

**TOWN OF EPSOM  
BOARD OF SELECTMEN  
Monday, August 9, 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:** Gordon Ellis; Dave Fiorentino; Debbie Tibbetts; Barbara Clark; Nancy Wheeler; Andrew Walton; Mike Gruette; Tiffany Major; Herb & Lee Bartlett; Tony Soltani; Al Bickford; Doug Osborne

**6:15pm** Joanne called the meeting to order and asked Gordon Ellis to lead us in the Pledge of Allegiance

**6:16pm - 6:20pm Gordon Ellis FEMA 2011 Signatures** – Gordon said he is working on a FEMA Grant Application for Echo Valley & River Road and it will not be ready for signature until next week. He asked if a BOS member will be available to sign the application next week or if they would authorize him to sign it. Joanne told Gordon to ask Debbie to call her when the application is ready to be signed & Joanne will come to the office & sign it. Gordon has passed in a bill he received from the Police Department for Police Detail on a construction project that he'd like to discuss with the BOS next week.

**6:30pm - 6:45pm Staff Discussion** – Barbara asked if everyone noticed the new sign and the BOS agreed it looks nice. Scheduling for the floor will be cleaned will be done soon. Nancy reminded the BOS that the Town of Epsom is now responsible for 75% of retirement costs, as the State only pays 25%. Nancy suggests that the BOS postpone the AP for next week as the Treasurer will be out of town and the BOS doesn't meet next week anyway. The BOS is in agreement with that.

**7:15pm - 7:45pm Loren Martin - Avitar to Discuss Wolverine Management (2008 Dover Road)** – Loren gave copies of new property cards to the BOS – copies have not been provided to the Gruettes, as they are preliminary – not final. Loren said she is willing to provide preliminary copies and also to meet with the Gruettes to discuss if they have further questions. Loren reviewed the spreadsheet that she prepared which compared the commercial sites that Mr. Gruette had compared. Loren said that the letter that was sent to Mr. Gruette stating that the land value is final was sent in error as the entire corridor was to be completed before the tax values were determined as final. She also rebutted some items included in Mr. Gruette's letter. She stated that Avitar was well aware there was a house on the property in 2008, however it was being demolished in April 2008, and it didn't add value, so it was not counted. She stated in regard to the pavement – the Medical Center has a larger area so it is less per unit, and they do consider condition. She said there were some minor errors in the valuation that were corrected. She also noted that most of the properties that were compared were farther away from the circle and property values tend to go down the farther away they get. Loren also said that homes will continue to be assessed as homes, so even though Deerfield Towing has a sign – that property is being used as a residence & is taxed as such. Loren said the building on the property – not the land – determines the usage for taxation.

Tiffany Major asked if their business was operated out of the house that was previously there, would they be taxed as a residence. Keith replied that what she's talking about is a Home Occupation. Mike Gruette asked about the pavement, as Northeast Forklift has a lot less pavement, and it's valued at a lot less than his.

Barbara said to clarify – the home that was on the Medical Center property was demolished when it was owned by Ostia, and so was not on the property when it was sold to Fox Holding. The BOS asked Loren to provide a preliminary copy of the tax card to the Gruettes and they are to contact Avitar directly with questions.

Keith asked how Avitar logs resident questions/complaints. Loren said they are referred back to Barbara and she gathers information, gives it back to Loren and the resident is contacted if necessary.

Loren said she will provide a copy of the preliminary tax card to the Gruettes and will meet with them to discuss any questions they may have.

Keith noted that there have been comments about Avitar's accountability, and he wants to be sure to acknowledge that Avitar has been very forthcoming with information & he's happy with their service.

**8:00pm - 8:05pm Tony Soltani - Gosseville Cemetery Deed** – Keith made a motion to accept the Gosseville Cemetery deed. Joanne seconded the motion. All in favor.

### **8:05 – 8:10 Break**

**8:10pm Interviews for Zoning Compliance Officer Study Committee** - Debbie said she sent the 3 letters that the BOS requested for the interviews. She said one declined, another had a conflict and the third has not responded.

Dave Fiorentino said he's spoken to Frank Collins & he said he's interested, but he hasn't come forward. John Moulton had a conflict tonight and contacted the town office to explain this conflict. Joanne suggested that the BOS make contact with John Moulton & perhaps confirm him to the committee and then allow the committee to move forward with the group as it is, as time is being wasted, and they only have 6 months to do their work. Keith stated that the committee is supposed to have a certain number of members, and was formed by the Selectmen. Keith feels we should ask all the people who were interested initially to be interviewed and then add enough members to the committee to meet the requirements of the charter. The charter expires 10/12/10; however committee can request an extension. The final 3 interested parties will be invited to come back on August 23 – Betsy Bosiak; Carol McGuire & Dick Verville (and John Moulton).

Keith said there were statements at our last meeting regarding Tony Soltani having a conflict of interest with the Board's refusal to officially appoint Larry Caraway. It is up to the Attorney to make that decision & he feels there is not a conflict of interest on the part of the attorney.

Keith further stated that in regard to the emergency phone conference in July, notification of this emergency meeting must be reflected in the following public meeting minutes. Joanne said she neglected to note in the minutes of July 12 that an emergency phone conference had taken place on July 1<sup>st</sup>. Keith stated, for the record, that the conversation and action that took place during that phone conference was limited to whether the three Board members wanted the Town Clerk to not execute the appointment papers for Larry Caraway, as at that time, the appointee has not officially signed with the Town Clerk and it was a unanimous decision to do so. Joanne and Bob agreed that is was the end result.

Keith also said that Andrew Walton requested a non-public session with the Town Attorney to discuss this issue & Andrew is not entitled to a non-public session as it relates to this case.

Keith said that the letter received by Mr. Puffer, representing Mr. Caraway incorrectly stated that the appointment to this committee falls under the statues for Land Use Board and any removal

would have to follow a more strict process and procedure. Keith explained that this committee is not a land use committee and is only dealing with a specific review of appointment versus elected position for ZCO. Keith also stated that Larry Caraway never signed his appointment papers and so therefore, Larry was never an official member of that committee and has no standings for further action.

#### FOR SIGNATURE

1. **Accounts Payable** has been signed.
2. **Manifests** have been signed.
3. **Payroll** has been signed.
4. **Application for Preliminary Estimate – Bridge Aid** – Gordon said he is applying for State aid for bridge repair on River Road, though he doesn't believe he will qualify. Keith said he'd like to review the Bridge Fund to see what money is available. Gordon would like to use the money from the Bridge Fund to repair the bridge on Echo Valley Farm Road as he doesn't expect the bridge to last for more than another 2 years. Joanne signed this Bridge Aid Application.
5. **2010 – 2011 Salt Contract**- Gordon said Morton Salt was bought by International, so he destroyed the paperwork. Gordon is waiting for new paperwork from the new company – however the pricing will not change – Epsom will still qualify for State pricing.

#### FOR DISCUSSION

- A. **Town Office Window Coverings** – Barbara said they have free shipping from JC Penney. Once these come in, they will need to find someone to install them. The cost is \$1000.00, and Keith is questioning where the funding will come from to pay for this needed expense for comfort of the customers and protection of the computer equipment. Keith suggested that the Debbie, Barb & Nancy discuss where the funding could come from the Selectmen's and the Town Clerk/Tax Collector budgets. Nancy said since the Capital Reserve Funds were used for the revaluation there is still \$2000 in the budget for that expense. The BOS consensus is to move forward with purchasing the window coverings for all 3 bays and to overspend the Building Maintenance Line, for a total of approximately \$1000 while holding in reserve the equivalent unspent amount for revaluation.
- B. **LGC Health Trust – Combination of Entities – SVRTA** – Barbara said if any of the original SVRTA members do not send a commitment letter by August 15 then Allenstown will not be included in SVRTA. Barbara said if a commitment is made, it is a 2 year commitment. The only thing that Epsom will be allowed to do is change the benefit package. However if Epsom doesn't continue with a Health Insurance plan, then the discount for Property Liability & Workers Compensation will be lost. A draft letter has been prepared to indicate being supportive of Allenstown joining the group. Joanne said by Allenstown

joining the group, the other towns may have a 1.08% increase; however that is far less of an increase than if Epsom was not part of a group at all. Joanne said that to her knowledge, every town in SVRTA is in favor of Allenstown being part of the group; if any town doesn't send this confirmation letter then Allenstown cannot join. Joanne said by signing the letter, Epsom commits to being a part of this larger group. Nancy said there are 12 or 13 employees participating in the Town's Health Insurance. The 1.08% is estimate to have an impact of about \$156 per month total on those expense lines.

Joanne said there is also the option of sending a letter saying that Epsom wants to be part of the group insurance, but does not want Allenstown to join. Barbara asked if Epsom will receive any advantage of including Allenstown, aside from doing a neighbor a favor and Joanne said that it is mostly doing a neighbor town a favor to join the same seek insurance pool in the spirit of cooperation.

Joanne also said that at the last SVRTA meeting it was indicated that there will likely not be any other towns allowed to join the group.

Joanne stated that Melcher & Prescott will be comparing Health Insurance Plans to be sure that the LGC is the least expensive. Nancy asked if Melcher and Prescott's report comes back and the rates are lower than LGC, will the group leave LGC and go with Melcher & Prescott. Joanne said the LGC has agreed to keep the current rate if others leave the group.

Andrew Walton asked the BOS if 100 voters were in attendance tonight, and they were told about a 1.08% increase, on top of various other expenses in a year with a default budget, what would the voters say? Joanne replied that she cannot say what 100 people would say; this Board is 3 people trying to make the best decision for the town. Joanne is in favor of sending this letter. Bob said he is, too, but he'd feel better if he knew what the other towns were doing.

Keith made a motion to send a letter to the LGC with the recommendation to allow Allenstown to be part of the 7 town membership pool. Bob seconded the motion.

Joanne & Bob voted in favor. Keith voted against.

- C. SVRTA Health Insurance Consulting Agreement** – The total cost is \$643.94 for this study. Keith made a motion to enter into an agreement with Melcher & Prescott Insurance to evaluate our Health Insurance Benefit package. Bob seconded the motion. All in favor.

- D. Create CIP Committee** - John Keane from the Planning Board will be the Chairperson and meeting with Stephanie Alexander, Tuesday August 17. A committee needs to be formed for this with the following make-up: 1-2 Planning

Board members, 1 Planner (member of CNHRPC), 1 Major Dept Head (Highway, Police or Fire), 1 Selectman, 1 Budget Committee member, 1 School Board member and 1 citizen. Joanne will be the BOS representative.

- E. Police Department Vehicle Striping** – Wayne has requested a new logo to be used when new vehicles are purchased. The BOS has no issue with the new design. Keith will advise Chief Preve.
- F. Meadow Brook** – Cec Curran was able to contact Gary Spaulding, the septic designer. The system was shut off & restarted and there was no odor present. It appears that the odor must be coming from something else, perhaps an AC unit. However, Bob said he was there on Sunday & he smelled something too. Two people have complained about the smell, and the leach field is directly behind their homes, and the vent pipes are right there. Herb Bartlett said he spoke to the person at the state that approved the design and said the design is fine, but the vents should be moved, but the State doesn't have the money to move them. Keith said it is up to the designer & the property owner to fix this – not the State, and not the Town of Epsom. Keith said perhaps Cec needs to suggest the owner investigate the location of the vents & see if that is causing the problem. Joanne sent an email to Cec with this suggestion from the Board.
- G. Lord's Mill Road & Route 4 Intersection** – Joanne said she received a letter from Pam Mitchell, District V Engineer stating that requests for signage & lighting and an alternative approach to Lords Mill Road should be addressed to other parties & provided that information. Joanne will ask Debbie to redirect those letters. A letter was also received from District VI with alternate contact information regarding the alternative approach to Lords Mill Road. It was decided to make contact with the appropriate people & invite them to come to a future BOS meeting for discussion.

#### **MINUTES FOR REVIEW AND DISCUSSION**

- **Draft – July 26, 2010** Joanne made a motion to approve these minutes as amended. Keith seconded the motion. Keith & Bob in favor. Joanne abstained.
- **Final – July 19, 2010** Joanne made a motion to approve these minutes as written. Keith seconded the motion. All in favor.
- **Draft – July 12, 2010** Joanne made a motion to approve these minutes as amended. Bob seconded the motion. Bob & Joanne in favor. Keith abstained.

#### **CONFIDENTIAL**

- **Letter from BOS Town of Chichester** – The BOS took a recess to have a client/attorney discussion.

**FOR YOUR INFORMATION** (No action required)

- ZCO Letters
- Letter Regarding Police Detail Rate
- **Response from NH DOT RE: Buck Street Extension & Route 28** – The response indicated that there were no signs or vegetation that substantially hampered sight distance for vehicles on Buck Street Ext. There are some branches that could be removed to enhance sight distance looking north for vehicles approaching the stop sign and the State DOT would not object to the town removing them. There will be routine mowing on Route 28 this fall. The suggestion to eliminate the passing zone and install a flashing beacon has been forwarded to the Bureau of Traffic. The dance studio sign is well off the road & does not impact sight distance, but the concern will be forwarded to the Bureau of Traffic.
- Comcast Updates
- Temporary Food Event Requirements
- DRA Data Collection Sales Monitoring Report for Avitar Associates, Inc.
- Waste Water Assistance Grant  
Application
- Town Building Inspection Reports
- ZBA Notice of Public Hearing
- Town of Hooksett – Monopole Tower
- Legislative Bulletin
- Letter from The Munilaw Group

**ANY OTHER BUSINESS BROUGHT FORWARD BY THE BOARD****Board Member Liaison Reports**

Bob said that the Health Inspector told Gary Perry that there needs to be 3 people who are State certified by ServSafe for food preparation in attendance at Old Home Day or he will shut down the concession stand. Nancy said that Cec Curran requires anyone serving food to have this certification. The class is \$135 and is being held this week. Bob said that Gary wants permission to pull the money from his budget to pay for this. Keith would like to know if this is something new. The Boy Scouts are paying for one person to attend, The Friends of Webster Park is paying for one person to attend and someone from the Lion's Club will be attending and will be asking for the fee to be waived for a non-profit organization. A memorandum from Cec Curran titled "Temporary Food Event Requirements" states that a certified person must be in attendance – not 3, and Keith is wondering why Cec is requiring 3 people to be certified. Barb said that Gary is suggesting that people from the American Legion become certified for future event use. Barbara & Nancy also said the reason the training is required is because of the new, expanded cooking facility in the concession stand. The BOS consensus is to allow Gary to pay for the one training out of his budget. Joanne emailed Cec during the meeting and he replied immediately saying the minimum of 3 people is due to the need for a class to be held prior to Old Home Day and the instructor required a class minimum of 3 people.

Bob said hot water has been installed at Webster Park and Gary is moving along with the parking lot expansion.

Gordon is doing ditching on New Orchard Road and has been doing some brush cutting along the sides of the road.

Keith said the Planning Board is working on the final hearing process of Adam Towne's subdivision on Center Hill Road and is working on the final conditions, so a bond will be coming forward soon upon approval. The Master Plan is under final review & the Capital Improvement Plan is being worked on.

Keith made copies of what he plans to present to the Governor during their meeting, which has not yet been scheduled. Joanne said they have sent dates to the Governor's office and they have not received a response yet. He has a lot of concerns about the removal of the dam as the State DES has not fully assessed the post condition and the long-term impact for this decision. Keith noted that he would also like to request that the Governor seeks State funds to match any grant requirements should the Town apply for them assist in the river stabilization.

Joanne said that a letter from the ZCO has been sent to Dave Mihachik, the owner of the burned barn on Route 4, stating the deadline is September 8 to have the property cleaned up or he will be assessed a \$100 per day fine.

Joanne said the Primary Election is scheduled for September 14, at Epsom Central and the General Election is November 2<sup>nd</sup>.

Joanne did the final paperwork for the buyout of Dan Fredyma's property, and it's been submitted along with a copy sent to Dan Fredyma.

The consensus of the BOS is to order a name plate for Debbie, Donna & Dawn. Darlene will confirm spelling & take care of getting the name plates ordered.

**Public Comment:**

Andrew asked if the meeting on July 26 was recorded. The BOS stated not by anyone on the Board or the town members.

Andrew asked if the draft minutes can be posted on the website. Joanne said no, only the final minutes will be posted on the website in accordance to the current direction of the BOS.

**9:25 PM** Joanne made a motion to adjourn. Bob seconded the motion. All in favor.