

Nottingham Select Board Meeting

08/07/2023

APPROVED Minutes

Approved as amended on August 21, 2023.

Call to Order

Members present: Ben Bartlett, Tim Dabrieo and Matthew Shirland. Steve Welch arrived at 6:32 PM. 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

Mr. Bartlett opened the meeting at 6:30 PM with the Pledge of Allegiance. He then thanked everyone who was involved in organizing the first National Night Out for the Police Department and said that it went very well. Mr. Bartlett also thanked all the organizers and volunteers for the election that was held on the same day and that went very smoothly.

Approve public minutes of 7/10/2023, 7/17/2023, and 7/26/2023, and non-public minutes 7/10/2023, 7/17/2023, and 7/26/2023.

Mr. Bartlett noted that there were corrections suggested by Cindy Bloom to her statement about the grant application by the Police Department for the 07/17/2023 minutes. He also noted that all three sets of minutes had some small edits (grammatical and not substantial) that were highlighted in the sets that were in the packet. He went over the highlighted corrections. Mr. Dabrieo added a small correction to 07/17/2023 set as well.

Ms. White noted that there is an email from Jaye Vilchok in the BOS packet where he is requesting making corrections to the minutes and including some attachments into the record, however, she noted that Mr. Vilchok had not submitted these attachments for the meeting that he addressed the Board at, therefore nothing has been presented to the Board but his statement then. Mr. Bartlett said that the Board cannot make corrections if nothing has been submitted to them.

Mr. Welch made a motion to approve the public minutes for 7/10/2023 as amended. Mr. Dabrieo duly seconded. Motion carried by a 3:0:1 roll call vote. Mr. Welch – aye, Mr. Bartlett – aye, Mr. Shirland - aye. Mr. Dabrieo abstained as he was not present at that meeting.

Mr. Welch made a motion to approve the public minutes for 7/17/2023 as amended. Mr. Dabrieo duly seconded. Motion carried by a 3:0:1 roll call vote. Mr. Welch – aye, Mr. Dabrieo – aye, Mr. Shirland - aye. Mr. Bartlett abstained as he was not present at that meeting.

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After a motion was made by Mr. Welch and seconded by Mr. Dabrieo, to approve the 07/26/2023 public minutes as amended, members discovered that there is no quorum currently present to approve these minutes and deferred their approval to the next meeting.

Approve Manifests: A/P 7/24 & 8/7/2023 and Payroll 7/25 & 8/8/2023

Mr. Welch made a motion to approve the accounts payable manifests of 07/24/2023 and 08/07/2023 and payroll manifests of 07/25/2023 and 08/08/2023. Mr. Shirland duly seconded. Motion carried by a 4:0 roll call vote. Mr. Bartlett – aye, Mr. Shirland - aye. Mr. Bartlett – aye, Mr. Welch – aye.

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

There were none.

General Business

Town Administrator Report

Ms. White spoke about the following:

Action Item 1. Jimma Twombly asked to close Church Street on August 15th for a car club that coincides with "cruise night" at Liars Paradise. Ms. White asked whether the Board was in favor of this temporary road closure? If so, notification will be posted to the town's website and a Nixie alert will go out.

There was general consensus that the Board was ok with road closure.

Action Item 2. Rolling Thunder's donated POW/MIA Chair of Honor. Ms. White reached out to the Library to see if they could dedicate a spot to have this memorial chair on display. The Trustees had a number of concerns, with the top ones being: (1) the library has a lot of children going in and out, so there is a high potential for damage, and (2), they are already very limited on space. They do not have a spot for it that would tick all of the boxes of keeping it safe, being out of the way enough to prevent people from sitting on it (especially small children, if there is a chair, they are climbing or sitting in, on, or over it), and also be a place of honor. Ms. White has looked around the Town Hall and suggested that it would be located within the confines of Conference Room #1 or its present temporary location the Administration Office. She said that she could arrange for a rope barrier, certificate, and flags to be placed in its proximity. Ms. White asked the Board where they would like to see this Chair of Honor permanently placed and how soon she should schedule an official dedication ceremony.

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After a short discussion it was agreed to keep the Chair where it is now and conduct the official dedication ceremony. Once the renovations are complete at the Town Hall, then it can be decided where exactly to place the Chair. Ms. White said that she will get the flags and the placard in the meantime and work on scheduling the official ceremony.

Action Item 3. Ms. White received an updated quote from Alarm Systems Plus, to install the camera system at the Highway Garage. They have reduced the total cost to \$2,800 from \$3,800. She asked whether the Board was in favor of proceeding with the camera installation at the Highway Garage in the amount of \$2,800 with the total to be expended from the Building Maintenance Expendable Trust Fund?

Ms. White answered some questions about the progress of the cameras installation at the Fire Station and the Board approved proceeding with the camera installation at the Highway Garage by general consensus.

Action Item 4. The previous Highway Foreman solicited for bids to replace the dry hydrant on Kennard Road since it is not a project the Highway Department can take on. He received a total of four quotes, all in excess of \$10,000. According to the purchasing policy, a project of this size should go out for sealed bids. Ms. White asked if the Board would want to waive the requirement of the purchasing policy and make an award from the quotes received? Or should the project go out as a new RFP?

After a brief discussion of the project time sensitivity and bidding process timeline, the Board agreed to allow Ms. White to put it out to bid with the bid opening date to be set on Monday, August 21st at the next Select Board meeting.

Action Item 5. Ms. White said that she advertised help wanted for a part-time cleaner/janitor and ran it simultaneously with a request for proposals for cleaning the town hall and police department. She received a few applications for the employee and three proposals from commercial cleaning companies as follows:

- S.J. Services \$34,176/year;
- Innovation Cleaning Services \$27,000/year;
- City Wide Facility Solutions \$28,200/year.

Ms. White said that she would like to proceed with contracting with City Wide Facility Solutions to clean the Town Hall and Police Department. The existing cleaning budget can support the contracted cost with cleanings to take place 3-4/times per week. Ms. White said that the company also can do other projects like painting if needed which they will bill extra for on an as needed basis. She asked if the Board was in favor.

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After Ms. White answered some questions from the Board about the potential cleaning schedule, further plans to hire an employee, etc. *Mr. Shirland made a motion to approve contracting with City Wide Facility Solutions for the cleaning services for the Town Hall and the Police Department for the remainder of the 2023 fiscal year.*

Discussion ensued on whether the terms of the contract should be specified in the motion. *Mr. Shirland amended his motion to state for a one-year contract.*

Mr. Dabrieo duly seconded the motion and it passed with a 4:0 roll call vote in favor:

Mr. Bartlett – aye, Mr. Shirland - aye. Mr. Bartlett – aye, Mr. Welch – aye.

Action Item 6. Following the meeting schedule of the first and third Monday each month, September 4th is a scheduled meeting day but is the Labor Day holiday. Ms.

White asked if the Board would like to *schedule an alternative meeting date.*

General consensus was to move the September 4th Board meeting to September 11, 2023.

Appointments

7:00 John Jackman

John Jackman introduced himself as the Asset Management Consultant that the Town hired for doing the Asset Management Project.

Mr. Jackman began his presentation by going over the scope of the project which included the following:

- inventory of the horizontal assets (culverts)
- condition assessment
- maintenance evaluation and capital level of service;
- criticality of assets; and
- public Outreach

He then provided a brief overview of how this Program got started and financed and thanked everyone at the Town and State level for their participation.

Mr. Jackman said that the project began with mapping most (97 percent) of the public and private culverts in Town and making that map available to the Town staff who could access it in the field as well (using the tablets paid for by the forgivable loan that is used to finance the program. The next step was to create a work order system, which was made to include not only stormwater features, but roads, plowing, recycling, vehicle maintenance, special events, etc. The work order form has been developed with Town staff participation; therefore, they know how to use and update it going forward. He said that these forms feed into a database, which serves as the data repository for all work orders. Each work order can be linked to all the relevant information like invoices, bills, etc.; therefore, allowing the Town to develop a life cycle cost analysis for each asset it owns.

Then Mr. Jackman went over the culvert inventory that has been performed and provided some numbers as to the total estimated amount of money that the Town owns just in culverts (around

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\$5.2 million excluding very large box culverts under bridges) and what the culvert investment deficit is right now (about \$1 million). He said that the Asset Management Program now allows the Town staff to better evaluate the critical culverts for the purpose of deciding when to replace them.

Mr. Jackman also thanked the Select Board for adopting the Mission Statement for the Department of Public Works, which in turn helped the Department determine the level of service for which they conducted a separate workshop. He said that the Level of Service Matrix is available in the report that he provided to the Board. The town can now evaluate its level of service at the end of each year and understand where the deficiencies are if there are any and the level of service has not been met. He then briefly went over some features of the Level of Service Matrix.

Then Mr. Jackman spoke about Outreach effort associated with the Asset Management Program, which consisted of educating the public on how to use the culvert map with information about each culvert on it, and providing information about Japanese Knotweed and how invasive this plant is, thus affecting the drainage and road conditions in Town.

Mr. Jackman concluded by saying that it is a living program and the cycle has to continue, as he only started it, and the Town now has to keep running it. He offered to meet with the new Public Works Director, when one is hired, to explain to him the essentials of the Program and answer any questions he may have.

Then Mr. Jackman invited Katie Zink from NHDES to come up and address the Board as well. Ms. Zink spoke about the program being financed from the Clean Water State Revolving Fund. She noted that Mr. Jackman expanded it beyond just stormwater management and that his final report is more of a manual which should help the Town in running their program going forward. Mr. Zink also commended the Town staff for being incredibly engaged. Ms. Zink said that she is hoping that the Town will keep on using the Program and added that in case it finds further problems with its stormwater management, there is another loan available through the Clean Water State Revolving Fund called Planning Loan Fund and it is for \$120,000 (with up to \$100,000 principal forgiveness). She added that applications for this loan are competitive, but having an Asset Management Program adds points to an application.

Then Mr. Jackman answered some questions from the Board about the equipment obtained under this Program (like tablets/laptops), use of internet, etc.

Then there was a brief back and forth between the unidentified members of the public and Mr. Jackman about private culvert maintenance after which Mr. Jackman thanked the Board for their attention.

The members thanked Mr. Jackman for his work and for presenting to them the results of it.

7:30 Kevin Bassett

Ms. White noted that there was a response to Mr. Bassett's questions in the meeting packet but noted that it had not yet been forwarded to him. Members agreed to provide Mr. Bassett with a

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copy and Ms. White would email it to him. General consensus was that the Board would need more time to review the provided responses, therefore the item was tabled until August 21, 2023.

General Business

Town Administrator Report (continued)

Ms. White spoke about the following:

General Correspondence - Response requested?

1. Jaye Vilchok - request for corrections to minutes and attachments into record. Please note, attachments requested for inclusion in the minutes were not supplied to the Board of Selectmen, also not all comments were read into the record due to time constraints.

lb. Jaye Vilchok (7.28.2023 email) - Petition in circulation.

le. Jaye Vilchok (7.31.2023 email) - Questions requesting response

Ms. White asked if the Board would like her to draft a response and circulate it for review. By consensus the Board agreed.

FYI:

Ms. White read into the record the following statement that was issued by the NH Division of Parks and Rec regarding the expansion of Pawtuckaway State Park:

“August 4, 2023

The Division of Parks and Recreation after careful consideration and thought has decided to redirect the federal American Rescue Plan funds appropriated to Pawtuckaway State Park. The project scope will include a new dump station to service recreational vehicles camping in the park and to renovate toilet buildings on Horse and Big Island. The renovations to the toilet buildings will include interior renovations, upgrades of utilities and shower addition where feasible. The Division will not be pursuing construction of additional campsites. Design and engineering for these projects continue and construction is expected to begin in the fall of 2024.”

Fire/Rescue - The graphics for the new ambulance have been approved and we are on track for a late October to early November delivery. The photo is included in the meeting packet.

Police Department - National Night Out was a huge success! Assistance was provided by the Rec Dept, Fire Dept, and Library. Many great comments have come in from the event with hope for many more to be hosted in the future.

The police department was infiltrated by a critter that got up into an inaccessible portion of their ceiling and perished. Abundant Wildlife completed a perimeter check and found at least three points of entry around the exterior of the building. These access points will be closed but there

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remains the issue of the deteriorating carcass in the ceiling. We will have to cut into the ceiling to remove any remains since there is still an odor after over two weeks since detected. Sam Lemay is doing well with her training. There is an active help-wanted posting for a full-time officer.

Ms. White answered some questions about the critter and whether it may be in the vent, which she said was not.

Town Office/General - Nothing new to report.

Recreation - Summer Rec Program is in its final week. The aftercare program is full. The department was actively involved in the success of National Night Out. Flag football starts in September and will be held at Marston.

Highway - The Mack repair has been completed and is ready for pick up from Coastal Trucks tomorrow. Branden Talon has confirmed roadside mowing will commence as soon as the weather and schedule permits. Roads earmarked include: Ledge Farm, Poor Farm, Gerrish, Stevens Hill, Freeman Hall and Kennard Rd. The Highland Ave drainage project has been completed and a final project inspection was completed last Thursday. Highland Ave should be reshaped to direct stormwater to the eastern roadside swale, the swale ditched for additional capacity, and some shaping along the western road edge to prevent stormwater from flowing down the driveway. This work will be completed by the Highway Department. Additionally, a driveway pavement patch is needed for one of the affected properties. All vehicles except for the one returning from Coastal Truck have passed state inspection (which is due in September).

Recycling Center - The landfill was mowed on July 21st. Selectman Dabrieo and Ms. White met with Bonnie Bethune from NRRA at the Recycling Center on Friday, July 28th, at which time she completed a walkthrough assessment of the facility. She will be providing a report containing some feedback on increased productivity and operation.

The F350 is back from being repaired and was inspected at the same time. Several other necessary repairs were needed in addition to the injector issue in order to get it inspected and assure it is road worthy. Ms. White confirmed that it is now road worthy and is safe to haul aluminum cans if needed.

Action Items Review from Last Meeting

1. Gasoline storage tank for Smoke Street pit.

Ms. White answered a question from Mr. Bartlet about why the item was tabled, which was due to the need to find out whether it needed to be on a concrete pad, whether the EPA standards would be met, whether there is appropriate lighting over there for after hours, and a whole laundry list of

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items that were presented after the Board had thought that it was okay with proceeding. Ms. White also added that there was a recent lighting strike in the vicinity of the gas station the Town uses to fuel its vehicles, which put their pumps out of operation for some time. She said that this illustrates exactly the reasoning behind the idea for the Town to have its own gas supply, aside from the cost savings.

There was discussion about the future need to put the cube on a concrete slab to prevent leaks and spills leaching into the ground and that the availability of funds for the slab or lack thereof at this moment should not prevent the Town from purchasing the gas cube. Then members discussed the issues of security and safety. Next, they talked about funding the purchase, which Ms. White suggested be covered by ARPA funds. A suggestion has been made to split the cost between the Police and Highway Departments as they will be the ones using it the most. Ms. White confirmed that the cost would be \$8,500.

Mr. Dabrieo made a motion to approve the \$8,500 expenditure, to be split about 50 percent from the Highway Department budget and 50 percent from the Police Department budget for the purchase of gasoline holding tank over at the Smoke Street pit. Mr. Shirland duly seconded. Motion passed with a 4:0 roll call vote in favor: Mr. Bartlett – aye, Mr. Shirland - aye. Mr. Bartlett – aye, Mr. Welch – aye.

2. Conference rooms

Ms. White asked the Board to table that item so that she could gather sufficient information from the Recreation Department on their proposals. She said that she could not see covering moving the conference room from the funds available in this budget and said that it would probably have to go as a Warrant Article for the voters to decide.

3. Playground equipment

Ms. White said that the Recreation Department Director ordered the new playground equipment which is scheduled to be delivered in October. The new equipment will expand the age groups of children who can use it from 2 – 5 to 2 – 11 year olds. Ms. White said that in the meantime there were a couple of suggestions made on how to utilize the cracked piece of equipment safely or to block off the sides after removing it completely and later reusing the leftover playground equipment that is not broken in some way on the playground.

4. Oil tank

Ms. White said that she was looking for guidance from the Board.

Members discussed a possible option to wait until next year, given that the tank is not failing, which will give Ms. White time to do the needed research on the cost of removal and replacement. Mr. Welch suggested looking into converting the newly installed furnaces to propane and putting them in the underground propane after digging up the old oil tank and making sure that area is not contaminated.

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Assessing

Mr. Welch motioned to approve the Timber Yield tax for Map 15 Lot 1-7 and Map 6 Lot 16. Mr. Dabrieo duly seconded, and motion carried by a 4:0 roll call vote. Mr. Bartlett – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

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

Mr. Welch motioned to approve the land use change tax for Map 6 Lot 16. Mr. Dabrieo duly seconded, and motion carried by a 4:0 roll call vote. . Mr. Bartlett – aye, Mr. Shirland - aye. Mr. Dabrieo – aye, Mr. Welch – aye.

Arthur Fernald Trust Fund/ TOTF

Ms. White said that the issue came out of the latest meeting of the Trustees of the Trust Fund, who discovered that the gift given to the Town in 1956 by the Arthur Fernald Trust Fund was not legal as it is only allowed to give to Protestant children. Therefore, the Trustees would like to actively move forward with taking this fund out of their custody, which would require the Town to get legal counsel involved to file. She read from the letter submitted by the Trustees of the Trust Fund which requests the Board to file a Cy Pres petition with the Merrimack County Probate Court to remove the Nottingham Trustees of the Trust Fund as administrators of this fund as well as details how to disperse the money. There was general consensus that Ms. White should proceed with contacting the Town Counsel to ask them to file the petition according to the letter received from the Nottingham Trustees of the Trust Fund.

Review Items for Next Meeting

1. Kevin Bassett

2. Critter carcass update

Public Comment

Kathy Cinfo, 23 Little River Road, spoke about the fact that there were complaints from long time employees against the former Department of Public Works Director, who was only employed for three years at the time, which did not result in him being fired, but instead in the longtime employees quitting. She then compared it to the situation with the Fire Chief and Lieutenant who were employed by the Town for a very long time and have been fired after complaints have been filed against them. Ms. Cinfo said that she was not sure why the two situations were different and that she believed that the previous Town Administrator did away with the practice where Selectmen would be checking on various departments once or twice a month to gauge the

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atmosphere in each department. She concluded that something is definitely broken here in Nottingham.

- Mark Carpenter, Gile Road, spoke about his own experience as a Nottingham Selectman and how he was able to turn the revamping of the Recycling Center, after Ms. Cinfo had come to talk to him at the time, into a very positive experience, which he attributed also to the fact that then Selectboard assigned each Selectman as a liaison to a department. He said that this helped bring the community together even more and urged the Selectmen to take into considerations Ms. Cinfo's words.

Then Mr. Carpenter spoke about Charlie Brown, a longtime Nottingham resident, former Selectman, and Town Administrator, who passed away in June. Mr. Carpenter spoke very highly about his personal experience knowing Mr. Brown, Mr. Brown's legacy, his many significant contributions to the Town, one of which was the transformation of the Martson Property. Mr. Capenter asked the Selectman to consider renaming the Marston Property to Brown Fields to honor Mr. Brown and his role in its creation.

Gary Anderson, Gile Road, also spoke about the acquisition and transformation of the Marston Property and what a big role Mr. Brown had played in it.

Mr. Bartlett seconded Mr. Carpenter's and Mr. Anderson's sentiment in that Mr. Brown was a stand up citizen who loved his community.

Ms. White said that the Recreation Department Director has also suggested either naming the ball fields or dedicating them to Mr. Brown.

Mr. Carpenter said that he would ask the Board to reconsider having multiple names associated with that property and just use Mr. Browns. He said that he believes that there are a lot of people in this community who would be in favor of this. He also offered to be a resource for anything the Board may need related to his suggestion.

Ms. White said that the Town could seek feedback from the residents by posting a survey on the Town website.

Mr. Welch suggested to have a moment of silence to honor Mr. Brown's memory.

Everyone took a moment of silence and Mr. Anderson said a prayer to remember Charlie Brown. Then Mr. Anderson said that he was able to give the Recreation Department Director some input for the proposals she is getting ready to present to the Board on moving the Recreation Department to a new location.

Mr. Barlett thanked Mr. Anderson and also commended him and other Facilities Committee members on their work and dedication on this Committee.

- Skip Seaverns, 340 Stage Road, also spoke about Charlie Brown and said that he would suggest using his full name (Charlie Brown) if there is a decision to rename the Marston Property, as the name Brown Fields is the same as the term brownfields and the negative connotation may not work out that well.

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- Steve Soroff, Dolloff Road, made a few announcements about the upcoming events in Town and invited everyone to attend.

Non-Public Session

Mr. Dabrieo moved to enter non-public session at 8:26 PM pursuant to RSA 91-A:3, II (a) Seconded by Mr. Shirland. Motion carried by a 4:0 roll call vote. Mr. Bartlett – aye, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

Non-public session was entered at 8:26 PM

Resumption of Public Session

The public session was entered at 9:11 PM.

Mr. Dabrieo moved to exit the public session at 9:11 PM, Mr. Shirland duly seconded. Motion carried by a 4:0 roll call vote. Mr. Bartlett – aye, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

Mr. Dabrieo moved to seal the non-public minutes; Mr. Shirland duly seconded. Motion carried by a 4:0 roll call vote. Mr. Bartlett – aye, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

Adjournment:

Motion made by Mr. Dabrieo to adjourn the meeting, which was seconded by Mr. Shirland. Motion carried by a 4:0 roll call vote. Mr. Bartlett – aye, Mr. Shirland – aye, Mr. Dabrieo – aye, Mr. Welch – aye.

The meeting adjourned at 9:11 PM.

Submitted by Alvina Snegach

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BOARD OF SELECTMEN MEETING

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