

Minutes
Nottingham Select Board Meeting
August 8, 2016

6:30 PM Chair Danis opened the meeting and asked all those present to stand for the Pledge of Allegiance.

Members Present: Donna Danis, Tiler Eaton, Charlene Andersen

Others: Town Administrator Chris Sterndale, Secretary Dawn Calley-Murdough, Peggy (Margaret) Mulholland, Jude Thibault, Gary Anderson, Gunnar Foss

Approval of Manifest:

Motion: by Ms. Andersen, second by Mr. Eaton to approve the August 1, 2016 accounts payable and August 2, 2016 payroll manifests.

Vote: 3 – 0 in favor.

Approval of Minutes:

Motion: by Ms. Andersen, second by Mr. Eaton to approve the regular minutes of the July 25, 2016 meeting as written and the non-public minutes of July 25, 2016.

Vote: 3 – 0 in favor.

Select Board Department/Board/Committee Reports:

Planning Board: Ms. Andersen reported the board will be meeting with the Conservation Commission on Wednesday night. They board completed and approved the changes to the Site Plan Review Regulations and continues to work on active cases.

CIP: Chair Danis reported the committee will meet during the month of September. The School Board Representative is Roslyn Chavda. Mr. Sterndale stated most of the town data should be available for the first meeting.

Marston: The concept drawings have been received from Barry Guyer, who is volunteering his time. An additional meeting will be held to start working on prices to hopefully begin work soon. Ms. Andersen asked to review the conceptual drawings.

Town Administrator Reports, Mail, Signature Items:

Elections: Mr. Sterndale reported he, the Supervisors of the Checklist, and the Moderator met with Nottingham School officials to establish the plan for setting up election equipment for the upcoming general election in November. Trucks and volunteers will be needed to transport and set up of equipment on Monday, and more importantly the break down at the end of the election on Tuesday night; the kids will be back in school on Wednesday.

Another small glitch is the strong possibility of not being able to use the school cafeteria for any election activities as the teachers will be holding a workshop in the space. Alternative locations are being reviewed.

Code Enforcement: The Hazard Mitigation Report will be worked on and a variety of employees will be assisting in the completion.

Cemetery Trustees: Mr. Sterndale reported he met with the trustees to review and update forms and handouts, as well as discuss needed repairs and work needed at the cemeteries. This included a drive through some of the cemeteries to determine needed road work and landscaping; nothing

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needs to be completed immediately and could be budgeted between 2017 and 2018, as determined during the upcoming budget season.

Town Administration: The town is seeking fuel bids for heat and vehicles.

Police: Kortney Bacon is the new Administrative Assistant and she started training on Monday.

Fire: Mr. Sterndale reported the Fire Chief was going to introduce the new employee Torey O'Brien, but they are busy with a brush fire and are unable to make it.

Appointments:

7:00 pm – Margaret Mulholland Restoration of Involuntary Merged Lots: Ms. Mulholland reviewed her documentation provided with her request to unmerge three lots she believes were involuntary merged on Map 72 Lot 38. Ms. Mulholland stated she believed the lots should be unmerged as much of her original documentation indicates the parcel her father purchased indicates three lots.

Mr. Sterndale reviewed the change in process of Restoration of Involuntary Merged Lots, which was previously completed by the Board of Assessors. The Assessing Coordinator Sue Serino and Avitar Assessor completed a review of the documentation provided by Ms. Mulholland, the town records, and determined that the town did not involuntarily merge any lots and recommend denying the request for un-merger. The original deeds and purchasing language states it is one single parcel, referencing the single parcel with a purchase encompassed lot numbers 5, 6 and 7 from the Plan of Land of Gordon Mooers, which is not an official sub-division plan and the original purchase document and deed reference a single parcel.

Ms. Mullholland stated while it has only been one tax bill, it always noted the three different lots, including on the purchase agreement and deeds. Mr. Sterndale reported the town can find no evidence of the lots being treated as three separate parcels with three deeds or tax bills and it is not uncommon to have tax bills and property record cards include many types of notes about the parcel; things change based on current assessing practices and procedures.

Chair Danis stated given the research completed by the town, Board of Assessors, and assessing company Avitar, there has always been one tax bill and there is no evidence of the town completing a merger; she is inclined not to unmerge the lots.

Ms. Andersen reported she agrees with the intent of Ms. Mulholland's father to purchase one lot, it has always been treated by the town as one parcel, and there was not a merge completed by the town.

Mr. Eaton stated the deed references only one parcel.

Motion: by Ms. Andersen, second by Mr. Eaton to deny the request for unmerger as it appears that the three lots were never transferred as separate lots of record but as a single parcel and the lots were not involuntarily merged by municipal action.

Vote: 3 – 0 in favor.

Chair Danis stated Ms. Mullholland has the ability to appeal to the Zoning Board if she desired.

7:30 pm – Police Chief Gunnar Foss: Chief Foss asked the Select Board for permission to hire two officers at this time, although the department only has one vacancy. Some of the reasons for his request are the more recent personnel changes that have taken place at the department, the need

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for more police officer coverage due to a growing community and increasing criminal activity, and the value of having a part-time position dedicated as an investigator and the recent vacancy has pulled the investigator away from his duties to help the regular officers. In addition, it will give him time to complete the hiring and training processes to get two new officers working by April 2017; the next police academy training starts January 2017.

Chief Foss stated he met with the Town Administrator to review the Police Department budget and the number of hours that would be needed for 24/7 department coverage. There should be enough in the budget to cover the overtime hours current employees will use until the new officers start, making sure the department will be able to provide all services until the new staff starts in December. While the regular Full Time Salary budget will be underspend, the overtime budgets will be overspent, essentially offsetting each other. There is some risk, but there is little the department can do, and this step is the opportunity to be proactive with the situation rather than wait to request a new officer with the 2017 budget request, which moves the second officer to start in late 2017.

Concern was expressed about burning out the current officers by having them work too much overtime to meet the existing need, and adding an additional staff member only to have the budget request turned down during the 2017 Town Meeting.

Chief Foss stated he is confident the current staff will be able to do what is necessary to provide the needed coverage, they will be able to provide the necessary training for two people at the same time, and hiring two new people now will allow the department to address the community needs sooner versus later. Mr. Sterndale reported the town would be able to find the funds for the needed officer if the Police Department Budget is reduced during Town Meeting.

The Select Board agreed and approved of hiring two new full time officers who will start at the Police Academy in January 2017.

General Business:

Policy Review: Personnel Policy – The Select Board had previously reviewed the recommended changes to the Personnel Policy, which included some general language changes as well as updating information to current local and federal laws.

Chair Danis asked to modify the wording in the description for Library employees on page 7 and on page 6 to indicate that the Town Administrator is hired by the Select Board rather than appointed. Additional clarification was requested for the Town Administrator section to indicate the position has management authority with on-going notification/reporting to the Select Board on a frequent basis.

Mr. Sterndale asked the Select Board to reduce the number of sick days from 12 to 10 per year, keeping the maximum accrual at 720 hours/90 days. He is also recommending increasing the amount of time being paid out at employment separation from 240 hours/30 days to 280 hours/35 days. Mr. Sterndale reported he does not see any abuse of employees using excessive sick time, but offering 1 day per month is very generous. After discussion the Select Board agreed to the sick leave policy changes.

Motion: by Ms. Andersen, second by Mr. Eaton to approve the Personnel Policy drafted July 27, 2016 as amended.

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Vote: 3 – 0 in favor.

NCTV Policy – Ms. Calley-Murdough indicated much of the original policy is no longer relevant as it provided instructions for equipment that has been replaced and the policy is infrequently asked about.

Mr. Sterndale reported the town can see all the material for both the town and school channels, but has little to do with the school day to day management. The School must still follow the NCTV Policy, they can create their own, and while the School Board has authority over the school channel the Select Board is ultimately legally responsible.

Chair Danis asked about the legality of holding individuals responsible for damaging the equipment. Mr. Sterndale reported individuals could be held liable; it would be similar to any other criminal case if town property were damaged deliberately.

Mr. Eaton stated he wished there were more local programming and community involvement.

Ms. Andersen asked about reference to advertisement and corporate sponsorship, as she recently saw a cooking segment produced at the Nottingham School which may have been provided by King Arthur Flour. She inquired whether the non-resident programs was related to a law or regulation. Mr. Sterndale reported product placement shouldn't cause a significant concern, and the non-resident part of the policy is consistent with what other municipalities offer; the variety of laws governing community channels such as this are not always easy to understand.

Motion: by Mr. Eaton, second by Ms. Andersen to approve the amended NCTV policy as of August 8, 2016.

Vote: 3 – 0 in favor.

Rules of Procedure – Chair Danis stated the board reviewed the document thoroughly at their previous meeting and the requested updates were completed and distributed already by the Town Administrator.

Motion: by Mr. Eaton, second by Ms. Andersen to accept the Nottingham Select Board Rules of Procedure.

Vote: 3 – 0 in favor.

Sale of Town Property: Mr. Sterndale reviewed the updated list of recommended properties being offered for public sale. The planned demolition of properties on Rogier Place and Freeman Hall has been completed making the properties available for sale, other properties should have special conditions about lot merger, and other should have special sale conditions as well because of lot size or location.

After discussion the Select Board agreed with the recommended sale of town owned property by sealed bid.

Chair Danis recused herself from the vote due to a possible conflict and vested interest in one of the lots, and left the conference table.

Motion: by Ms. Andersen, second by Mr. Eaton to authorize the Town Administrator to put forward the properties for public sale by sealed bid for Map 1 Lot 91 at 18 Rogier Place, Map 1 Lot 8 on Barrington Road, Map 1 Lot 84 on Rogier Place, Map 8 Lot 4 on Mitchell Road, Map 23 Lot 5 at 44 Smoke Street, Map 70 Lot 72 on Brustle Road, and Map 13 Lot 12 at 61 Freeman Hall Road.

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Vote: 2 – 0 in favor.

Chair Danis returned to the board.

NON-PUBLIC SESSION: The Board entered non-public under RSA 91-A:3 II(d).

8:23 PM Motion: Motion by Chair Danis, second by Ms. Andersen to enter non-public under RSA 91-A:3 II(d).

Vote: Danis – Yea, Eaton – Yea, Andersen – Yea. 3 – 0 in favor.

8:49 PM Motion: Mr. Eaton, second by Ms. Andersen to exit the non-public session.

Vote: 3 – 0 in favor.

Motion: Chair Danis, second by Mr. Eaton to seal the non-public minutes of August 8, 2016.

Roll Call Vote: Danis – Yea, Eaton – Yea, Andersen – Yea. 3 – 0 in favor.

The Selectmen made no decisions during their nonpublic session.

ADJOURNMENT: Having no further business,

8:50 PM Motion: by Mr. Eaton, second by Ms. Andersen to adjourn.

Vote: 3 – 0 in favor.

Respectfully Submitted,

Dawn Calley-Murdough