

Nottingham Select Board Meeting

07/17/2023

APPROVED Minutes

Approved as amended on August 7, 2023.

Call to Order

Members present: John Morin, Steve Welch, Tim Dabrieo and Matthew Shirland. Others: Town Administrator Ellen White.

Members of the public: Doug Bates, Cindy Bloom, Steve Soreff.

Members Excused: Ben Bartlett was excused.

Mr. Morin opened the meeting at 6:30 PM with the Pledge of Allegiance.

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

Mr. Morin provided an update for the Planning Board which met last Wednesday and design reviewed a possible 20 lot open space subdivision off Route 156. He also noted that the Board contemplated implementing a one year building moratorium so that it could take care of other business that it may have fallen behind on. Mr. Morin also said that he informed the Planning Board about representatives needed for the Stratford Regional Planning Commission but did not get a definitive answer yet.

Mr. Dabrieo provided an update for the Marston Property Committee and said that due to the weather being uncooperative, the dug outs have not been put in yet, but the plan is to do that as soon as possible and be done by mid-August.

General Business

Town Administrator Report

Ms. White spoke about the following:

Action Item 1. Part two of securing the Fire Station and the department's assets includes obtaining a quote to install a camera security system. The quote for \$8,200 has been received from Alarm Systems Plus and is included in the packet. Ms. White requested a motion to proceed with the installation of a camera system at the Fire Station in the amount of \$8,200.00 with said funds to be withdrawn from the Building Maintenance Capital Reserve Fund.

Ms. White answered questions about the system being only used for the Fire Station and a possibility for her to be able to view the video feed on her computer; cameras being on 24/7; ability to add more cameras at an additional cost; training on how to use the system being provided as part of the quote; installation of the keypads timeline, which should be done within the next week; and the Building Maintenance Expendable Trust Fund balance being at \$32,820 after the approval

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of the keypad security system expenditure of \$9,900 at the last meeting; other expenditures from the Building Maintenance fund made this year; etc.

Mr. Welch made a motion to approve the expenditure of \$8,200 from the Building Maintenance Expendable Trust Fund for the installation of security cameras at the Fire Station. Mr. Dabrieo duly seconded and motion carried with a 4:0 roll call vote in favor: Mr. Morin – aye, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

The Board asked Ms. White to provide more information on the timeline of the installation when she has that information.

Action Item 2. The Air Conditioner at the Library has failed and requires replacement. Beaudette Plumbing was able to get the water that drained from the unit into the furnace drained out and has provided an estimate to replace the air conditioning system for \$7,200, worst case scenario. Ms. White requested a motion to proceed with the replacement of the air conditioning unit at the Library for the estimated cost of \$7,200 with said funds to be withdrawn from the Building Maintenance Capital Reserve Fund.

After some technical questions about the nature of the AC failure, Ms. White said that she could get more information to the Board before they proceed.

Mr. Shirland made a motion to proceed with replacing the Air Conditioning unit at the Library with the amount not to exceed the initial quote of \$7,200. Mr. Welch duly seconded. Motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

Action Item 3. Ms. White received a quote, also from Alarm Systems Plus, to install a camera system at the Highway Garage. The quote for four cameras on the exterior came up to \$3,800. This is an item that has been brought up in the past that Ms. White said that she is resurfacing it since getting the other quotations. Ms. White requested Board's consideration for the above expenditure. Although the Highway Department has been short staffed, the cost of subcontractors is absorbing the savings in the overall budget so she would not recommend funding from the department's operating budget. If this is considered, it would be most appropriate to expend from the Building Maintenance Expendable Trust Fund.

Discussion ensued about the rationale for adding security cameras to the Highway Garage, the possibility to find out whether a discount would be considered given that the Town is purchasing other equipment already. General consensus was to continue this discussion until there is more information available on the pricing.

Action Item 4. There is also a quote recommended by Chief Woodman for the purchase of body worn cameras in the amount of \$6,993 per year. She has obtained three quotes; this vendor is not only the least expensive but also the highest rated for customer service. She would like to proceed with the lease purchase as outlined below with this year's

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allocation to be withdrawn from the Police Technology Equipment Expendable Trust Fund established at the 2023 Town Meeting. Ms. White noted that the Chief is working on acquiring a grant which will cover half the cost of this purchase, but it could only be received after the purchase is made.

Cindy Bloom, 7 Dwight Road, requested to address the Board. She said that previously the Police Department did not submit the grant request in a timely manner, and they did not get the funding for some equipment that they thought they were going to get funding for, and urged the Board to approve this request, especially noting that half of it is going to be covered by a grant.

Mr. Dabrieo made a motion to proceed with the purchase of body worn cameras, accessories, and all applicable services and data plans, at the cost of \$6,993 per year, with the said amount to be withdrawn from the Police Technology Equipment Expendable Trust Fund. Mr. Shirland duly seconded and motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

General Correspondence

1. Skip Seaverns re: Fire Chief and procedures used to terminate his position (this information was part of his requested appointment scheduled on 7/10/23 but was reallocated to allow Jaye Vilchok to continue);
2. Jaye Vilchok re: Additional notes in support of Chief and Lt. Vilchok;
3. Lori Anderson re: Election Duties.

Mr. Morin explained what the Selectboard members usually do during election day and noted that he will be there all day.

FYI.

Trustees of Trust Funds – Ms. White attended their meeting last Thursday at which time they discussed four trust funds in CDs that are up for renewal: Highway Truck, Revaluation, Fire & Rescue Vehicle and Tri-Centennial. These funds were voted to be placed in new CD's for terms of 6-12 months and will yield upwards of 5% in interest. Ms. White said that the Town will take advantage of this rate.

Fire/Rescue – At the Department meeting held on Tuesday, July 11, 15 officers voted by secret ballot on three options presented: (1) Deputy Chief Matt Curry assumes the duties of Chief until the next election of officers in December, (2) a special election is held to elect a new Chief, and (3) Turn the hiring over to the Board of Selectmen (which would require a Warrant Article to be presented for 2024 Town Meeting, plus one year to enact). The majority vote was to keep Matt Curry as Acting Chief until the December election, and he accepted.

Police Department – Officer Wragg has given his notice and will be going to a neighboring town. We are experiencing challenges with keeping up with competitive wages being offered. Officer

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Samantha Lemay will be attending the next available full-time academy since they were not able to acquire the minimum enrollment to offer a part-time academy as hoped.

Highway – The Ford F-550 repair is expected to be complete this Wednesday and the truck will be back in service.

Recycling Center – The utility truck transferred to the Recycling Center for hauling the aluminum cans broke down on July 3rd and was towed to Allen's Garage for a repair estimate. The repair estimate came in at \$600.00 and is in the process of being repaired. The truck should be back in service this week.

Ms. White also said that she has a prepared statement for the Select Board regarding the Fire Department investigation and that she would like the Board to sign it if they approve issuing. She did note that Mr. Bartlett requested that the statement be read into the record at the meeting.

Members reviewed the statement. They discussed whether posting it online in an accessible location is better than reading it at the meeting. Ms. White said that she can post it on the main notifications page of the Town Website.

Mr. Morin noted that the members signing the Statement they acknowledge its acceptance as is. Then each present member signed the document.

Action Items Review from Last Meeting

1. Gasoline storage tank for Smoke Street pit.

Ms. White noted that the information for this item is in the packet and went over the main advantages of having a gasoline storage tank at that location, which would be reliance on its own supply in the time of emergency and cost savings that it presents for fuel over buying retail.

Discussion ensued about the cost savings (Ms. White was asked to provide more information about the average amount the Town is using); securing the tank and the fueling/pumping process; the new tank becoming the main fueling source for the Town vehicles; tank installation and whether anything additional needs to be done; fund allocation source for the project; etc.

Ms. White said that she will gather more information for the members to continue this discussion at the August 7th meeting.

2. Playground equipment

Ms. White said that there are quotes in the packet for the replacement of the broken playground piece of equipment and the structure as a whole.

Discussion ensued about the quotes, the fact that there are no timelines for installation on there or the prices for installation itself. Members also discussed whether alternative playground equipment, which is more nature based, could be considered and how the school playground was installed several years ago mostly by volunteers.

Ms. White noted that the funds are suggested to be used from the Playground Fund, and if it is depleted, it will have to be replenished in the future. If there is not enough funds in the Playground

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Fund for this purchase currently, then a portion of the funds will have to come from the Recreation Revolving Fund.

Another discussion was on the timeline and that September would be a more realistic time to install the equipment.

General consensus was to go with purchasing the new structure as a whole and members discussed the preferred playground equipment options selected by the Recreation Department. The quotes included the delivery and had a 40 percent discount on all sets quoted.

Mr. Welch made a motion to approve the purchase of new playground equipment and to pay for it from the Playground Equipment Fund. If the purchase price exceeds the funds available in the Playground Equipment Fund, then the remaining funds are to be provided from the Recreation Revolving Fund, for the total combined amount not to exceed \$19,000. Mr. Dabrieo duly seconded and motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

3. Oil tank

Ms. White said that she found an excerpt of the Interim Town Administrator's report from January 2023 where he stated that the underground tank is at risk of leaking and becoming an environmental issue, therefore needing to be removed and replaced with two above ground oil tanks. Removal of the tank was estimated at \$15,000 and installation of the two above ground ones at \$7,500 which does not include some type of enclosure for them to secure them and to reduce the risk to them in extremely low temperatures. She said that the costs would be much higher if there were any leaks but none were found. She also said that she had talked to an expert and he said that if the Town were to purchase the blends, it would be less risky in extremely cold temperatures.

Discussion ensued about higher costs of buying blends and having to build a shed which would have some type of heat to store the tanks. It was also noted that there was a suggestion made to put both tanks into the Rec Department closet, but that would take away from the department's storage capacity.

Another discussion was about the funding for the project and whether it is reasonable to use ARPA funds for a project that is not pressing, given that the Town has already taken care of a lot of projects this year. General consensus was to look into other ways to fund this project and possibly find a better quote for the tanks and the removal. Ms. White said that she will defer this discussion to the 2024 budget season.

Then members discussed the election that will be held in the Town Hall. Ms. White said that there was correspondence in the packet from Dawn Fernand about the specifics of having the election at the Town Hall.

4. Conference rooms

Ms. White said that she pulled the information presented to the Board by the Interim Town Administrator in March. It was noted that the Recreation Department Director also mentioned that she is going to need a 12' by 8' shed for storage for either of the locations that are chosen and this was not reflected in any of the project presentations.

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Discussion ensued about the benefits of moving the Recreation Department to the present conference room and whether the Select Board will be well accommodated in the new location, especially on days when there is a lot of public presence. Members also discussed alternative ways to finance the project, the need to see actual plans for both offered options, and more concrete numbers (quotes) of what it may cost for each option. It was also noted that the best time to do the moving would be in the spring given the busy time for the Board with the upcoming budget season. Members asked Ms. White to invite the Recreation Department Director to the meeting where this is discussed again, given the new composition of the Board, to give a new presentation to the Board and to answer questions.

Ms. White also answered some questions about other building maintenance projects that have been identified, like repairing the heat in the pantry room, and repairing the floor in the gym room.

5. Water results for Frank Gonsalves

Ms. White said that the test results are in the packet and that she reached out to Primex to see what the Town would be looking at for coverage options if this is a result of the Town's salting of the roads. She got a response that it is an environmental issue and because the EPA has not set a standard for acceptable levels of sodium chloride, there would not be a claim that would be approved by Primex.

Members discussed the test results of the water in Mr. Gonsalves' well and the fact that there is no acceptable level set by the NHDES for sodium chloride. Ms. White said that the sodium level in the test results Mr. Gonsalves provided for 113 Kelsey Road was at 95 and it says in the notation test remarks that there is no EPA limit.

Discussion ensued about the fact that Mr. Gonsalves has a non-conforming well (not a drilled one) and that this may also affect the resale of his property, and not just the high levels of sodium in his water as he is claiming. It was also noted that Mr. Gonsalves's statement that 70 grams of salt per liter is toxic to plants was based on a Google search and that he is using this as a basis for his other statement that when sodium is over 20 milligrams per liter it is considered a risk for his high blood pressure. Ms. White said that Mr. Gonsalves also tested neighboring properties and the pond and all these test results have been provided to the Board. Members discussed the fact that these tests were done in March/April which is high season for plowing and road runoff. It was also noted that this is only one person from the whole Town and it was not clear whether his issue was due to the fact that he has a shallow well which is very close to the road and all the road runoff is able to contaminate his well because of it. A suggestion was made to retest the water in the summer to see if the numbers have changed since then.

Members also discussed Mr. Gonsalves allegation from the previous meeting that the private contractor plowing the road was at fault, although they were not sure whether what the private contractor does actually differs from what the Town does when plowing and where the salt/sand mixture is coming from for the private contractor.

Another note was made that Mr. Gonsalves mentioned that the State replaced some wells for people in similar circumstances, but there were no specifics provided by him so the Board is unable to reach out to the State to ask questions.

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Then there was discussion about liability and that it did not look like Town might be liable in this case, given that this is a shallow well, close to the road, and that the Town is possibly not doing anything different on any other road in Town when plowing. Members discussed using the Sno Pro training for the Highway Department drivers in the future as a cost saving measure, but expressed doubt that it will affect the salt contamination of Mr. Gonsalves' well. Members agreed that the onus is on Mr. Gonsalves to provide more information and proof of what is happening to the Board for the Board to be able to make a more informed decision if need be.

Budget Status

Ms. White said that the packet contains several budget documents: year to date through the beginning to July 2023; a copy of the 2023 revenues year to date, and the actual approved budget with explanations. She said that overall, between the operating budget and warrant articles there is 44.59 percent of the budget remaining.

Members discussed the fact that the Highway Department is understaffed currently and that it may have had some influence on where the budget is at right now. They also mentioned their previous discussion about the need to adequately pay the Town employees to stay competitive and that this is something that would need to be discussed during the next budget planning season. Ms. White said that as the Board gets closer to the budget season, she will be providing them with updates on a monthly basis to correct any spending discrepancies that may occur.

Ms. White answered questions about electricity, health insurance costs, etc. Members asked her to check on the health insurance premiums and whether a better option would be available which would be less costly and provide good benefits. She was also asked to look into the State Retirement participation and whether it brings with it better health insurance options. Ms. White explained that joining New Hampshire retirement system will require a Town Meeting vote and that the Town contribution will jump to 20 percent as opposed to current 6 percent.

Legal Correspondence regarding Kevin Bassett's questions

Ms. White said that the letter is in the packet and that Mr. Bassett will possibly appear before the Board on August 7, 2023.

Assessing

Mr. Welch motioned to accept the Timber Yield tax amendment for Map 7 Lot 1. Mr. Dabrieo duly seconded, and motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

Mr. Shirland motioned to decline the Solar Exemptions for Map 44 Lot 13. Mr. Welch duly seconded, and motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

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Mr. Dabrieo motioned to approve the abatement for Map 47 Lot 7-1. Mr. Shirland duly seconded, and motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

Public Comment

Steve Soreff, 52 Dolloff Dam Road, spoke about the Talent Show that will take place on August 13, 2023 from 3 to 5 PM at the Community Church and invited anyone who is interested to participate.

Non-Public Session

Mr. Shirland moved to enter non-public session at 8:51 PM pursuant to RSA 91-A:3, II (a) and RSA 91-A:3, II (l). Seconded by Mr. Dabrieo. Motion carried by a 4:0 roll call vote. Mr. Morin – aye, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

Non-public session was entered at 8:51 PM

Resumption of Public Session

The public session was entered at 9:37 PM. (Mr. Shirland left during the non-public session at 9:15 PM)

Mr. Dabrieo moved to exit the public session at 9:37 PM, Mr. Morin duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

Mr. Morin moved to seal the non-public minutes; Mr. Dabrieo duly seconded. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

Adjournment:

Motion made by Mr. Morin to adjourn the meeting, which was seconded by Mr. Dabrieo. Motion carried by a 3:0 roll call vote. Mr. Morin – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

The meeting adjourned at 9:37 PM.

Submitted by Alvina Snegach