

**Minutes
Nottingham Selectmen's Meeting
November 16, 2015**

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

Members Present: Mary Bonser, Donna Danis

Absent: Mark Carpenter

Others: Town Administrator Chris Sterndale, Secretary Dawn Calley-Murdough, Arthur Stockus, Nell Santos, Carmen Santos, Dee Decker, Mike Coltin, Jody Lapham, Diane Lapham, John Morin, Ed Kotowski, Pam Kelly, Liz Kotowski, Eugene Reed, Sue Serino, Tom Duffy, Jonathan Crowell

MANIFEST SIGNATURE:

Motion: by Ms. Danis, second by Chair Bonser to approve the November 9, 2015 accounts payable and November 10, 2015 payroll manifests.

Vote: 2 – 0 in favor.

OUTSTANDING MINUTES:

Motion: Ms. Danis, second Chair Bonser to approve the minutes of the November 2, 2015 meeting as amended.

Vote: 2 – 0 in favor.

TOWN ADMINISTRATOR/DEPARTMENT REPORTS, MAIL & SIGN ITEMS:

Highway: The new dump truck has been delivered and is being used.

Fire: The 2006 Crown Vic is for sale and bids are being accepted.

Tax Bills: 2nd issue tax bills were mailed Thursday, November 12th and should be received by property owners. Taxes are due December 19th and the Tax Collector has posted his extended office hours on the website and other locations. If you haven't received your bill, please call the Tax Collector.

CIP: Mr. Sterndale asked the Selectmen to select a date for the next CIP meeting, and if they wanted to meet with Department Heads they should do so soon; time is very limited to come up with a final report to submit to the Budget Committee.

The Selectmen agreed to meet with the Department Heads on November 30th at 6:30 pm, postponing regular town business until after the CIP portion.

SELECTMEN BOARD/COMMITTEE/LIASON REPORTS:

MPEC: Ms. Danis reported the committee selected three companies to meet with; Ambit Engineering & Woburn Landscaping on November 18th at 5:30 pm, CMA Engineering on November 23rd at 5:30 pm, and December 1st at 5:30 pm with Hoyle Tanner Engineering.

Chair Bonser asked how the committee will work with the companies to establish an estimate for a total development expense amount; making sure it isn't overly expensive. Ms. Danis reported the goal is to establish a conceptual development plan and how it will look, and then determine separate phases for the development over a period of years to help level out the expense amounts while seeking volunteers, donations, and grants. Ms. Danis stated the committee reviewed what activity and development recommendations they would want to see based on the public input, which is detailed in the MPEC meeting minutes. The minutes would be forwarded to all Selectmen for review of the suggested items and amounts for the property.

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Chair Bonser expressed her concern about the property being isolated and the need for a security plan as well.

Ms. Danis stated this is also being reviewed, and a request was submitted to have the property mowed, as the grass is very overgrown.

Budget Committee: Chair Bonser reviewed Mr. Carpenter's report of the prior week Budget Committee meeting.

The school had their 1st draft 2016/2017 budget review, with a bottom line 2% increase. This increase is primarily driven by a number of new initiatives, which include hiring and expansion of programs that amount to \$200,000.00 to \$250,000.00. The School Board stated they have work to do on high school tuition; expected tuition increases are approximately \$60,000.00 to \$70,000.00 more than the estimated amounts in the 1st draft. Lastly, they are working on how to best present the employee "merit pool", whether to keep a lump sum in one area or somehow spread it to all affected positions. Their current approach is to spread it to each person; however, it ends up looking like a 6% increase in those positions versus what they say will average 3%. This is because the positions did not show the merit pool in individual account numbers last year; it was instead in one account. There was no report on the student enrollment shift from Dover to Coe Brown.

GENERAL BUSINESS:

Assessing Contract: Mr. Reed stated the Board of Assessors is recommending a renewal contract with the current assessing firm, Avitar Associates. However, the Selectmen can choose to send out a request for proposal, if they want.

Mr. Reed stated he believes Avitar continues to receive a certain amount of stigma from the prior assessing work in 2010, work that was not completed by Avitar. Avitar has a good work relationship with the town and the Assessing Coordinator; they are responsive and assist in providing answer quickly when needed.

Chair Bonser stated she feels that she personally has not had a lot of success as a taxpayer with Avitar, and has received other complaints.

Chair Bonser reviewed a statement from Mr. Carpenter, who was in support of re-hiring Avitar.

Ms. Danis asked if the Board of Assessors felt the proposed contract was competitive with other proposals they might have received if it had gone out to bid.

Mr. Reed responded the proposed contract is \$8,000.00 less than the prior contract, for the same services.

Mr. Reed responded to the Chair, that the Board of Assessors has only received one complaint, which was about the tax amount; if a town spends more taxes will go up and it is not a reflection of the work completed by the assessing company. The property market has recovered and property values have increased based on current market data. Mr. Reed stated in the many years he has worked with property valuations, he has never had someone express gratitude and happiness with the work Assessors complete – comments were always complaints, but asked the Chair to forward any complaints she has received to the Board of Assessors.

Ms. Danis asked about the possible impact if new proposals were requested; how quickly could proposals be received, and is there a penalty or impact of letting the current contract expire.

Mr. Stockus stated the proposed contract does provide options to sign for either a one, two, or three year timer period.

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Ms. Danis asked to postpone a decision on accepting the contract and making a decision to request additional proposal when all three Selectmen could vote on the matter. Chair Bonser agreed to the request.

APPOINTMENTS:

7:00 pm: Pole License Amendment Public Hearing: Chair Bonser opened the hearing at 7:00 pm and reviewed that the purpose of the hearing was to include additional information on the Petition for License Utility Poles/Underground Conduit form for the property taxation purposes.

Chair Bonser opened the hearing for public comment, stating I hereby open a public hearing pursuant to the provisions of RSA 231:163 and 43:2, for the purpose of considering amending all existing pole licenses to include language regarding taxation pursuant to RSA 72:23. We will also consider adopting a revised Pole and/or Conduit License form which will include language regarding taxation pursuant to RSA 72:23. This hearing is being held to determine if it is in the best interests of the public good to amend the pole licenses so that they are consistent with the property taxation statutes (RSA 72:23). Is there any member of the public who wishes to speak to these issues?

Mr. Reed stated the NH law regarding this issue was recently changed, eliminating and a previously used exemption by utility companies; since the expiration, utility companies have started appealing their property assessment. The requested changes to the Pole License form is to include language that requires the utility companies to provide the names and companies who also using their utility poles. The changes are recommended by the Towns legal council, and if the form isn't changed it could prevent the town from collect future property taxes.

Chair Bonser asked if there was any additional comment; and there was none.

Chair Bonser stated the Board of Selectmen has received two letters that will be included in the record of this matter: from Christopher Allwarden, Senior Counsel of Eversource Energy, dated November 3, 2015; and from Margaret Nelson, on behalf of NH Electric Co-op, dated November 4, 2015.

Chair Bonser stated if there is no further comment from the public, I will accept a motion to close the public hearing."

Motion: by Ms. Danis, second by Chair Bonser to close the public hearing.

Chair Bonser asked if there was any additional discussion and if all were in favor of closing the public hearing?

Vote: 2 – 0 in favor.

Chair Bonser stated the public hearing is closed.

Motion: by Ms. Danis, second by Chair Bonser to move that the Board of Selectmen declare that all outstanding pole licenses issued by or under the authority of the Selectmen of Nottingham or its predecessors in office acting under the provisions of RSA 231:161 (b), or its predecessor statutes, are hereby changed to incorporate in each such pole license in effect as of November 17, 2015 and effective as of such date, the following changes by inserting therein the following language:

In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date.

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Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

The Licensee is required to provide the town in writing the names and contact information for any additional provider(s) authorized now or in the future to place equipment at these location(s)."

The amendment to all pole licenses set forth in the preceding two paragraphs shall take effect on November 17, 2015, and shall remain in effect until changed in accordance with the provisions of RSA 231:163.

The Licensee is requires to provide the town in writing the names and contact information for any additional provider(s) authorized now or in the future to place equipment at these location(s).

Chair Bonser asked if there was any discussion of the motion. Chair Bonser asked for all those in favor.

Vote: 2 – 0 in favor. Chair Bonser stated the motion is adopted.

Motion: by Ms. Danis, second by Chair Bonser to move that the Board of Selectmen adopt the following language for all pole license applications, effective November 17, 2015:

In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all property assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

The Licensee is required to provide the town in writing the names and contact information for any additional provider(s) authorized now or in the future to place equipment at these location(s).

Chair Bonser asked if there was any discussion, and there was none. Chair Bonser asked for all those in favor?

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Vote: 2 – 0 in favor. Chair Bonser stated the motion is adopted.

7:15 pm: PLIA Program Funding: Ms. Decker reviewed the lake host program, which provided boat inspections to prevent the spread of damaging invasive plant species. The PLIA has provided the lake host posting program during the summer at the Fundy ramp with an approximate 958 hours between Memorial Day and Columbus Day; the total approximate payroll was an approximate \$9,128.13 with a total number of 6,540 boat inspections. Horse Island boat ramp had boat inspections Thursday and Friday afternoons and Saturday mornings from July to October, which includes a grant match for inspections, with a total number of 234 boats inspected.

Discussion took place about the grant amount the PLIA receives from the State of New Hampshire that must be matched with local funds; which is \$4,000.00 from the Town and additional funds from the PLIA \$2,568.00 in contributions. These funds help pay the small salaries of people to complete boat inspections.

Two situations of invasive species were found this year, one at Fundy and one at Horse Island. Many boaters have become very educated about the process and what is being looked for because of the boat inspection process, helping to reduce the number of infestations.

Ms. Decker reported the PLIA is meeting with State Park officials to review the possibility of additional inspections within the Pawtuckaway State Park, as it is not a service state employees provide. The State of NH is not willing to provide boat inspections at any boat launches, as it could require having inspectors at all state park boat launches. However, the NH DES was very quick to respond to the situations when milfoil was found.

Discussion took place about the multiple locations boats can be put into the lake, potential locations where additional boats can be inspected, and additional methods being used to try and prevent infestations – such as the Weed Watchers. It was stated boat inspections are completely voluntary; boat owners are not required to have their boat inspected and can refuse. A visual inspection is completed to the best of their ability; data from boat owners who have refused is collected and turned over to the state if reasonable concern is found.

Discussion took place about the process and expense in trying to remove an infestation, the expense for prevention being significantly smaller, and how much other lake towns are spending to address infestation issues.

Ms. Decker stated the PLIA is asking the Selectmen to increase the amount of the warrant article to allow the PLIA to hire additional staff for the Horse Island boat launch. The PLIA is also requesting consideration of establishing a capital reserve fund to set aside funds for potential future infestations and mitigating the removal.

Mr. Duffy asked the Selectmen to increase the annual amount to \$8,000.00, in addition to including funds into a capital reserve fund. The additional amount would provide the PLIA with operating funds to hire additional boat inspection staff.

Ms. Danis asked if there is anything the Town and the PLIA could do together to help get the state to participate in monitoring the process. Ms. Decker stated she does not believe the state will be willing to set aside funds for the process, as the NH Department of Resources and Economic Development (DRED) have limited funds, but they could be willing to volunteer the space to complete inspections safely. Mr. Duffy reiterated the state has always been unwilling to help in the process of boat inspections; they can complete inspections and help can be provided, as long as there was no expense to the state.

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Ms. Decker stated the biggest request being made to the state is to create a specified boat inspection area. General discussion took place about possible methods for helping to continue and increase the boat inspection process.

Chair Bonser and Ms. Danis agreed the Selectmen would increase the PLIA donation to \$8,000.00, and would consider creating a capital reserve fund to address future potential infestations with a starting amount of \$5,000.00. Mr. Sterndale recommended creating an expendable trust fund with the Selectmen as the expending agent.

Mr. Lapham reviewed his positive experiences of living on Pawtuckaway Lake and the work of the PLIA in comparison to other lake towns and other states. Massachusetts doesn't address the issue at all and many other NH lake communities don't have a prevention plan and process as significant as Nottingham and can only now try to keep up with removals.

Chair Bonser expressed her concern that the State of NH states ownership of the park and the water, but is quick to shift the cost to address a situation of infestation to the towns; is there anyway to get the state to increase the amount of money they are willing to contribute for inspections and addressing infestations?

Mr. Duffy expressed concern about bringing state officials before the Selectmen as it can hinder possible assistance, more than help. Mr. Sterndale asked to also contact County Commission Councilor Pappas, as the county delegates can help move things along.

Mr. Santos thanked the Selectmen for their willingness to help in the process.

GENERAL BUSINESS, continued:

Website Redesign: Mr. Sterndale reviewed the updated Virtual Towns and Schools contract to update and redesign the website. It will be for one year, starting in 2016 and asked the Selectmen to sign the contract.

Motion: by Ms. Danis, second by Chair Bonser to enter into a one year agreement with Virtual Towns and School for website redesign total \$5,000.00.

Vote: 2 – 0 in favor.

Chair Bonser asked to involve the other department heads in the website design plan, including Police and Fire Departments.

Upcoming Meeting Info: Chair Bonser reviewed some of the upcoming tasks that will need to be completed before the end of the year.

ADJOURNMENT: Having no further business,

7:58 PM Motion: by Ms. Danis, second by Chair Bonser to adjourn.

Vote: 2 – 0 in favor.

Respectfully Submitted,

Dawn Calley-Murdough