

**TOWN OF EPSOM
BOARD OF SELECTMEN
Monday, June 28, 2010**

Bob _____
Joanne _____
Keith _____

Final _____
Accepted _____
Accepted as Amended _____

Present: Joanne Randall, Chairperson; Keith Cota, Vice Chairman; Bob Blodgett; Darlene Phelps, Recording Secretary

Also in Attendance: Mary Frambach; Betsy Bosiak; Atty. Tony Soltani; Dick Frambach; Chief Stewart Yeaton; Barbara Clark; Carol McGuire; Mike Gruette; Nancy Wheeler; Dave Gruette; Gordon Ellis; Chief Wayne Preve; Herb Bartlett; John Klose; Jodi Alexander

6:15pm Joanne called the meeting to order & asked Mary to lead us in the Pledge of Allegiance.

6:15pm Adam Towne – Subdivision Phasing and Bonds: Adam proposes 3 phases to complete the subdivision off Center Hill Road. Adam proposes a \$200K Bond to encumber the entire subdivision, and as each phase is completed, he will seek Town approval on the road when it is at bank run gravel. No lots will be transferred until the Town has accepted the road. The bond for Albert Nye Drive will be incorporated into this bond, which is in place just for top coat and they will not be doing top coat until all the other road construction is complete. The bond will also cover the cost of placing the finished top coat on Wood Cote Drive. Keith noted that he would be supportive of a reduced bond, providing Adam guarantees to complete the work himself – with his company, and not to transfer ownership or responsibility to anyone else. Adam agreed to this condition. The consensus of the BOS is a bond of \$200K be put in place for each phase until the project has been completed and accepted by the town with the condition that Adam & his company complete the work themselves.

6:25pm RSA 91-A Attorney Consult The BOS broke from the public meeting to have an attorney/client session.

6:50pm Staff Discussion: The BOS returned from the attorney session and continued with the public meeting. Nancy Wheeler said that FEMA funds have been received. She reminded the BOS that there are funds that have been received and a Public Hearing needs to be held in order to accept and expend them – she has notified the applicable Dept. Heads to let her know how they would like to spend those funds. DRA has reviewed all of the forms that have been submitted & everything has been approved, however DRA reminded the BOS that there is no authority to place the tax impact on the ballot, as was voted by Warrant Article at the March elections. Keith stated that it is the Board’s understanding that our State Representatives are working on changing that law. Nancy said money has been in an account for the purpose of paying for Town Revaluation since 1998, and that a Warrant Article must be passed to close out the account or the account can be zeroed out. The next revaluation will be in 5 years. The BOS agreed to use the funds in that account to pay for the current revaluation. Nancy said she’ll make a note on the next invoice that is received & the BOS can request to have the invoice paid by the Capital Reserve fund.

6:45pm Dave & Mike Gruette, Principals of Wolverine Management, 2008 Dover Road, Map U06-16. Mr. Dave Gruette is here to discuss issues regarding the tax

assessment on his property located at 2008 Dover Road. Keith asked Mr. Gruette if he has made an appeal to the Land Use & Tax Board, as that is his right to do so. Mr. Gruette indicated that he has not taken that step yet and explained that he did some research to compare his land valuation to the other commercial properties around him, and found that the valuation of the 1st two acres of his property is significantly higher than those around him, and that some properties are being taxed as residential properties, even though they are located in the commercial zone, and operate businesses out of their homes. He also noted that he is being taxed close to twice the amount, per square foot, as the Concord Hospital property is for black top. He is frustrated because Avitar has not looked at his building, and has indicated carpeting, sheetrock, 3 bathrooms & sinks – of which he only has carpeting & sheetrock in Unit 1 – the rest is garage space. He has brought these issues to Avitar's attention and they have been unwilling to change their assessment.

Keith asked if Avitar has contacted him & asked to view the property, and Mr. Gruette said he has not received such a call from Avitar. He has met with Avitar twice at their office & both times they were unprepared & did not have his property information available at that time. Mr. Gruette stated that Avitar works for the town of Epsom & as a taxpayer; he is very upset with their performance.

Keith stated that there seems to be some issues & these need to be brought to the attention of Avitar for an explanation. He suggested to the Board members that Mr. Gruette put these concerns in letter format & present them to the BOS and the Board can ask Avitar to respond accordingly.

7:00pm Route 4 & Lord's Mill Road

Joanne stated that there have been several emails back & forth between some residents who were concerned about the Route 4 & Lord's Mill Road area, in regards to whether this item would be on the agenda for tonight. Joanne asked if anyone is in attendance tonight to discuss this, and Chief Stewart Yeaton & Chief Wayne Preve indicated that is why they are here. The concern is when eastbound drivers want to turn left onto Lord's Mill Road, there is not enough room to indicate and make a safe left turn after coming through the light. Also – the speed limit in that area may be too high.

Keith noted that the traffic light was installed there, due to so many fatal and serious injury accidents at that intersection. The new light does address some safety concerns; however, new concerns are being raised by the residents since the installation. Keith noted that there were two State DOT public meetings regarding this new light before the State installed it. It is unfortunate that some of the residents did not see the notices and did not attend the State meetings. Keith asked the two Chiefs for their opinion about the operation of the traffic flow since the installation of the new light. Chief Preve said his department has not responded to any accidents at that intersection since the light was installed. He stressed that nothing in that area has changed except that a light was installed. He stated that he received a call from Caron Olsen this morning & she indicated that the residents in that area would be happy with a drop in the speed limit in that area. Chief Preve said he visited that area today – from K & K Landscape Supplies to the Northwood line, which is posted for 50 MPH, and he understands Caron's concerns about the too high speed limit. This is about a 3 mile stretch, and he would be supportive of a recommendation to reduce the speed limit to 40-45 MPH for that entire stretch of road.

Joanne said when the Public meetings were held, the State had warned that a speed study in that area could prove that a higher speed limit is appropriate & that is why there has not been any study done. Chief Preve stated that the road west of the intersection is very twisty, there are rest areas, small roads and a lower speed limit would be appropriate.

Chief Yeaton said there were two fatalities at that intersection last year before the traffic lights were installed & comparatively the Fire Department has not responded to an accident in that

area since the light was installed. He stated his only complaint is the light is not picking up their eastbound emergency signal pre-empt quick enough.

Bob said he sat in that area for 15 minutes on Saturday & noted that there were 3 “almost” rear-end accidents for people who were waiting to turn left onto Lord’s Mill Road. The left turn lane is only for people traveling eastbound, not westbound.

Keith explained the projected traffic queues at the intersection and where the back-up issues are most likely to occur.

Joanne asked about the possibility of shifting the town North Road & Lord’s Mill Road so Lord’s Mill could be accessed via North Road. Keith presented an aerial map of the area and explained that this relocation of Lords Mill Road would require about 600 feet of new road reconstruction. He also indicated another alternative of a new entrance could be to shift Lords Mill Road easterly to about 300 feet east of the current location. Gordon said the 600’ between North Road & Lord’s Mill Road is; however, it could be made into a road. The estimate for construction of this would be approximately \$75K - \$100K, not including the purchase of the land. Keith suggested that the town might be able to swap the land that is currently the end of Lord’s Mill Road for the area between North Road & Lord’s Mill Road to build the road. Keith said there are programs available from the State to acquire funds but will require a town match of 20% or more.

Keith explained that the State District Maintenance Engineer is responsible for setting the appropriate speed limit, and the Town can appeal that to the executive office at NHDOT. He noted that State is completing a speed study in this intersection and west approach.

Joanne asked if Old Turnpike Road could be used, and Keith said although it’s a possibility, it’s an abandoned Class IV road and it’s much longer (over 1200 feet) so it would cost a lot more to bring up to town standards – and it’s a lot farther up North Road. Gordon also noted that its junction with North Road is not a good safe location due to property constraints that limit visibility.

Keith summarized that there appears to be 3 issues that need to be discussed with the State:

- 1 – Improving the Opticon at the new intersection so our emergency vehicles have the priority way through this intersection.
- 2 – The reduction of the speed limit in this area, with special regards at the intersection.
- 3 – Seek State program funds to move the entrance for Lord’s Mill Road to North Road.

Gordon said if a decision is made to open up the area between North Road & Lord’s Mill Road, he would volunteer to be on that committee.

Dick Frambach said there are a couple of areas in Dover that are similar to this, and there is a yellow warning light and a reduction of the speed limit just through the intersection. He also asked if there is a law requiring a driver to slow down through an intersection with a light. Keith stated that the speed limit sets the legal requirements. Chief Preve said this is a problem he sees all the time, along with people speeding up to get through a yellow light.

Betsy Bosiak asked why only District V is doing a speed assessment and Keith said that it was only requested of District V as the area of interest is west of the NH 107 intersection, and if they lower it – then likely it would be lowered in District VI as well.

Keith said it’s important to have input from the residents in that area. Carol McGuire said it appears to her that this is an important issue, not an urgent issue, and that all avenues need to be fully investigated before moving forward.

8:15 pm – 8:20 pm Break

8:20 pm – 9:05 pm RSA 91-A Attorney Consult

FOR SIGNATURE

1. **Accounts Payable** has been signed.
2. **Manifests** have been signed.
3. **Payroll** has been signed.
4. **BCEP Appointment** Keith made a motion to appoint Carol McGuire as representative to BCEP Solid Waste District.
5. **Admittance to the Town Office Interior** This is the policy relative to the Town Office space. Keith made a motion to approve the Admittance to the Town Office Interior as indicated in the policy, effective immediately. Bob seconded the motion. All in favor.
6. **Warrant for Unlicensed Dogs**- was signed.
7. **Veteran Exemption** was signed.
8. **PA-28 Inventory of Taxable Property Form for 2011** the consensus of the BOS is to continue to use Form PA-28 for Inventory.
9. **Request for Leave** has been approved.
10. **Abatement** Keith made a motion to approve the abatement for U05-28-2 in the amount of \$54,100 for 2010 as recommended by Avitar. Bob seconded the motion. All in favor.
11. **Intent to Cut (3)**
 - 1 - U04-3 on Griffin Road was signed.
 - 2 – U11-17 on Route 28 was signed.
 - 3 – R08-30 on Center Hill Road was signed.
12. **Appointment Papers** Keith made a motion to reappoint Glenn Horner to the ZBA for a term to end on July 1, 2013. Bob seconded the motion. All in favor.
Keith made a motion to reappoint Rick Belanger to the ZBA for a term to end on July 1, 2013. Bob seconded the motion. All in favor.
Keith made a motion to reappoint Pamela Hoyt-Denison to the ZBA for a term to end on July 1, 2013. Bob seconded the motion. All in favor.

Joanne stated that Scott Elliot resigned from the ZCO study committee. Keith made a motion to appoint Dave Fiorentino to that position. Bob seconded the motion. All in favor.

13. Bible Church Sign Waiver Request

A request has been received to allow signs to be placed at 3 places around town for their Vacation Bible School and the fees to be waived. Keith made a motion to waive the temporary sign fee at three locations to advertise the July 12-16 Vacation Bible School event. Bob seconded the motion. All in favor.

FOR DISCUSSION**A. Salvage \ Junkyard Inspection Report**

These reports were prepared by Ken Knowlton from Municipal Resources. Also in attendance at the inspections were Captain Moulton, Jay Hickey, and Tara Albert from NHDES

Ricky Belanger's junkyard, The Ponderosa, received a positive report with a recommendation to renew the junkyard license.

Len Gilman's HER & W is recommended to be granted for a conditional junkyard license, to allow Mr. Gilman a set amount of time to correct the current lack of compliance to the BMP's. Joanne's concern is that many of these violations were discovered last year and it was recommended to make regular visits and encourage Mr. Gilman to correct those issues. However, to her knowledge, our ZCO has not

visited HER & W once during the past 12 months. Joanne now feels that the money paid to Municipal Resources may not have been money well spent, as this could have been done by Jay Hickey, our ZCO. Jay is currently out of town, but she would like to have him come in to discuss these issues.

Keith made a motion to grant a temporary extension of the Junkyard licenses for Ponderosa Enterprises at 78 White Birch Lane and HER&W at 169 Old Turnpike Road until July 13, 2010. This will allow the BOS time to receive and review the Fire Department report before issuance of the licenses

Bob seconded the motion. All in favor.

B. ZCO Study Committee Membership Keith explained that it was not the intent of the BOS to appoint alternates to serve on this committee. It will be the BOS's responsibility to seek replacements as needed. Joanne and Bob agreed. At their first meeting June 22nd Larry Caraway was elected Chairperson, Jeff Keeler elected Vice Chair and Barbara Clark elected Secretary.

MINUTES FOR REVIEW AND DISCUSSION

- **Draft – June 21, 2010** Joanne made a motion to approve these minutes as amended. Bob seconded the motion. All in favor.
- **Draft – June 14, 2010** Keith made a motion to approve these minutes as amended. Joanne seconded the motion. All in favor.
- **Final – May 24, 2010** Keith made a motion to approve these minutes as presented. Bob seconded the motion. Joanne & Bob voted in favor. Keith abstained as he was not in attendance.

CONFIDENTIAL

- Letter from Employee
- Letter from The Munilaw Group
- Non-Public RSA 91-A:3 II (e)

FOR YOUR INFORMATION (No action required)

- **FEMA Reimbursement:** – A Public Hearing is being scheduled for July 26 to accept these funds and all other donations
- **NH Division of Historical Resources – No Award** - this was the Moose Plate Grant Award that was applied for the Historic Meetinghouse.
- **Information from Councilor Jon Shea** - Regarding stimulus money that is available to the Town of Epsom by application.
- Notice of Mortgagee of Tax Lien Execution
- NH Dept of Safety Homeland Security & Emergency Mgmt – FEMA 1892 DR-NH
- Conservation Commission Department Report
- ZCO Letter
- Town Buildings Inspection Checklists

ANY OTHER BUSINESS BROUGHT FORWARD BY THE BOARD

Board Member Liaison Reports

Bob said Drolet Road is paved except for the top coat. They are still working on New Orchard Road & they will begin to pave that in a couple of weeks. They have cut some of the hills up by Paul Davis' house to make it a little smoother. Gary Perry said he is hoping to get started on the parking lot at Webster Park.

Keith said the Chief of Police has requested time to discuss the procedure for addressing any Police Department complaints received by the BOS members. Keith suggests adding him to the July 27 agenda.

Keith prepared a draft letter for notification for the Suncook River meeting. Joanne said that Deb is in the process of securing the gymnasium at the ECS. She is establishing a complete list of Democratic & Republican representatives. Joanne will contact the media & the Selectmen of the surrounding towns once the gym has been officially booked. Keith asked if he can forward the agenda to Steve Landry at NHDES and Joanne & Bob said that is fine.

Joanne said she received the report on the tabletop exercise. This is a confidential document & she recommends that each BOS member review the report individually and if there are any concerns they can be discussed in a Non-Public Session.

Budget Committee liaisons have been decided & all Department Heads have been notified.

Barb prepared a letter of intent to the LGC regarding our intended involvement with the insurance, and Joanne signed it.

Tomorrow night at 7 PM is the Stewardship Committee Meeting at the Library. The River Avulsion Meeting is July 19 at ECS. Hazard Mitigation Quarterly Meeting at 7 PM on July 22 at Town Office Conference Room. July 27 is the ZCO Committee meeting. Planning Board meets on July 14.

John Klose asked if it's possible to find out how many speeding tickets were issued in the past 30 days in the Lord's Mill Road area. Keith and Joanne said they would ask.

10:05 PM Bob made a motion to adjourn. Keith seconded the motion. All in favor.