

**Nottingham Select Board Meeting**

**12/18/2023**

**Budget Workshop Minutes**

**Approved as Amended January 8, 2024**

**Call to Order**

**Members present:** Ben Bartlett, Tim Dabrieo, Matthew Shirland, and Steve Welch.  
Others: Town Administrator Ellen White.

**Members of the public:** Please refer to the sign up sheet at the end of this document.

**Members Excused:** John Morin.

**Pledge of Allegiance:** meeting began with the Pledge of Allegiance. Mr. Bartlett noted that the Board would like to wish all those at home and those who are traveling a safe travel and asked everyone for a moment of silence for all the deployed troops overseas who cannot be home for this holiday.

**Approve Manifests A/P 12/11/2023 and Payroll 12/12/2023**

*Mr. Welch made a motion to approve the manifests for A/P 12/11/2023 and Payroll 12/12/Mr. Dabrieo duly seconded. Motion carried by a 4:0 roll call vote. Mr. Shirland - aye, Mr. Dabrieo - aye, Mr. Welch - aye, Mr. Bartlett - aye.*

**Approve public minutes 12/04/2023**

*Mr. Dabrieo made a motion to approve the public minutes for 12/04/2023 as amended. Mr. Welch duly seconded. Motion carried by a 3:0:1 roll call vote. Dabrieo - aye, Mr. Welch - aye, Mr. Bartlett - aye. Mr. Shirland abstained as he was not present at that meeting.*

**Approve non-public minutes 12/04/2023 and 12/12/2023**

*Mr. Dabrieo made a motion to approve the non-public minutes for 12/04/2023 as presented. Mr. Welch duly seconded. Motion carried by a 3:0:1 roll call vote. Dabrieo - aye, Mr. Welch - aye, Mr. Bartlett - aye. Mr. Shirland abstained as he was not present at that meeting.*

*Mr. Dabrieo made a motion to approve the non-public minutes for 12/12/2023 as presented. Mr. Shirland duly seconded. Motion carried by a 4:0 roll call vote. Mr. Shirland - aye, Mr. Dabrieo - aye, Mr. Welch - aye, Mr. Bartlett - aye.*

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

**Budget Committee**

Ms. White provided an update on the last Budget Committee meeting and relayed to the Board the request to reconsider the following:

1. Highway Construction and Equipment Line (Line 265) and Highway Sand/Gravel/Stone Line (270) to consider reducing each line further by \$10,000 for each;
2. Returning the \$200,000 for the Highway Contracted Maintenance Projects that was decided to be moved to the Warrant Article earlier.

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Members discussed the fact that they had already dropped Line 265 down to \$10,000 so it was not clear why the Budget Committee is asking to reduce it to zero. Ms. White will check the meeting minutes to make sure that it was the correct line item.

As for the Sand/Gravel/Stone Line, members were agreeable to meeting the Budget Committee halfway on the reduction, dropping the budget to \$55,000. They asked Ms. White to verify if there were any concerns about salt prices and ensure there is enough winter sand.

Members also expressed concerns with the fact that given that the budget is currently at 4%, and the Budget Committee is making a request to restore \$200,000 without clear offset proposals.

### Planning Board

There was no update.

### CIP Committee

Mr. Dabrieo said that the Committee had its meeting last week and it went well. He said that next year CIP meetings will start earlier in the year to work on the recommendations from the Facilities Committee report and to start working on a plan based upon what the Select Board wants to do.

### Marston

There was no update.

### Town Administrator Report

Ms. White spoke about the following:

- Highway Director Steve Rollins researched a diesel pump option for the Highway Garage. The cost for a double wall above-ground 500-gallon tank and pump is \$6,200 to purchase, or the system can be rented for \$150/month through Davis Fuels. This allows a more viable option than the Smoke Street pit cube (unless working in the area), or the need to otherwise travel out of town to refuel our trucks during winter road maintenance especially. Ms. White said that she would recommend this purchase from remaining Highway Block grant funds received in 2022 (balance \$43,337).

The Board deliberated on the need to know about bulk fuel pricing, the suitability of the rental supplier, and the need for further information before making a decision. Despite recognizing the benefits of the diesel pump, the Board opted to postpone a decision pending more details and clarification on logistical aspects.

- Unspent special warrant articles can be encumbered (non-lapsing) for one additional year by voting at a properly noticed meeting held before the end of the fiscal year for which the amount was budgeted. I recommend encumbering the following funds:

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- 2023 Warrant Article No. 18 in the amount of \$40,000 for the property maintenance contract
- 2023 Warrant Article No. 11 for the unspent balance of \$143,323

With a contract signing prior to the year-end with a property maintenance company, Ms. White also suggested encumbering the following line item from the 2023 operating budget:

- Salary maintenance line Item in the amount of \$10,000 to be used toward the above property maintenance contract

Members decided to discuss this item later in the meeting.

- The new ambulance arrived last Monday, 12/11/2023. It was noted that it should be operational within two weeks of the arrival date.
- The Maple Ridge subdivision is nearing completion and there will be a balance distribution from the escrow account, once the cisterns are painted as required by the Fire Chief. Mr. Falzone is requesting consideration for the Town to accept the subdivision roads as Class V town-maintained roads. This will be a 2024 Warrant Article.

Ms. White asked if the Board would like the Warrant Article to come by petition or suggested by the Board. It was decided that it should be a petition Warrant Article for consistency. Mr. Bartlet noted that petitioners have to be present at the discussion of that Warrant Article or it will not move forward.

- The pest infestation continues at the Community Center. Ms. White met with the PM from Orkin and the lead service technician last Tuesday. There is evidence of pest presence in the Town office side of the building in addition to the Police Department side. Additional exterior bait stations will be put in place and service will increase from monthly to weekly to help. Exclusionary services are needed to close areas where the pests can access the interior of the building. Several infiltration points were identified during last week's walk-through and the quote for Orkin to provide this service is \$1,560. This does not include buttoning up any access from the interior dilapidated portion of the building over to the in-use portion of the building. This is an area that should be identified as a priority for our new facilities manager to address. A suggestion was made to install hardware cloth or equivalent from the ceiling up to the roof of the building to block off access to this portion of the building. This would require removal of remaining insulation and drop ceiling framework for access. Quotes to update the bait station servicing and for the exclusionary services are attached. Additionally, we will be having air quality testing completed.
- While doing a perimeter check of this facility, other areas of pest presence were noted at the Historical Society/Dame building. In addition to the presence of rats around the exterior of that building, powderpost beetles were also identified in the crawlspace and have begun deteriorating the support beams. A separate quote for mitigation at that building is also

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132 attached to the TA Report. Dale Sylvia did a quick inspection of the building and did not  
133 note structural concerns for the building but will be reviewing the report and photos  
134 provided by Orkin (attached to the TA Report).

135 Ms. White answered questions from the Board about what the exclusionary service will include  
136 and what the Town will have to be responsible for, as well as the timeframe. She noted that the  
137 treatment would need to be done in the spring, and that the contract with the company will have  
138 to be amended to include costs for additional services. Ms. White also said that as a  
139 precautionary measure, an air quality test will be performed to ensure the safety of the air within  
140 the buildings, considering the significant pest issue.  
141 Overall, the discussion emphasized the need for immediate action to address the rat infestation, a  
142 combination of exclusionary services, traps, and ongoing pest control efforts to ensure the safety  
143 and integrity of the town buildings.  
144

### 145 Appointments

#### 146 7:00 PM – Hearing – Highway Block Grant

147 Mr. Bartlett opened the public hearing at 7:00 PM and noted that the public hearing is for the  
148 Town's acceptance of unanticipated revenues as follows: the first in the amount of \$47,011.46  
149 which is associated with Highway Block Grant Aid – Apportionment A, which is based on the  
150 Town's mileage of Class IV and Class V highways, as well as the population; the second in the  
151 amount of \$25,991.17 is a one-time payment for maintenance, construction, or reconstruction of  
152 municipally owned bridges.  
153

154 *Mr. Dabrieo made a motion to accept the Highway Block Grant funds for 2023 in the amount of*  
155 *\$25,991.17 and \$47,011.46. Mr. Welch duly seconded. Motion carried by a 3:0:1 roll call vote.*  
156 *Dabrieo – aye, Mr. Welch – aye, Mr. Bartlett – aye. Mr. Shirland abstained as he was not present*  
157 *at that meeting.*  
158

#### 159 Town Administrator Report (continued)

- 160
- 161 • Ms. White noted that if the Board is going to continue following the first and third Monday  
162 schedule of each month for regular Selectboard meetings, both January meetings fall on  
163 observed holidays. She asked if the Board would like to propose a different day of the  
164 week in the first and third weeks of the month or reschedule for the second and fourth  
165 Mondays in January.

166 Members agreed to schedule a budget review special meeting on January 3, 2024 at 6:30 PM and  
167 have regular meetings on January 8<sup>th</sup> and 22<sup>nd</sup>.  
168

- 169 • The Highway Department crew worked on the aluminum can trailer earlier last week  
170 providing it with some welding repairs, fresh paint, a new trailer hitch, jack stand, and  
171 also reinforced the hitch on the Recycling Center's F350. Photos are attached to the TA  
172 Report. This should buy some time until the Town will have to replace it with a new  
173 trailer.

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### Action Items from Last Meeting

- Veteran's Tax Credits abatements – Property owners were informed about the approved abatements, including a \$750 credit;
- Impact Fees – a response needs to be drafted to Mr. Reed's inquiry;

### General Business

#### Fund Balance Policy Review

Ms. White said that the policy does not require an update, but an annual review is recommended. Members reviewed and no changes were suggested.

#### Budget Warrant Article Review

The members were provided a sheet listing Warrant Articles that was drafted at the last Board meeting and that were based on items identified in the CIP (Capital Improvement Plan) and some other items. Ms. White suggested that these should be discussed at the upcoming meeting on the 3rd.

Members discussed individual Warrant Articles and potential adjustments or additions. Ms. White also provided the members with the third quarter balances in the Expendable trust fund and capital reserve funds sheets and answered questions from the Board on some amounts noted on them.

She said that she can update that information with year-end statements once she has consulted with accounting.

There was consensus to review the Warrant Articles on January 3, 2024 at 6:30 PM.

#### Encumbrances

*Mr. Shirland made a motion to encumber the 2023 Warrant Article 18 in the amount of \$40,000 for property maintenance contract, 2023 Warrant Article 11 for the unspent balance of \$143,323 for contracted road maintenance, and the salary maintenance line item in the amount of \$10,000 that was used towards the above property maintenance. Mr. Welch duly seconded. Mr. Welch duly seconded. Motion carried by a 3:0:1 roll call vote. Dabrieo – aye, Mr. Welch – aye, Mr. Bartlett – aye. Mr. Shirland abstained as he was not present at that meeting.*

#### Private Road naming

A memo regarding the request is in the members' packet. The discussion about private road renaming involved a situation where a new home is being built on a new lot on Priest Road, and all street numbers were taken. The request is to make the individual driveway a private road named Golden Rod Road. There was a consideration of potential alternatives, like renumbering Priest Road entirely, but it seemed impossible. The usage of word "road" was questioned for the driveway name and suggestion was made to further clarify whether it would be acceptable or words "lane" or "way" would be more appropriate.

### Action Items for the Next Meeting

Private Road Naming

Diesel Pump Option

Kevin Bassett

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List for the Building Maintenance Contract Company

**Town Administrator Report (continued)**

- Ms. White expressed concerns about the requests she has for subletting the Town owned building for a private event, given the pest control issues are not yet resolved.

The Board shared her sentiment that subletting should be avoided until these matters are sorted out.

**Public Comment**

- Steve Soroff, 32 Doloff Road, thanked the Board for donating the wood for the bonfire and asked whether the funds for celebrating Town wide events should be planned through the operating budget or petitioned as Warrant Articles.

Discussion ensued about what to do with the remaining funds in the 300<sup>th</sup> Celebration fund. Suggestions included returning some funds to the general fund, keeping some for celebratory purposes, and seeking legal advice for repurposing before taking any action.

- Skip Seaverns, 340 Stage Road, said that he reviewed a few sets of unsealed non-public minutes to determine the following: 1) when the Fire Chief was appointed by the Board, 2) whether opportunities to appoint the Fire Chief were present during the Board meetings, and 3) how rigid the Board's requirements are for appointing the Fire Chief. Mr. Seaverns listed previous appointments of Fire Chiefs by the Board and noted that this year there were plenty of opportunities for the Board to appoint the Fire Chief (he did stop looking at the minutes in July though). His review of the minutes indicated that there is no consistent manner to appoint the Fire Chief, no consistent method of voting, and there is seemingly no indicator that the appointment is accomplished by the Board by either a letter stating so or a document placed in the Fire Chief's Personnel folder. He also alleged that these minutes prove that whether the Board appointed the Fire Chief or not, the Department elected Fire Chief fulfilled the elected commitment.
- Bob Desrosiers, 75 Stage Road, expressed concern about the longstanding tradition in Nottingham for the Fire Department to elect their Chief through a simple process involving a self-signup sheet and a vote by on-call members. He highlighted the 17-year practice and the recent case where Chief Jay Vilchuck did not get appointed by the Board of Selectmen despite following the established process. Mr. Desrosiers raised suspicions about the former interim Town Administrator's connection to MRI, (who, he alleged, at the time was going to come and take over the Town's Fire Department), suggesting a potential conflict of interest and advising the Board to reconsider their actions. He was also raising doubts about the case's dismissal on a technicality and urged the Board to proceed with negotiation for an out-of-court settlement to avoid further costs.
- Doug Bates, 30 Lamprey, questioned the discrepancies in the local tax breakdown and requested a mathematical breakdown of how the tax rates were calculated, expressing surprise at the large tax bills received by residents.

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Ms. White mentioned the state-level calculation by the Department of Revenue and noted that the calculation is provided in the Town Report. Mr. Shirland explained how Nottingham pulling out of the SAU also affected the tax rate midyear. Ms. White also explained that the first half of the year's tax bill is always the same as the previous year's second half. Any change in current year's tax rate would be reflected in the second half of the current year. Nottingham did have a small jump in the tax rate in 2023 and that affected the second tax bill in 2023. She also said that she can provide appropriate documentation showing the tax rate breakdown.

**Non-Public Session**

*Mr. Dabrieo moved to enter non-public session at 7:50 PM pursuant to RSA 91-A:3, II (a) and (l). Mr. Shirland duly seconded. Motion carried with a 4:0 roll call vote in favor. Mr. Bartlett – aye, Mr. Welch – aye, Mr. Dabrieo – aye, Mr. Shirland – aye.*

Non-public session was entered at 7:50 PM

*Mr. Dabrieo moved to exit the public session at 8:50 PM, Mr. Welch duly seconded. Motion carried with a 4:0 roll call vote in favor. Mr. Bartlett – aye, Mr. Welch – aye, Mr. Dabrieo – aye, Mr. Shirland – aye.*

**Resumption of Public Session**

The public session was resumed at 8:50 PM.

**Adjournment:**

*Mr. Dabrieo moved to adjourn. Mr. Welch duly seconded. Motion carried with a 4:0 roll call vote in favor. Mr. Bartlett – aye, Mr. Welch – aye, Mr. Dabrieo – aye, Mr. Shirland – aye.*

The meeting adjourned at 8:50 PM.

Submitted by Alvina Snegach

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DATE: 12/18/23

BOARD OF SELECTMEN MEETING

NAME

ADDRESS

1.	<u>Bob Desrosiers</u>	<u>75 Stage Rd</u>
2.	<u>Doug Bate</u>	<u>30 Langley</u>
3.	<u>Skip Seaverns</u>	<u>340 Stage Road</u>
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