

MINUTES OF THE ANNUAL TOWN MEETING

TOWN OF NOTTINGHAM

2017

The Moderator, Bonnie Winona MacKinnon, called the meeting to order at 8:00 AM on Thursday, March 16, 2017 at the Nottingham Municipal Building, the meeting having been postponed due to storm conditions, after appropriate notice was given. Articles #1 through #5 were acted upon from 8:00 AM to 7:00 PM. The meeting was recessed at 7:00 PM by the Moderator, to reconvene at 9:00 AM on Saturday, March 18, 2017 at the Nottingham Elementary School to act on **Articles # 6 through # 27.**

At 9:05 AM on March 18, 2017, The Moderator welcomed everyone. She asked that all cell phones be turned off and that voters register to vote with the ballot clerks and receive their yellow voter cards. She reminded everyone that they must be seated in order for their vote to be counted.

The Moderator called on the Boy Scouts and Cub Scouts to come forward to lead the Pledge of Allegiance.

Arianna Jones sang a moving rendition of the Stars Spangled Banner and received a resounding applause.

The Moderator announced that lunch was being provided by Pat Desrosiers and Chelli Tennis and that all donations would be given to the Nottingham Police Department to purchase personal carbon monoxide detectors and trauma kits.

The Moderator recognized all of the town officials, thanking them for their service. She further asked that all veterans stand and be recognized. They were given a round of applause. Further, she suggested that everyone stop by the Blaisdell Memorial Library table where raffle tickets for a walnut bowl could be obtained and orders for plants and bulbs could be placed.

The Moderator read the names of residents who has passed away during 2016 and a moment of silence in their memory was observed.

Sandra Weston recognized retiring Tax Collector, William (Bill) Garnett, saying: "At the risk of upsetting him, mention must be made of his service to the Town over the past twenty-one years. During the fifteen years we have shared an office, I have watched Bill perform his duties and admired his interaction with the public-always in a professional, knowledgeable and courteous manner. Being of similar ages, we were able to laugh at innocuous stuff that perhaps a younger generation would not "get". Thank you, Bill, for your dedication. I hope you enjoy your retirement."

Heidi Seaverns also paid tribute to Bill for his service and dedication to the Town.

Fire Chief Jaye Vilchuck acknowledged former Chief Gary E. Chase who passed away on November 18, 2016, having served the department as Chief from 1971 to 2003.

Chief Vilchuck, supported by members of his Department, also recognized retiring members Nelson and Jude Thibault who served from May 1976 and August 1993 respectively. Nelson and Jude each were presented with plaques in recognition of their service. They acknowledged that retirement from the department was a difficult decision, but one that was appropriate at this time.

The Moderator announced that the following non-residents would be allowed to speak during the meeting: Chris Sterndale, Town Administrator, Gunnar Foss, Police Chief, and Jack Ruderman, ReVision Energy representative.

The rules of order can be found on the inside cover of the Annual Report.

DeeAnn Decker, Chairperson of the Supervisors of the Checklist, explained the election process and procedures, noting that the State Legislature had made several changes to the laws which directly effected the work that the Supervisors perform.

The Moderator then read the results of the Town Elections held on March 16, 2017:

Board of Assessors (2 years)	John H. Jannotti
Board of Assessors (3 years) (write-in)	Robert A. Davidson, Jr.
Budget Committee (3 years)	Karyl R. Martin
Budget Committee (3 years)	Erin L. Maskwa
Budget Committee (2 years)	Michael (Miska) B. Hadik
Budget Committee (1 year)	Leslis S. Thompson
Cemetery Trustee (3 years)	Michael J. Bascom
Library Trustee (3 years)	Laura D. Cottrell
Library trustee (3 years)0	Christopher P. Thompson
Planning Board (3 years)	Teresa L. Bascom
Planning Board (3 years)	Joseph S. Clough
Board of Selectmen (3 years)	Donna R. Danis
Board of Selectmen (3 years)	Anthony R. Dumas
Board of Selectmen (1 year)	Charles A. Brown
Tax Collector (3 years)	Eugene T. Reed
Treasurer (3 years)	Cheryl A. Travis
Trustee of the Trust Funds (3 years)	Vytautas Kasinskas
Zoning Board (3 years)	Terry L. Bonser
Zoning Board (3 years)	Bonnie Winona Mackinnon
Zoning Board (1 year)	Peter A. White

ARTICLE #2: Are you in favor of amending the Nottingham Zoning Ordinance Article II Zoning Districts and District Regulations Section 2.J, Requirements/Limitations which currently reads as follows:

J. ADU's shall have no more than one bedroom.

To be replaced with:

J. An interior door shall be provided between the principal dwelling unit and the ADU.

Recommended by the Nottingham Planning Board (4-0-0)

YES 385 NO 126

ARTICLE #3: Are you in favor of adding the following Definitions to the Nottingham Zoning Ordinance Article VI Definitions:

ACCESSORY DWELLING UNIT (ADU) : A residential living unit that is within or attached to a single-family dwelling, that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel as the principal dwelling unit it accompanies.

BUILDING ENVELOPE- Shall mean the area of a newly created subdivided lot eligible for the placement of dwelling units. Building envelopes are restricted by operation of local federal and state law and can be further restricted in their location by operation of a subdivision approval to enhance the purposes and further the requirements of these regulations.

LOT LINE- A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

MULTIFAMILY STRUCTURE - Shall mean a residential structure containing three (3) or more units, not to exceed four (4) units per building. Each of the units shall have separate entrances and exits and shall be separated by a common fire wall. Driveway and parking areas may be shared.

SETBACK- The distance between the street right-of-way lines and the front line of a building.

SETBACK LINE- The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

Recommended by the Nottingham Planning Board (4-0-0)

YES 414 NO 104

ARTICLE #4: Are you in favor of amending the Nottingham Zoning Ordinance Article II Zoning Districts and District Regulations Section C.2 Residential- Agricultural Districts- which currently reads as follows:

A.2. There shall be between the property line, water's edge ("reference line" as described in RSA 483-B:4 XVII), and any dwelling, a minimum distance of fifty (50') feet, twenty (20') feet for grandfathered non-conforming lots of less than two (2) acres, as of the date of passage (03/08/94), in all directions. Setbacks for accessory buildings including septic systems shall be fifty (50') feet minimum distance from the lot frontage property line (20') feet for grandfathered non-conforming lots of less than two (2) acres and twenty (20') feet minimum distance from the side and rear property lines. Special exceptions to this ordinance may be granted by the Zoning Board of Adjustment based on weighing of the following considerations, but in no case shall less than twenty (20') feet be permitted for habitable structures or nonhabitable structures of fifty (50') square feet in area or greater:

To be replaced with:

2. There shall be between the property line, water's edge ("reference line" as described in RSA 483-B:4 XVII), and any dwelling, and septic system(s), a minimum distance of fifty (50') feet, twenty (20') feet for grandfathered non-conforming lots of less than two (2) acres, as of the date of passage (03/08/94), in all directions. Setbacks for accessory buildings shall be fifty (50') feet

minimum distance from the lot frontage property line (20') feet for grandfathered non-conforming lots of less than two (2) acres and twenty (20') feet minimum distance from the side and rear property lines. Special exceptions to this ordinance may be granted by the Zoning Board of Adjustment based on weighing of the following considerations, but in no case shall less than twenty (20') feet be permitted for habitable structures or nonhabitable structures of fifty (50') square feet in area or greater:

Recommended by the Nottingham Planning Board (4-0-0)

YES 380 NO 134

ARTICLE #5: Are you in favor of decreasing the board of selectmen to 3 members?

YES 171 NO 366

ARTICLE #6: To see if the Town will vote to raise and appropriate the sum of **\$3,697,139.00** (Three Million Six Hundred Ninety Seven Thousand One Hundred Thirty Nine Dollars) for the 2017 Operating Budget. This article does not include appropriations voted in other special or individual warrant articles addressed in this warrant. **Majority Vote Required.** The estimated tax impact is \$3.438 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #6 was moved by Tiler Eaton and seconded by Charlene Andersen. Anthony Dumas presented the budget.

A motion was made by Eugene Reed and seconded by Joan Tulk to amend line 194 (Fire/Rescue Stipend) of Article #6 as follows:

To increase line 194 from \$35,000 to \$36,050.

After discussion, the motion to amend line 194 of Article 6 passed by card vote.

A motion was made by Joan Galloway and seconded by Rhoda Capron to amend Line 341 (Historical Society) by \$490.00.

After discussion, the motion to amend Line 341 of Article 6 passed by card vote.

The Moderator read amended Article 6: To see if the Town will vote to raise and appropriate \$3,698,679 (Three Million Six Hundred Ninety Eight Thousand, Six Hundred Seventy Nine Dollars) for the 2017 Operating Budget. This article does not include appropriations voted in other special or individual warrant articles addressed in this warrant. **Majority Vote Required.**

Article #6 as amended passed by card vote.

ARTICLE #7: To see if the Town will vote to authorize the Board of Selectmen to lease land or space owned by the town for the purpose of installing solar panel arrays at the Fire Station, for a term not to exceed 40 years. **Majority Vote Required.**

The Board of Selectmen recommends this appropriation (3-0).

Article #7 was moved by Tiler Eaton and seconded by Charlene Andersen. Tiler Eaton introduced Jack Ruderman who made a slide presentation on behalf of ReVision Energy.

A motion was made by Scott Curry and seconded by Jim Taylor to table Article 7 until all engineering/inspections are complete and have passed inspection.

The motion to table Article #7 failed by card vote.

After discussion Article #7 as written passed by card vote.

A motion was made by Charlene Andersen and seconded by Judy Doughty to invoke the provisions of RSA 40:10 as to Article # 7.

The motion passed by card vote.

ARTICLE #8: To see if the Town will vote to authorize the Board of Selectmen to lease land or space owned by the town for the purpose of installing solar panel arrays at the community center, for a term not to exceed 40 years. **Majority Vote Required.**

The Board of Selectmen recommends this appropriation (3-0).

Article #8 was moved by Tiler Eaton and seconded by Charlene Andersen.

After discussion, Article #8 passed by card vote.

A motion was made by Charlene Andersen and seconded by DeeAnn Decker to invoke the provisions of RSA 40:10 as to Article #8.

The motion passed by card vote.

A motion was made by Scott Curry and seconded by John Decker to hear Articles #14, #18 and #19 before Article #9.

After discussion, the motion failed by card vote.

ARTICLE #9: To see if the Town will vote to authorize the Board of Selectmen to withdraw \$380,000 (Three Hundred and Eighty Thousand Dollars) from the fund balance for an additional final payment on the existing loans for the Mulligan Forest easement and Salt Sheds. Also to withdraw \$100,000 (One Hundred Thousand Dollars) from the Conservation Fund for an additional final payment on the existing loan for the Mulligan Forest easement. This article is contingent upon the sale of the former USA Springs, Inc. property, via bankruptcy proceedings. The estimated tax impact is \$0.00 per \$1,000 of property valuation. **Majority Vote Required.** The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #9 was moved by Charlene Andersen and seconded by Tiler Eaton.

Charlene Andersen explained Article #9.

Eugene Reed made a motion seconded by Scott Curry to amend Article 9 as follows: To see if the Town will vote to authorize the Board of Selectmen to withdraw \$380,000 (Three Hundred and Eighty Thousand Dollars) from the fund balance for an additional final payment on the existing loans for the Mulligan Forest easement and Salt Sheds. Also to withdraw \$100,000 (One Hundred Thousand Dollars) from the Conservation Fund for an additional final payment on the existing loan for the Mulligan Forest easement. The estimated tax impact is \$0.00 per \$1,000 of property valuation.

After discussion, the motion to amend Article #9 failed by card vote.

After further discussion, Article #9 as written passed by card vote.

Charlene Andersen made a motion seconded by Sandra Weston to invoke the provisions of RSA 40:10 as to Article #9. The motion passed by card vote.

The Moderator announced that the meeting would recess for lunch at 12:00 noon and reconvene at 12:45 pm.

ARTICLE #10: To see if the Town will vote to establish a Groundwater Protection Expendable Trust Fund per RSA 31:19-a, for the purpose of protecting the health, safety, and welfare of the citizens of Nottingham. The fund may be used for legal and professional services, acquisition of property and related costs, or other purposes deemed appropriate by the Board of Selectmen; further to raise and appropriate **\$100,000.00** (One Hundred Thousand Dollars) to put in the fund, with this amount to come from the fund balance with no tax impact; further to name the Board of Selectmen as agents to expend from the fund. This article is contingent upon the sale of the former USA Springs, Inc., property, via bankruptcy proceedings. **Majority Vote Required.** The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #10 was moved by Charlene Andersen and seconded by Tiler Eaton.

After discussion Article #10 passed by card vote.

ARTICLE #11: To see if the town will vote to raise and appropriate fifty thousand dollars (\$50,000) for costs related to the acquisition, ownership, sale, or development of the former USA Springs, Inc., property. Said funds to come from the fund balance. This article is contingent upon the Town taking ownership of the property by tax deed. The estimated tax impact is \$0.00 per \$1,000 of property valuation. **Majority Vote Required.**

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #11 was moved by Charlene Andersen and seconded by Tiler Eaton.

After discussion Article #11 passed by card vote.

Charlene Andersen made a motion seconded by Tiler Eaton to invoke the provisions of RSA 40:10 as to Articles #10 and #11. The motion passed by card vote.

ARTICLE #12: To see if the Town will vote to amend the purposes of the Ambulance/ Equipment Special Reserve Fund to add as purposes of expenditure training and licensing of ambulance personnel. (2/3 majority vote required). The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this article (3-0).

Article #12 was moved by Tiler Eaton and seconded by Charlene Andersen.

After discussion, Article #12 passed by card vote.

ARTICLE #13: To see if the Town will vote to raise and appropriate the sum of **\$23,700.00** (Twenty Three Thousand Seven Hundred Dollars) for the purpose of providing ambulance services for 2017; and to authorize the withdrawal of **\$23,700.00** (Twenty Three Thousand Seven Hundred Dollars) from the

Ambulance and Equipment Replacement Special Revenue Fund created for this purpose. **Majority vote required.** The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #13 was moved by Tiler Eaton and seconded by Charlene Andersen.

After discussion Article #13 passed by card vote.

ARTICLE #14: To see if the Town will vote to raise and appropriate the sum of **\$225,000.00** (Two Hundred Twenty Five Thousand Dollars) for the purpose of purchasing a new ambulance to replace the current ambulance and to authorize the withdrawal of **\$225,000.00** (Two Hundred Twenty Five Thousand Dollars) from the Ambulance and Equipment Replacement Special Revenue Fund created for this purpose. **Majority Vote Required.** The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #14 was moved by Tiler Eaton and seconded by Charlene Andersen.

Chief Vilchock made a slide presentation of the Department's equipment.

After discussion, Article #14 passed by card vote.

Charlene Andersen made a motion seconded by Tiler Eaton to invoke the provisions of RSA 40:10 as to Articles #12, #13 and #14. The motion passed by card vote.

ARTICLE #15: To see if the Town will vote, pursuant to NH RSA 35:9-a-II, to authorize the Trustees of the Trust Funds to pay for Capital Reserve Fund investment management services, and any other expenses incurred, from Capital Reserve Funds income. No vote by the Town to rescind such authority shall occur within five years of the original adoption of this article. **Majority Vote Required.** The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0).

Article #15 was moved by Tiler Eaton and seconded by Charlene Andersen.

After discussion, Article #15 failed by counted card vote. Yes 21 No 35

DeeAnn Decker made a motion seconded by Eugene Reed to invoke the provisions of RSA 40:10 as to Article #15. The motion passed by card vote.

ARTICLE #16: To see if the Town will vote to raise and appropriate the sum of **\$200,000.00** (Two Hundred Thousand Dollars) for engineering, design and highway construction and reconstruction on Lakeview Drive or other roads in Nottingham if a priority arises. This is a non-lapsing appropriation per RSA 32:7 VI and will not lapse until the work is complete or not later than one year after the end of fiscal year 2017, whichever occurs earlier. **Majority Vote Required.** The estimated tax impact is \$0.330 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #16 was moved by Tiler Eaton and seconded by Charlene Andersen.

After discussion, Article #16 passed by card vote.

ARTICLE #17: To see if the Town will vote to raise and appropriate the sum **\$25,000.00** (Twenty Five Thousand Dollars) to be added to the previously established Capital Reserve Fund for the purpose of performing a statutory revaluation of property every five years. The next revaluation will take place in 2020. **Majority vote required.** The estimated tax impact is \$0.041 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #17 was moved by Tiler Eaton and seconded by Charlene Andersen.

There being no discussion, Article #17 passed by card vote.

ARTICLE #18: To see if the Town will vote to raise and appropriate the sum of **\$100,000.00** (One Hundred Thousand Dollars) to be added to the Fire Department Vehicle Capital Reserve Fund for the purpose of purchasing Fire/Rescue vehicles. **Majority vote required.** The estimated tax impact is \$0.165 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #18 was moved by Tiler Eaton and seconded by Charlene Andersen.

There being no discussion, Article #18 passed by card vote.

Charlene Andersen made a motion seconded by Erin Bachhuber to invoke the provisions of RSA 40:10 as to Articles #16, #17, and #18. The motion passed by card vote.

Article # 19: To see if the Town will vote to raise and appropriate the sum of **\$75,000.00** (Seventy Five Thousand Dollars) to be added to the Highway Truck Capital Reserve Fund previously established for the purpose of purchasing trucks for the Highway Department. **Majority Vote Required.** The estimated tax impact is \$0.124 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #19 was moved by Tiler Eaton and seconded by Charlene Andersen.

There being no discussion, Article #19 passed by card vote.

ARTICLE #20: To see if the Town will vote to raise and appropriate the sum of **\$5,000.00** (Five Thousand Dollars) to be added to the Non-Capital Reserve Fund previously established for the purpose of funding the Tri-Centennial Fund for the celebration of the Town of Nottingham's 300th Birthday to take place in the year 2022. **Majority vote required.** The estimated tax impact is \$0.008 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #20 was moved by Tiler Eaton and seconded by Charlene Andersen.

There being no discussion, Article #20 passed by card vote.

ARTICLE #21: To see if the Town will vote to raise and appropriate the sum of **\$5,000.00** (Five Thousand Dollars) to be added to the Expendable Trust Fund previously established for the purpose of maintenance, repair or replacement of Heating, Ventilation & Air Conditioning (HVAC), Electrical, Plumbing or other major systems in Town buildings or facilities and appoint the Selectmen as agents to expend from the fund. **Majority vote required.** The estimated tax impact is \$0.008 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #21 was moved by Anthony Dumas and seconded by Charlene Andersen.

There being no discussion, Article #21 passed by card vote.

Tiler Eaton made a motion seconded by Charlene Andersen to invoke the provisions of RSA 40:10 as to Articles #19, #20, and #21. The motion passed by card vote.

ARTICLE #22: To see if the Town will vote to raise and appropriate the sum of **\$10,000.00** (Ten Thousand Dollars) for the Invasive Species Prevention and Eradication Removal Fund previously established for the purpose of protecting Nottingham lakes and ponds. **Majority vote required.** The estimated tax impact is \$0.017 per \$1,000 of property valuation.

The Board of Selectmen recommends this app

Article #22 was moved by Charlene Andersen and seconded by Tiler Eaton.

After discussion, Article #22 passed by card vote.

DeeAnn Decker made a motion seconded by Charlene Anderson to invoke the provisions of RSA 40:10 as to Article #22. The motion passed by card vote.

ARTICLE #23: To see if the Town will vote to raise and appropriate \$20,000 (Twenty Thousand Dollars) to paint or make other improvements to the Dame School, and to authorize the Select Board to receive grants and donations for the same purpose. **Majority vote required.** The estimated tax impact is \$0.033 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #23 was moved by Charlene Andersen and seconded by Tiler Eaton.

After discussion, Article #23 passed by card vote.

ARTICLE #24: To see if the Town will vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate **\$20,000.00** (Twenty Thousand Dollars) to put in the fund. This sum to come from the General Fund. Any appropriation left in the fund at the end of the year will lapse to the general fund. **Majority Vote Required.** The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Board of Selectmen recommends this appropriation (3-0). The Budget Committee recommends this appropriation (8-0).

Article #24 was moved by Tiler Eaton and seconded by Charlene Andersen.

Charlene Andersen made a motion seconded by Tiler Eaton to amend Article #24 as follows:

To see if the Town will vote to establish a contingency fund for the current year for unanticipated expenses pursuant to RSA 31:98-a, and related to employee retirements and terminations that may arise, and further to raise and appropriate \$20,000.00 (Twenty Thousand Dollars) to go into the fund. This sum to come from the fund balance and no amount to be raised from taxation. The estimated tax impact is \$0.000 per \$1,000 of property valuation.

After discussion, Article #24 as amended passed by card vote.

Charlene Andersen made a motion seconded by Tiler Anderson to invoke the provisions of RSA 40:10 as to Articles #23 and #24. The motion passed by card vote.

ARTICLE #25: To see if the Town will vote to accept the existing road commonly known as Rocky Hill Road as a Town Road. (By Petition) **Majority Vote Required.**

Article # 25 was moved by Andrew Phillips and seconded by Derek Sullivan.

After discussion, Article #25 passed by card vote.

ARTICLE #26: To see if the Town will vote to accept the existing road commonly known as Strawberry Lane as a Town Road. (By Petition). **Majority Vote Required.**

The Moderator read Article #26 and asked for a motion to approve. No motion was made.

Ed Viel made a motion to table Article #26. The motion to table Article #26 passed by card vote.

Charlene Andersen made a motion seconded by Tiler Eaton to invoke the provisions of RSA 40:10 as to Articles #25 and #26. The motion passed by card vote.

ARTICLE #27: To transact any other business, which may legally come before this meeting.

Ed Viel asked that the Board of Selectmen close the Recycling Center on Town Meeting day so that the employees could attend the meeting.

There being no further business to come before the meeting, upon motion made by John Decker and seconded by DeeAnn Decker, it was adjourned at 3:15 pm.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sandra W. Weston".

Sandra W. Weston, Town Clerk