

Nottingham Select Board Meeting

9-20-21

Official Minutes as of 10-4-21

1 Call to Order

2 Members Present: Chair Ben Bartlett, Vice Chair John Morin, Tony Dumas, Donna Danis

3 Absent: Tiler Eaton

4 Others: Lorraine Petrini, Chris Sterndale, Steve Soreff, Steve Welch, Susan Mooney, Samantha
5 Trant, Allan Trant, Shawn McLean, Cheryl Smith, Sam Demeritt, Mary Colvard, Celia Abrams,
6 Wendy Roberts, Michael Roberts, Rhoda Capron

7 The Chair opened the meeting at 6:30pm with the Pledge of Allegiance. Mr. Bartlett commended
8 the Fire Dept. for putting on a great 9/11 commemorative event and the Rec Dept for putting on
9 a great Earth Fest.

10 Approve Manifests

11 Mr. Morin asked about lawyer fees and what the budget is.

12 **Mr. Dumas made a motion to approve the accounts payable manifest of 9-20-21 and**
13 **payroll manifest of 9-21-21. Ms. Danis seconded. Unanimously approved by a vote of 4-0.**

14 Approve Minutes

15 **Ms. Danis made a motion to approve the public and non-public minutes from 8-23-21 and**
16 **8-30-21 as written. Mr. Dumas seconded. Unanimously approved by a vote of 4-0.**

17 BOS Reports from Assigned Boards/Committees

18 *Budget Committee*

19 No update

20 *Planning Board*

21 There is a meeting on Wednesday. Mr. Morin said the Planning Board would like to be included
22 when the BOS discusses road standards.

23 *CIP*

24 Mr. Dumas said he is going to get the CIP meeting scheduled before the next BOS meeting. Mr.
25 Dumas would like to do a review of the CIP plan with BOS to see if they want to add or remove
26 anything.

27 *300th Celebration Committee*

28 Mr. Soreff said they will be meeting on the 30th.

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32 *Marston Property*

33 Ms. Danis said they are working on getting the well done. With the funds through NYA and
34 fundraisers, they are moving forward on purchasing back stops. They are securing the money for
35 irrigation. The Rec. Dept. is using the back field for flag football.

36 **Town Administrator Report**

37 Mr. Sterndale said the SAU Transition committee has met with contractors at the old town hall.
38 Heat is driving the cost for the old town hall. The scheduled paving throughout town is
39 underway. Mr. McLean was able to save some money from paving and they may be able to do
40 extra projects. Mr. Sterndale said they will have financials at the next meeting.

41 There is \$55k in the legal line; they have spent \$15k through July. The audit is finishing up.
42 ARPA money can be used on numerous things; the town did not have a drop in revenue which is
43 one thing that ARPA can cover. Tax rate setting is coming up.

44 Kortney from the Rec. Dept is getting married. The after-school program is still hiring; they are
45 struggling to find people. The high school kids can't get there in time for the elementary school
46 dismissal. The full-time staff of the Rec. Dept. have been helping at the after-school program.
47 Ms. Danis gave kudos to them for helping out. Mr. Dumas asked if the Rec. Dept. can pick up
48 CBNA kids from school to have them help. This would take one more person from working at
49 the after-school program so it did not seem advisable.

50 **Action Items from Last Meetings**

51 Road standards, SAU Transition, Mooers Road, 300th Celebration Committee

52 Ms. Danis said they need to come up with road standards especially for the new roads that will
53 be accepted by the town. She said that is a priority. They are doing Shawn a disservice by not
54 giving him and the department guidance. If they don't come up with road standards for roads
55 overall, then they need to come up with standards for new town roads that want to be accepted.

56 Mr. Morin said the Planning Board wants to be part of the decision process. Ms. Danis said at the
57 end of the day, it's the Select Board's decision. Mr. Dumas said they could reinstate the
58 standards they voted down with the condition they would modify them. Mr. Bartlett said Mr.
59 Morin would like to eliminate parts of the standards. Mr. Dumas said he would like to reinstate
60 the road standards and then tweak them. Mr. Morin said no to that. Ms. Danis said what Mr.
61 Dumas is saying is good but not doing anything is not okay. Mr. Bartlett suggested Mr. Morin
62 come up with what he wants to remove, and Mr. Dumas can look at the document as well to see
63 what he wants to tweak. Mr. Bartlett said he is not comfortable reinstating the road standards.
64 Ms. Danis said 45% of voters didn't vote for it; that is not the overwhelming vote. Mr. Bartlett
65 said they should honor it as it was the majority. Mr. Dumas said the public discourse around
66 Article 20 was a backdoor attempt to not accept the lake roads. The private roads/lake roads have
67 been accepted now. There is no compelling reason not to use the road standards. Mr. Dumas said

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to reinstate the road standards and fine tune them. This will fill the gap till they fine tune them. It will give something for Mr. McLean.

Mr. Sterndale said the BOS needs to give guidance to the town employees in regard to the classified roads. That's different than the road standards that they rescinded at the last meeting.

Ms. Danis said first they need to come up with standards for the roads to be accepted. Some of the roads that the town owns now are troublesome. Mr. Dumas said they need to focus on it all. Ms. Danis said they are lucky they have Mr. McLean who has good judgment and experience. Mr. Bartlett doesn't want to reinstate the old standard without tweaking it. He'd like Mr. Morin and Mr. Dumas to compromise. Ms. Danis said the standards could be two different things: acceptance of new roads and then road standards in general. She wants to know the objective: is it to have clear standards for new roads or have standards for all roads that Mr. McLean and his team are maintaining. Mr. Bartlett said if they come up with standards for new roads, it could be rescinded at the next election. Ms. Danis said the priority is standards for newly accepted roads.

Mr. Bartlett said they need to answer the question about Mooers Road. Ms. Danis suggested Mr. McLean look at the road and report back to BOS with his suggestions. Mr. Bartlett concurred. Mr. Dumas said that's the only option. Mr. Morin said there are only a couple of spots that need to be widened. He said engineers will cost a lot and it's unnecessary. Mr. Dumas didn't suggest engineers are mandatory but it's up to Mr. McLean. Ms. Danis said there shouldn't be a debate over engineers; Mr. McLean needs to look at the road. It was decided that Mr. McLean will look at Mooers Road and report back to BOS. Mr. Morin said that other roads are accepted as town roads that are not as nice as Mooers Road.

Ms. Danis said wants to know if the BOS is moving forward with road standards. Mr. Morin said for acceptance of new roads, he is in favor of coming up with new standards.

Danis made a motion for the Board to commit to defining standards for the acceptance of new roads. Mr. Dumas seconded. It was approved by a vote of 3-1 with Mr. Bartlett nay.

Appointments

Conservation Commission Hearing

Mr. Demeritt opened the hearing for the conservation easement.

He read: Per RSA 36-A:5aa, the Conservation Commission shall hold a public hearing pursuant to RSA 675:7. The public hearing will be held in conjunction with the Select Board meeting, Monday, September 20, 2021. The Nottingham Conservation Commission will hold a Public Hearing pursuant to NH RSA 3-A in consideration of expenditures from the Conservation Fund to assist in a Conservation Easement project identified as P-20-ACT #4 (c) CE. Following the hearing the Select Board may vote on the release of funds for said purpose.

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103 Mr. Demeritt said the property is at 311 Stage Road. The owners want to put an easement so that
104 the land in the future will be farmed. It has 30 acres with 2 streams that eventually flow into the
105 North River. Ms. Smith said this is prime farmable soil and it's unusual to find this.

106 The Conservation Commission has voted to pay half of the closing costs. They are looking for
107 \$3k to be released from the fund although it likely will be \$2100.

108 The BOS have no comments or questions. The public has no comments or questions. The public
109 hearing has been closed.

110 **Ms. Danis made a motion to approve the release of \$3000 for the Conservation Commission**
111 **to assist in a Conservation Easement project identified as P-20-ACT #4 (c) CE. Mr. Dumas**
112 **seconded. Unanimously approved by a vote of 4-0.**

113 Mr. Demeritt said that commission members and volunteers from the community assisted with
114 water sampling of the North and Little Rivers this summer. This sampling is sponsored by the
115 DES and is called VRAP. The volunteers include Celia Abrams (Co-Chair of Trails Committee),
116 Dallas Huggins, Amanda Cafasso, Laurie Nickerson and Merrill Dwyer.

117 Ms. Mooney said they no longer have people on the advisory committee. They need up to three
118 volunteers. Ms. Danis said they can post on the town website, and she will post on the lake social
119 pages.

120 Ms. Colvard spoke about the trails in Nottingham. The trails committee focused on 4 properties
121 for trail work. There was a marked increase on the trails due to COVID. Marsh Woods had a
122 bridge put into this year. They finished the blazing and put up directionals on the trails. A kiosk
123 was put up as well. Kennard Road has a kiosk. It's been blazed and directionals were put up.
124 Case Road has a kiosk and directionals were put up. One bridge was complete and one more will
125 be built by John Terninko. Marston Farm property was cleaned up, and they are ready to be
126 blazed and signed.

127 **Mr. Dumas made a motion to appoint Mary Colvard and renew Sam Demeritt for a term**
128 **of three years ending in March 2024 to the Conservation Commission. Mr. Morin**
129 **seconded. Unanimously approved by a vote of 4-0.**

130 Mr. Demeritt said muzzle loading season is open.

131 *300th Celebration Committee*

132 Joe Welch, Rhoda Capron and Steve Welch are here to discuss the 300th Celebration Committee.
133 Mr. Welch is developing a list of events. He is working with Kortney for a flyer to be mailed to
134 residents. They would like to do a postcard with events. He is asking if they can use the BOS's
135 bulk mailing code. There are 2100+ houses in town. They want to buy 2500 cards.

136 Mr. Welch said they are going to start off with a bonfire in January at the gravel pit. The fire
137 chief has approved this. Mr. Welch suggested a spotlight for the sky and maybe fireworks at the
138 bonfire.

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139 Ms. Danis said there were some estimated costs and some to be determined. She would like to
140 see a list of events that have been confirmed, costs, location and who is responsible for them.
141 Ms. Danis said they have not determined an agreed upon spot for fireworks. They would need to
142 get fire and police services. Mr. Dumas and Ms. Danis said they will need final costs.

143 Ms. Capron said the fire chief has been at all their meetings, and he is aware of all the events.
144 Ms. Danis said the BOS needs to understand the events as well.

145 Mr. Welch said Atlas Fireworks is going to visit potential fireworks locations for an event in the
146 summer. The BOS is welcome to join.

147 The 300th Celebration Committee will come to a future meeting and will send the list of events to
148 the BOS ahead of time.

149 **Assessing**

150 **Mr. Dumas made a motion to approve the intent to cut for Map 24 Lot 48 and Report of**
151 **Cut for Map 6 Lot 16-1. Mr. Morin seconded. Unanimously approved by a vote of 5-0.**

152 **Mr. Dumas made a motion to approve the accounts payable manifest of 9-6-21 and payroll**
153 **manifest of 9-7-21. Ms. Danis seconded. Unanimously approved by a vote of 4-0.**

154 **General Business**

155 *Road Maintenance*

156 Mr. Sterndale said there are 8 miles of roads that were approved at the last election. The highway
157 dept. needs guidance from the BOS. The financial impact for fixing problems is increasing.
158 Highland Ave. has numerous issues on this road; there are \$23k in engineering costs. Mr.
159 McLean needs to be given guidance on what to do and what to prioritize.

160 Mr. McLean said on Highland Ave, the drainage pipe is on private property; it goes into the lake.
161 It needs to be reengineered to not go into the lake.

162 Mr. McLean said Sachs Road will cost \$5k for tree removal. The highway dept. estimated \$3k
163 worth of work that they can do for this road. Three culverts need to be upgraded; this will cost
164 \$4k. There may be cars buried in the gulch. A guard rail needs to be put there. Mr. Morin said
165 there is an option of not doing anything. Mr. Sterndale said the liability is there if there is a
166 safety deficiency; they have to have a plan to fix it. One solution is that people have to drive a lot
167 slower on this road. Mr. Sterndale said if they create ditches, the liability to landowners gets
168 particularly acute.

169 Mr. Bartlett asked about Barderry Road with swamp on either side of the road. Mr. Sterndale and
170 Mr. McLean spoke about roads where residents have been taking care of the road themselves by
171 managing where the water runs off, etc.

172 Mr. Dumas said the proposal from Mr. McLean is a good starting point. Ms. Danis concurred.
173 Ms. Danis said it seems to her that the people who live on these newly approved town roads will

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174 want them fixed properly at some point as they are town roads. It doesn't make sense to keep
175 them at a level that is ineffective. She said Mr. McLean knows where the worst spots are and
176 how to plan the fixes so that it's spread out over time.

177 Mr. Bartlett asked if they can use ARPA on Highland Ave. Mr. Sterndale said yes. It can be used
178 on Kelsey Road. Berry Road and Cooper Hill Road will need work. It will cost \$750k on Kelsey
179 Road to fix. Mr. Morin noted that it would cost \$800k to pave Ledge Farm Road, and that wasn't
180 approved.

181 Mr. McLean said they will have to take land from a property owner to fix the problem on
182 Highland Ave. Ms. Danis asked if he is looking for \$23k for the engineering fees for Highland
183 Ave. Mr. McLean said yes and that he believes his dept. can do the work themselves. Mr.
184 Sterndale said ARPA money will cover this.

185 Mr. McLean would like to see Sachs Road and Highland Ave. fixed before winter.

186 Ms. Danis is in favor of paying for the engineering for Highland Ave. Mr. Bartlett would like to
187 read through the info over the next day.

188 Mr. McLean said Mitchell Road and the cemetery are being paved. Ten culverts were replaced
189 on Mitchell Road. They cut back vegetation.

190 Mr. Morin said new roads and old roads are both costing money.

191 *Rte. 4 Property Sale*

192 It will be completed this week.

193 **Ms. Danis made a motion to approve the final sales of three parcels 145, 155 and 165 Old**
194 **Turnpike Road to Nottingham Business Park LLC as agreed in the purchase and sales**
195 **agreement dated April 21, 2021. Furthermore, the Board authorizes Town Administrator**
196 **Chris Sterndale to sign related closing documents. Mr. Dumas seconded. Unanimously**
197 **approved by a vote of 4-0.**

198 **Review Action Items for Next Meeting**

199 Road standards. 300th Celebration Committee, Highland Ave.

200 10-4-21 Q3 Financial Update

201 **Adjourn**

202 **Ms. Danis made a motion to adjourn the public meeting at 8:31pm and go into non-public**
203 **RSA 91-A:3 II (a). Mr. Dumas seconded. Roll call vote: Mr. Bartlett-yay, Mr. Morin-yay,**
204 **Ms. Danis-yay and Mr. Dumas-yay. Unanimously approved by a vote of 4-0.**

205 The non-public meeting ended at 8:39pm.

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207 **Mr. Dumas made a motion to seal minutes of non-public session. Ms. Danis seconded. Roll**
208 **call vote: Mr. Bartlett-yay, Mr. Morin-yay, Ms. Danis-yay and Mr. Dumas-yay.**
209 **Unanimously approved by a vote of 4-0.**

210

211 **Mr. Dumas made a motion to adjourn the public meeting at 8:39pm. Ms. Danis seconded.**
212 **Roll call vote: Mr. Bartlett-yay, Mr. Morin-yay, Ms. Danis-yay, and Mr. Dumas-yay.**
213 **Unanimously approved by a vote of 4-0.**

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