

Bob \_\_\_\_\_  
Joanne \_\_\_\_\_  
Keith \_\_\_\_\_

Accepted \_\_\_\_\_  
Accepted as Amended \_\_\_\_\_

**TOWN OF EPSOM**  
BOARD OF SELECTMEN  
Monday, November 10, 2008

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

**Other Attendees:** Stewart Yeaton, Doug Miner, Barbara Clark, Matt Moulton, Joni Kitson, Dave Fiorentino, Nancy Wheeler, Rick Bilodeau, Andrew Walton; Eric Reid, Kevin Reeves, George Chapman, Wayne Preve, Richard & Mary Frambach, Gordon Ellis

**5:45pm** Attorney Consultation

**6:20PM** Bob Blodgett called the meeting to order. Bob asked Stewart Yeaton to lead us in the Pledge of Allegiance

6:30 PM

**Public Hearing - Expend Reid Donation**

Keith noted that this public hearing is being held in accordance with RSA 31:95-b and this is the second of two hearings. The first hearing was held by the Board of Selectmen several months back at the time of the donation from the Reid family estate to accept the funds. The second hearing at tonight's meeting is for determining how the donations will be expended from the Reid donations.

Stewart Yeaton stated that he would like to use the Reid Donation Funds to purchase the following:

- \* 2008 Chevy Tahoe to be used as an Emergency Command Vehicle \$31,776.00  
The cost to equip this vehicle is \$19,289.00
  - \* Updating the Jaws of Life \$4,700.00
  - \* Oxygen Refilling System, which will allow the Fire Rescue Department to bottle their own oxygen, saving the town approximately \$4,000 per year. \$19,475.00
- Any money leftover would be placed in the Capital Reserve Fund for Ambulance and Related Equipment.

Nancy Wheeler asked where the command vehicle would be garaged. Stewart Yeaton replied that it will either be at the fire station or at the home of the current Fire Chief.

Bob asked if there was anyone in the public that would like to comment. No comments were offered. Keith summarized that the intended use seems right in line with the intent of the donations from the Reid estate and commended the Chief Yeaton for pursuing the options outlined as this will assist with enhanced communications during emergency events that required the command center to be utilized, will provide improved safety for the taxpayers of Epsom, and cost saving measures for future budgets. Joanne made a motion to accept the recommendations as previously noted by the chief to spend the Reid Donations. Keith seconded the motion. All in favor.

Bob closed the public hearing at 7:15 PM.

**Doug Miner – State Forester** The BOS has requested Doug Miner be here tonight to answer questions about timber harvesting & the effect it has on the roads, and asked

about road bonding. Doug replied that he has no authority in this area, but stated that RSA Title 20 – Transportation 231:190, 231:191 p.3 addresses this issue specifically. He did say the BOS has the authority to restrict trucking across town roads. He suggested the BOS get some guidance from the LGC.

Keith stated we do have the authority to require the issuance of a temporary driveway permit that is used only for the logging. This allows the town to be more knowledgeable about and have more control over the routes being used to do the logging. The permit process would also allow the town to assess security/bond to protect the town's roadway resources. He suggested the Board may wish to pursue this option considering the number and amount of timber harvesting currently being permitted.

Doug gave the BOS a copy of the Timber Harvesting Laws and the BMP for Timber Harvesting.

Doug asked if there are any issues with the tornado salvage. The BOS replied not to their knowledge. He explained that any applicant should summarize the amount of timber being harvested in the storm damaged areas and areas beyond the storm damage. This will allow the property owner to seek waivers from certain harvest fees and taxes.

**7:00 PM Staff Discussion** – Nancy Wheeler stated that Dawn Blackwell mailed the tax bills today.

Keith commended the staff & thanked all volunteers for their work at the elections. There were 2526 voters and noted the process was very professionally undertaken.

### Final Budget Presentation

**6:45pm Final Presentation – Budget / Warrant Articles**

Kevin Reeves from the Water District approached the BOS to seek the Board's input on how to keep the hydrants clear during the winter. Last year there was so much snow it became a burden to keep the areas around all of them clean. Currently, it is not anyone's specific responsibility to do this. Often times a homeowner in the area of a hydrant will do it. Kevin said if the BOS would like the Water District to be responsible for keeping the hydrants clear & accessible, they are willing to do that, but it will cost an estimated \$2,000 to the budget. The current budget line for hydrant rental is \$4,000.

Stewart Yeaton said last year the Fire Department took care of shoveling them out. He suggested the Water District waive the water bill that they issue to the Fire Department in return for the Fire Department to take care of the hydrants for winter snow removal, and this also allows the Fire Department to inspect them. There was discussion about modifying the budget for the Fire Department. Keith suggested that the budgets remain the same as submitted & the Fire Department work with the Road Agent to clear the snow from the hydrants and to maintain the current budgets. It is the consensus of the BOS that this is the best way to handle this.

### **Warrant Articles:**

- 1. The standard proposed Operating Budget**
- 2. If the Proposed Operating Budget fails, to raise \$15,264 to be added to the default budget to make the final payment on the Highway F550 vehicle**  
Joanne called for a recommendation vote. Keith, Joanne and Bob replied yes in support of the warrant as read.
- 3. \$150,000 to be added to Capital Reserve Fund for improvements to town roads.** Keith said there was \$347,000 in this account as shown by the 2007 Town

Report. Nancy Wheeler explained that some money was withdrawn to pay for a portion of the Griffin Road improvements and it will be reimbursed by FEMA.

Joanne called for a recommendation vote. Keith, Joanne and Bob replied yes in support of the warrant as written.

**4. Acceptance of Credit Cards as payment to the Town Clerk / Tax Collector**

**5. Change the eligibility requirements of Elderly Tax Exemption.** Joanne explained that this Warrant Article will allow more elderly people to qualify for Elderly Exemption, by increasing the maximum income requirements to \$18,400 for single residents and \$26,400 for married residents.

Keith stated that the loss in tax income from these additionally eligible people will need to be absorbed by the rest of the taxpayers. Joanne said this was suggested by a resident, and she agreed to present this as a Warrant Article. If the BOS does not unanimously agree to support it, then she will withdraw it, and will provide the information to that resident that initially brought it to her attention for consideration of a petition warrant article.

Joanne made a motion to place this Warrant Article on the ballot. Keith seconded the motion. Keith voted no. Bob voted no. Joanne voted yes. Motion failed.

There was discussion about the BOS decision to not place the amount of the tax impact of a particular Warrant Article on the ballot. The BOS feels it is best to follow the legal advice given to them by the LGC and DRA, by not placing that information on the ballot. The information will be made available to the public at deliberative sessions, at town office, and on the website, it is just not included on the ballot.

Wayne Preve asked whether there will be a Warrant Article to rescind SB2. Joanne stated that she believes one will be petitioned by a resident, and it will require a 2/3 majority in order to pass.

Joanne made a motion to accept these 4 Warrant Articles to be presented to the Budget Committee. Keith seconded the motion. All in favor.

**Final Budget Discussion**

Keith summarized by stating that he commends many departments for presenting a budget that was lower than last year. He also noted that a major increase in this year's budget is Emergency Management and salary adjustments for safety personnel. Joanne said that there is grant moneys available for Emergency Management; however there must be matching funds available. Nancy said that there are equipment lines in many areas of the budget that have been used for matching funds in the past.

Keith noted that the Library Trustees management service budget has increased a significant amount (over 25%) and wondered if the BOS has the authority to reduce their budget by the \$3,000 they included for legal expenses, since the town already has an attorney. Nancy said the Budget Committee has the authority to make that change, but the BOS does not.

Keith stated that he has prepared a worksheet that reduces all budgets that had a 5% increase by 5% for discretionary expenses that are under the Department's heads control. He noted that one of the main objectives within budget that he supports is the salary adjustments for the police and fire departments and wants to concentrate on a manageable budget that the Board can market to the voters. This can be supported by tightening up the spending on discretionary accounts. By doing this, it could reduce the increase of the overall budget of 15% to just under 12%.

The BOS reviewed in detail the Police Department proposed budget with Wayne Preve and was able to reduce that budget over several line items. Wayne said he received a

call today from Chief Lane from Allenstown PD regarding dispatch charges with Bow Dispatch and was advised that the cost for dispatch may be increasing significantly. He has spoken to Merrimack County Dispatch, but it will be another year before they will be able to possibly provide service to Epsom, Allenstown and Pembroke. He expressed his concern about the priority to increase salaries of the members of his department.

The BOS reviewed in detail the Fire Department proposed budget, and was able to reduce the Fire Department proposed budget over several lines. Keith also expressed his support for an increase in salaries of the members of the Fire Department.

The BOS reviewed each line of the Emergency Management proposed budget and reduced it by \$10,000.00.

The BOS reviewed in detail the Highway Department proposed budget with Road Agent Gordon Ellis, and was able to reduce several lines.

After further budget adjustments, Joanne made a motion to present a budget in the amount of \$2,767,191 for a 12.04% increase in the amount of \$297,309 over 2008 budget. Keith seconds the motion. All voted in favor.

#### FOR SIGNATURE

1. Accounts Payable was processed.
2. Manifest was processed.
3. Intent to Cut was signed.

#### FOR DISCUSSION

- A. **Generator Maintenance Agreement Proposal** – Joanne reviewed the details of this proposal for preventative maintenance and repairs. This will be moved to a future agenda and perhaps a bid request will be sent out for generator maintenance.
- B. **Proposal for Renting Building & Land at 232 Black Hall Road** – A letter will be sent to Larry Barton stating that the BOS is considering this proposal and will make a decision at a later date.
- C. **Police Department** - Last Monday the BOS discussed the Police Chief's request for a salary adjustment, and indicated that the BOS is willing to support a one-time bonus/stipend for the officers. Keith suggests \$1000 after taxes for each officer. Keith also suggests that this bonus/stipend be considered for the Fire Department if they have funds remaining in the salary lines due to the vacant position.  
The salaries of Police Officers must be seriously considered if the new budget does not pass. Wayne Preve would like to discuss this before March. He stated one more officer will be leaving when his contract is up, due to his low salary.
- D. **Suncook River Avulsion** – Keith received a letter from one homeowner agreeing to further discussions on potential transfer of some property rights for the new river avulsion.
- E. **Set Date and Alternative Date for Deliberative Session**  
The Deliberative Session will be held on 2/7/09 (9:00 AM) and the Alternative Date will be 2/9/09 at 6:15 PM.
- F. **State of NH Project Application under FEMA** – The Town of Epsom will be receiving a check from FEMA for \$16,316.00, for

the reimbursement of expenses for the tornado damage. A public hearing must be held to accept these funds.

- H. Letter from Mr. Frambach** – Bob read the letter of response that he sent to Mr. Frambach, which indicated that after inspection of the property, and upon advice from DES, has determined that it is the homeowner’s responsibility to repair the wall. It is only DES responsibility to do the repair if it is caused by DES activity. Mr. Frambach provided the board with pictures of his property. Mr. Frambach expressed his high frustrations for this issue lingering so long as he has advised the former board of this problem 5 years ago.

Joni Kitson stated that she was a member of a previous BOS, which acknowledged that this damage should have been repaired by the town. She stated that the previous BOS asked the Road Agent to repair the wall, and it was never done.

A 2007 estimate that Gordon Ellis obtained for repair of the wall was going to cost \$1100 - \$1500. Permits for this repair are necessary, because it’s within the wetlands area. Gordon stated that a previous board requested him to get estimates for this repair, but never authorized him to spend the money.

There was discussion about whether the town has the right to spend public money on private property. Gordon acknowledged that storm water runs down the hill along Cass Road and flows into Mr. Frambach’s front yard just as it has done for over a hundred years. This flow in addition to the natural runoff along the hill may have combined to cause some damage to the wall. Dave

Florentine noted that it appears the damage was caused by an “act of God” and the town should not be held responsible for it. After much discussion Mr. Frambach was advised by Keith that he has three options: do nothing, pay for the repairs himself, or take legal action against the town as this Board appears reluctant to spend taxpayers’ funds to fix a private wall.

#### MINUTES FOR REVIEW AND DISCUSSION

- Draft – November 3, 2008
  - Final – October 27, 2008
- Minutes will be reviewed at our next meeting.

#### FOR YOUR INFORMATION ONLY (No action required)

- a. **MetroCast Franchise Renewal** Keith suggested this letter be added to the Board’s agenda for discussion as they are requesting early review of contract renewal.
- b. **Avitar Acquired Terra-Map**
- c. **NH DOT Interim Inspection of Municipally Owned Bridges** Joni inquired as to this correspondence. Keith notes that it is a notice from the State as to the conditions of the current three closed bridges at Cass Road and Old Turnpike Road.
- d. **Attorney Info – Water Street**
- e. **Statewide Enhanced Education Tax Warrant for Tax Year 2009**
- f. **Miscellaneous Folder**

**ANY OTHER BUSINESS BROUGHT BEFORE THE BOARD**

Stewart Yeaton stated that he has received estimates for the damage to the tanker truck from the deer accident. One estimate is \$928. There were no injuries as a result of the accident.

George Chapman said he spoke to Arthur Demoulas, CEO of Demoulas Market Basket regarding building a grocery store in Epsom. Mr. Demoulas stated that he would take it under advisement and suggested he tell the Board of Selectmen to follow up with him.

**10:15 PM** Keith made a motion to adjourn. Bob seconded the motion. All in favor.

