

**Minutes
Nottingham Select Board Meeting
September 11, 2017**

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, Charles Brown, Anthony Dumas

Absent: Charlene Andersen

Others: Town Administrator Chris Sterndale, Secretary Dawn Calley-Murdough

Approval of Manifest:

Motion: by Mr. Dumas, second by Mr. Brown to approve the September 11, 2017 accounts payable and September 12, 2017 payroll manifests.

Vote: 4 – 0 in favor.

Approval of Minutes:

Motion: by Mr. Dumas, second by Mr. Brown to approve the non-public minutes of the July 31, 2017 meeting as amended, the public August 28, 2017 minutes as amended, and the non-public August 28, 2017 minutes as written.

Vote: 4 – 0 in favor.

Select Board Department/Board/Committee Reports:

Budget: The committee will meet on September 14, 2017.

Planning: None, the committee will meet on September 27, 2017.

Town Administrator Reports, Mail, Signature Items:

Fuel Bids: The annual bid results have been received and the recent cool weather hasn't helped with prices. Oil prices have remained mostly steady, but propane prices have spiked. Mr. Sterndale stated the town has a little time and will delay making a decision in the hopes the prices may drop slightly.

Traffic Counts: Mr. Sterndale reported the previously planned town traffic counts have been completed, but additional clarification is needed on the results of those counts before they are distributed. The town will also have the benefit of receiving state road counts this year, which will provide additional information as the Select Board and new Highway Director prioritize road work and repairs. Counts were completed over a 24 hours period, on weekdays, count vehicles moving in both directions, and are as follows:

Ledge Farm Road (south of Poor Farm) with an approximate 500 vehicles, Stevens Hill Road had 260, Cooper Hill Road had 350, and Case Road has 110.

General discussion about the road counts took place.

Signatures: the Select Board signed an appointment form for Health Inspector, Dennis Pelletier, who is also serving as a Building Inspector for the town.

General Business:

Invasive Species Fund Request: Chair Danis reviewed the history of the PLIA requesting funds from the town, which is to help support the Lake Host program to inspect boats prior to their

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entering Pawtuckaway Lake. This program has been a contributing factor of keeping milfoil, and other invasive species out of Pawtuckaway Lake.

Chair Danis stated typically the request is received early in the season, so this request is being received late, and asked if the town should pay the total request of \$4,000.00. If the PLIA has enough available funds to make payroll, why does the town need to make an additional payment. Chair Danis stated her support for the program but did not want to make a payment for money that would only sit with NH Lakes for a year until next year.

Ms. Calley-Murdough stated the request was received in mid August while the Town Administrator was on vacation.

Mr. Sterndale reviewed the Expendable Trust Fund for Invasive Species that was created two years ago and it's potential use to assist the PLIA in making payment to the Lake Host Program.

The Select Board delayed approving release of any funds until the PLIA can answer questions about how much will be needed to complete paying for inspections through the end of the year.

Appointments:

7:00 pm – Public Hearing – SB38 Highway Funds: Chair Danis opened the public hearing on the town accepting the appropriation of unanticipated funds from the State of New Hampshire as provisioned by SB38 and asked for public comment.

Mr. Reed asked why the town is receiving the funds. Mr. Sterndale stated the legislature found a surplus and provided the extra funds for towns to use toward additional road projects, in the same manner as other Highway Block Grant funds the town receives. The town must use the funds on a project that was not originally proposed for the year.

Chair Danis closed the public hearing at 7:08 pm with no additional public comments.

The Select Board agreed to accept the funds and had general discussion about the Road Agent recommendations for use of the funds. The town could complete additional shim and seal coat work, or complete the work on Lakeview Drive. Mr. Sterndale stated the estimated cost to finish the Lakeview Drive project is an approximate \$95,000.00 to \$105,000.00, without knowing of any additional surprises, any other remaining funds would be applied to other remaining road projects for 2017, or the board could postpone use until 2018. There is a benefit to completing the Lake View project is utilizing the knowledge and experience of the exiting Road Agent, as well as the same company that completed the first part of the work.

Motion: by Mr. Eaton motioned that the Select Board hereby accepts \$128,171.96 pursuant to RSA 31:95-b and 235:23, and directs the Town Administrator to use the funds for reconstruction, paving, and other related work on Lakeview Drive. Second by Mr. Dumas

Vote: 4 – 0 in favor.

7:15 pm – Tax Collector Gene Reed: Mr. Reed thanked the Town Administrator and Select Board, as well as the town office staff Sue Serino, Betsy Warrington, and Dawn Calley-Murdough for all the help they have provided in learning his new position.

Mr. Reed stated he now provides property tax information on the town website, which helps closing companies and now eliminates people waiting for open office hours to determine tax information on a specific property. He has received requests to also accept property tax payments online as well.

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Mr. Reed reviewed the work that he completes, the activity that takes place between the Tax Collector and the Assessing Coordinator in making sure property ownership and property values are updated, as well as a number of other duties that are coordinated between the town positions. Mr. Reed reviewed some tax collection statistics about balances paid, balances due, the number of transactions that take place, and the percentage of payments received versus total amount received.

Mr. Reed reviewed the process of notifying mortgage companies when properties reach the lien stage, which is part of the legal notification process. Mr. Reed stated he is requesting a change in how mortgagees are found as the process is more complicated now with mortgages frequently changing hands. A 3rd party researcher has been found, and this person has been very successful in their research, and is bonded in case there are potentially any issues.

General discussion took place about the deed waiver process that takes place between the Tax Collector, Town Administrator, and the Select Board.

Chair Danis thanked Mr. Reed for coming in and providing the Select Board with a better understanding of the tax collection process.

Mr. Brown thanked Mr. Reed for the work he has done and stated he has received positive comments from the general public about the Tax Collector.

Mr. Dumas thanked Mr. Reed for providing the details about the process for a much better understanding of the process.

Mr. Eaton asked if the town can currently accept tax payments by credit card. Mr. Sterndale stated it isn't currently done, an initial review has taken place to do so, but additional work must be completed before the process could happen. Mr. Reed stated the town might be able to more easily accept ACH/online Check payments as an initial step.

Motion: by Mr. Brown that the Select Board hereby directs the Tax Collector to identify and give required lien notice to mortgagees, pursuant to RSA 80:65. This direction shall be in effect until rescinded. Second by Mr. Eaton

Vote: 4 – 0 in favor.

Mr. Reed expressed his concerns regarding the recent use of some of the impact fees, stating the use of the fees are designated to capitol construction needed because of increasing population. A recent review by the Planning Board has raised questions in how the fees might change and how the accepted funds are used. While the process isn't cut and dried, he does not agree with the current use of impact fees given to the school for a study and does not feel they apply to the law; a study isn't a capital improvement.

Mr. Reed asked the Select Board to create an oversight committee to study the appropriateness of the administration of the impact fee process; the entire process of requesting, payment, collection, management, and use of the funds.

Chair Danis stated she wanted to understand the Impact Fee process better before making any comment. Mr. Brown stated the board should get a consensus on how they will determine the answer to questions on how the funds should be utilized, through the NHMA or town council.

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Mr. Eaton stated he wanted to make sure the general public understands the town hasn't done anything intentionally wrong.

Mr. Sterndale stated he would report back to Mr. Reed on what action the Select Board would take to make sure proper action is being taken regarding the use of Impact Fees.

Chair Danis stated the Select Board will move forward in determining how they would take action on the Impact Fee issue.

General Business continued:

Preliminary Review of Emergency Lane Request – Cahill Lane: Mr. Sterndale reviewed the Policy regarding Emergency Lanes and the request received for expanding emergency road maintenance on a sub-section off Cahill Lane.

Chair Danis reported this is the preliminary review of the request and the Select Board will need to hold a public hearing if they decide they want to expand the emergency lane status on Cahill Lane.

Mr. Sterndale reported the town has a number of issues regarding emergency lanes, and does not recommend approving this request. There is by statute that indicates there should be a public need to spend money on private property, which is what an emergency lane is. The road conditions are not such that the town would want to plow and the town must solve their existing problems before adding additional requirements.

Mr. Brown stated he does not recommend approving the request and does not feel many of the existing emergency lanes meet the statutory requirements. Mr. Eaton and Mr. Dumas agreed with the statement by Mr. Brown.

Chair Danis stated the board has expressed the sentiment that they do not want to consider the request to extend the emergency lane.

Mr. Sterndale would report the decision of the Select Board to the requestor, giving him the opportunity to come and talk to the board if he so desires.

Personnel: Mr. Sterndale stated the Select Board will need to consider how they will fill the Building Inspector's position with the recent resignation of Paul Colby. Some of the current functions are being filled by temporary help, but the board needs to make more permanent decisions. Mr. Sterndale recommended breaking up the position and making the Building Inspector a part time position and shifting some of the other duties to individuals or groups that might better serve the needs of the town with a much lower financial impact. Mr. Sterndale continues to work with the Planning Board Chair to define the needs of the Planning Board for plan reviews.

General discussion took place about how the prior full time position could be broken out to separate positions and reviewed the duties that are required by the town. The Select Board agreed with the decision to break out the prior full-time position to multiple part-time positions.

Mr. Brown asked if the SRPC could help with transitioning the positions. Mr. Sterndale reported they could provide some help in the position duties, but the town can't rely on them to complete the plan reviews.

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

8:40 PM Motion: Motion by Mr. Dumas, second by Mr. Eaton to enter non-public under RSA 91-A:3 II(b).

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Roll Call Vote: Danis – Yea, Eaton – Yea, Dumas – Yea, Brown – Yea. 4 – 0 in favor.

9:17 PM Motion: by Mr. Dumas, second by Mr. Brown to exit the non-public session.

Roll Call Vote: Danis – Yea, Eaton – Yea, Dumas – Yea, Brown – Yea. 4 – 0 in favor.

Motion: Mr. Brown , second by Mr. Eaton to seal the non-public minutes of September 11, 2017.

Roll Call Vote: Danis – Yea, Eaton – Yea, Dumas – Yea, Brown – Yea. 4 – 0 in favor.

The Selectmen made no decisions during their nonpublic session.

9:17 PM The board came out of non-public session.

Mr. Sterndale apologized for forgetting to mention the solar contract during earlier public session. He reported that negotiations following the board's prior discussion and approval, final documents had been prepared. There were no further questions, and while members continue to have some reservations about the contract terms and language, they approved Sterndale's plan to sign contracts and move the project forward.

ADJOURNMENT: Having no further business,

9:20 PM Motion: by Mr. Dumas, second by Mr. Eaton to adjourn.

Vote: 4 – 0 in favor.

Respectfully Submitted,

Dawn Calley-Murdough