhoe at the Transfer Station while repairs of the bobcat are done. Plans are to replace the bobcat with a backhoe are in the CIP list but instead of waiting, ARPA funds would let the Town replace it immediately. Mr. Bartlett said the highway department told him it was back, Mr. Scruton said he was not aware of that. Mr. Morin said he will not vote for any ARPA funds to be spent on a backhoe for the dump. Ms. Dumas and Mr. Scruton asked what he would do instead, Mr. Morin said he's of the option that it's just something we should not be spending the ARPA money on. 'Big picture' - it's an extra expense that is not needed. Ms. Dumas said he may be right, but we risk making things worse if the right equipment is not there now. Mr. Dumas said it's used to move cardboard and bales, and the bobcat does fine. Mr. Scruton said the backhoe could also remove snow. He feels it's a piece of equipment needed at a transfer station. Mr. Morin asked the cost, Mr. Scruton said new, estimated \$125,000. Mr. Bartlett said that's also contingent if it's on the lot. Mr. Scruton agreed, it's possible it could take a while if ordered. The Board agreed to table this until bobcat status is confirmed, there would be less urgency.

Later in the meeting he confirmed that the bobcat had been returned.

*Auditor Requests:*

Mr. Scruton explained the Town Auditor requests the town adopt a Fund Balance Policy and an Investment Policy. Mr. Scruton provided draft samples of each for the Board. The Board discussed the use of these and when borrowing is needed, in cases of emergency in between budgets (like recently when tax bills went out late) and what the percentage rate is typical, 10-12%. Mr. Scruton explained that the Auditor wishes the Town to implement and follow these policies going forward. Future audits will ensure they audit to the policies.

**Mr. Eaton made a motion to adopt the Fund Balance Policy and the Investment Policy. Mr. Dumas seconded. Unanimously approved 5-0.**

*Town Report:*

Mr. Scruton asked who would write the Town Report submission, Ms. Danis said she would write it with the board's assistance as is traditional. Ms. Danis stressed it should be centered around the budget process and the challenges that they've dealt with in terms of staff retention and increased expenses. Mr. Dumas agreed that they should write about the unique challenge that inflation rates have created.

*Encumbrances:*

Mr. Scruton asked to encumber the money for the police cruiser in the amount of \$36,773 out of the operating budget and \$333,000 for the ambulance out of the two special warrant articles. Equipment has been ordered, but there have been delays. He may have additional items in the next (December 22) BOS meeting. The board discussed the status of the current ambulance and recent unexpected repairs, as well as the long wait for the new one.

**Mr. Dumas made a motion to encumber \$333,000 from the Ambulance Special Reserve Fund for the second ambulance purchase, and to encumber up to \$36,796 for the purchase of the cruiser . Mr. Bartlett seconded. Unanimously approved 5-0.**

Mr. Scruton reviewed non-action items with the Board:

*Town Office Underground Oil Tank:*

Mr. Scruton asked the Board to be aware and to develop a plan to stop using the aging single line underground oil tank at the Town Offices and place new tanks above ground, building a wood enclosure with a locked door next to the kitchen for best access. Also the warranty on the new boilers may be voided as no one

serviced them last year, because of an expectation by two companies that the other was doing it.

*Tax rate:* Change from prior year a decrease from \$19.42 to \$19.11. The decrease is largely due to a reduction in the State Education Property Tax. People should be receiving their bills the week of December 11<sup>th</sup>. Bills are due on January 18, 2023 to allow time and for when Tax Collector has office hours.

*Logging:* Map 52 Lot 4-2, the area around the “beach road” is being logged by Fernald Lumber.

*Lighting:* Mr. Scruton is getting quotes to repair lighting both inside and outside at the Town Office building. In the gym, the recommendation for some ceiling light replacements is a lift will be needed, so every light will be upgraded to LEDs. Exterior lighting on the front and side of the building will be improved, LEDs here as well. There has been vandalism at the building. Mr. Dumas mentioned possibly installing security cameras in the future.

*Marston Well:* Town is in the process of filing permits to obtain a non-transient non-community public water supply. Public water supplies have varying requirements for testing. Some questions about maintenance, backflow location, etc. still need to be answered by the volunteers for Marston. In the future this information should filter through the Town Hall for oversight. A project that size, under state law, should have had state bonding. Mr. Scruton explained that for any public project over \$125,000 this is required. Ms. Danis asked since the project was done in phases, does that still apply here? Mr. Scruton said we may be ok in this case, if no one piece/phase was over \$125,000. You need to be careful that you aren’t doing phases below that cost in order to avoid the bonding process. The bonding adds 1-3% to the cost of a project but it protects the Town too.

*Library Lift:* It will finally be installed tomorrow, December 13<sup>th</sup>. The delay was due to supply chain issues, delivery delays and an insufficient number of qualified installation technicians.

*After School Program:* Ms. Danis said the new School Superintendent has suggested putting this program out to bid again. The Board discussed reasons why the school chose the Recreation Department, including cost effectiveness, continuity between Summer programs and After School programs; the overlap and

familiarity of staffing for each. Ms. Danis and Kortney Duball, Parks & Recreation Director, will attend the School Board meeting on December 21<sup>st</sup>.

Mr. Scruton then discussed the Recreation Revolving Fund and how it can be used for building improvements. One being building safety improvements and the other, adapting the Community Room for a larger Department office. The New Hampshire Municipal Association (NHMA) legal team reviewed the statutes:

*RSA 35-B:1 reads in part: ...any town...may construct, reconstruct, equip, operate, and maintain any recreation building or recreation support facility...*

*RSA 35-B:2II regarding the Revolving Funds indicates “Such funds may be expended only for the purposes of this chapter and...”*

Mr. Scruton relayed from the Attorneys that building improvement projects where Recreation activities take place fit this description.

Mr. Bartlett and Ms. Danis discussed if there is any future risk of depleting this fund, Mr. Scruton said with any project we need numbers before a decision is made, at this point this discussion was to first answer questions about usage of the fund.

**Mr. Morin made a motion to approve the Intent to Cut for Map 52 Lot 4-2. Mr. Eaton seconded. Unanimously approved by a vote of 5-0.**

*All Veterans Tax Credit:* A warrant article will be needed to re-adopt the credit. [RSA 72:28-b](#) has been updated to expand the eligibility requirements for this credit, and Town’s providing the tax credit need to vote to approve this new version as amended in July of 2022. This supersedes the prior version. The DRA will provide the wording for this warrant article.

## **Budget Review**

DeeAnn Decker, Supervisor of the Checklist Chair, spoke to the Board as a follow up to the meeting of December 5<sup>th</sup>. She mentioned a formula error that removes \$3500 from their costs since one less election is scheduled for 2023. The Board discussed the possibility of changes to the Presidential Primary date. Ms. Decker discussed in detail how the SOC’s have worked to make their time and resources, including digital media backup, more efficient. How they have streamlined to do more with less, and in less time. The Supervisor term is 6 years, the longest, due to the details of the position and the election cycles. Scrutiny is increasing. She

requests the hourly wage be increased from \$12.50 per hour to \$16.00 per hour. It has not increased in three years.

Budget adjustment suggestions that Board of Selectmen made December 5 were:

- Executive Department line 2, Town Administrator salary, suggested adjusting upward \$5,000 to \$105,000 to reflect the job posting.
- Executive Department line 6 Printing suggested a reduction of \$1900 to \$2500 to reflect the reduced number of Town Reports.
- Town Clerk line 26 Salary line was discussed. The question was the actual reflected \$3,000 over budget and the Board wanted more information on those extra hours. There was concern about the requested increase in rate, although a recognition there should be two working when they are the only office open.
- Election workers and Supervisors salaries. The Board questioned why the workers went down and supervisors went up. The Board would like the Chair of the Supervisors to attend the next meeting.
- Legal line 83 suggested a reduction of \$10,000 to \$30,000 based on actual and pending cases.
- Planning Board line 109 Mileage suggested a reduction of \$150 to \$100.
- Planning Board line 110 Master Plan suggested reduction of \$999 to \$1 given the Board is so busy and this would be a lot of extra time which the Board may not have now.
- Planning Board line 113 Misc. (SRPC) suggested reduction of \$6499 to \$1.
- Town Hall Buildings line 124 Maintenance Salary suggested addition to \$8,500. This was related to the suggested cutting of the requested extra position out of recreation, but a recognition that a position town-wide is needed.
- Highway line 261 mowing suggested reduction of \$10,000 to \$20,000 based off 2022 usage.
- Highway Line 263 equipment parts suggested reduction of \$5,000 to \$45,000 based on 2022 usage and that the new truck should require less maintenance than the old one.
- Highway line 264 contracted grader suggested reduction of \$5,000 to \$20,000 based on 2022 usage and noting the roads are substantially improved under the Public Works Direction improvement plans.
- Highway line 280 Shim and Seal line a suggestion to move \$100,000 from this line and add to the \$300,000 Road Maintenance warrant article. The Board agreed the work needed to be done so recommend an increase of the warrant article to \$400,000 and a reduction here of \$100,000.
- There was discussion on a variety of other budgets between lines 283 and 331.

- Recreation. Line 333 Salaries: The Board suggested moving various position from this line to the Recreation Revolving Fund. These included: \$800 gate keeper, \$7,000 lifeguards, and \$23,000 assistant recreation director with a total of 30,800 moving to the Revolving Recreation Fund.
- Recreation Line 333 Salaries: Maintenance person: The discussion was that this should be a town-wide position. The board suggested reducing this line 333 by an additional \$17,000 and adding back \$8,500 to town buildings.
- Recreation line 338 suggested a reduction of \$5,000 for the band stand and seeking donations to do the repair.
- Recreation Line 341 Scholarship-Hardship. The Board suggested removing the entire line of \$11,000, and allowing the revolving fund to deal with these.

The Board is still over the 4% cap by 1.4%. There was discussion on the Supervisors of Checklist salary increase request.

**Select Board member Dumas made a motion to approve all the budgetary adjustments as discussed at the meeting of December 5, 2022, seconded by Select Board member Morin. Passed unanimously.**

Chair asked if the Board was going to cut the additional \$67,000 to get to the cap. Members felt ask the Budget Committee suggestions. It is the Budget Committee's Budget that goes to the deliberative session.

By consensus board agreed to accept proposal from Supervisors of Checklist reducing their salary line and the election workers proposal. Board asked for more information on the salary history of the election workers.

By consensus the Supervisors were adjusted to \$6,262 as they requested and no change in election workers until Board has information on their wage history.

The deadline for Budget Committee is January 9 for final presentation from Board. The plan is the Select Board makes these suggestions to the Budget Committee. The Budget Committee will then make suggestions to the Board. The Board will then consider the Budget Committee's suggestions for that January 9 final presentation to the Budget Committee.

The subject of Warrant Articles was discussed in connection with the CIP list. In addition, there is the need for a new Veterans' Credit warrant article.

There was a question as to why put the \$100,000 in the revolving ambulance fund as it would not need to be a warrant article. The question is how it was done in the past. After discussion it was decided to look at it.

Potential Warrant Articles		
veterans tax credit	RSA change	N/A
Fire Vehicle CRF	Appropriation	\$ 100,000
Fire department doors	Appropriation	\$ 11,000
flooring fire station	Appropriation	\$ 12,000
police mobile data terminals	Appropriation	\$ 18,000
Police Tech CRF (establish and appro.)	Appropriation	\$ 10,000
Is ambulance operations an article?	withdraw amb fund	
ambulance replacement,	listed CIP, but probably not an article	
Hwy Vehicle CRF	Appropriation	\$ 100,000
paving	Appropriation	\$ 400,000
backhoe	Appropriation	\$ 125,000
Highway utility truck	Appropriation	\$ 104,000
Culvert replacement engineering	Appropriation	\$ 70,000
Library entrance, ADA	Appropriation	\$ 5,000
Library parking lot reconfig. pave	Appropriation	\$ 20,000
Recreation gym floor	Appropriation	\$ 25,000
Meeting room A/V	withdraw Cable fund	\$ 50,000
Invasive ETF	Appropriation	\$ 10,000
Revaluation CRF	Appropriation	\$ 20,000

There was discussion on some of these items. There was discussion of other funding sources including ARPA, impact fees, revolving revenue, etc. There was discussion of maintenance versus capital items.

There was discussion of catch-up for the failure of the \$20,000 for the Revaluation certification year.

The interim Town Administrator discussed a rolling revaluation spread out over 5 years.

The interim Town Administrator presented the DRA form for the default budget. The Board had voted to approve the default budget numbers in the summer off the memo recommending it by then Town Administrator Sterndale

**Select Board member Dumas moved to appoint Debbie Ricker as alternate to the Library Board of Trustees for a term from December 2022 to December 2023. Passed unanimously.**

**Select Board member Dumas made a motion to recess the public meeting at 7:46 pm and go into non-public RSA 91-A:3 II (a). Select Board member Bartlett seconded. Roll call vote: Mr. Bartlett-Aye, Mr. Morin-Aye, , Ms. Danis-Aye, Mr. Eaton-Aye and Mr. Dumas-Aye. Unanimously approved by a vote of 5-0.**

**Mr. Dumas moved and Mr. Morin seconded to seal the non-public minutes indefinitely and to exit the non-public session at 8:36 pm. Roll call vote: Mr. Bartlett-yay, Mr. Eaton-yay, Mr. Morin-yay, Ms. Danis-yay and Mr. Dumas-yay. Unanimously approved by a vote of 5-0.**

**Mr. Dumas moved and Mr. Morin seconded to adjourn the meeting at 8:37 pm.**

*Respectfully submitted,  
Per Video Transcription  
Kelly Dallaire, BOS Secretary  
John Scruton, interim Town Administrator*