

Bob _____
Joanne _____
Keith _____

Draft _____
Accepted _____
Accepted as Amended _____

TOWN OF EPSOM
BOARD OF SELECTMEN MINUTES

MARCH 23, 2009

Present: Bob Blodgett, Chairman; Joanne Randall, Vice-Chairman, (Arriving at 6:40 P.M.); Keith Cota

Other Attendees: David Fiorentino; Andrew Walton; Joni Kitson; Mary Frambach; Nancy Wheeler; Carole Brown; Dick Frambach; Gordon Ellis; Wayne Preve; Carol McGuire; Harvey Harkness; Joshua Virgin; Jay Hickey; Barbara Clark; Brad Keyes; Bruce Graham; Marylou Keane; Clayton Button; Diane Button; Todd Clark; Matt Low; Sean James

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

FOR SIGNATURE

- 1. Accounts Payable - Signed
- 2. Manifest - Signed
- 3. Payroll – Signed
- 4. Appointment Signature Papers (4) – Executed after approval of the following motions:

Keith Cota made a motion to appoint Norman Gentry as an alternate to the Planning Board with Bob seconding the motion.

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

Keith made a motion to appoint Linda Martel as the Deputy Treasurer for the Town of Epsom with Bob seconding the motion.

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

Keith made a motion to appoint Patricia Hickey as the Deputy Welfare Director until the March 2010 election with Bob seconding the motion.

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

Keith made a motion to appoint Peter MacCallum as a Deputy Boat Tax Collector until December 31, 2010 with Bob seconding the motion.

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

- 5. Veteran's Exemption - Signed**
- 6. Intent to Cut (2) - Signed**
- 7. Timber Tax (3) – Signed**
- 8. FEMA Audit Requirement Forms (3) – Signed**
- 9. Point and Pay Credit Card Contract (not available) – No Action Taken**
- 10. Litter-Free New Hampshire – Executed after approval of the following motion:**

Keith made a motion to support the Epsom Conservation Commission on the Litter-Free New Hampshire Program with Bob seconding the motion.

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

- 11. Highway Safety Grant - Signed**

STAFF DISCUSSION

Nancy Wheeler noted the last invoice for the Command Vehicle to be paid from the Reid funds is in. The remaining balance is to go into the Fire Department's Capital Reserve Fund for equipment. The Board concurred to transfer the remaining balance into the Capital Reserve Fund.

Nancy noted last week there was a new pay sheet for two new hires that was signed. She noted the motion in the draft minutes stated the rates were to go into effect on March 16th which is a different date than on the sheet and past processes. She requested clarification if it should be as of the hire date.

Keith made a motion to clarify the intent of the 2009 pay rate approval that the effective date is as of the date on the sheet with Bob seconding the motion.

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

Nancy noted the reimbursement checks for Griffin Road and the Ice Storm of 2008 are in the office, accepting them will require a public hearing. The hearing was scheduled for April 13th.

Keith understood the Library Trustees had signed the annual agreement, also asking if they could have their first check cut prior to April 15th. Nancy asked when the Board wanted her to cut the check. Keith requested Nancy do an AP for distribution for April 15th. Bob agreed.

Joanne arrived at 6:40 P.M.

Barbara Clark noted the census people were using the meeting room for training today. Barbara requested clarification of 'G' under For Discussion if the Trustees needed the entire policy or just the one pertaining to the Library buildings.

Jay Hickey had met with Attorney Soltani with Attorney Soltani suggesting the Town needed a comprehensive driveway ordinance. He suggested the Board speak with Attorney Soltani regarding this.

Bruce Graham asked the reason for the driveway ordinance. Jay noted it would be proper for the Selectmen to talk to Attorney Soltani then address the issue.

Chief Preve noted he had e-mailed Keith and Joanne regarding the Cops Hire Recovery Program. The grant would allow the Town to hire a full time trained officer for three years at no cost to the Town. He has found it would only pay for salary and benefits with many restrictions that will not work for Epsom. It is part of the Economic Stimulus package for towns that are laying off officers.

Joni asked if the money could be used for the new officer just hired, Chief Preve noted he can not use the money for that officer as he was hired prior to the grant being available.

Mr. Button – Timber Tax Abatement Request

Mr. Button noted his wife and he are owners of two properties damaged by the July tornado. He discussed their situation, giving the Board pictures of the damage and after the clean-up along with the loggers report. Mr. Button discussed he had contacted Tim Cleary, Merrimack County Forester after the storm. He had also attended meetings with the State and County officials who made a point of noting damaged timber should be cleaned up due to potential fire hazards.

The Buttons had contracted with Ft. Mountain to remove the timber. They lost timber value of approximately \$43,000.00 compared to if it had been a normal timber cut. Mr. Button requested an abatement of the town timber tax as he feels they have suffered enough.

Keith noted the tax is based on the seller's value when the timber is sold. He understood the hardship but also noted that the Buttons still received a \$7,700.00 check. Keith noted it was a benefit to the Town by Mr. and Mrs. Button doing the clean-up thus reducing the chances of a brush fire.

Joanne asked if they had planned on timbering the land, Mr. Button said no. Joanne noted Mr. Button was a responsible landowner and followed the advice given. She felt they should abate the timber tax for Lots R15-10 and R15-15 in the amounts of \$320.80 and \$565.89. Expenses Mr. and Mrs. Button will have to pay were discussed.

Joanne made a motion to abate the timber tax on R15-10 and R15-15 in the amounts of \$320.80 and \$565.89 on land owned by Mr. and Mrs. Button, Keith seconded the motion.

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

Mr. and Mrs. Button thanked the Board for abating the tax.

Todd Clark – Hoyle Tanner

Todd Clark, Matt Low and Sean James met with the Board to update Epsom on HTA's culvert capabilities. They gave the Board a handout about HTA (see attached). Mr. Low noted they had heard the Town had culvert projects that they may be able to assist with and noted the projects they have completed or are in progress. Mr. James noted the two biggest funding sources were FEMA and New Hampshire Department of Transportation. It was noted permitting is becoming more of an issue.

Various types of culverts used were discussed with Mr. Clark also noting they had road design experience.

After the HTA representatives left Andrew Walton asked what other firms they Town had worked with. Keith listed the firms with Andrew asking why not let the other firms come in also. Keith noted if they wanted they could make an appointment also. Keith noted HTA also does work for the Planning Board.

Joni noted when she was a Selectman HTA could come in from time to time for a discussion with the Board.

Joanne noted #9 for signature was the firm Dawn asked for a contract from. Attorney Soltani had the contract for review and had not returned it to Town Office.

FOR DISCUSSION

A. Set 2009 Pay Rates

Keith noted there was no question the budget approved by the voters had salary adjustments for the Police and Fire Employees. He suggested those be retroactive back to the first pay period on January 1st. Keith noted the discussion last week was for COLA's for the town staff and the expectations of the town's voters. There was a 5.7% COLA in the default budget but they had an approved budget. At the deliberative session the COLA's were turned down. The question before the Board is what do they want to do or should do for the remaining staff. Keith noted it comes down to philosophy and the intent of town expectations.

Joanne noted she had taken the budget worksheet and on the salary and associated lines, did a 2.5% increase which would be approximately \$8,500.00. It would affect 10 positions. She understood the arguments presented last week. Her opinion was not providing some sort of increase was not in the best interest of the Town. She felt the 2.5% COLA should be retroactive to January 1st. Joanne's other thought was to offer a smaller increase from April 1st and offer some sort of incentive for employees for money saved at the end of the year. The Board could consider doing another small increase and/or a small stipend. She understands the discussions of last week but feels the Board has to do what is right and feels an increase would be the right thing to do.

Bob thought the Board has established the respect of the Town's people and feels it not possible with the current economy. He felt the Board should pass on an increase at this time.

Keith understands both positions. The economy is on a downward swing. He noted the staff would be receiving a small increase due to the Federal stimulus and there is also a reduction in the health insurance cost for two person and family plans. He could not support a COLA adjustment back to January 1st. He would like to see how the budget follows through; maybe give something later in the year if the expenditures are under the projected budget. He recognized the majority vote of the legislative body and it was his suggestion to hold off on an increase at this time to be reviewed later in the year.

Harvey Harkness noted the Budget Committee worked over 4 months on the budget. After the budget was approved the Budget Committee and others worked to get the budget passed. During the course of developing the budget the office staff increases did not make muster. Harvey noted at the deliberative session a motion was made from the floor to add funds for this purpose and was defeated. He did not think it had to do with the quality of the staff, but the principle. The voters pay attention to the Board's actions. Harvey was hopefully that confidence would be increased. Harvey noted the budget was just passed with no funds for raises included. To grant an increase immediately sends a message that lines were padded. Harvey liked Keith's idea about waiting to execute the budget and once they see if they have reductions in costs, then consider an increase.

Harvey said it was a matter of principle for him and his hope was they leave the budget as it is. Later if there are funds available to move, then it is the Board's authority to do so. The town has taken the first positive step to getting a budget passed this year.

Carol McGuire reinforced Harvey's statements. She noted that taxes were up and revenues were down. The State's budget had not been passed and revenues may be reduced to the Town. Keith noted that as elected officials representing the Town in Concord, he would expect our Representatives to protect the State budget impact to the Town and maintain the revenue expectations as budgeted.

Carole Brown concurred with the speakers. She knew how the Board feels, but the confidence of the voters is important.

Bob noted it had been a difficult week for him, he did what he felt was right.

Dave Fiorentino suggested if they have extra money at the end of the year they should use it for the Police Department to have an officer go back to Epsom Central School.

Keith stated that a number of Budget Committee members are present and voiced a willingness to see how the budget works out later in the year; he hoped they would review the budget at mid-year to see if it may allow for some limited COLA. He agreed it was too early at this point to make an adjustment.

Andrew Walton noted one business moved out of Town and that greatly affected the budget and revenue.

Mary Frambach asked if the 5.7% was retroactive for the emergency services personnel to January 1st. Keith noted there was a consensus for that.

Joanne thinks the people will judge the Board on its actions. She thinks it is a matter of principle, she cannot accept inequality on the raises.

Joanne made a motion to present a 2.5% increase for salaries and the associated lines for those 10 employees effective April 1.

There was no second on the motion; Bob noted the motion was dead.

Chief Preve noted Department Heads do not spend money unwisely. He asked if the ability to give stipends would be there at the end of the year.

Joanne noted if it was possible for the employees to save money she hopes they would be able to give increases later. It would be for rewarding the employees and saving money. Bob noted the decision made does not mean they would not reconsider later.

Joni noted they were making it seem like if there was money left over it is to go to the employees when the Board should have it assist the townspeople by lowering taxes. The employees knew if the budget passed the only employees getting increases were the Fire and Police Departments.

Keith noted they needed to give Nancy guidance to provide the Board with pay rates for the Police and Fire Departments.

Keith made a motion for the Fire and Police Department salary adjustments be set as of the first pay period of 2009, Joanne seconded the motion.

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

B. Letter from David & Suzanne Koliass – Driveway Permit (Class VI)

Keith noted he had visited the site with the Road Agent. He understood why the Road Agent recommended if the driveway was approved it be moved to the Class VI portion of the road. In order to do so, liability releases, etc. would have to be in place if the driveway was on the Class VI portion of the road. Keith noted there is an application before the ZBA for a frontage variance; he suggested they wait before making a decision. He noted there may be an engineering solution for drainage issues if the driveway was on the Class V portion of the road.

Joni asked if the owners were trying to obtain a driveway permit to hold a building permit. Keith noted they could not get a building permit until they have a variance. He feels it is premature for the Board to act at this time.

C. Mountain Road Property

Joanne had a note for the Board to wait for a response from Town Counsel before acting. The item was put on hold until a response was received from Town Counsel.

D. BCEP Appointments

Joanne read the information. They cannot appoint a Budget Committee member until after the June Budget Committee meeting.

Joni Kitson noted they were asking the Board to appoint someone from the Budget Committee and not wait for the June meeting.

Harvey Harkness noted he had a new Budget Committee member who was willing to serve in the position. Joanne requested he give Barbara the information for Board action next week.

E. Care of Old Town Hall and Meeting House

Harvey read the attached e-mail that requested consideration of expanding the Zoning Compliance Officer's hours to oversee the town building oversight. Joanne had spoken with Jay Hickey who agrees it was a necessary function. Joanne noted Jay is currently very busy and cannot take on additional duties not part of his current position. She felt it may be time to hire a person to oversee the town buildings.

Andrew Walton volunteered to do the overseeing for free. Joni Kitson agreed with Joanne but noted there is no money in this year's budget for the position.

Joanne discussed the items to be checked. She noted if Jay had a trained assistant Jay would be willing to do the checks. Bob noted the items to be repaired at the Old Town Hall due to the leak this winter.

At this time Andrew will do the checks on a voluntary basis.

F. Charitable Exemptions (3)

Joanne noted the first request was from the New Rye Congregational Church.

Joanne made a motion to approve two charitable exemptions applied for by the New Rye Congregational Church for Lots R2-41 and R2-49, Keith seconded the motion.

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

Joanne noted another request was from the Merrimack Valley Church – Assembly of God. She noted they were requesting an exemption for 50% of the property.

Joanne made a motion to approve the application form the Merrimack Valley Church – Assembly of God for 50% of the area for Lots U8-101-1 and U8-101-2, Keith seconded the motion.

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

Joanne noted the final request was from the American Legion Post 112.

Joanne made a motion to approve the charitable application for American Legion 112 for Lot U15-7, Keith seconded the motion.

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

G. Library Request for Insurance Policy

Joanne noted the Trustees were asking for a copy of the policy for their records with the Historical Association also needing a copy. Keith noted Barbara had questioned if they needed the full policy of the part for their buildings.

Joanne noted they were asking for the policy on all town buildings. Keith had no problem giving the Trustees the complete policy; they could give the Historical Association what they needed from the copy provided to the Library Trustees.

H. Cell Phone Plan

Joanne had some information as Verizon, Nextel and US Cellular had been contacted. They are in the process of getting back to the Town. She mentioned the Town of Chichester had piggy-backed on the State's Sprint plan and had saved almost half the money they had been spending on cell phones.

I. Traffic Counting

Joanne noted they needed to tell Central New Hampshire Regional Planning Commission where the Town wanted traffic counts completed this year.

Betsy noted this was usually a function of the Planning Board. They do it based upon potential development and when last counts were completed on roads, etc. They also request input from the Road Agent, Police and Fire Departments. Joanne noted a copy had been sent to the Planning Board.

J. Route 4 Sidewalks

Bob noted this item has been addressed before. Joanne noted Barbara had the information from last year. A reply was discussed. Keith suggested a letter be sent with a response to the request instead of an e-mail reply.

K. Market Basket Store

Joanne noted the Board had a letter from Mr. Frambach regarding contacting Market Basket about putting a store in Epsom. She thought discussions were occurring with another supermarket chain.

Betsy said at one time she had spoken with the Vice President of Research and Development for Market Basket.

Bob felt the Town needed to do something to entice businesses to come to Epsom.

Discussion ensued as to who might send a letter. Keith felt they could invite Market Basket representatives in to have an opportunity for discussion; the Town has a tight commercial area. Joanne discussed reestablishing the Economic Development Committee.

L. Hazard Mitigation Charter

Joanne noted one of the recommendations of the Hazard Mitigation Plan was to establish a permanent committee. She asked Debbie to draw up a charter and it was forwarded to Stephanie at CNHRPC who made a couple of suggestions. Debbie has printed it for review by the BOS. It was felt quarterly meetings would be a good idea to keep the information updated.

Keith asked if Deb would have to continue to give assistance. Joanne felt that would not be needed. Keith verified a member would take minutes as there is no money for a secretary, Joanne said yes.

Joanne made a motion to accept the charter for a Hazard Mitigation Committee, Keith seconded the motion.

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

The Board took a break from 8:45 P.M. to 9:10 P.M.

CONFIDENTIAL

1. Letter from Devine Millimet

This item was all set.

MINUTES FOR REVIEW AND DISCUSSION

Draft – March 16, 2009

The Board will wait until next week to correct these minutes.

Final Minutes of March 9, 2009

Joanne made a motion to accept the final minutes of March 9, 2009 with Keith seconding the motion.

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

Joni noted before the meeting she had checked the book with the Selectmen's minutes in it. There were no minutes for the February 7, 2009 meeting after the deliberative session. They were not accepted as a final either. Joanne will check into this.

LIAISON REPORTS

Keith is still working with DES on the application for funds for the Suncook River repairs. The money from the stimulus funds is for individual property owners. He requested the office provide a list of private property owners for DES to contact them.

There is a meeting tomorrow for the Merrimack County Delegation on the 2009/10 Budget. He is going to attend with Chief Preve for input on the dispatch resolution.

Joanne attended the Suncook Valley Regional Town Association meeting. They discussed cell phone plans, sharing of Police Department items, i.e. K-9 units, prosecutors and accident reconstruction teams.

Joni Kitson noted most K-9's are trained for different items. She noted discussion had occurred a few years ago about regionalizing Fire and Police Departments; it did not go over well. In some states these departments are done by counties. Joanne discussed a few months ago the Pittsfield Fire Chief did a presentation at a SVRTA meeting, on Fire department regionalization that Chief Yeaton and she attended.

Joanne noted some towns piggyback with the SAU for the purchase of office supplies.

The Board had received questions regarding the US Route 4/Route 107 traffic light, they were forwarded to NHDOT. Alison Parodi also sent in some concerns from the perspective of the Conservation Commission.

Joanne received an e-mail from Norm Gentry asking how the Board felt about paid advertisers on the Web Site. She asked Attorney Soltani who noted they would have to establish a policy and follow it regarding who was allowed to advertise. He also said a line would have to be established in the budget for this. The Board had no objections to investigating this. Joni suggested looking at the policy adopted for the Bulletin Board.

Joanne noted the reduction of the State's contribution to the teachers and firefighters retirement that will be put on the towns.

Joanne noted there is training at UNH on April 7th on how Stimulus money may be used by municipalities; she will try to attend as will Bob.

Mary Frambach learned Chris Porter had been in Washington, DC and received training regarding the stimulus bill that might assist the Town.

Bob did not have anything.

Keith asked to have the 2009 Road Plan put on for discussion next week.

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, Bob called for a vote. The motion passed unanimously.

Bob adjourned the meeting at 9:35 P.M.

Respectfully submitted,

Betsy Bosiak
Acting Recording Secretary