

Bob _____
Joanne _____
Keith _____

Final _____
Accepted _____
Accepted as _____
Amended _____

TOWN OF EPSOM
BOARD OF SELECTMEN MINUTES
March 15, 2010

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

Other Attendees: Mary Frambach; Jay Hickey; Nancy Wheeler; Eric Reeves; Mrs. Reeves; Barbara Clark; Tim Harkness; Cec Curran; Len Gilman; Stewart Yeaton; Wayne Preve; Doug Blackwell; Dawn Blackwell, Phil Demeritt

Bob opened the meeting at 6:15 P.M., having Betsy lead the Pledge of Allegiance.

Bob announced it was time for nominations for a new chairman.

Bob nominated Joanne as Chairman, Keith seconded the nomination. Two in favor with Joanne abstaining.

Joanne nominated Keith as Vice Chairman, Bob seconded the motion. All in favor.

6:15pm Eric Reeves (requests “close-door” meeting)

Joanne noted Eric had requested a closed door meeting, she questioned if the item qualified for a non-public session. The board determined it did not qualify.

Eric reviewed with the Board the previous decision made regarding his property and the variance for the residential unit in the garage. He wanted to discuss a reconsideration of the decision and the fines if he did not meet the terms of the decision. After discussion the Board determined they would not change their previous decision.

Keith noted Eric had two options:
1. Comply with the agreement
2. Pay the fine

Eric gave the Board a letter that each member reviewed privately. The letter stated that Eric was giving up his variance in order to avoid paying fines, as previously agreed. The discussion ended. Bob stated that he disagreed with the options provided to Eric.

6:30pm Staff Discussion/Department Head Meeting

Barbara Clark, Office Staff, discussed the water issues in the office in the morning with Bob being called. Bob closed the office. The landlord was contacted with it being determined the water heater had burst. The LGC has been contacted for insurance claim purposes. ServPro was called in to clean and remove the water, dry out the building and will be returning tomorrow. The computer company was contacted with the staff being told to dry them out and they should be fine. Barbara noted a new water heater has been installed but may not be compliant, this will be checked. Barbara felt the landlord's insurance would pay the repair costs and the bill from ServPro.

Barbara noted the water on the back wall behind the Board members was coming in from the back wall or the window. Mr. Caraway was aware of this issue also & would review.

Barbara noted the "Pre-81" Landfill Registration, Log #201000002, has been received by the state and we satisfy the requirements of ENV-WM 309 of the NH Solid Waste Rules for the Highway Facility / former Ash Landfill on Route 4 West of the Epsom Traffic Circle. However, the DES "strongly recommends that an environmental site assessment/site investigation (ESA/SI) be performed to evaluate environmental conditions.

Nancy Wheeler, Office Staff, has received an e-mail from Nancy St. Laurent, the representative from the Office of Emergency Management. She had been in Town with the federal representatives to discuss our initial financial damage assessments from the wind/rain event at the end of February; they feel they have the information required.

Nancy noted the company buying FairPoint payables is not interested in buying the Police detail bill of \$180; the Town may have to write this money off since it is most likely uncollectable. Nancy has started completing the MS2, with it being submitted for signature next meeting. She has made allocation per the 2009 budget with adjustments. Copies have been forwarded to the Department Heads. Nancy has heard no complaints regarding the direct deposit, it should be all set. The auditors will be in the office the first and second weeks of April.

Dawn Blackwell, Town Clerk/Tax Collector noted the State auditors for Motor Vehicle were coming in on Thursday. The person winning the two year term for the Budget Committee on write-in refused the position so that position will have to be appointed by the Budget Committee.

Dawn noted the \$80.00, which is \$80.65 today, not paid by FairPoint is the interest on the property taxes. Town Counsel feels it is not worth trying to collect the money. Keith asked if the Town could let it sit on the books and then go to lien. Dawn replied that this could happen and noted they may have to abate the money in the future. Dawn has no changes in her default budgets. Keith asked if any ballots had gotten wet, Dawn noted one box did. She has called the Secretary of State's Office regarding this. She noted the Board has the tax

deeding folder for review and action on properties that they do not wish to take due to lack of paid taxes.

Phil Demeritt, Planning Board, indicated this is his first meeting representing the Planning Board; he is stepping in as the Vice Chairman. The Board has a few items in the works. Keith noted the Public Hearing for the Master Plan has to be rescheduled. Barbara noted the Town is getting one copy of the Master Plan from Regional Planning for review and then additional copies will be available for the Planning Board and public.

Jay Hickey, Zoning Compliance Officer, noted permits are coming in. Jay has checked the lot in Kingstowne remaining near the river for flooding. He noted the water was 7 to 8 feet from the mobile home. The water is close to one of the houses on Webster Lane.

Keith recommended the letter from Eric Reeves giving up the variance be recorded at the Merrimack County Registry of Deeds.

Keith questioned if the mobile home being discussed in Kingstowne has been sold, Jay will review the information. He asked that the agreement be reviewed as to whether it allowed a new resident to live in the unit and agreement for time of removal.

Stewart Yeaton, Fire Chief, has done a review of the Department's proposed budget, giving a copy to the Board with some proposed changes for the Board's consideration.

Chief Yeaton noted there has been no change in the water level at Kingstowne since this morning. The Department has had some issues with flooded basements, but it has been a non-eventful day. Chief Yeaton discussed the need to secure propane tanks in areas with potential flood waters. He is planning to meet with the various propane companies in the future regarding this.

Wayne Preve, Police Chief, noted everything is as usual. He has completed a new schedule with having four officers, using the salary from the vacant position to pay the overtime. He gave the Board a copy of the Department's revised proposed budget for the Board's consideration.

Cec Curran, Health Officer, has completed the food service inspections with all facilities doing well. He will forward to the Town office information regarding mold, etc. for wet walls. He also has information for restaurants that lose their power that he would like to have forwarded to all the restaurants.

No one was present from the Meetinghouse Committee; Mary Frambach noted they have not done anything. A meeting is scheduled for March 18th at 7:00pm.

Joanne had a written report from the Welfare Director.

FOR SIGNATURE

1. **Accounts Payable** was signed

- 2. **Manifest** was signed
- 3. **BCEP Appointment Papers** were signed

Barbara noted two people have accepted the appointments; she is waiting for the Budget Committee to appoint a member when they meet in June and for the alternate to get back to her.

- 4. **Abatement** - See below discussion
- 5. **Requests for Leave (2)** were signed

FOR DISCUSSION

E. Request for Charitable Exemption – Audubon Society of NH

Bob motioned to continue the charitable exemption for R14 Lot 21 for The Audubon Society of New Hampshire, Keith seconded the motion. All in favor.

Chief Preve gave the Board a draft policy from the Safety Committee regarding people returning to work on light duty. The Board will review it for future discussion.

Keith noted the discussion with Barbara earlier, the information from DES regarding the landfill. He suggested the Town not do anything, i.e. blasting, etc. so as not to disturb the material in place. If the site is disturbed as a result of the town’s action, this will result in costly subsurface investigation.

7:30pm Non-Public RSA 91-A:3 II (e) Litigation

Keith motioned to go into non-public session per RSA 91-A:3 II (e) for litigation, Bob seconded the motion. All in favor.

The Board went into non-public session at 7:33 pm, returning at 7:45 pm.

FOR SIGNATURE

4. Abatement

Keith motioned to deny the abatement request by the New Hampshire Electric Cooperative as recommended by AVITAR, Bob seconded the motion. All in favor.

FOR DISCUSSION

A. Properties to Deed in May

Keith has reviewed the folder, tagging the properties he recommends the town not deed.

B. CNHRPC Traffic Counting Program – 2010

Keith noted the Planning Board had reviewed the list at Wednesday’s meeting and identified 10 locations for traffic counts. He reviewed the information. Barbara will be requested to forward the information to CNHRPC. The BOS was in agreement the locations were appropriate.

C. Default Budget

The Board reviewed the proposed default budget prepared by Nancy with the suggested revisions by the Police and Fire Departments. Keith had discussed with the Police Chief that within the proposed budget the Chief is proposing a 6.5% pay increase for the current officers (not including the officer in the Academy) and the Chief, and a 3% increase for Gail.

Rick Belanger noted it sounds like a considerable adjustment to the pay as per some newspapers Epsom is not at the bottom of the barrel. Keith noted the exit interviews are indicating the pay is a factor in officers leaving. Rick questioned if there were other outside influences, the officers may not be telling the whole story. Joanne stated that during exit interviews, various reasons had been stated, but that pay was always an underlying factor.

Rick noted it has been mentioned the money earned by officers working special details is not included in the wages. Nancy confirmed this money was paid by the companies and is not included in the wages. Rick also discussed the vehicle use for special details and the amount paid for the vehicle use.

Len Gilman asked if they were talking money and grade as Epsom has no advancement plan. Joanne noted we do not have grades. Len questioned if the officers were leaving for advancement. Keith noted it was for both; the Town does not have a step series. Keith has talked with the Chief and they will be coming back with a recommended step series, Epsom will continue to be a training ground unless they get the base pay increased.

Joanne noted the revisions made by the Fire Chief, with increases in training pay and adjustments to other lines. No adjustment was made in the full time position pay, Joanne will ask about this.

7:45 pm (time was 8:45 pm) Rick Belanger/Gordon Ellis

Joanne noted Rick was present, but Gordon was not. Rick noted they wanted to discuss the Meetinghouse site. He noted the voters were lead to believe the building with the town office would be put together without the use of town funds. He noted private funds were needed to continue the project. Keith noted his disagreement with Rick's understanding as to expansion for town office with donations, but agreed the upgrade of the Meetinghouse was understood to be done with no impact to the taxpayers. Rick continued to explain an idea he had was to use gravel material to be removed at the Meetinghouse site for the slopes on the New Orchard Road project if the Board agreed with this approach.

Joanne asked how it would work, Rick noted Gordon would hire a contractor to excavate and haul the material. It was discussed the amount of material to be removed would be 300 to 400 yards. Keith

questioned who and how would the excavated area be stabilized; Rick felt the loam on site could be used. Joanne and Bob thought it was a good idea. Keith wanted to hear more of the embankment needs for the road project from the Road Agent.

Rick noted the Meetinghouse Committee has a basic plan for laying out the general landscaping of the Meetinghouse as well as possible uses for the building. He has asked some townspeople to head some fundraising. The goal is to set it up with a septic system, water, etc. He keeps hearing the Town was promised it would not cost us money to get the work done and we need to use what we have before building more structures, we can get by for 10 years or so with what we have. Keith agreed that the cost to upgrade the historic Meetinghouse was to be done without taxpayer's funds; however, he is not aware of any commitment to move the town offices into the building without future expansion. He noted that the past building committee reports notes this approach.

Mary noted Dick has questioned if they go forward are there funds for matching grants. Joanne said there is no money in the default budget for matching funds for LCHIP grants. If the committee gives the Board what is needed for funds they will see what they can do.

FOR DISCUSSION

D. Bid Policy

Joanne would like to address this next week as Gordon had questions about the policy.

MINUTES FOR REVIEW AND DISCUSSION

Draft – March 8, 2010

Keith motioned to approve the March 8, 2010 minutes as amended, Bob seconded the motion. All in favor.

Draft – March 8, 2010 Non-Public #1

Keith motioned to approve the minutes of March 8, 2010 Non-Public #1, Bob seconded the motion. All in favor.

Draft – March 8, 2010 Non-Public #2

Keith motioned to approve the March 8, 2010 Non-Public #2 minutes, Bob seconded the motion. All in favor.

Final – March 1, 2010

Keith motioned to approve the final March 1, 2010 minutes, Bob seconded the motion. All in favor.

Final – March 1, 2010 Non-Public

Keith motioned to approve the final minutes of March 1, 2010 Non-Public, Bob seconded the motion. All in favor.

LIAISON REPORTS

Bob noted Gordon is working on drainage on River, Echo Valley, Chestnut Pond and New Rye Road with tree removal also on New Orchard Road and Echo Valley Road. Next week the Road Agent will be working on trees on New Rye Road, New Orchard Road, Echo Valley Road and drainage on New Rye Road and New Orchard Road.

Keith noted the Planning Board had put off the public hearing for the Master Plan for one to two months. The Board is in a membership change. The Zoning Board of Adjustment will be meeting on Wednesday for a rehearing request.

Keith noted the Police Chief inquired about a new vehicle and is obtaining costs for the vehicle replacement. Keith noted some dealerships are willing to take the current vehicle in as a trade on a new vehicle. He noted that the Chief also had an offer to buy the vehicle outright and asked asking if that money would have to go to the general fund or if it could be used toward the vehicle purchase. Keith said he will ask Nancy.

Keith noted the Board will need to address the Warrant Article that passed regarding putting the tax impact on the ballot. He felt that the BOS should send a request to our Legislative members (House and Senate) and request that they obtain a legal interpretation from the Attorney General's Office as the statutes and depending upon that interpretation, ask the Legislative members to seek legislation to allow towns to put the information on the ballot.

Joanne noted the town vote regarding the amendment to vote on "marriage". She thought the Board needed to follow through on this. The Board also needed to develop a committee to review the Zoning Compliance Officer position.

Joanne suggested the Board keep their same departments as liaisons. Joanne noted the server was down over the weekend so there was no delivery of town e-mail. Joanne reviewed reports from the Emergency Management Director about the rain and flooding. Norm Gentry is planning to meet with the Board to discuss Website ideas.

FOR YOUR INFORMATION (No action required)

- Old town Library – Settlement Report
- Zoning Compliance Letters

5 MINUTES FOR PUBLIC QUESTIONS AND COMMENTS

Tim Harkness noted when the Meetinghouse was moved a safety fence was installed around it. He suggested a fence be put around the dilapidated building on Route 4. Joanne noted the Meetinghouse was Town owned, however that building is privately owned and was the owner's responsibility. Keith noted they could have Jay write a letter, but the owner is responsible. Joanne noted it would be in the minutes a resident expressed concern.

Len Gilman noted he asked various sources about the Article regarding what was allowed on the ballot. If you call as a citizen; you get conflicting information.

Len agreed with Rick regarding the information given regarding the Meetinghouse. He thought the confusion was before the Building Committee was formed. The discussion was that it would not cost the Town to convert the Meetinghouse into town offices. The money raised was to set the building on the foundation; he didn't think the people thought the building would set for 10 to 15 years without being used.

Keith noted the Building Committee report, which he chaired, clearly indicated there was a need to add onto the building for the town office. Bob thought a lot of people misunderstood things at the time of the accepting and moving of the building.

Bob motioned to adjourn the meeting, Keith seconded the motion. All in favor.

The meeting adjourned at 9:25 P.M.

Respectfully submitted,

Betsy Bosiak
Acting Recording Secretary