

Bob _____
Joanne _____
Keith _____

Final _____
Accepted _____
Accepted as _____
Amended _____

TOWN OF EPSOM
BOARD OF SELECTMEN MINUTES
MARCH 30, 2009

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

Other Attendees: Joni Kitson; Gordon Ellis; Andrew Walton; Barbara Clark; Nancy Wheeler; Len Gilman; Rob Topik; Jay Hickey; Attorney Tony Soltani; David Fiorentino

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

ATTORNEY/CLIENT

The Board recessed at 6:17 P.M. to meet with their Attorney, returning at 6:44 P.M.

STAFF DISCUSSION

Nancy Wheeler is working on preparing for the auditors. She reported that members of the Police Department have come in to sign the pay rate notification forms; one more employee from the Fire Department needs to come in. Nancy asked how the Selectmen wanted to do the retroactive pay. There was a Board consensus to have Nancy complete one payroll sheet with all the employees listed on it.

Barbara Clark had put a memo in the Selectmen's folders with suggestions and thoughts regarding the people who lost their property use due to the tornado and abating the property taxes.

Barbara noted there was an error in a property tax that requires abatement. She noted a lot was created and approved by the Planning Board; she created the lot and had Avitar do a value. However, the Mylar was not submitted by the survey since the approval over one year ago and was never officially recorded; therefore the lot was prematurely taxed as a separate building lot. . Keith felt the Planning Board needs to consider placing an approval condition on each new subdivision approved that the Mylar has to be recorded within 7 to 14 days to avoid this type of situation in the future. Keith noted he would follow up with the Planning Board on this idea.

Barbara noted there were appointment papers for Norman Gentry to become a full member of the Planning Board. Last week Norm had been appointed as an alternate, but the elected member had declined to sign his appointment papers and Norm agreed to become a permanent Planning Board Member until the next election in March of 2010.

Keith asked if the Office Staff had seen the agreement from the Library Trustees, Nancy had. Keith was concerned with the Trustees revising the agreement relative to hiring practices. Nancy noted she had discussed it some with Cheryl Arvanitis Trustees who came into the office, but the Trustees felt the agreement was more to do with money and other items, and that it did not make sense to have it as part of this agreement. Keith noted that his understanding was that the Trustees had taken the Town's Employee handbook and modified it to meet the specific needs of the Library. He feels the Town should request ~~have~~ a copy of the Library's Employee Handbook to be sure the hiring practices are per State and Federal law as it will affect the town's liability and insurance coverage. Nancy noted each employee has to complete the forms and paperwork in the Employee packet to keep the Town compliant with the labor laws.

Barbara noted the Town offers the Library Employees insurance and $\frac{3}{4}$ of the packet is comprised of what the Town offers for benefits. This may make the handbook question relevant enough to keep it in the agreement.

Nancy noted she did not have anything from the Fire or Police Chiefs as to how they planned to expend the money being presented at the public hearing. They had told her they would give the information to the Board directly.

FOR SIGNATURE

- 1. Accounts Payable – Signed**
 - 2. Manifest – Signed**
 - 3. 2009 Pay Rates – Signed**
 - 4. Abatements (3) – Signed**
 - 5. Hazard Mitigation Committee Charter**
- Keith made a motion to adopt the Charter for the Hazard Mitigation Committee, Joanne seconded 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.

- 6. Trustee of Trust Funds – Signed**
 - 7. Request for Vacation – Signed**
- Keith made a motion to appoint Norman Gentry to the Website Committee from April 1, 2009 to April 1, 2010, Joanne seconded 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.

Keith made a motion to appoint Norman Gentry to serve a one year position until 2010 on the Planning Board, Joanne seconded 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.

Mr. George Lockwood – Class VI – Mount Delight Road

Mr. Lockwood did not appear at the meeting to discuss this item with the Board. The Board will have Mr. Lockwood contacted to reschedule his appointment.

Public Hearing – Accept and Expend FEMA Monies

Bob opened the Public Hearing to accept FEMA monies received from damage due to Hurricane Hannah at 7:00 P.M. The monies to be accepted include:

- \$14,873.37 – Highway Department
- \$13,430.72 – New Orchard Road work
- \$682.52 – Sanborn Hill Road south work
- \$267.86 – Fire Department
- \$492.20 – Police Department

Gordon noted he had two items not done – Sanborn Hill Road and the replacement of the gravel that washed down the river. Gordon explained the work to be completed with these funds include the Sanborn Hill Road with the remaining funds to offset the cost of the New Orchard Road improvement on each side of the culvert being replaced. He noted the New Orchard Road project is slated to be done in this year’s road improvement program.

Keith did not know what the Police and Fire Departments wanted to expend their monies for. He noted the money could be accepted and they could tell the Board at the next hearing what they wanted to spend it on.

FOR SIGNATURE CONTINUED

8. Appointment Papers

Keith made a motion to appoint Joanne Randall as the Selectmen’s representative, Stewart Yeaton, Wayne Preve, Cec Curran, Rick Bilodeau, Bill Demeritt and Alison Parodi to the Hazard Mitigation Committee for the period April 1, 2009 to April 1, 2014 to the Website Committee from April 1, 2009 to April 1, 2010, Bob seconded 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.

11. Highway Safety Grant Application

Keith made a motion to authorize Wayne Preve to accept the Highway Safety Grant for enforcement patrols. Joanne seconded 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.

9. New Webster Park Application

Joanne questioned the first page noting a deposit check was required for the fee and later a second check being required if a Police Department detail was required.

Mary Frambach, as a member of the Committee, noted the Police Department detail is based on the number of hours an officer is required, with a minimum of 4

hours. She noted Attorney Soltani had approved the application form. A security deposit has been added that is returned if the rental area is left clean and orderly.

Joanne made a motion to approve the Webster Park Reservation Application, Keith seconded the application.

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.

Len Gilman – Junkyard License

Mr. Gilman met with the Board to discuss the renewal of his junkyard license and the inspection that had to be completed prior to the license being renewed. Mr. Gilman had requested that Joanne recuse herself from the discussion due to prior incidents, she refused to do so. He also asked Bob to recuse himself during the discussion; Bob also refused to recuse himself.

Mr. Gilman explained that he did not want Jay Hickey to complete the inspection due to previous incidents. The Board determined, after a lengthy discussion, that Mr. Hickey was the town's inspector and would complete the inspection. Keith suggested that if Mr. Gilman at his own expense, wanted also to have another inspector present or complete another inspection if he was not satisfied with Mr. Hickey's inspection report he could do so and submit it to the Board for consideration. Joanne noted that an additional inspection would create an unfair situation for other junkyards, since they had not been offered this option and would have to pay for the expense. She felt that the Zoning Compliance Officer was fully trained and willing to do the inspection, and Mr. Gilman would have to accept that. She also noted that the BOS discussed this same point in July of 2008 when HER&W license was renewed.

It was determined the inspection would have to be completed tomorrow as the license renewal had to be signed by April 1st or Mr. Gilman would have to apply for a new license, rather than a renewal of his current license. Mr. Gilman also noted he was attending classes and the timing would make it difficult for him to be available for the inspection tomorrow. Keith explained that Mr. Gilman could appoint a representative to be there in his place if his personal schedule does not accommodate the time.

After much discussion, Mr. Gilman accepted Mr. Hickey inspecting the property on March 31, 2009. The Board agreed to complete a telephone poll on signing the license once the inspection was complete and they had received Mr. Hickey's verbal report.

Bob closed the Public Hearing on acceptance of funds at 8:30 P.M. during the above discussion.

The Board took a break at 8:34 P.M. returning at 8:40 P.M.

FOR SIGNATURE CONTINUED

10. Library Trustees letter of Agreement (revised by Library)

Keith requested the Library Trustees provide the Board with a copy of the Library Trustees approved Employee Handbook annually at the time of the agreement renewal. Bob will contact the Trustees to relate the above information. It was requested the Trustees sign the revised agreement and return it to the Board for its signatures.

Public Hearing – Accept and Expend FEMA Monies

Keith noted the Board heard from the Road Agent who wants to use the balance of the Highway money, after work is completed on Sanborn Hill Road, to complete work on New Orchard Road.

Keith made a motion to accept the Road portion of the FEMA money and to designate \$682.52 for Sanborn Hill Road and \$13,430.72 to New Orchard Road for grinding, gravel and paving, Joanne seconded 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.

Keith made a motion to accept \$492.20 for the Police Department and \$267.86 for the Fire Department with a future Public Hearing for the expenditure, Joanne seconded 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.

FOR DISCUSSION

A. Claims Contact for Worker’s Compensation-Property Liability Trust

Joanne noted Barbara Clark would like to be the Town’s representative to have the password to file on-line claims. There was a Board consensus to approve the request.

B. 2009 Budget – Road Plan

Keith had questions regarding maintenance items and would like to know more about the reconstruction projects. Gordon had left the meeting before this item was discussed.

Keith questioned why 140% of the dirt roads were regraded, asking if it was customary to regrade the roads more than once. Bob answered yes some roads were regraded more than once. Keith would like to see a program to put a surface on the dirt roads to reduce the loss of material necessary to be added to them each time they are regraded. Bob will discuss this with the Road Agent.

Keith asked which items were done by bids. Joni Kitson noted every time a grading was completed it was not necessary to put material down. She asked if this Road Plan was the same as the Road Plan on the Website, Joanne responded no. The plan on the Website is the Road Agent’s Six-Year Plan. This was his 2009 work plan based upon his Budget Project list.

Dave Fiorentino discussed what the Road Agent did for grading. Keith understood that grading was not a bid item, but questioned the other items on the work plan. Joanne noted that she would request Debbie provide a copy of the

current bid policy for review so that when they discussed the projects, it would be clear which ones would be bid out.

Joni Kitson asked if the Road Plan would be attached to the minutes and put on the Website. Joanne noted it was already attached to the previous week's minutes. Joanne hesitated to put it on the Website as it may give the impression that the projects were definitely going to get done when in reality, the plan may change.

C. Applications and Grants

Joanne noted there was an article in the Union Leader about the Meetinghouse. In the article Mr. Frambach indicated they were applying for grants. She had asked Nancy to e-mail Mr. Frambach as to what grants were being applied for. She read the response from Mr. Frambach. Mary Frambach noted Mr. Frambach and George Carlson would be coming before the Board next week to discuss the Meetinghouse.

D. Request for Odometer and Hourly Meter Readings

Joanne noted this request was from Gary Kitson and reviewed the information completed by the Road Agent, she indicated it would be mailed tomorrow.

E. Municipal Resources – Finance Management Review

Joanne noted Dawn was asking the Board to review the information received from the LGC. The LGC would provide a person free of charge to check the internal Town security. It would require time from some employees. Keith suggested a copy be provided to Department Heads for discussion at the next Department Head meeting. After the discussion if the Board feels it would be beneficial then have the review completed.

F. Request to Extend Intent to Cut Report

Joanne noted per RSA 79:11 Barbara was making a request to extend the time to file the Intent to Cut as the mill is behind in its work.

Joanne made a motion to allow an extension for Mr. Arthur Ellis until June 2009, Keith seconded 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.

MINUTES FOR REVIEW AND DISCUSSION

Draft Minutes of February 7, 2009

Joanne could not find the minutes she had completed for the Board's meeting after the deliberative session so she retyped them. The only item was the vote to recommend the budget. The Board reviewed the minutes and Joanne changed them from draft to final.

Joanne made a motion to accept the final minutes of February 7, 2009 deliberative session Board meeting, Keith seconded 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 March 16, 2009

The Board reviewed and amended these minutes.

Keith made a motion to approve the minutes of March 16, 2009 as amended, Joanne seconded 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 March 23, 2009

The Board reviewed and amended these minutes. Joanne noted Harvey Harkness' e-mail and Gordon Ellis' road Budget and HTA's presentation were also attached. Keith suggested HTA's presentation not be attached, but put into the road file.

Keith made a motion to accept the minutes of March 23, 2009 as amended, Joanne seconded 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.

CONFIDENTIAL

Joanne noted there were three items in the Confidential File that the Board reviewed.

FOR YOUR INFORMATION ONLY

a. NHDES Dam Inspection – Northwood Lake Dam

Keith noted the report does not say who owns the dam. He understood the dam was owned by the State and reviewed the report.

LIAISON REPORTS

Keith had met with Mike Lynch to discuss the possible use of Stimulus money with an extension until April 17th for signing off. Mr. Lynch has contacted most of the property owners affected by the river avulsion with only one who would consider applying for the money. The School Board Chairman and one other owner still needed to be contacted. The other owners expressed a non-willingness to participate due to the restrictions that would be put on the property. Keith felt it looked like the program would fall to the wayside unless two other owners were willing to participate.

On March 3rd the Merrimack County Delegation met to approve the 2009 budget. They also had 2 resolutions to vote on. The first was to move \$230,000.00 from the Dispatch Capital Reserve Account to upgrade the dispatch center to enable the center to handle Epsom and Allenstown Police Departments. He reviewed the discussion at the Public Hearing with a Bow Board of Selectman Chairman asking the delegation to vote the item down and conduct a long-term regional study. Keith explained the reasons to the Delegation for Allenstown and Epsom joining the Merrimack County Sheriff's Dispatch Center and that a long-term regional study is still recommended for the remainder of the county. Keith noted it would enhance the safety of the police officers in Epsom and enhance Merrimack County to use Epsom's and Allenstown's licensed frequencies.

Allenstown representatives also spoke in favor of the money being moved. At the delegation's Public Hearing Representative Walls of Bow spoke of the need for a long term regional study, etc. and requested the Delegation to vote the resolution down. Keith noted that the Sheriff did a good job explaining the reason and benefits for the request. The item passed with 33 yeses and 3 nos. Keith reported that the Sheriff anticipates that Epsom and Allenstown will join Merrimack County Dispatch as of July 1st.

Joanne noted the liaison list from the Budget Committee was available and reviewed the list. It has been put on the Website.

Joanne will offer summer meeting dates for the Board next week.

Joanne hopes to have all the offers from the cell phone companies with her recommendations for next week. Joni Kitson noted the Department Heads had been asked which companies worked better and hoped that was kept in mind.

Bob has a BCEP meeting on Thursday for interviews for an Operations Manager Employee.

Bob noted Gary Perry will be working on Webster Park's ball fields, using material from the Meetinghouse grounds.

Keith announced he will not be available for next week's meeting as he will be attending a national highway safety committee meeting in Woods Hole, MA, but could be reached by cell phone should the Board need to contact him.

Non-Public per RSA 91-A:3 II(e) for Litigation

Joanne made a motion the Board go into non-public session per RSA 91-A:3 II(e) for litigation, Keith seconded 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 with Bob, Joanne and Keith voting yes.

The Board went into non-public session at 10:10 P.M. returning at 10:14 P.M.

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 10:17 P.M.

Respectfully submitted,

Betsy Bosiak
Acting Recording Secretary