

**Town of Epsom
Board of Selectmen Meeting
Monday, June 29, 2009**

Bob _____
Joanne _____
Keith _____

Final _____
Accepted _____
Accepted as Amended _____

In Attendance: Bob Blodgett, Chairman; Joanne Randall, Vice Chairman; Keith Cota; Darlene Phelps, Recording Secretary

Also In Attendance: Kathy Bailey, Union Leader; Capt. Jack Campbell; George Carlson; Carol McGuire; Dick & Mary Frambach; Betsy Bosiak; Dave Fiorentino; Harvey Harkness; Marylou Keane; Barbara Clark; Debbie Tibbetts; Nancy Wheeler; Joyce Heck; Brad Keyes; Brandon Giuda; Gordon Ellis; Edward & Glenna Nutter; Alison Parodi – Beiling; Dick Verville

6:15 PM Bob called the meeting to order and asked Kathy Bailey to lead us in the Pledge of Allegiance.

6:30 PM **Staff Discussion**

6:35 PM **Nancy – Revenue Impact on Tax Rate:** Nancy passed out MS7 & Budget spread sheets that reflect the anticipated revenue for the year and the actual revenue received to date. She explained the loss in revenue based on the new State Budget. Our tax rate is based on the budget that was voted for in March. A reduction in spending will not affect this year's tax rate. Unexpended funds at the end of the fiscal year are added to the Fund Balance, which may be partially applied to reduce future increases in tax rates. The Police & Fire Dept. will likely overspend their budget line for Retirement, because the state has reduced its contribution from 30% to 25% and the difference is to be paid by the Town.- It is estimated that the Town would lose \$35K – \$36K based on the loss of Revenue Sharing, and another approx. \$1800 from the Retirement reduction. We may gain additional projected revenue above the \$180K estimated in the budget if the State maintains the current distribution of \$206K from the Rooms & Meals Tax. These are all estimated figures.

6:45 PM **Budget Committee Goals 2010 (30 Minutes)**

Harvey explained that the purpose of this discussion is to share prospective budget goals for 2010. Members of the Budget Committee that are present tonight are: Joyce Heck; Brad Keyes; Marylou Keane; Harvey Harkness; Carol McGuire and Dave Fiorentino. Keith stated that he would really like to see monies that are needed to operate the town be placed on the Town Budget and keep Warrant Articles to special requirements and to a minimum. He said the top priority is a new Town Office Building – particularly now that we have the Meetinghouse. The money spent on rent is being wasted. He also feels that road maintenance is a priority with special consideration on repaving roads. The roads need to be repaved in order to prevent further damage to these roads. He'd like to see \$100K - \$200K a year spent on two to three miles of roadway paving. His third area of priority is the Suncook River restoration. The way the Board of Selectmen have been working on this is at no cost to the town – and he'd like to continue operating this way. His 4th priority is the salary structure for Town Employees. We have brought the Fire & Police up to average pay; however it won't take long to fall behind if we don't keep on top of it. He would also like to see the Administrative Office Staff considered for merit and COLA raises as well. Another thing is general service for maintenance of Town Buildings; the town needs to give some serious thoughts on funding a part-time staff person or contract out general maintenance of the town's public buildings. Also

Economic Development should be expanded. The town use to have a committee set up, but there were no funds for the committee to do its work.

Joanne reiterated Keith's thoughts on the Town Office Building. We are paying \$24K a year for rent and since our lease is up next summer, a decision will need to be made about what to do. Another of Keith's priorities that she agrees with is Economic Development. She'd also like all staff who didn't receive a COLA raise this year be considered for one next year. Another priority is Emergency Management; there was another weather related emergency in Northwood last week and we need to be prepared for any emergency that may come to Epsom. She also said a salt shed will need to be built for the Highway Department. Eventually the State is going to require it. Bob said a portable salt shed can be purchased for \$70K.

Bob echoed Keith's & Joanne's concerns – with his main concern being the Town Office Building, and he doesn't feel the Meetinghouse is appropriate right now for the office staff to work out of. His next priority is the roadways, which need to be repaired and maintained. Harvey asked if there is a plan for a new Town Office Building. Keith replied that there is a Town Office Building Committee that meets every month and they have reviewed the previous Town Needs. They are working on a plan now to determine what the needs are, and coming up with the costs. He hopes to have a report to the BOS at the beginning of budget season. Dave Fiorentino asked what the issues are with this building. Keith replied aside from the money being spent on rent, two meetings cannot be held in this building. Joanne stated there is a lack of storage space; the Welfare Director has her office in a closet; and any Dept. Head who comes in to do work is sitting at the lunch table without access to a phone, computer, and privacy.

Harvey asked how much money is in the Capital Reserve Fund for the Salt Shed. Joanne said under \$20K. Brad Keyes corrected her & said there is \$43K.

Harvey said there is just under \$1 Million in the Capital Reserve Fund for roads. At budget time he will want to know what roads and what work will be done. He also will want to know what funds are being spent now on road maintenance, so they can show results to the taxpayers. Keith also reiterated that the grant money that we received has been spent on the projects it was received for.

Carol said she'd like to know what road improvements have been completed. Joanne said Gordon does have a plan for improvements and he has made recent reports to the BOS about his project list for this year.

7:18 PM Brandon Giuda – Suncook River Avulsion: Brandon said a couple of months ago he became involved with several people who have been impacted by the Suncook River Avulsion. He said he has met with Steve Landry and others and also met with Frank Merrill (owner of Merrill Construction), who has stated that for under \$2 Million they could change the course of the river by dredging a new riverbed, without restoring it to the original path. The course could be changed by affecting about 300' ±, and the land needed would be donated by a landowner. Brandon said this option was never investigated. He is suggesting a joint meeting with Epsom and Pembroke BOS. He is disappointed by the State Government and their inability to find funds for this project– and feels that depending on Federal Funds shouldn't be the only way to try to solve the problem.

Keith said this option was reviewed and evaluated, however several issues do come to light with this option; liability of the levee/dam to redirect the river, costs of obtaining easements, etc. He also, as a Town Selectmen, will not support putting the burden of building, maintaining and accepting the liability for a dam on the State River. This river is owned and controlled by the State of NH and yet they have not been able to fund the necessary restoration for over three years since the avulsion occurred. He sympathizes with the homeowners who have been

dealing with this issue for over 3 years. He recapped the losses that the town has suffered: culverts under the recreational railroad corridor, use of the swimming area, etc.

Keith said he is working through our Congressmen's office to invite the elected officials to a BOS meeting to seek any assistance they can provide. He pointed out the funding method at the State and Federal level are competitive base grants and do not take into account the long-term damage downstream due to the continued river erosion.

Brandon said he is asking this board to make a decision to ask Steve Landry to engineer this study as a viable option. Keith stated that the Board of Selectman would support any advance of engineering and environmental study to pursue the Suncook River restoration and if deemed necessary, a re-review of the returning the river to the original course. He pointed out the Epsom Selectmen are open to meeting with Allenstown and Pembroke Selectmen for further discussions on pursuing a solution for the river.

Brandon said that Steve had indicated that the Suncook River Avulsion Task Force may be re-activated. Keith agreed that this would be a good idea.

Keith recapped by saying that the Epsom Board of Selectmen support pursuing the necessary funds to further study of the river restoration, including additional review of restoring the river to the former course, as long as the Town of Epsom is not responsible for dams or levees that may be necessary to undertake such an alternative.

7:45 PM Alison Parodi-Beiling – Conservation Commission: Alison said Bear Paw is considering a Conservation Easement on Fred Carlson's property (87 acres). Mr. Carlson will be retaining 2 lots for future use. This property abuts the Bartlett property.

Bear Paw is also considering an easement on 55 acres; property owned by Harvey & Barbara Harkness. This land is developable, so it would be favorable to put this land into conservation. There are transaction costs which are estimated, and can be put out to bid. The Conservation Commission has the funds to pay for the transaction, however it needs BOS approval. She said there is a new RSA SB:381 that requires an Executory Interest, which must be placed on a Warrant Article, to remove the Town's responsibility to monitor the easement.

Keith asked Alison about the Bartlett property – that at Planning Board meetings it was indicated that the Conservation Commission was not interested in it. Alison stated they were not interested in *their plan*. There were too many issues with access, public use, etc. Keith suggested that a meeting take place between the Planning Board, Mr. Bartlett, Bear Paw and the Conservation Commission to discuss the issues.

Joanne made a motion to approve the expenditure of up to \$12K and up to \$17K for the transaction costs related to obtaining Conservation Easements on Fred Carlson property 87 acres on New Orchard Road and Harvey Harkness property 55 acres on Baybutt Road respectively. Keith seconded the motion. All in favor.

8:21 PM Ed Nutter – Stone Wall Mr. Nutter stated that when the Center Hill Bridge was replaced, about 600' of an original rock wall was destroyed by the contractor and the rocks disappeared. He stated this was a property boundary wall, which has been replaced by a new makeshift wall, which he feels is poorly built and does not fit the character of the neighborhood. He also stated that by the destruction of this original wall, he has lost two bar-way entrances to his property. He feels his property has lost value due to this. Mr. & Mrs. Nutter feel DBU should rebuild the wall and are disappointed that the original letter to the BOS sent in July 2008 has not received any response from the BOS. Joanne said DBU Construction replied on July 22, 2008 saying that they did not destroy the wall nor did they remove the rocks (that the wall was destroyed in the flood), however they did remove stumps. He said he provided rocks at his own expense to rebuild the wall. Joanne read the letter aloud. Gordon Ellis responded that unfortunately, there are no pictures of the wall after the flood. He stated that many rocks

washed into the ditch and they were removed. He said that after Mr. Nutter complained – they did go get more rocks and rebuilt the wall, yet he agrees that it doesn't look very good. Mr. Nutter doesn't believe the wall was destroyed by the flood, and he has pictures of the running water.

Mr. Nutter estimated the cost to rebuild the wall by a professional stone wall builder at approximately \$100 / ft. including the cost of the stone.

Joanne suggested that Debbie ask Adam Towne to come to a future meeting and get all parties in the same room together to see if a resolution can be made.

FOR SIGNATURE

1. **Accounts Payable** was signed.
2. **Manifest** was signed.
3. **Payroll** was signed.
4. **Cable Franchise Agreement** Joanne made a motion to accept and sign the Cable Franchise Agreement between the Town of Epsom and the residents of KingsTowne Mobile Home Park and the Town of Epsom and the residents of Sheltering Pines Mobile Home Park. Keith seconded the motion. All in favor. Agreement was signed.
5. **Abatement** was signed.
6. **Veteran's Exemption** was signed.
7. **Intent to Cut** – Keith asked if Mr. Kimball has the right to access this property. Barb explained that yes he does.

FOR DISCUSSION

- A. **Oil Bid(s)** – The only response to our request for a bid was received from Davis Fuels for \$2.299 per gallon from 9/1/09 – 8/31/10. Locations: Town Office, Old Town Hall, Police & Fire Departments & Old Library building. Joanne made a motion to accept the bid from Davis Fuels for 2.299 / gallon from 9/1/09 – 8/31/10. Keith seconded the motion. All in favor.
- B. **LGC Harassment Program** Bob said the LGC requires the Town to have a Harassment Policy, and all Town Employees must attend training. Bob said the LGC would provide the training at no cost. This will be discussed at the Department head meeting on July 27.
- C. **Town cover Co-Pay for HEP B for 1st Responders** Bob said the LGC recommends that all 1st Responders be vaccinated against Hepatitis B. Bob would like this to be mandatory – but we cannot make it mandatory if we aren't going to pay for it. Keith said this could be every member of the Fire & Police Departments, and asked if the Police & Fire Chiefs already have this requirement in place? Keith also asked what the incentive is for the LGC to make this recommendation. Bob will check with the LGC again to see if would include every member of those departments. Gordon Ellis said that his understanding is that if an employee refuses the vaccination and then gets infected –

they would not be eligible for Workers Compensation. This will be back on the agenda for July 27.

D. Epsom Historic Meetinghouse – R Frambach Letter to NHDHR (Debbie Gagnon) Bob said the final bill for the stained glass window has been received (\$6200) and asked where the additional \$1200 is coming from to pay this bill. Richard responded that the Meetinghouse Committee will be paying that balance. Richard provided a copy of the letter sent to NHDHR, saying that the repair of the windows has been completed and Debbie Gagnon replied that they do not need to come out for a visual inspection.

E. Solicitation of Donations – Bob read an email from Nancy Wheeler stating that she checked with DRA and confirmed that the Town can solicit funds, but all donations received must be spent within the year or they go into the General Fund and must be used for the projects which they are solicited for. She also said it needs to be voted on by the BOS and a policy needs to be written. Richard said the priorities are the installation of the septic system and getting ready for the bathrooms & building the bathrooms. He is hoping to get the labor for these things donated; but he will likely have to pay for materials and fuel for the equipment. Dick really wants to use volunteers instead of contractors and save money. Dick suggested that volunteers either provide liability insurance or sign a waiver. Joanne is going to ask Barbara if our liability insurance would cover volunteers working on Town Property.

Keith also stated that he doesn't want to move too fast with development of this building until we know how the building is going to be used in conjunction with the town building evaluation. Mary Frambach asked what the agreement is with the Stewardship Committee as to necessary repairs and use. Keith replied that there is no clause in the agreement that requires us to make it a usable building – although the BOS does want it to be usable.

Dick wanted to know if the Meetinghouse Committee should stop their work until the Town Office Building Committee decides how to move forward. Keith said the Building Committee should have a proposal by September, however there are a number of projects that could be completed that would not change regardless if an addition is put on the Meetinghouse and could be pursued by the Meetinghouse Committee.

Richard also would like to modify the Resolution that the BOS signed in March that would allow the committee to solicit donations.

F. 40 Wood Cote Drive Keith said he received an email compliant from the property owner that the property pins have not been set yet. He noted that upon further investigation, the developer has not set the pins although the property has exchanged ownership. Keith would like to create a directive for our Zoning Compliance Officer that no building permits are to be issued on any new subdivision lots until the property pins are set.

Keith made a motion that the ZCO does not issue a building permit on new subdivision lots until verification is received that property pins have been set. Joanne seconded the motion. All in favor.

G. Request for Raffle Fort Mountain Trailwinders are asking for permission to continue selling raffle tickets until Old Home Day. Joanne made a motion to allow the Fort Mountain Trailwinders to continue selling 50/50 raffle tickets until Old Home Day. Keith seconded the motion. All in favor.

H. Transportation Enhancement Program Public Application At this time we do not have any projects that would qualify for this.

I. Response letter from David Goulet – Whitehouse Acres 7 out of 9 residents on Lena Lane have agreed to re-establish the Homeowners Association. Keith said the two remaining properties will have a letter attached to the deed stating the property is not in compliance with the subdivision approval and will be in violation of the ordinance. He recommended the Board seek guidance from Town Attorney on next steps for common land transfer and payment of back taxes.

J. Discretionary Barn Easement Deed – Sanborn Hill - Barbara said that a draft has been drawn up that Sarah Harkness needs to come in & sign then it will be recorded & submitted with the original application.

MINUTES FOR REVIEW AND DISCUSSION

- **Draft – June 15, 2009** Joanne made a motion to approve these minutes. Keith seconded the motion. All in favor.
- **Final – June 15, 2009 Non-Public** Joanne made a motion to approve these minutes. Keith seconded the motion. All in favor.
- **Final – June 1, 2009** Joanne made a motion to approve these minutes. Keith seconded the motion. All in favor.

ANY OTHER BUSINESS BROUGHT FORWARD BY THE BOARD

Bob said the Swimming Hole is open for boating & fishing only – no swimming. The swimming area will close at 9 PM. There are two new signs in place at the swimming hole.

Keith said the Planning Board has made several modifications to the Driveway Regulations, which he will give to Tony and will present to the BOS at a later date. Keith passed out to the Board members a copy of the FEMA application for the Buck Street dam in Pembroke that is under review for hydro-power use.

Betsy asked about the Non-Public session from our last meeting. Joanne stated it was in regard to Kings Town Mobile Home Park.

10:07 PM Joanne made a motion to adjourn. Keith seconded the motion. All in favor.