

Bob _____
Joanne _____
Keith _____

Final _____
Accepted _____
Accepted as _____
Amended _____

TOWN OF EPSOM
BOARD OF SELECTMEN MINUTES
FEBRUARY 9, 2009

Present: Bob Blodgett, Chairman; Joanne Randall, Vice-Chairman; Keith Cota

Other Attendees: Attorney Tony Soltani; David Fiorentino; Andrew Walton; Joni Kitson; Mary Frambach; Dawn Blackwell; Nancy Wheeler; Tom Langlais; Carole Brown; Dick Frambach; George Carlson; Michael Wiggett; Bill Stevens; Beverly Stevens; Robert Reinhard; Lauren Sausser; Norm Gentry; Joy Tyrrell; Hans Wendler; Alan Lugg; Don Bartlett; Ed Nutter; Nancy Clark; Fred Clark; Rick Belanger

Bob opened the meeting at 6:15 P.M., inviting Attorney Soltani to lead the Pledge of Allegiance.

TOWN COUNSEL

The Board recessed to meet with Attorney Soltani at 6:16 P.M., returning at 6:38 P.M.

FOR SIGNATURE

1. **Accounts Payable - Signed**
2. **Manifest - Signed**
3. **Payroll - Signed**
4. **Financial Statement Audit Letters - Signed**
5. **Intent to Cut - Signed**
6. **Semi-annual Report CDBG – Family Estates Project – Signed**

Joni Kitson requested time with the Board. Joni gave the Board the job description for the Highway Department Laborer position adopted in 2006 with the minutes from the meeting the description was adopted. Joni also gave the Board information from the Department of Motor Vehicles noting a CDL was only necessary for driving vehicles over 26,000 pounds, not ten thousand pounds as the Road Agent had indicated at a previous meeting.

STAFF DISCUSSION

Nancy Wheeler gave the Board information they had requested for mileage, she did not have the mileage for the 1994 vehicle at the Fire Department. Nancy noted the majority of the Health Officer mileage was to attend conferences. He charged Epsom for the mileage with Merrimack, when he worked there, paying the cost of the conferences.

Keith extended his appreciation to Nancy for her assistance through the budget season.

Dawn Blackwell – Approval & Signature of Ballot

Dawn gave the Board a copy of the proposed March ballot, requesting they review and initial the ballot. Dawn noted the only change was the amount in Article 1 and the revision of Article 6. Dawn discussed the number of ballots to order suggesting 1,150 regular ballots and 50 absentee ballots. The Board concurred with this amount.

GEORGE CARLSON – REVIEW/SIGN LCHIP EXTENSION LETTER

George noted extra time was needed to complete the work at the Meetinghouse due to weather delays. All work has to be completed by the end of May with a two month extension being requested. The Board signed the extension request. Keith asked when the Stewardship Agreement needed to be executed; George noted one month after the work is completed.

Bob reviewed the rules to be followed for the Public Hearing.

PUBLIC HEARING TO RESCIND SB2

Bob opened the hearing at 7:00 P.M.

Joanne recused herself from the Board, sitting in the audience.

Keith noted other than receiving public input the Board would not be making any decisions.

Mary Frambach asked if they had copies of the article. Joanne read the article.

Joy Tyrrell asked what would occur if SB2 was rescinded, Keith noted the Town would go back to the traditional town meeting of voting on certain articles at the meeting.

Ms. Tyrrell asked if people would be raising their hands to vote. Keith noted it would be similar to the deliberative session. A secret ballot could be requested with 5 signatures. The Moderator would run the meeting. Many articles would be voted by a voice vote with hands being raised if the vote seemed close. An article could still be amended at town meeting. The 10% rule, either higher or lower, would still apply to the budget.

George Carlson asked how officers would be voted; Keith noted the same as presently.

Andrew Walton noted a secret ballot could be requested if people feel the issue is controversial.

Ms. Tyrrell asked how many people attend town meeting vs. how many now. Keith noted he had attended a number of town meetings; it depended upon the subject matter being brought forth. He saw approximately 200 people at a town meeting vs. 50 to 75 at the deliberative session. Approximately 900 people vote on voting day now. He has heard arguments that the voters are more informed on what they are voting on at a traditional meeting as the Selectmen and Budget

Committee give information. At the deliberative process the same number of meetings are held to develop the budget and articles with the Board and Budget Committee working to coordinate budgets.

Keith noted the Town is working on a Website, in the past they had a Warrant Article for \$1,000.00 that was turned down. Now they are using volunteers who are doing a good job posting information. The Town is trying to get the information out to educate the voters. There is no money to send out mailers.

Joanne noted in addition to the Website and writing letters to the newspapers, each Department, the Selectmen and the Town Office Staff made themselves available to answer questions. She found some people do use the resources; she questioned when people are voting do they know what they are voting for. Joanne noted this is the fourth time a resident has attempted to rescind SB2 as a 3/5 majority is needed. She did put forth the petition as she felt over time the majority of the people voting on the budget were not informed. Joanne felt if 200 people attended town meeting you could reasonably assume after asking questions and having the answers they will make a reasonable decision. One concern is not everyone can attend a Saturday meeting. Joanne asked how many of the people present attended the deliberative session compared with the number who watched the Super Bowl.

Joanne noted there were other issues. What happens when you have a block of people who come in and wait until an article is discussed and either push it through or not. There is a safety valve. A motion can be made to reconsider the article unless a vote is taken to not have the article reconsidered.

Joanne feels the Town is becoming apathetic as they don't want the taxes to increase and are voting down something the town needs. It is easier to make a point at town meeting. Joanne discussed a past Warrant Article to expend \$250,000.00 to reconstruct North Road. The money had been collected; the Board had applied for matching funds. The people did not understand it would not cost the Town any additional tax dollars and voted it down. She felt in this case the people were uninformed. As a Selectman she finds it is difficult when you want to run the Town at a basic level.

Hans Wendler noted he mentioned at the deliberative session he had been in Town 42 years. He often thought he knew what he wanted to vote and with comments made at town meeting his opinion was changed. Having 200 people informed is better than having 70 people informed. Mr. Wendler felt it may be time for the Town to consider a town manager. He feels if the people are informed then SB2 would work. Mr. Wendler noted some things that are turned down will cost more; he would like ideas on how to educate the people and govern the Town in a reasonable way.

Mary Frambach asked the number of years the Town has had SB2, Joanne noted since 1997.

Andrew Walton noted the last time a budget was passed was 5 years ago. He discussed the road issues, saying he was not for or against SB2. He noted the

Town is out of order. Mr. Walton noted \$100,000.00 would be needed for a town manager.

Norm Gentry is trying to learn about SB2 and the process. He talked to Joanne and learned of the safety valve. He saw the issue of abuse. He was used to once an article was voted up or down it could not be reconsidered. Joanne reiterated the Town could go to another meeting.

Mr. Gentry originally did not see the check. He noted a statement was made the budget could only be adjusted 10% at a meeting. He asked if there is a limit on what the Budget Committee can adjust the budget. Joanne noted the Selectmen presents a budget to the Budget Committee but the Budget Committee can do what they want.

Mr. Gentry feels strongly on the ballot and does not like the reference to people being uninformed.

Mr. Wendler asked if the budget had to go to DRA, Joanne said no.

Tom Langlais has seen meetings where a group comes in and moves an item through. There is not always enough people present to vote to reconsider an article.

Dave Fiorentino said a vote to rescind only works if the interest group leaves after the vote. Mr. Gentry confirmed a vote could not always be reconsidered. He noted he has been in Epsom 6 years and has seen more information on this subject than information on the budgets. He is concerned with town meetings and special interest groups attending.

Keith noted they could have the same authority at a deliberative session. The voters who attend the deliberative session have a lot of authority.

Mr. Fiorentino said the check and balance with a deliberative session is if the taxpayers don't like what is put in the budget they can vote it down.

Mr. Wendler could only think of one time when a group came to town meeting and left after a vote on an article having a special interest.

Joanne asked of the people present Saturday, not counting Budget Committee members and former Selectmen, do you feel the people in the room had a relatively good idea of what was being discussed and do you feel you have a good idea of what was discussed. She noted the budget season starts in October with countless hours spent to put together a real budget and for the last 4 years the people have voted it down. Joanne feels as a group on Saturday the people would have voted for the budget. Joanne is frustrated and feels the budget may be voted down.

Mr. Fiorentino was amazed at how unclear a number of people were about the Police Department budget, it was not clear. He stood up and said the Budget Committee allowed pay increases for the patrolmen, it was presented that the

budget did not allow for that. The speakers did reiterate the money was in the budget.

Mr. Gentry said Joanne's point was well taken, he knows the frustrations. He thinks the people vote their pocketbooks. He feels they can't afford it is the issue. The Town needs to find a balance so the people can afford to live here.

Keith thinks it is a valid question, votes your pocket or is it a good thing. How do you convince the voters to spend the money needed to operate the Town they live in. It is a slow degradation of a community when they do not have the money for items required. It is difficult for voters. The big problem is not the process we go through, but the expectation of how to support the community. More should be on the State; the State has passed a number of items down to the Towns.

Don Bartlett was unable to attend the deliberative session. His issue is taxes and what people can afford. A lot of the property tax is the school budget. Previously the voucher system was passed but the Supreme Court overturned the vouchers. He does not think the people are uninformed.

Joni Kitson asked if people were informed. She asked if at the deliberative session people were told the employees received stipends or that employees had received COLA's with the previous default budgets. She was told they were informed of these items.

Mr. Bartlett noted the problem was not just this town.

Mr. Langlais noted the last 4 years the Town had a default budget. He thinks this year there are lower budgets than in the past and they are doable for people. He said they need to get the information out.

Keith asked how to get the information out to voters without spending tax money or personal money.

Carole Brown thought the Website was a great opportunity; she noted no Budget Committee member names were out there.

Keith said they need to target the group to communicate with. Bob noted someone had suggested a newsletter.

Mr. Langlais noted as long as the information was not editorialized. He suggested using the Suncook Sun and putting a flyer there.

Ms. Tyrrell suggested a Webcam, which costs only \$15.00. She thought they should record sessions and people could be informed.

Michael Wiggett is on the Budget Committee and they are looking to put a flyer in the Suncook Sun so every resident in Epsom is informed. He felt a flyer was the best way to get information to the people.

Mrs. Brown asked if the Website could be interactive. Mr. Gentry noted they are looking at doing something as there is technology to use without spending money.

Mr. Wendler said it is about money and priorities. His said the first year of SB2 the budget was voted down was four years ago and times were good. It is a matter of priorities.

Mr. Bartlett asked why the Warrant Articles no longer have the tax impacts on them. Joanne said the information is available in the town office.

Bill Stevens asked the number of towns with SB2. Bob said 200 plus with 3 having rescinded SB2.

Joanne has talked to selectmen in other towns considering SB2 and those selectmen do not want it.

Mr. Stevens said people don't always vote no on the budget with SB2. He said with town meetings 90% of the time the budget gets passed as a group shows up, the people who work for the town. He felt bad for the people who work on the budgets, but it is part of life. He said to not sit in the chair if you don't expect to get disappointed, you have to go with what the townspeople want. He said we need to consider what the 900 people who voted want. He noted a lot of people do not have computers.

Alan Lugg noted he had to work on Saturday, but he would like to have a say on what the money he pays the Town is spent on. He would rather have 900 people vote than 200 people. He is sorry for the people who work on the budget.

Mr. Fiorentino noted that people have to have the money to pay their taxes; they have to have faith in the Budget Committee for the budget it puts together and trust in the Board of Selectmen in spending the tax dollars. Rick Belanger thinks this year it is a lack of money.

Mrs. Kitson noted that Mr. Stevens spoke, had been a former Road Agent in Chichester, which is under the traditional town meeting format and he seemed to be in favor of SB2.

Joanne noted they sincerely appreciated the comments even though she did not agree with them. She asked the public hearing be closed and the last comments made.

Dick Frambach thought she wanted to rescind SB2 to get items passed. He appreciates the work the Budget Committee does; to bring the budget back to a handful of people is not fair.

Mr. Gentry thanked Joanne for bringing this forward but he believes in the ballot box. He does not think they should kill SB2 permanently. He feels it will return.

Mr. Wiggett appreciated the work Joanne has done; there is no right or wrong answer to SB2.

Mrs. Frambach owns a condo in Maine. They receive a concise paper regarding the budget from the town. She thought if we could come up with something that could be sent to get the people informed, she noted it is the uninformed who vote that cause the problems.

Keith thanked the people for coming, noting the petition was not from the Board of Selectmen. He asked people to send the Selectmen e-mails with suggestions as to how to inform the people.

Bob said if the stimulus package passes people will not see where their taxes go. Here in Epsom if the budget passes, they will see it every day. He thanked the people for coming.

Bob closed the Public Hearing at 8:21 P.M.

The board recessed for a break from 8:21 P.M. to 8:38 P.M.

FOR DISCUSSION

A. DRA Findings Re: Recent Avitar Statistical Update

This item will be continued until next week.

B. Chadwick-BaRoss Invoice

Bob indicated Gordon is requesting the Board do a letter as Chadwick-BaRoss is ignoring his letters. Keith noted as Chadwick-BaRoss could take some type of legal action such as small claims court. He suggested the letters Gordon wrote be sent to legal counsel to get his opinion on a Board letter and response.

FOR DISCUSSION FOLLOW-UP

A. Snow Obstruction Ordinance

Keith noted the RSA quoted does not give authority to the Board for snow obstruction, other statutes give that authority. Regarding snow in the ditches Keith thinks every resident would be in violation as the draft policy is written. Keith has drafted revised proposed language and would like to review it next week with the Board and Road Agent.

Joanne requested Bob have Gordon present next week.

MINUTES FOR REVIEW AND DISCUSSION

Final Minutes of January 26, 2009

Joanne made a motion to accept the final minutes of January 26, 2009 with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Final Minutes of January 12, 2009

Joanne made a motion to accept the final minutes of January 12, 2009 with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Final Minutes of January 20, 2009

Joanne made a motion to accept the final minutes of January 20, 2009 with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Draft Minutes of February 2, 2009

The Board reviewed and amended these minutes.

Joanne made a motion to accept the draft minutes of February 2, 2009 as amended with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

LIAISON REPORTS

Keith noted the Planning Board would be meeting on February 11th, hearing the continued public hearing for the Bartlett subdivision. He noted there were concerns of regional impact and also would be discussion of the engineering report.

Joanne has met with Dawn Blackwell and MCC Credit Card Processing Company. She and Dawn have forwarded the information to the Website Committee.

Joanne noted there would be a Hazard Mitigation Work Session on February 18th.

Joanne noted there would be a Route 28 Study meeting February 10th in Barnstead. The Board has invited 5 or 6 business people who have businesses on Route 28 or Route 4 to attend as well and the Road Agent and Joanne.

Joni reiterated the job description on the Website is not from the State and not the one adopted previously. She also has given proof tonight a CDL is not needed to drive a vehicle under 10,000 pounds.

Keith discussed House and Senate Bills for the Fire and Police Departments regarding retirement. He has looked at a number of other bills he felt the Town should be monitoring.

The meeting next week will be on Tuesday, February 17th due to the Monday holiday.

Joanne made a motion to adjourn the meeting with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Bob adjourned the meeting at 9:18 P.M.

Respectfully submitted,

Betsy Bosiak, Recording Secretary