

Nottingham Select Board Meeting

05/15/2023

APPROVED Minutes

Approved as presented on June 5, 2023.

Call to Order

Members present: John Morin, Tim Dabrieo, and Matthew Shirland. Others: Town Administrator Ellen White, Highway Department Director Shawn McLean.

Members of the public: please refer to the sign up sheet attached to these minutes.

Members Excused: Ben Bartlett and Steve Welch.

Mr. Morin opened the meeting at 6:30 PM with the Pledge of Allegiance. He then said that the Board is not going to discuss any personnel issues tonight as this is not the policy of this Board.

Approve Manifests: A/P 5/15/2023 Payroll 5/16/2023

Mr. Shirland made a motion to approve the accounts payable manifest of 05-15-2023 and the payroll manifest of 05-16-23. Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

Approve public minutes 5/01/2023 and non-public minutes 5/01/2023

Mr. Shirland made a motion to approve the public minutes for 5/01/2023 and non-public minutes of 5/01/2023 as presented in the packet. Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

BOS Reports from Assigned Boards/Committees

Budget, Planning Board, CIP, Marston

Mr. Morin said that the Budget Committee and CIP Committee have not met yet.

Mr. Dabrieo said that most people on Marston Committee have dropped off so that are starting anew.

Mr. Morin provided an update on the latest Planning Board meeting which reviewed the site plan for the old USA Springs building on Route 4 where the existing structure will be repurposed for a manufacturing and storage facility. The application was determined to have a regional impact and has to go through additional process. He said that this was only the first meeting and there will be more for reviewing this application. There was a brief back and forth between Mr. Morin and unidentified members of the public who asked questions about the project.

General Business

Town Administrator Report

Ms. White spoke about the following:

- 1. Tabled from 5/1/2023 - Action Item.** Requests for paving bids were solicited and were due in the office on Tuesday, April 25 at noon. Ms. White said that Advanced Excavating & Paving total came to be \$530,078.51, and they are the ones who only submitted the price per ton previously. She said that R&D Paving still remains the lowest bid and the Highway Department Director Shawn McLean was able to obtain references from three other towns

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that used them and they were all positive and all three are included in the packet. Mr. McLean spoke about his research into R&D Paving and said that he has not heard anything negative about their work.

Mr. Dabrieo made a motion to approve R&D Paving's bid for 2023 road paving projects. Mr. Shirland duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

- 2. Action Item 2.** Ms. White said that the Conservation Commission has recommended the reappointment of Cheryl Smith and Susan Mooney and requested a motion to appoint Cheryl Smith and Susan Mooney to the Conservation Commission.

Mr. Dabrieo made a motion to approve the reappointment of Cheryl Smith and Susan Mooney to the Conservation Commission. Mr. Shirland duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

- 3. Action Item 3.** Ms. White said that the Planning Board recommends the appointment of Cheryl Smith to serve as the town's representative to the Strafford Regional Planning Commission, and Teresa Bascom as alternate and that the correspondence is included in the meeting packet. She requested a motion to appoint Cheryl Smith as representative and Teresa Bascom as alternate to the Strafford Regional Planning Commission.

Mr. Shirland made a motion to approve the appointment of Cheryl Smith to serve as the town's representative to the Strafford Regional Planning Commission, and Teresa Bascom as an alternate. Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

- 4. Tabled from 1/9/2023 - Action Item 4.** Ms. White explained that the wastewater drain issue has been resolved and that the new drain goes from the family restroom under the gym floor all the way out. She also said that she looked into the discussions the Board had about the oil tank and could not find whether there was an official decision made. She brought up the 12/27/2022 meeting minutes where it was discussed as well as possible replacement with above-ground 2 tanks 330 gallons. She asked how the Board would wish to proceed regarding the oil tank.

Mr. Morin said that removal of the tank and its replacement was discussed as a preventative measure to avoid any potential environmental and costly remediation and the hopes were to use ARPA money. Discussion ensued about how to proceed and it was noted that aboveground tanks may require a different blend of oil (due to cold exposure) which is more expensive and the need to find out what the cost is. Members agreed to table the item until there is more information available and all the Board is present to decide. Item was tabled to 06/19/2023 meeting.

- 5. Action Item 5.** Ms. White asked how the Board would like to proceed with disposing of the 2006 International 10-wheel dump truck which has a salvage title. She said that her recommendation would be to put a request for sealed bids.

Mr. McLean provided a brief description of the truck and its condition and said that the buy in value offered for the truck was \$3,000.

Discussion ensued about the course of action and it was agreed that Ms. White can put out the request for bids as soon as possible with the bid opening date of 06/19/2023.

Then Ms. White provided the following information to the Board:

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- **FYI.** Northwood Board of Selectmen has voted to petition the Governor and Council to hold a special election for the State Representative vacancy. Election to probably be held in July.

Dee Anne Decker and Dawn Fernald addressed the Board with the specifics of the process for holding the primary and the special election. They requested to use the school for both. Financial implications were discussed next and the Board requested the numbers from Ms. Decker and Ms. Fernand. In order to make an informed decision about funding it and from which source. Ms. White said that she can have the budget reports prepared for the next meeting to aid in that discussion.

- **FYI.** The Agreement for After School Program has been fully executed by the Town and SAU authorized representatives. Copy is included in the meeting packet.

- **FYI.**

- o Town Office/General – The waste underdrain repair is just about wrapped up. Once the drains were flushed through and rechecked by camera, found that the pipe running from the Police Department through to the family restroom was in good condition and did not require replacement. Due to significant underfloor electrical running out to the service entrance, decision was made to redirect the new drains beneath the electrical out into the gymnasium then straight out through the double doors to the cleanout and away from all electrical. Tile replacement is being sought.
- o Gymnasium lighting and ceiling tile repairs will be taking place by the end of this month while the gym is closed down.
- o Several lights need to be replaced in the Police Station. Instead of replacing piece meal for \$150.00 per fixture, Ms. White have reached out to Carl Edin from EMC Energy Consultants to complete an LED lighting retrofit analysis. Approximately 40+ fluorescent fixtures are to be replaced with LED fixtures for energy efficiency and cost savings. More information will be provided.

Mr. Morin explained to the community that there is going to be more items like this in the near future as the Buildings Committee is reviewing the facilities and the Board would like to be more proactive about maintenance and upkeep to prevent costly disasters.

- **FYI.** Recreation - Youth fishing derby was held over the weekend.
- **FYI.** Highway – Grading continues with dryer weather. Sacs Road is being monitored after the impact from recent rainfall. Shawn, Matt, and Ms. White met with John Jackman as he was wrapping up the stormwater asset management project (grant-funded project). An appointment will be scheduled in the late summer to discuss in detail.

Ms. White also noted that Mr. Bartlett could not attend the meeting tonight as he is at a mandatory meeting training, and Mr. Welch has prior commitments for both the meeting tonight and 06/05/2023.

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Assessing

Mr. Dabrieo motioned to approve the Elderly Exemption for Map 15, Lot 7. Mr. Shirland duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

Mr. Shirland motioned to deny the Elderly Exemption for Map 63, Lot 50. Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

Mr. Shirland motioned to approve the Disabled Exemption for Map 16, Lot 31, and Veteran Credits for Map 15, Lot 8-2, Map 44, Lot 2-11, Map 71, Lot 20. Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland – aye.

Mr. Dabrieo motioned to approve the Land Use Change Tax for Map 52, Lot 4-2-3. Mr. Shirland duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

Mr. Dabrieo motioned to approve the Current Use Application for Map 32 Lots 19 & 22. Mr. Shirland duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

General Business

Action Items Review from Last Meeting

Review paving bids

Action taken earlier at this meeting.

Review baler purchase/equipment status at Recycling Center

Mr. McLean explained the current flattener is unrepairable as there are not parts for it, therefore, an idea was floated to replace it with the baler, which will also replace the can trailer that is currently being used. He said that the Town collects approximately 400 pounds of aluminum cans per week, which is the equivalent of one bale. Mr. McLean also answered questions about the long term financial benefits, the need to buy and retrofit a trailer to haul the bales, the need to have an operating vehicle to pull that trailer, the building setup for baling and frequency of hauling. Mr. McLean said that the quote for the baler as of April 11, 2023 was \$16,000 including the removal of the old baler. The Board requested Mr. McLean to provide an updated quote to make sure that it is still the same so that they could make an informed decision when voting and to confirm the installation timeframe.

Next Mr. McLean spoke about renting a convex box for tire storage and that a used box cannot be purchased with grant funds. He found a used one (8' by 20') sold by CM Truck and Trailer Sales for \$2,795 including the delivery.

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Mr. Dabrieo made a motion to purchase a storage trailer from CM Truck and Trailer Sales for \$2795. Mr. Shirland duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

Review the Recycling Policy

Mr. Morin explained that Nottingham owns and operates an active recycling center and in order to ensure the optimum results from the recycling program, a Recycling Policy is enacted. He added that the reason why the Board is reviewing it is that it was enacted back on August 31st of 2009; therefore, the Board finds it to be prudent to go through and review it to see if any updates or changes are necessary and to make sure our policies are aligned with all the best interest for the people in town and the people using the recycling center.

Mr. Shirland noted that fees have been updated as of April 2022. He said that the old policy still notes the swap shed and the dollar fee for the sticker, which no longer exist. Bag policy has been changes as well as Styrofoam handling process. Other things that need to be reviewed are waste disposal by commercial entities, fee schedule, operating plan for the Recycling Center, asking Northeast Recovery Association to review the facility and its design for better efficiency. Ms. White recommended that the Board hold a work session to brainstorm some ideas, which could be brought up for public discussion at a public hearing later. Members agreed to have a workshop with the Recycling Center staff on a day other than a regular meeting. Ms. White will gather feedback on a potential date and have it posted for the public.

Then there was a short discussion about the equipment at the Recycling Center.

Lamprey Drive

Mr. McLean said that he did not recommend Board approval because his recommendations and conditions for the road construction to have a survey and a site plan have not been met. He said that he spoke to the landowner Kevin Cole about lack of those before he went on medical leave and his assumption was that they would not proceed with construction because they were lacking those plans.

There was discussion about the fact that the road seems to be in good condition and that if the Town does not accept it, it will not have to maintain it. Mr. McLean answered a question about the quality of construction that it appears to be good, but he cannot be sure as there is no plan and there were no inspections during construction.

Discussion ensued about the road and the fact that the members see it as a benefit to public safety as it provides connectivity and improves access for emergency services. It was also noted that it is a relatively short stretch of the road and that that stretch seems to be better than the roads near it that have been accepted. Setting a precedent was also discussed as well as the fact that the Subdivision and Site Plan Regulations set the standards for all new roads constructed.

Mr. Shirland made a motion to approve Lamprey Drive as submitted in the last meeting packet. Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Shirland - aye.

Mr. Morin said that the Nottingham Planning Board sent a letter to the State of NH regarding the Pawtuckaway Park expansion of the RV area with requests to be mindful of the setbacks for the sewer waste disposal facilities.

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Ms. White asked the Board about what to do with all the public comments that the Town is receiving in opposition to that expansion. She added that this would be normally something that the Town will pass on to the State Representative, or she can forward it to the point of contact that was named back in November when they started the informational meetings.

Discussion ensued about the process, the emergency services response on behalf of the Town and the State, sewer waste disposal for current and expanded uses. There was some feedback from the public along with questions.

There was also a question from an unidentified member of the public about lowering the level of water in the lake and why it was done. There was a lot of back and forth on the matter and who ultimately makes that decision and whether the Town could have any influence on it, which seems it did not as it was the State controlled action.

Mr. Morin suggested that people attend the Lake Association annual meeting on June 3, 2023 at the State Park and express their concerns.

Action Items for Next Meeting

1. No parking signs on one side of Deerfield Road
2. Reaching out to the State to address the condition of the parking area and the access road to the town beach area and to have access limited to residents only.
3. Discuss later closing hours for the town beach for the summer as well as longer hours for the lifeguards at the beach.

Public Comment

- Jim Fraser asked how much money the Town was spending on investigations and whether there was a plan for those investigations and what were the criteria.

Mr. Morin said that there will be no details discussed as this is a personnel matter and everything is done in consultation with the Town Attorney. He also said that the amount of money spent will be available when it is all over.

- Cindy Bloom, 7 Dwight Road, said that she was also concerned about the investigation going on and asked whether there was a reason why a written statement of concern was not provided to the parties who are under investigation. She said that the Town should provide them with that information as it is what they want and this possibly will speed up the process. Ms. White noted that personnel matters are not to be discussed in public. Ms. Bloom asked whether there was a reason that a legal representative cannot be present when they are interviewed because the investigator is telling them they cannot have legal representation during the interview. Mr. Shirland said that these are high level questions that could not be answered in a public setting and the Board is kept abreast of all developments by the legal counsel. Ms. Bloom also said that the park is opening, motorcycles are out and the brush fire season is here, and that she was hoping that it would be all hands on deck at the fire department, which she believes is not the case. She then asked whether the complaint was anonymous. Mr. Morin said that he will not be responding to such questions. Ms. Bloom then asked about the Chair indicating at the last meeting that contact for these individuals was prohibited and whether it was in contradiction with the letter which said that they can contact Town employees. Mr.

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Shirland said that they are allowed to come to the Town hall to register their vehicle or use other Town facilities, but they cannot discuss matters related to the investigation. There was a question from another unidentified person from the gallery about the adequacy of the EMT coverage. Mr. Morin responded that the coverage is adequate and there are no issues.

Non-Public Session

Mr. Morin moved to enter a non-public session per 91-A:3 ii (a) at 8:13 PM, which was seconded by Mr. Dabrieo. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, and Mr. Shirland - aye.

Non-public session was entered at 8:13 PM

Resumption of Public Session

The public session was entered at 8:42 PM.

Mr. Morin moved to exit the public session and seal the non-public minutes at 8:42 PM, Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, and Mr. Shirland - aye.

Adjournment:

Motion made by John Morin to adjourn the meeting, which was seconded by Mr. Dabrieo and approved by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, and Mr. Shirland - aye.

The meeting adjourned at 8:42 PM.

Submitted by Alvina Snegach

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DATE: 5-15-2023

BOARD OF SELECTMEN MEETING

NAME

ADDRESS

PLEASE PRINT CLEARLY!!!

- | | |
|---------------------------------|-----------------------------|
| 1. <u>Vicki Greene</u> | <u>57 Smoke St</u> |
| 2. <u>Doug Isoter</u> | <u>30 Lamprey Dr</u> |
| 3. <u>Skip Seavers</u> | <u>340 Stage Rd</u> |
| 4. <u>Helen Seavers</u> | <u>340 Stage Rd</u> |
| 5. <u>CATHERINE BARRONS</u> | <u>22 Case Road</u> |
| 6. <u>Ellen Carlson</u> | <u>22 Case Rd.</u> |
| 7. <u>Robin Marshall</u> | <u>189 Old Turnpike Rd.</u> |
| 8. <u>Bonnie Patien</u> | <u>18 Raymond Rd</u> |
| 9. <u>Dawn & Le Fernald</u> | <u>66 Fernald Dr.</u> |
| 10. <u>Brooke Schaefer</u> | <u>24 Lamprey</u> |
| 11. <u>Paul Crow</u> | <u>24 Lamprey</u> |
| 12. <u>Jennifer Menard</u> | <u>116 Raymond Rd</u> |
| 13. <u>PAT ALCOCK</u> | <u>18 Lamprey</u> |
| 14. <u>Robin Comeau</u> | <u>176 Stearns Hill Rd</u> |
| 15. <u>Shawn Tibbitts</u> | <u>204 Stage Rd</u> |
| 16. <u>Sonoma Tibbitts</u> | <u>204 Stage Rd</u> |
| 17. <u>Tim Cushman</u> | <u>5 Tremblay Dr</u> |
| 18. <u>Beth Benham</u> | <u>296 Stage Rd.</u> |
| 19. <u>Ramie Legard</u> | <u>62 Stage Rd</u> |
| 20. <u>Mark Crockett</u> | <u>19 smoke St.</u> |

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BOARD OF SELECTMEN MEETING

NAME

ADDRESS

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1.	Jim Fraser	14 Patriots lane
2.	JIM OVENS	28 LAMPREY DRIVE
3.	Gail Blovin	35 Mooers Rd
4.	Cindy Bloom	7 Dwight Rd
5.	Bob Desrosiers	75 Stage Rd
6.	Pat Farrington	14 Lamprey Dr.
7.	Chris Albert	36 Stage Rd.
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