

Town of Nottingham
Deliberative Session
April 17, 2021

On Saturday, April 17th, 2021, at 11:45 AM, Town Moderator, Bonnie Winona MacKinnon opened the first deliberative session for the Town of Nottingham. In June of 2020, the residents of the Town voted to follow the SB2 form of governance, and this was the first year it will be practiced.

Today's meeting had been delayed from its original scheduled date in March due to ongoing Covid concerns.

Moderator MacKinnon spoke about two of the town residents that recently passed and their contributions. First, she spoke of Peter Bock. Peter had been a two term Selectman and was a Board Member of the Nottingham Food Pantry. He was a farmer and a conservationist. Second, she spoke about Tom Sweeney. Tom was Vietnam Veteran, an avid singer that sang in choirs, a Cub Master and served on many committees in Nottingham.

Moderator MacKinnon then asked for all in attendance to stand for the Pledge of Allegiance.

She introduced those that were seated at the tables in the front of the room. They were: Lori Anderson, Town Clerk; John Decker and Tim Dabrieo of the Budget Committee, Susan Aileen Lowry, Attorney for the Town, Chris Sterndale, Town Administrator, Benjamin Bartlett, Anthony Dumas, John Morin, Donna Danis, and Tiler Eaton, Members of the Board of Selectmen.

Moderator MacKinnon then reviewed the rules of the meeting: Be kind, 5-minute limit for presenters, and 3-minute limit for those speaking as a resident. She noted that there will be no motions to amend Articles 1-3, as there will be no voting today. That will happen on June 8, 2021.

The Moderator then called for a motion to begin speaking on Article 4. After reading it aloud, Tim Dabrieo moved to the motion and John Decker seconded it.

Article #04: Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$4,222,256 (Four million, two hundred twenty two thousand two hundred fifty six) Should this article be defeated, the default budget shall be \$4,139,640 (Four million one hundred thirty-nine thousand, six hundred and forty dollars) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. The estimated tax impact is \$2.94 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (10-1-1).

Tim Dabrieo then presented an overview of the budget. Some items that were highlighted were that electrical costs went down, and healthcare premiums and retirement contributions increased. Roadside mowing and sweeping increased. Overall, there would be an increase in the budget from the previous year of 1.5%.

Mr. Dabrieo then reviewed each section of the budget by department.

The Moderator then asked for input.

Tom Butkiewicz thanked the Select board as the increase in the overall budget is less than 2% which was in keeping with inflation.

Gene Reed asked about any pending litigation with the Town. Chris Sterndale stated that there were two open cases. The first had to do with private roads, and the second has to do with an ordinance that passed at Town Meeting two years ago. The increase in legal fees for last year is because of the first case (private roads).

Mr. Reed then asked about merit raises being funded but not used. Mr. Sterndale noted that each department reflected the numbers but not within that one particular line item

Mr. Reed asked if we could better track these figures in the future.

Mr. Reed asked about Federal and State Covid funding revenues. Mr. Sterndale noted that the funds of \$140K-\$150K have been received and spent. There was an anticipated grant upcoming and he believes that Nottingham may receive approximately \$506,000. It is not clear what the parameters for this grant will be, but it will be for infrastructure and we will have three years to spend the money.

After no further discussion, the Moderator asked that Article #4 be moved to the ballot.

Moderator MacKinnon then read Article #5. Tony Dumas motioned that discussion be opened, Donna Danis seconded the motion.

Article #05: To see if the Town will raise and appropriate the sum of Thirty Thousand Five Hundred Dollars (\$30,500) for costs related to the development of a storm water asset management program, and to authorize the Select Board to enter into a loan agreement of up to Thirty Thousand Dollars (\$30,000) through the New Hampshire Department of Environmental Services Clean Water State Revolving Fund (CWSRF) for this purpose. Further, to authorize the Select Board to negotiate such loan and determine the conditions and rate of interest thereon; and, further, to raise and appropriate one-year interest payment of \$500 to come from unassigned fund balance. It is expected that repayment of the loan will include 100% principal forgiveness, per agreement with the CWSRF, to eliminate the need for payment of loan principal through tax dollars. This is a non-lapsing article per RSA 32:7 III and will not lapse until the completion of the project. The estimated tax impact is \$0.00 (3/5 vote required).

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (10-1-1).

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Tony Dumas spoke about the article. It would be a grant structured as a loan and would be used for long term planning. After no further discussion, the Moderator announced that the article would be moved to the ballot.

After the Moderator read Article #6, Donna Danis motioned to open discussion,

Tony Dumas seconded the motion. Chief Vilchuck spoke about Article #6, noting these types of expenditures have been done in this manner in the past.

The Article was moved to the ballot by the Moderator.

The Moderator then read Article #06 aloud.

Article #06: To see if the Town will vote to raise and appropriate the sum of \$25,953.00 (Twenty-Five Thousand Nine Hundred Fifty Three Dollars) for the purpose of purchasing the necessary fuel, supplies, equipment and maintenance to run the ambulance and billing services for 2020; and to authorize the withdrawal of \$25,953.00 (Twenty Five Thousand Nine Hundred Fifty Three 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 Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (11-0).

Tracey Black asked if the year 2020 that was noted within the text of the article was correct or not. She asked if it should really be shown as 2021. Christ Sterndale agreed that it should be 2021. Tony Dumas motioned to amend the Article to change it to read 2021 from 2020. Ben Bartlett seconded the motion. Attorney Lowry stated that it does not have to be submitted in writing as it is a correction of a typographical error.

Article #06: To see if the Town will vote to raise and appropriate the sum of \$25,953.00 (Twenty-Five Thousand Nine Hundred Fifty Three Dollars) for the purpose of purchasing the necessary fuel, supplies, equipment and maintenance to run the ambulance and billing services for 2021; and to authorize the withdrawal of \$25,953.00 (Twenty Five Thousand Nine Hundred Fifty Three 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 Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (11-0).

The amendment passed via a hand card vote as amended and moved to the ballot.

Moderator MacKinnon then read Article #7.

Article #07: 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 Vehicle /SCBA Capital Reserve Fund previously established. Majority vote required. The estimated tax impact is \$0.126 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (11-0).

Donna Danis motioned to open discussion, Tony Dumas seconded the motion.

Chief Vilchok then spoke about Article #7. He stated that the current balance which is listed on page 67 of the 2020 Town Report is listed at \$107,836.55 per the capital spending plan. Gene Reed asked why if enough has been set aside for the future. Chris Sterndale noted that we should be ready when the need arises.

Moderator announced that Article #7 will be moved to the ballot as written.

The Moderator then read Article #8.

Article #08: To see if the Town will vote to raise and appropriate the sum of \$22,000 (Twenty-Two Thousand Dollars) for construction and renovation at the fire station, to create sleeping quarters in the mezzanine area. 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 2021, whichever occurs earlier. Majority Vote Required. The estimated tax impact is \$0.028 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (11-0).

Donna Danis motioned to open the article for discussion, and Tony Dumas seconded.

Chief Vilchok talked about Peter Bock and Tom Sweeney both being on the Building Committee when the Fire station had been planned. There is a mezzanine with the intention of being converted to a dormitory in the future. It will consist of two rooms and will be used when the department migrates to full time staff.

The Moderator announced that the article will be moved to the ballot as written.

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Moderator MacKinnon then read Article #9

Article #9: To see if the Town will vote to raise and appropriate the sum of \$300,000.00 (Three Hundred Thousand Dollars) for highway reconstruction and maintenance on Deerfield Road, McCrillis Road, and Priest Road, 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 2021, whichever occurs earlier. Majority Vote Required. The estimated tax impact is \$0.377 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (8-3).

John Morin motion that the article be open for discussion and Tiler Eaton seconded.

John Morin then stated that the amount was the same as passed two years ago, but the roadwork was paused for 2020. This article will get the Road Department caught up on maintenance.

Moderator stated that the Article will be moved to the ballot.

The Moderator read Article #10 aloud.

Article #10: 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 Highway Truck Capital Reserve Fund previously established. Majority vote required. The estimated tax impact is \$0.126 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (11-0).

John Morin motioned to proceed, and Tiler Eaton seconded.

No discussion ensued and Moderator moved Article #10 to the ballot.

Moderator read Article #11 aloud.

Article #11: To see if the Town will vote to raise and appropriate the sum of \$240,000 (Two Hundred and Forty Thousand Dollars) for the purpose of purchasing a new dump truck with plow, wing, and sander; and to authorize the withdrawal of \$240,000 (Two Hundred and Forty Thousand Dollars) from the Highway Truck Capital Reserve Fund established for this purpose. This Article is contingent upon the approval of Article #10 above. Majority Vote Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Select Board recommends this appropriation (4-1).

The Budget Committee recommends this appropriation (11-0).

John Morin motioned to open for discussion, and Tiler Eaton seconded the motion.

John Morin stated that these funds were to replace the oldest truck, a 2006 with 227K miles. Delivery is expected to be in the year 2022. The current vehicle can no longer be maintained.

Ben Bartlett took the microphone in the audience and stated that he does not support this Article. The Highway Department does not need this vehicle all year, only in the winter months. The money would be better spent using a contractor to plow.

Moderator stated that this Article would be moved to the ballot.

Moderator MacKinnon then read Article #12 aloud.

Article #12: To see if the Town will vote to raise and appropriate the sum of \$20,000.00 (Twenty Thousand Dollars) to be added to the previously established Revaluation Capital Reserve Fund for the purpose of performing a statutory revaluation of property every five years. Majority Vote Required. The estimated tax impact is \$0.025 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (10-1).

Gene Reed then asked if the order of the articles could be changed and begin discussion of Articles #19 and #20 before Article #12. Gene motioned the request and Teresa Bascom seconded the motion.

Andrew Martin stated that some people may not be here yet as they thought Articles #19 and 20 would be later in the meeting. The motion was voted on by hand card and did not pass.

Ben Bartlett stated that Article #12 was done to fund the re-evaluation process which was done every 5 years. He motioned to bring it to the floor, and John Morin seconded the motion. Ben then stated that this was a routine cost which spreads the re-evaluation costs over a 5-year period.

After no further discussion, Moderator moved Article #12 to the ballot.

Moderator MacKinnon read Article # 13 aloud.

Article #13: To see if the Town will vote to raise and appropriate the sum of \$23,400.00 (Twenty-Three Thousand Four Hundred Dollars) for construction and renovation of the kitchen area of the community center. This sum to come from unassigned fund balance. 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 2021, whichever occurs earlier. Majority Vote Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (9-2).

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Ben Bartlett motioned to open the floor for discussion, John Morin seconded. Ben spoke about the needs of the kitchen. It was worn and badly in need of updating. Unused fund balances would be used for this renovation. After no further discussion, Moderator moved the article to the ballot.

Moderator MacKinnon read Article #14 aloud.

Article #14: To see if the Town will vote to raise and appropriate the sum of \$181,000.00 (One Hundred Eighty-One Thousand Dollars) for the purchase of a new front-end loader. This sum to come from unassigned fund balance. Majority Vote Required. The estimated tax impact is \$0.00 per \$1,000 of property valuation.

The Select Board recommends this appropriation (4-1).

The Budget Committee recommends this appropriation (11-0).

John Morin motioned to open discussion and Tiler Eaton seconded. John Morin spoke about the need for the new front-end loader and that it would have \$0 impact on the budget. Ben Bartlett discussed the article, as a resident. He thinks that the Town can get another year from the truck and that the expenditure will take money from unassigned balance funds.

Gene Reed asked if a trade in of old equipment would be made. Chris Sterndale noted that the value was not reflected and any money from trade would be less funds taken.

Tom Butkiewicz stated that the term \$0.0 does not mean that no money will be spent, as it can be returned to the taxpayer and is somewhat deceptive.

Moderator then moved Article #14 to the ballot.

Moderator MacKinnon then read Article #15 aloud.

Article #15: To see if the Town will vote to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) for the purpose of bringing the Town into compliance with State of New Hampshire E-911 Addressing Guidelines. Some streets will be re-named and properties renumbered to improve emergency response. Majority Vote Required. The estimated tax impact is \$0.013 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (9-2).

Tony Dumas motioned to open for discussion and Ben Bartlett seconded.

Tony noted that new developments will not be affected by the E911 compliance, but older streets do not comply, presently. This could mean reduction and delays of mutual aid, delivery services, etc. Town records and signage will/may have to be changed, as will street addresses.

Dee-Anne Decker questioned whether it would affect voting records, as it has not been budgeted for additional work. Is the entire town to be done?

Chris Sterndale noted that the plan could be phased in and that the affect it would have on the voter list could be included.

Tom Butkiewicz was not concerned about the money aspect but more concerned about people's address changing and the inconvenience it would be. He suggested that we do one street at a time and work with the town if needed if the towns people have issues.

Moderator MacKinnon moved Article #15 to the ballot.

The Moderator read Article #16 aloud.

Article #16: To see if the Town will vote to raise and appropriate the sum of \$13,000 (Thirteen Thousand Dollars) for the purpose of repairing and repaving roadways within the South Side cemetery. Majority Vote Required. The estimated tax impact is \$0.017 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (11-0).

Tony Dumas motioned to open discussion, and Ben Bartlett seconded. Tony spoke about the entrance to the cemetery being the main concern for the roadways in the cemetery.

The article was moved to the ballot.

The Moderator then read Article #17 aloud.

Article #17: 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 Tricentennial Expendable Trust Fund previously established. Majority Vote Required. The estimated tax impact is \$0.006 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (6-5).

Tiler Eaton motioned to open the Article for discussion, and Tony Dumas seconded the motion. Tiler mentioned that it would be the 300th Anniversary celebration to be held next year. This has been a routine request of funds in planning for the celebration.

Rhoda Capron spoke as she is a member of the 300th Committee. She stated that this will have minimal tax impact and this is the last year in which to raise revenue from taxes. She gave an overview of some of the events to be held which included fireworks, re-enactments, flags and buntings, etc.

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Tom Butkiewitz disagreed with the request and stated that the committee should be asking for voluntary contributions.

Moderator Mackinnon stated that the Article would be moved to the ballot.

Moderator MacKinnon then read Article #18 aloud.

Article #18: To see if the Town will vote to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) to be added to the Invasive Species Prevention and Eradication Removal Expendable Trust Fund previously established. Majority Vote Required. The estimated tax impact is \$0.013 per \$1,000 of property valuation.

The Select Board recommends this appropriation (5-0).

The Budget Committee recommends this appropriation (10-1).

Donna Danis motioned to open for discussion and John Morin seconded.

Dee Decker spoke to the audience about how this Article would be to protect all water bodies on Nottingham. It would be used for the prevention of invasive species and is more cost effective than removal. It includes Invasive plants and invasive animals. In 2020, there was a huge increase in boat inspections as boating increased all over New Hampshire.

Moderator made a motion to move Article #18 to the ballot.

Moderator MacKinnon then read Article #19 aloud.

Article #19: To see if the Town will vote to accept Barderry Lane, Beach Head Road, Brustle Road, Cahill Lane, Cove Road, Dolloff Dam Road, Indian Run, Jampsa Trail, Lamprey Drive, Meindl Road, Meindl Road East, Sach's Road, Seaman's Point Road, Shore Drive, South Road (end of Mooers), Tuckaway Shores Road, and White's Grove Road in the Town of Nottingham as town roads. The Town has been maintaining these roads for decades. With this acceptance, these roads will be transferred to the Town of Nottingham, NH as Class V roads as is. Majority Vote Required. By citizen petition.

The Moderator noted that she had previously given Kip Baillargeon an extended period for him to address Article #19, and that he will be given 8 minutes to speak. Mr. Baillargeon spoke to the article, about the costs of the lawsuit, and that he felt these roads are not private roads.

Many other people took to the podium to give their opinions on the matter. They included, Andy Martin, Ben Bartlett, Tina Jennings, Athina Dearborn, Angela Naro, Kevin Jordan, Samantha Trant, Jamie Burleigh, Tom Duffy, Kevin Bassett, Peggy Tucker, Sandra Jones, John Andraed

Andy Martin spoke in support of the article. He noted that he is a lawyer and that the \$40-\$60K spent on litigation spent already could be used to fix the problems instead.

Ben Bartlett approached the podium and spoke as a private citizen. He stated that there were many misconceptions. One was that the people that live on the lake had brought the lawsuit

against the Town at a time when the Town was trying to compromise. When the lawsuit was made, it essentially ended any compromise, leaving the situation at a status quo.

Further discussion ensued. Topics brought forth were: when residents searched for property, they asked about the roads and their real estate agent said they were maintained, subdivisions were done in the 1960s, and that homes have been owned for generations.

Samantha Trant noted that they too, live on a private road, which is not on the lake, and that she and her husband are expected to maintain and plow it with no help from the town.

Mr. Baillargeon was the final speaker on the topic. The Moderator motioned to move the article to the ballot.

Several more people spoke, and Tony Dumas proposed an amendment. He stated that there were three changes that the Board of Selectman had agreed to. The changes were to strike the sentence noting that the town has been maintaining these road for decades; removing the words "as is" at the end of the next sentence and replacing them with "upon approval of the Board of Selectman in consultation with the Road agent". The changes were seconded by Ben Bartlett.

Peggy Tucker asked if the maintenance would stop, and Selectman Dumas state that no it will not, and that it never has stopped.

Several more people spoke with one asking if we keep them as Class V roads 'as is' and asked if that was even legal. Tony Dumas stated that it affords the town protection in case of an unknown issue arising in the future. The amendments add clarity.

Tony Dumas then presented an amended version of the Article to read:

Article #19: To see if the Town will vote to accept Barderry Lane, Beach Head Road, Brustle Road, Cahill Lane, Cove Road, Dolloff Dam Road, Indian Run, Jampsa Trail, Lamprey Drive, Meindl Road, Meindl Road East, Sach's Road, Seaman's Point Road, Shore Drive, South Road (end of Mooers), Tuckaway Shores Road, and White's Grove Road in the Town of Nottingham as town roads as shown on approved subdivision plans on record.. With this acceptance, these roads will be transferred to the Town of Nottingham, NH as Class V roads, upon approval of the Board of Selectmen in consultation with the Road Agent. Majority Vote Required. By citizen petition.

Teresa Bascom proposed voting on the amendment as noted by Tony. A hand card vote was taken on the amendment to the Article, and the motion failed.

The Moderator announced that the Article was then moved to the ballot as originally read.

Moderator MacKinnon then read Article 20 aloud.

Article #20: To see if the Town will vote to rescind the Minimum Design Standards for Town Roads that the Nottingham Select Board put into place on December 7, 2020. Majority Vote Required. By citizen petition.

Andrew Martin motioned to discuss the article and Robert Given seconded the motion.

Andrew Martin gave an overview of the article, as it was a citizen petition. Gary Anderson noted that the standards are minimal and asked if they were available on the town website.

Susan Mooney asked that an amendment be applied to state that this is for roads only listed in Article 19. Chris Sterndale spoke to Susan's proposed amendment and stated that it specifically excludes roads that go through the Planning Board process. Susan Mooney rescinded her amendment.

Moderator moved the place Article #20 on the ballot as originally written.

Moderator MacKinnon then read Article #21 aloud.

Article #21: To see if the town of Nottingham will vote to urge that the New Hampshire General Court, which is obligated to redraw the maps of political districts within the state following the federal census, will ensure fair and effective representation of New Hampshire voters without gerrymandering.

Additionally, to ask the town of Nottingham to urge the NH General Court to carry out the redistricting in a fair and transparent way through public meetings, not to favor a particular political party, to include communities of interest, and to minimize multi-seat districts.

Furthermore, as the New Hampshire State Constitution, Part 2, Article 11 allows towns of sufficient population to have their own state representatives, not shared with other towns, for the town of Nottingham to petition the NH General Court for its own exclusive seat in the NH House of Representatives if it does not already have it, ensuring that State Representatives properly represent the town's interest.

The record of the vote approving this article shall be transmitted by written notice from the selectmen to the state legislators for Nottingham informing them of the demands from their constituents within 30 days of the vote. By Citizen Petition.

Hal Rafter moved to speak about the Article as it was a citizen's petition. Charlotte Fyfe seconded the motion.

It was noted that the word 'property' was revised to 'properly' in the last sentence of the third paragraph.

Hal spoke about the article as State Representatives and State Districts are determined the year after the US census has been completed. In 2010, there was sufficient population in Nottingham for our own Representative, and the legislation says we must have one.

Tom Butkiewicz stated that it would not change anything. Tiler Eaton said it would be better for Nottingham to have someone from Nottingham to be the Representative.

The Moderator announced that Article 21 would be moved to the ballot as amended.

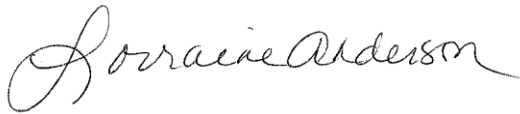
Tom Duffy motioned to invoke RSA 40:10 on Article 19. Kip Baillargeon seconded the motion and it passed.

Tom Duffy motion to invoke RSA 40:10 on Article 20. Lisa Carey seconded the motion and it passed.

John Decker motion to adjourn. All in attendance, agreed.

Meeting adjourned at 2:25 PM on Saturday, April 17, 2021.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine Anderson".

Lorraine Anderson

Town Clerk\

Town of Nottingham