

**TOWN OF EPSOM  
BOARD OF SELECTMEN  
Monday, November 15, 2010  
(Amended Version)**

**Bob** \_\_\_\_\_  
**Keith** \_\_\_\_\_

**Final** \_\_\_\_\_  
**Accepted** \_\_\_\_\_  
**Accepted as Amended** \_\_\_\_\_

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

**Also in Attendance:** Andrew Walton; Rick Bilodeau; Betsy Bosiak; Dave Fiorentino; Chief Stewart Yeaton; Norm Gentry; John Moulton; Phil Demerit; Gordon Ellis; Barbara Clark; Mary Frambach; Herb & Lee Bartlett; Nancy Wheeler; Chief Wayne Preve; Jeff Keeler; Rob Topik; Len Gilman; Harold & Rhonda Estabrook; Jay Hickey

**6:15pm**                      Bob called the meeting to order and asked Betsy to lead us in the Pledge of Allegiance.

**6:30pm**                      **Staff Discussion:** Barbara has coordinated with Northeast Security that they will be installing the emergency alert system on Wednesday at 9 AM, and will be doing a tutorial on Thursday morning for the office staff.

Barbara has provided copies of 2 proposals for mapping & 6 proposals for assessing and asks that each BOS member review all proposals over the week, and be prepared to discuss next week. She said the mapping companies have asked to be placed on the agenda for a brief presentation. She has not set up a date for them to come to a meeting as of yet. The BOS asked Barbara to request that they come in on December 6. They should be allowed 45 minutes (total for both presentations) for their presentations.

Andrew asked if these bids were sealed, and Bob said no; they are not bids, they are proposals. Andrew feels that there was no protection of the bid process. Nancy noted that the Selectmen did not request a sealed bid, they asked for proposals. Keith stated that when looking for professional services, such as for these two, then proposals are more appropriate, as the decision is not based solely on price. Andrew asked for the minutes to note when the proposals were all received.

Keith stated that two mapping proposals were received, one on 10/27, & 11/10. 6 Assessing proposals were received: 11/3 (Avitar) 11/8 (CNHA), 11/8 (Brett Purvis), 11/10 (Commerford Neider & Perkins), 11/8 (Granite Hill Municipal Services), 11/12 (Cross Country Appraisal).

Nancy presented Expenditures to Date for all departments. All Department Heads have been given this same spreadsheet for their department. The revised budget has also been provided. She also provided the Warrant Article listing as requested by the BOS. She said the George Carlson met with the ZCO & the Fire Department today and they discussed what will be required before being issued a CO, so she suspects there will be some changes to the Warrant Article request that has been previously discussed.

She cancelled the Fire Department cell phone per the BOS request last week. She submitted the application to Tractor Supply for a charge account. She requested Mason & Rich provide a proposal for preparing the financial statements & MS 5 for 2010.

She will be presenting a RFP for auditing. Mason & Rich no longer will do all of the auditing. Keith thanked Nancy for pulling all of this information together.

**6:45pm**                      **ZCOSC Report Presentation:** Jeff Keeler gave a recap and presented a copy of the results of the committee. The committee of 5 held 7 meetings and discussed at length the position of Zoning Compliance Officer and whether it should be an elected or

appointed position. They reviewed the Zoning Ordinances, met with the current ZCO Jay Hickey and Selectman Keith Cota. They consulted with an attorney as well. The end result is that the appointed position would serve the Town of Epsom better as there is a larger pool of candidates with various levels of expertise. They also feel that a job description should be developed and people who wish to be considered for the position should have an avenue to present themselves to the BOS. There should also be an ongoing review process set up with the BOS to oversee the actions and direction of the ZCO. There were 5 members of the committee & 4 voted in favor of this decision, 1 abstained. All signed the recommendation.

Jeff said according to the LGC, all towns of this size in NH have an *appointed* Zoning Compliance Officer. However a lot of towns have a Building Inspector, which Epsom does not have.

Keith asked if the report can be presented at the Deliberative Session and Jeff said yes, he'd be willing to present the results.

Rob Topik asked if any towns have a Zoning Compliance Officer and a Building Inspector & how that works for them. Jeff replied he isn't aware of the towns that have the combined position; they only focused on the ZCO position, because that's what the Town of Epsom has. He also asked if there is a job description currently. Jeff replied there is a brief job description listed in the Zoning Ordinances. He asked if there is ongoing training for the ZCO. Keith replied that there is always additional training available for the ZCO through NHDES, LGC and other State Agencies and we have a very well trained ZCO. Rob asked if the training is provided for free, or has the town invested in this training. Keith noted yes to both questions. Keith said they would have the ability to list the requirements for the position to include the training that has already been provided to the current ZCO. The Board thanked the committee for their work.

#### **7:05pm Department Heads Meet / Reports / List of Accomplishments:**

Keith stated that the BOS will be meeting with the Budget Committee this week & would like to provide a short list of accomplishments at that meeting. He asked that each department list a few major accomplishments from this year.

**Welfare Dept** – Lee Bartlett provided a written report stating that the Welfare Department has been very busy preparing for Thanksgiving. She said in response to Don Harty's request she called Davis Fuels & they charge between \$100-\$150 for emergency oil deliveries on weekends, nights and after hours. Hebert Oil will provide these same deliveries at no additional charge, and the per-gallon price is usually lower than Davis Fuels. Lee said accomplishments are helping to prepare resumes, applications & cover letters.

**Highway Dept** – Gordon Ellis said they are grading roads, and hopefully will pave the other end of New Orchard Road next week. They will be grinding Center Hill Road up past Mountain Road. They have been cutting brush as well.

Gordon said accomplishments for this year include two out of three projects being funded by FEMA, and repaving New Orchard Road, which has turned out very well. He thanked the residents on that road for their patience. Gordon said he used the Work Release Program workers for approximately 80 hours per week for about 6 months, which is well over 2000 hours of labor for free (the only cost to the town is transportation & water). Gordon said this is a very good program.

**Emergency Management** – Rick Bilodeau said the department has not been busy. Accomplishments include the tabletop exercise which took place earlier this year, and also continuing with FEMA training & LGC training. The department is still working on EMPG Grant.

**Planning Board** – Phil Demerit said there is not much going on. Accomplishments are the completion of the Master Plan and nearing the completion of the CIP. They are currently reviewing the Subdivision Regulations.

**Town Clerk/Tax Collector** - Dawn Blackwell said she started using the One Check system last week, and the program is working very well. She said tax bills have gone out & some people

have already made payments. She has sent email renewal notices, though that program is slow to get going. Her accomplishments were provided in writing to the BOS. Clerkworks training has been moved to December 15.

**Fire Dept** – Chief Yeaton said they did a blood pressure clinic & smoke detector inspection at Kingstown Park last weekend, and they will be doing a CPR class soon which will be open to any citizen. They are still working on coordinating the time for that class. This is part of their program to educate the residents of Epsom. He said the department's biggest accomplishments are managing the higher call volume with their volunteer staff, and consistently meeting the needs of the town. Another accomplishment is the committee that worked on sourcing a new fire truck that will last the next 20-25 years. He will have the bid information ready for December 9 to report to the Budget Committee.

**Police Dept** – Chief Preve said car break-ins in the Carriage Hill, Goboro Road area have increased. They have been spending a lot of time in that area trying to catch the culprits. Accomplishments include the new roof, driveway, pumping the septic and other building maintenance at the PD office. The town has been provided with 24/7 coverage with 5 officers.

**Website Committee** – Norm Gentry reported that the committee spent a great deal of time talking about how to upgrade the Town website. It was determined that in order to complete these upgrades, it was going to take a lot of volunteer time and/or money to complete this. Since the committee members didn't have the time to invest & the town didn't have the money, the project became stalled. The Committee came up with the idea of selling advertising space on the website, and through the town attorney said this would be an acceptable avenue; the economy was in such a place that he was unable to find businesses that were interested in pursuing advertising. Norm said Debbie has done a good job of keeping the website up to date. Accomplishments include providing email addresses and email support to town employees. He noted that a lot of email addresses don't appear to be being used, so he does not publicize them; he leaves it up to the account holder to share their email address. He'd like to know if the BOS is still interested in selling advertising to fund the upgrade of the website. The BOS would like to meet with Norm to discuss this further. Keith asked Nancy to find out what will be necessary to set up a revenue account in which the advertising funds can be deposited.

**Parks Dept** - Gary Perry provided a written report. He has shut down the water except for the concession stand basement. The skating rink is ready to be set up and they will be working on the heater for the concession stand. They will be working on the FEMA clean up. Accomplishments include running hot & cold water in the concession stand, new lighting, clearing & stumping in the new parking lot.

**Zoning Compliance Officer** – Jay Hickey reported on some of the classes & training he has taken. He has received flood plain training, and is spending a lot of time working on flood issues. He met with Len Gilman working on his zoning issues. He said Len is doing a very good job and will not need to do inspections in December, he will wait until February. Jay reported that there have been more ZBA cases in the 2<sup>nd</sup> half of this year. He stated that in 2004 he began helping a couple go through the application process to upgrade their mobile home & just last week they poured the footings for their new home.

**7:45pm**

**Rhonda & Harold Estabrook – Fine for Zoning Non-compliance:**

The Estabrooks requested to meet with the BOS to discuss the \$1500 fine they have been assessed for non-compliance. Jay stated that they began constructing a dormer without a permit. The Fire Department has since inspected the dormer & found 5 areas that needed to be addressed: smoke detector is only battery operated, replace one dormer window for egress, install another stairway railing, install a ½ wall at dormer staircase, label switches in panel box. He also said there is Zoning Board decision relative to this property, and the Planning Board is working on this issue, relative to the road requirements. Jay said there was a variance given to live full time on this private road (Lake View Drive) if the conditions are met.

Rhonda said that there was a lot going on when they began construction, and there were conditions placed on the zoning approval that she feels didn't have to do with the property. She is requesting that the fine of \$1500 be reconsidered, as they have additional financial obligations that have come about due to family circumstances. Keith asked how the fine amount was determined. Jay said he felt that this was a life safety issue. Keith asked when the fire inspection was done & Harold replied on October 23<sup>rd</sup>. Keith asked how many of the violations have been corrected, and Harold replied none. Don asked if they intend to make these corrections soon and Harold replied yes. The dormer *is* currently being occupied. Jay said they have since filled out an application and it has been given to Matt Moulton., Matt needs to do a final inspection. Jay said before the CO can be issued, there is some road work that needs to be completed in order to ensure that emergency vehicles can access the home. Jay said this home is considered a seasonal home. Rhonda stated that they purchased the home about 10 years ago & said there were no seasonal regulations at that time. Keith noted that although it is likely that the seasonal regulations are stricter today, the regulations were in place 10 years ago. Keith also noted that the Planning Board required that the road be wide enough for emergency vehicles & has enough clearance for the safe access and egress of emergency vehicles. She provided a copy of the Road Association minutes from this year's meeting to the BOS, who is responsible for the road upgrade and maintenance. They have formed the Road Association as part of the condition of approval. Rhonda noted that there have always been year round residents on that road. She said they are trying to work with their neighbors, but is concerned about how much their neighbors are willing to help on the road improvements. Harold said they have done a lot of road improvements. Chief Yeaton said he was under the impression that the road improvements have not yet been completed, so they haven't been out to inspect it. Rhonda said when they came to do the inspection on the dormer, they came in the ambulance & were able to pull in & turn around to leave – they did not have to do a 3 point turn to get out. Keith noted that they have asked for expansion of use on a non-conforming lot – lack of frontage, lack of acreage, etc. Adding this expansion to a year round residence increases the load on the property and the town. Jay again stated that this is a life safety issue and since the dormer is being occupied, it concerns him greatly. Keith roughly estimates that it will cost \$1000 - \$1500 to complete all the items for life safety. Jay asked if they can provide a date to correct the issues. Harold responded in 60 days or less. Chief Yeaton stated that these fire code issues are not only to protect the residents, but also emergency personnel if they are called to the home for a rescue. Jay recommends that they move their bedroom use to the lower level until the items are all corrected, and there will need to be an inspection to ensure that they have moved their bedroom. He also noted that he would give them 60 days to complete the work. Jay suggested that he & Phil Demerit and a Selectman walk the road to see the road improvements. Gordon Ellis told Chief Yeaton that a fire engine can make it in, but would have difficulty getting out. Keith noted that the Estabrooks could go back to the Planning Board to request a waiver of the road improvements. Keith would rather see the money be spent on doing the work to correct the life safety issues than being spent on a fine. He would be in favor of granting a 60 day extension to complete the work, with an agreement that they will not use the upstairs bedroom until the work has been completed and inspected with approval. He also recommends that they visit with the Planning Board again to determine if the road work can be waived to any degree. Don is in agreement with Keith, and feels strongly that the work must be completed by January 21, 2011. Jay agrees. Keith made a motion to waive the fine of \$1500 with the condition that compliance to the life safety codes requirements be completed by January 21, 2011. During the duration of seeking compliance, the upstairs bedroom shall not be used. They shall proceed to the Planning Board to see if the road conditions could be reconsidered for issuance of an Occupancy Permit. Don seconded the motion. Don & Keith in favor. Bob not in favor.

Rob Topik if all the decisions from the Planning Board / Zoning Board / BOS are included in the property files. Keith said he would have to ask Barbara if a copy of minutes are included in the property file, as she maintains the property files.

### **8:35 PM Budget Discussion**

Keith reviewed that last week the BOS decided to include a 1% merit increase for all employees who were not otherwise receiving a larger increase.

Last week there was a discussion regarding the amount of time the Health Officer spent performing his duties. The report compiled shows that there have been 41 events (roughly estimated at 2 hours per event) performed so far this year. This equates to 80 to 100 hours for an estimated \$61 per hour. Don feels that the \$6100 annual salary is adequate for this position. The BOS consensus is to keep the Health Officer's stipend at \$6100. Nancy said this brings about the issue of keeping of hours. Some positions are very difficult to note the amount of hours spent, but she thinks it would be a good idea for people in stipend, non-elected positions to keep track of the time they spend in their positions so it is part of the payroll record. The Department of Labor requirements for non-elected personnel will not allow for paying less than minimum wage. This will be scheduled for discussion at a future meeting.

Stewart Yeaton asked if this applies to Fire Department employees. Nancy said this applies to anyone who receives a bi-weekly paycheck including part time staff. Keith suggested that Nancy further review how this applies to volunteers and it will be discussed at a future meeting.

Andrew feels that 2 hours per event is an over estimate of the time spend by the Health Officer.

The current recommended budget is approximately 4% higher than last year at \$2,757,042. Keith reviewed each department's budget for discretionary funds and the estimated total is about \$325K. In order to reduce the recommended budget to a 2.5% increase, the discretionary funds would have to be reduced by about 12%. A 3% increase would require an 8% reduction of the discretionary funds. There was a discussion relative to the town wide revaluation which is required in 5 years, and whether a Warrant Article should be proposed for a portion of that fee (\$30K).

Keith thinks that the revaluation line in the budget should be reduced to \$1.00 and a Warrant Article be proposed as noted above. By reducing that line to \$1.00, the overall budget increase would be about 2.7%. Don and Bob are in agreement.

Keith made a motion to present the BOS recommended budget in the amount of \$2,723,543. Don seconded the motion. All in favor.

Len Gilman said last week it was discussed the amount of money spent on repairs on Highway Dept. vehicles was high at about \$26K & asked if there is any breakdown of basic maintenance compared to major repairs. Gordon said he can't say right now the breakdown.

### **9:10 PM Expenditures to Date:**

Nancy calculated that as of last week there was approximately 23% of the budget left, which is about where we were at this time last year. She will run a new report tomorrow before the Budget Committee meeting. She will also provide the default budget form. Keith noted that the BOS needs to now begin to develop the Default Budget and be ready to present it at the public hearing with the Budget Committee.

### **9:15 PM Warrant Articles:**

Keith asked Nancy to draft the Warrant Article for funds to be added to the revaluation fund. Current Warrant Articles:

- \$6000 for installation of the replacement server and updated word processing at Town Office. This will come from interest in Lillian Morrison fund.
- \$150,000 to be added to the Capital Reserve Fund for reconstruction of town roads.
- \$10,000 to be added to the Capital Reserve Fund for the purpose of purchasing motorized vehicles and equipment for the Highway Department.
- \$30,900 to pay for 6 months salary for one additional fulltime Police Officer.
- Purchase of a new Fire Engine with major equipment and withdraw from the Fire & Rescue Apparatus Fund and the Fire Apparatus Capital Reserve Fund tax impact.
- \$61,000 for the construction of a septic system and connection to water service for the Meetinghouse and to install electrical wiring and build a bathroom and rear exit porch with stairway on the upper floor of the Meetinghouse so that an occupancy permit can be obtained. – Nancy anticipates this will be amended.
- \$12,900 to repair & repaint the exterior of old library building - Nancy anticipates this will be amended
- A designated amount to be added to the revaluation fund

Andrew asked if the tax impact will be placed on the Warrant Articles. Keith stated that the interpretation of the Local Government Center is that the Board does not have the authority under current legislation to place that information on the Warrant Article. Keith noted that the anticipated tax impact is listed on-line, at town office, and in the newspaper – the BOS tries to educate the residents to the best of their ability, but they will not place the town at risk by placing this information on the ballot and risk overturning of approved warrant articles due to citizen appeals or DRA.

Keith feels the painting of the old library building can be put off until next year. Keith asked Chief Preve how to explain the need for \$30,900 for one-half year for an additional police officer when the department is having a hard enough time hiring officers for the one vacant position to date. Chief Preve indicated that if it doesn't pass, he will just continue to pay overtime for his current officers.

Nancy suggested that if at the end of the year, there is enough money in the budget left to purchase the new server, that warrant article would not be required. If the Warrant Article does not pass, then the money cannot be spent on that item. The BOS agrees to wait until early to mid-December to see if the funds are available.

Andrew asked if any estimates for the repairs at the Meetinghouse have been presented. Keith said not yet.

## FOR SIGNATURE

1. **Accounts Payable** has been signed.
2. **Manifests** have been signed.
3. **Payroll** has been signed.
4. **LGC Agreements:** Tony has reviewed the contracts for Health Trust, Property Liability Insurance. Keith made a motion to authorize the Chairman to enter into the contract agreement on behalf of the town with the LGC for medical coverage for employees. Don seconded the motion. All in favor.

Keith made a motion to authorize the Chairman to enter into the contract agreement on behalf of the town with the LGC for Property Liability, Total Risk agreement & HIPAA agreement. Don seconded the motion. All in favor.

## FOR DISCUSSION

- A. ZBA – Increase in ZBA Application Fee:** Glenn Horner was not in attendance, so Darlene Phelps; ZBA Recording Secretary explained that the ZBA voted to increase the application fee by \$25 for the recording of all decisions at the MCRD (approvals & denials). Keith is supportive of an increase for this purpose. Keith also explained that the ZBA application fee funds the ZBA expenses. Keith made a motion to increase the ZBA application fee to \$285 with the understanding that the Town will register all decisions with the MCRD. Don seconded the motion. All in favor.

Rob feels that the Estabrook case was an appeal of an Administrative Decision, and it didn't cost anything. Keith said what the BOS just heard was a request to waive a fee, not an appeal of an Administrative Decision. Keith noted that Administrative Decisions are appealable to ZBA only.

Nancy noted that the ZBA does not have a budget line for filing & recording fees, so one will need to be created.

- B. Trustee of Trust Funds – Year-end Deposit or Payment Policy:** This Trustee of Trust Funds would like to establish this policy that will allow them time to process year end deposits in time before year end.
- C. EYAA Fundraising – Old Town Hall for Citrus Delivery / Pick-up:** The EYAA requests permission to use the Old Town Hall for distribution of their citrus delivery fundraiser. Nothing will be stored there, it will just be a place to receive the delivery & distribute to the participants, as they did last year. Delivery is November 17, and distribution will be November 17 – 20. Keith made a motion to authorize EYAA to use the Old Town Hall for the distribution of the citrus delivery from November 17 – 20. Bob will get the water turned on tomorrow.

## MINUTES FOR REVIEW AND DISCUSSION

- **Draft – November 8, 2010** Keith made a motion to approve these minutes as amended. Don seconded the motion. All in favor.
- **Final – November 3, 2010** Keith made a motion to approve these minutes as presented. Don seconded the motion. All in favor.

- **Final – November 1, 2010** Keith made a motion to approve these minutes as presented. Don seconded the motion. All in favor.

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

- **Final Tax Bill Sent November 9, 2010**
- **NH DOT – Rte 107 Bridge Replacement over Griffin Brook:** this bridge has been completed & inspected.
- **Concord Planning Board Application for Telecommunications Tower:** This will be at St. Paul's School
- **ZBA Record of Decision:** Denial of 2010-05 Variance Request
- **Governor's Advisory Commission Meeting:** November 17<sup>th</sup> 1 PM

**ANY OTHER BUSINESS BROUGHT FORWARD BY THE BOARD:**

9:55 PM Keith made a motion to enter into Non-Public Session under RSA 91-A: 3 II (a) [Personnel]. Don seconded the motion. All in favor.

10:00 PM Don made a motion to come out of Non-Public Session. Keith seconded the motion. All in favor.

10:00 PM Keith made a motion to adjourn. Bob seconded the motion. All in favor.