

**TOWN OF EPSOM
BOARD OF SELECTMEN
May 31, 2011**

Keith _____
Don _____
Bob _____

Final _____
Accepted _____
Accepted as Amended _____

Present: Keith Cota, Chairman; Don Harty, Vice Chairman; Bob Blodgett; Darlene Phelps, Recording Secretary

Also in Attendance: Dave Fiorentino; Jay Hickey; Nancy Wheeler; Kathy Bailey; Len Gilman

6:15 PM Keith called the meeting to order and asked Nancy to lead us in the Pledge of Allegiance.

6:15 PM FEMA Buyout Application: Due to a family emergency, Lance Harbour is not able to be here tonight. Jay presented the grant application for the Fredyma property that has been revised and needs to be signed by the BOS. The only revision is with the boilerplate application, which corrects certain dates, but does not change any information in regard to Fredyma. Bob made a motion to approve the revised grant application for the Fredyma buyout. Don seconded the motion. All in favor. The application was signed.

Staff Discussion: Nancy reminded the BOS that the Auditor's questionnaires need to be completed by June 1st. She has received Bob's responses. The draft financial statements have been completed, and she will be in touch with the auditors later this week.

Nancy explained that there is an amount due to the auditors for work completed last year that she hadn't realized was still outstanding. That payment is included in tonight's A/P. She noted the 2011 budget for the auditors will be able to handle this payment.

Nancy said all of the reports from Mason + Rich will be bound in a booklet together once they are all complete.

Jay Hickey said that the new flood plain maps that were prepared & discussed last winter show about 100 lots that were suspected to be in the flood plain, including some in Kingstown Mobile Home Park. Jay said FEMA provides flood insurance to people located in the flood plain in Epsom, but their regulations must be followed specifically; otherwise all those covered by FEMA will be fined. Jay has received an application by a resident in Kingstown to build a shed in the flood plain, but he cannot issue a building permit without a flood elevation certificate. He has been in contact with Jennifer Gilbert at NH FEMA and found that Epsom can set a rule that allows sheds of a certain size to be built in the flood plain without the elevation certificate. Jay noted that this will require a change in the town ordinance and will coordinate with the Planning Board and Jennifer Gilbert as to proper language for the change. Keith said one of the administrative issues for Epsom is that we have not accepted these new floodplain maps prepared by USGS for FEMA, because FEMA has not approved them yet as the official map. He suggested that Epsom Selectmen should consider adopting the revised flood plain maps for life and safety code reasons and to require these revised maps to be used for enforcement of floodplain ordinance until fully adopted by FEMA. Keith asked Jay to inquire with Jennifer and see what the process is for accepting these flood maps.

FOR SIGNATURE

1. **A/P** has been signed.
2. **Payroll** has been signed.
3. **Thank you Letters** have been signed.
4. **Intent to Cut (2)** have been signed.
5. **Request for Leave** has been signed.
6. **Supplement Tax Warrant** has been signed.

FOR DISCUSSION

- A. **Review of Properties for Deeding:** A letter was received from Attorney Soltani with regard to the McGrail mobile home. The amount of taxes owed is \$3600. Don said his concern is that it will cost more to

get rid of the mobile home than would be received if it was turned in for “junk” and that no agreement is in place with the park owner as to other closure of other cost liabilities. Dave Fiorentino stated it costs approximately \$3000 to get rid of a junk mobile home, and Len Gilman stated most of time the amount received back for the aluminum siding and copper wiring is \$1500 - \$3000. The Board does not feel comfortable accepting ownership of this trailer, assuming the liability of the cost to get rid of it or offer one additional unit to the mobile home park for the park owner to dispose off. The BOS decided not to take this property by tax deed this year.

B. Letter from Resident – Hilltop Drive: Currently there are no taxes due on this property. The Board has decided to take no action at this time.

C. Request for 50 / 50 Raffle: Sue Houck of The Loudon Food Pantry would like permission to advertise their 50/50 raffle through the month of June and a winner will be chosen on June 30th. The proceeds will benefit the Loudon Food Pantry, which serves 5 towns, including Epsom. Tickets can be picked up in Loudon or purchased on the Loudon Food Pantry website. Don made a motion to approve the request to advertise this 50/50 raffle through the month of June. Bob seconded the motion. All in favor.

D. Create Cable Franchise Committee: Since Epsom is in its last year of a cable agreement with MetroCast, now is the time to formalize the committee to explore the options of continuing a contract with MetroCast, or changing cable providers. The committee is to be formed by 6 residential/business customers, minimum of 4 residential customers, and one Selectman Representative, for a total of 7 committee members. Don has agreed to serve as the Selectman’s Representative. Keith said Barbara received a call from MetroCast last week and they are being scheduled to meet with the BOS on June 27. Several people/businesses have volunteered to be part of this committee. The BOS felt the representation on this committee should be community wide. With this intent, the BOS selected certain people based on their residential location, so there is good representation throughout the town. The people located in the same neighborhood, were chosen at random by paper ballot.

Don made a motion to appoint the following people to the Cable Franchise Committee: Sarah Krycki, Dave Rys, Marilyn Key, Sandy Fon, Heather Dunford, Mike Wiggett (business), and Selectman Don Harty. Bob seconded the motion. All in favor.

The appointment papers will be filled out and these members will be invited to come to the BOS meeting on June 27.

E. Request to carry over vacation time: Road Agent Gordon Ellis has 2-1/2 weeks of vacation time carried over from last year and since he has been busy with New Rye Road, he has not had time to use the time, he’d like an additional month to take the vacation time. Don made a motion to extend the deadline for Gordon to take his vacation until July 1, 2011. Bob seconded the motion.

MINUTES FOR REVIEW AND DISCUSSION

- **Draft – May 23, 2011:** Don made a motion to approve these minutes as amended. Bob seconded the motion. All in favor.
- **Final – May 16, 2011:** Bob made a motion to approve these minutes as presented. Don seconded the motion. All in favor.

CONFIDENTIAL

- Letter from Town Counsel

POLICY REVIEW

- **Policy for Providing Public Documentation (Electronic):** Nancy emailed several towns as to what is their practice and procedures. She found that the Town of Exeter does not charge, and noted they have a concern about the amount of time spent it takes for sending documents electronically and thought charging would be a good idea. The Town of New London, The Town of Madison, and The Town of Hanover have a fee schedule for sending electronic media, ranging from per page fees of \$.50 to flat fees of \$50.

Dave Fiorentino asked how he can obtain a copy of minutes before they are placed on the website. Keith replied in accordance to the policy being considered by the BOS, a request can be made in person at the Town Office, and a fee will be charged. Dave feels the BOS is appearing to hide something by not making the minutes (and other documents) available to the public by email. Len Gilman understands Dave's request and also the BOS concerns, and said there is a gray area about what should or could be readily provided by email. Darlene suggested perhaps having a trial period, with all requests logged to see how many requests will be made. Don suggested that the BOS members determine what information should be on the website and work toward that goal. There are many committees in town that take minutes (Library Trustees, Cemetery Trustees, the new Cable Franchise Committee, etc.) and posting those final and draft minutes would be a good start. There was a discussion about whether a town can charge for time, or only materials when providing hard copies. Len said he was told by his attorney several years ago that the Town can only charge its exact material cost to provide copies.

Keith suggested finding out what committees are providing minutes and if they are not already sending them to the town electronically, then the recording secretary should be asked to do so. Don suggested that each Board Member come up with a list of what should be on the website and then compare lists at the next meeting for future discussion on this drafted policy.

- **Purchase Order Policy:** Bob provided a copy of a draft Purchase Order Policy that he created. He noted there are departments that should be exempt from PO's or have blanket PO's.

Don reviewed several PO policies from surrounding towns, and found many similarities. He feels that the Jan-June purchases may have to be addressed differently than they are from July – Dec. Don suggested perhaps a statement be made about exercising greater discretion during the first half of the year.

Keith reviewed policies from several of the towns and noted there are some that use blanket PO's and some requirements are exempt for certain expenditures.

There was a discussion about whether items that is to be purchased due to Warrant Articles can and should be delayed in purchasing until after July 1. Len Gilman said when a resident votes to purchase an item in March, they don't expect to wait for the purchase until October; they expect to see it right away. Keith noted that it is the fiduciary duties of the BOS to be sure the funds are available for the expenditures in accordance with town approval.

Keith suggested that each Board member review the draft policies and come up with the most favorable sections and then the BOS can ask Deb and Nancy to compile the good practices into one policy document.

FOR YOUR INFORMATION (*No action required*)

- **Report from Councilor St. Hilaire**
- **ZBA Record of Decision** (DeSimone)

8:00 PM ANY OTHER BUSINESS BROUGHT FORWARD BY THE BOARD

PUBLIC QUESTIONS AND COMMENTS

Kathy Bailey, Hooksett Banner asked for an update on the Cemetery Trustees and the choice to put the mowing contract out to bid, and how the winning bidder was selected. Keith explained the Cemetery Trustees chose to put the mowing contract out to bids this year even though it is not required under the BOS bidding policy. Because it was put out to bid, the bidding policy and procedure had to be followed. This resulted in a wide range of bids. Don noted that low bidder was considered a qualified bidder by the Cemetery Trustees and had not specific reasons for not awarding Steve Quality Services the contract. Bob noted that the award was approved by the BOS by majority vote with one member voting against it.

Len Gilman asked if the BOS should have been signing the mowing contract all along. Keith said if the money is coming out of the General Fund, then yes. Keith noted that BOS has been signing the past contracts with the former cemetery mowing contractor. Keith pointed out that Cemetery Trustees do have full control of the funds that are in the Perpetual Care Funds and expenditure of these funds does not require approval by the BOS.

Dave Fiorentino expressed his appreciation for the Board in allowing him to speak tonight during the meeting outside of the normal public input time on the agenda.

8:10 PM Board Member Liaison Reports

Don went to the meeting at Round Pond last week with State officials and noted that they took a walk down the edge of the river to the well house. They were not able to get anywhere near the edge of the former river, as the river has created a second avulsion into Round Pond already. Don said that in order to prevent the river from going into Round Pond, it would cost a lot of money and is not a priority compared to other things that need to be done. Don said he tends to agree that it seems like a lot of money to correct this issue. Keith said if it is not corrected, then the water will keep coming up and flooding the soccer fields on a regular basis. Keith said the Town of Epsom has already paid \$16000 for the \$50,000 engineering study in 2007/08 and, at that time, DES agreed with the results of that study, which included measures to that could have saved Round Pond for a second avulsion. However this was never done. Keith noted his frustrations that the State is now changing the approach to the "no-build" option from the VHB report (with exception for some minor rock vane installations due to lack of funding reasons. He noted that the sand pit road that was the old entrance to the Cutter pit is now almost completely gone, washed downstream. He further pointed out the river has not reached a point of horizontal stability and will continue to erode the soft banks and send the sediment downstream to our river neighbors. He voiced his concern about the dam being removed and it affect it may have on readily moving the sediment to the downstream dams in Suncook causing the need for increased dreading by the dam operators.

Don said he took the group of people to the athletic fields, and noted his concern about losing these fields, as they are an integral part of the town.

It was noted that the longer this goes on without being corrected, more and more damage is being done. Keith provided copies of the meeting minutes from the two meetings of March 31 & April 21.

Keith noted that he received through an email a request for a waiver from Dave Fiorentino for the land use fines and suggested this should be discussed at the next meeting with input from our ZCO. Keith reminded the BOS and general public that the BOS will be starting its summer meeting schedule and will be meeting on only June 13 & June 27 for the month of June.

8:27 PM Bob made a motion to adjourn. Don seconded the motion. All in favor.