

Bob  
Joanne  
Keith

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Accepted - *gym* *WRC* *GA*  
Accepted as Amended

Town of Epsom  
Board of Selectmen

September 22, 2008

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

Other Attendees: Andrew Walton, Dave Fiorentino, Joni Kitson, Barbara Clark, Nancy Wheeler, Debbie Tibbetts, State Representative Carole Brown, Gordon Ellis, George Carlson, Stewart Yeaton

6:15 PM Bob Blodgett called the meeting to order and asked Andrew Walton to lead us in the Pledge of Allegiance.

FOR SIGNATURE

1. Accounts Payable
2. Payroll
3. Manifest
4. Intent to Cut
5. Timber Tax Levy
6. Two Certification of Yield Tax Forms
7. LUCT
8. Veteran's Exemption
9. CDBG Grant Sub-agreement between Town & Family Estates Cooperative

This grant has already been received, and the BOS has previously agreed to sign this, so Joanne signed it tonight.

10. Hoyle, Tanner & Associates Contract Agreement - Griffin Road Bridge

Bob signed this.

11. Exemption Certificate - Fair Point Communications alias Verizon
  12. Comcast -15 Year Limited Non-exclusive Franchise Agreement
- This is for the North Pembroke Road area. The past agreement was for 15 years and has expired. This is a new contract for another 15 years. Joanne made a motion to extend this agreement for another 15 years for the North Pembroke Road area. Keith seconded the motion. All in favor.

6:15 PM Planning Board Legal Counsel

The Board has received a call from Deirdre Davis who is an abutter to a case that is currently in the appeal stages in court, and wanted to meet with the Selectmen. Keith was made aware that Susan Slack is the attorney representing the town on this case; however Tony Soltani also attended a meeting as Town Counsel on this particular case. Keith called Tony Soltani, and then spoke with Alan Quimby, Vice-Chair for Planning Board. Alan told Keith that the Planning Board had hired Susan Slack, when Tony was sick. Keith said that because this case has gone on for so long and now that Tony is back to work, it is more economical for the Planning Board to hire him. Even though the Planning Board does not need the Selectmen to authorize the hiring of legal counsel, it is the Selectmen's duty to maintain the budget & review the bills, and ultimately has the authority to change the attorney on a case.

The Planning Board budget allows for \$2000 to spend on legal fees, to date the Planning Board has spent \$3228.

It is the consensus of the BOS that Tony Soltani should take over this case; Keith will contact Tony and ask him to request the files be transferred to him from Susan Slack.

6:25 PM Barbara Clark - BTIA Application (Board of land & Tax Appeals)

Barbara is here to discuss the BTLA for the Copson property and answer any questions the BOS may have. The original assessment was \$386,300 and after meeting with Avitar the assessment for 2007 was revised to \$347,000.

Joanne made a motion to agree with the recommendations of Avitar regarding the Copson property and to offer a settlement as outlined in the letter dated 9/8/08. Keith seconded the motion. All in favor.

Barbara also wanted to advise the BOS that the current use penalty for the Hospital property has been paid in full as of today.

6:30PM Staff Discussion

Nancy Wheeler stated some important dates:

Nov 10 - Dec 10 is the time frame to amend zoning ordinances.

Jan 13 is the last day to accept Warrant Articles.

Jan 15 - Public Hearing for the budget.

Also, the CDBG Sub-Agreement is all moving right along.

HTA contract needs to be signed, and copies have been provided to the board.

CPIW for the Northeast for cost of living adjustment as of August is 6.6%.

Debbie Tibbets reminded the board that she will be off Wed - Fri, as agreed. Barb and Debbie will be working together on the Town Report. In the past we have used Town & Country Printing, but this year they will request estimates from several printers.

6:45PM Department Heads

There will not be a report from Zoning Compliance or Emergency Management and the Health Officer will not be here tonight.

Gordon Ellis, Road Agent - Gordon said by the end of this week, he should have all of his contractor's invoices in hands and should know where he stands with his budget. There are currently 6 roads that need to be graded. He's hoping to not have to buy any sand for this winter. He plans to have a pad paved to put the sand on. Most of the ditching on North Road has been completed. Once he figures out how much has been spent, he'll be going back to the Planning Board to discuss the blasting & tree cutting.

The town has received some resident letters. Mr. Godin, on Route 4, has an issue with flooding in an addition in his home. Gordon is aware of the problem & said either Mr. Godin needs to raise up that room, because it was built lower than the rest of the house, or the State needs to make the catch basin out in front of his house larger, and the pipe from his house to the catch basin will have to be replaced with a larger one. Gordon replied to his original email, but has not spoken to him since then. Mr. Godin is going to contact the State.

Katherine Guild on Swamp Road asked about the Children at Play signs on the corner of Swamp Road & New Orchard Road. Gordon said he has some signs & will put a couple of them up, but said people speed on that road and feels it will be a futile attempt. Keith said he spoke to Chief Preve and he said the biggest offenders are the people who live in that area. Gloria Sidenberg, Chestnut Pond Road wrote a letter to say that since the town fixed the road and removed the safety valve, the lake gets too high and floods her basement. The existing culvert controls the elevation of the lake, and said that her basement is flooding because of the new culvert. She has suggested that she's willing to pay for a second culvert to be placed beside the existing one, if the engineering can be done in that area. Since this is right beside the Class V roadway, this would have to be done by the State. Gordon spoke to her on the phone, but didn't have any resolution for her. Barbara noted that their property card and inventory over the past several years indicates she's had wet area on her property. Keith said

that this would have to be applied to DES by the Town. George Carlson said that the Town can ask the state to review the entire area. The BOS suspects this will be a very expensive project and she likely doesn't know the full amount of work that needs to be done. Keith will draft a letter to her explaining what the scope of work is, and see if she would still like to pursue this. Joel Robinson & Nancy Heath have driveways on Lantern Lane that are flooding out. George Carlson said he went out & looked at the driveways and said the culverts are plenty big enough, but there isn't anything there to hold the culverts down. Some of these problems are caused by a failed culvert which is farther up from these two properties, which was installed by the town. Both of these culverts were installed by whoever built the lots. Joel Robinson wants the town to put in a new culvert for him. Gordon doesn't know what Mrs. Heath wants. Keith feels that even though it is the responsibility of the homeowner to maintain their culverts, if these two driveways are experiencing issues because of the culvert farther up the hill, then perhaps the town has some responsibility. These two residents are on the agenda for the 10/6 meeting. Dawn Blackwell, Town Clerk / Tax Collector - Dawn went to the Tax Collector's convention and received a certificate for 10 years of service. She received some training on credit cards and she will be presenting a warrant article to be able to allow payments by credit card. Most of the companies set up a personal web page for the town so people can go on line to pay their taxes. There is always a convenience fee when using a credit card, and that cost will go to the consumer - not to the town. Dawn has received many requests for the Town to take credit cards. There is a new RSA 261:74-d Municipal Agent Fee which allows the fee to be raised from \$2.50 to \$3.00 for each vehicle registration. Dawn said she has been here for 10 years and the town has never raised the fee. Dawn would like to raise the fee to residents, which will increase revenue to the town. She does not need the BOS approval, but she does not want to make this decision on her own. This went into effect on September 9, so it can be put in place at any time. The BaS would like to think this over & will discuss at our next meeting.

George Carlson - The Meetinghouse. The lower level has been closed in, and windows have been ordered. They have found a roofer and are working on finding a painter who will stay within their budget. Barbara asked about the people who were here from Merrimack County Dept. Of Corrections, and wondered if they might be able to do that painting. Joni Kitson will pass along the contact information to George and he can contact them. George said a meeting will be scheduled to see who will be on the Town Office committee.

George Carlson - Zoning Board of Adjustment - He is here filling in for Glenn Horner. George reported that there has *not* been much going on with the ZBA. There was a brief discussion about the next application, which lists a lot number that does not exist.

Nancy Wheeler - Finance Administrator - Would like to know how to distribute money that has been donated to benefit the tornado victims, as she doesn't have the final list of those affected. She doesn't know who is in charge of making the final determination. The worksheet forms for budget have been sent to Dept. Heads with a memo asking for them to be returned by Oct 1. She has requested that any warrant articles (topics only are fine) turned in by that time. There is about a week less than last year for budget presentation. The Budget Committee has requested that the final approved proposed budget be turned in by Nov 15. Nancy would like the BOS to sign off on a schedule for departments to come in to discuss their budgets. She would like to see the BOS stay on schedule with meetings during budget season, and would like to have the department heads on the agenda for earlier in the evening. We will allow one hour per Department, and will begin at 6:30 PM. She doesn't have Health Insurance Premiums for next year. The rates will be set on Oct 15 and she will pass that information along to each department when she has it. When will the deliberative session be held? It must be between Jan 31 and Feb 7. The Budget Committee meetings have been set. The Budget Committee is expecting that all Warrant Articles will fall in line with the Capital Improvement Program.

Stewart Yeaton expressed his concern that in the past the Department Heads are not able to address the Budget Committee - as they only want to hear from the Selectman Liaison for each department. He would like to see the communication go both ways.

The BOS would like to keep the warrant articles at a minimum this year. Dawn Blackwell noted that she is over budget because it cost so much to print the ballots for warrant articles for the last election.

It was decided that the BOS will resume meeting every week, beginning next week.

She has provided a copy of revenues to date, \$879,000. Keith suggested that this board may want to look at the fees that are being charged for certain permits/applications and try to balance the budgets through individual fees.

Andrew Walton asked about warrant articles not stating the amount of the increase in taxes. There needs to be explanations about this.

Nancy reminded the board that she will be out from noon Wednesday until next Wednesday.

Joanna asked Nancy about Level Funding Assessing. If we continue with the plan that is in place, then we will be short in the budget about \$17K. in this budget. We need to decide if we will continue as is and be short money, or if we don't have enough money to payout for the remainder of the year, then we need to consult with Avitar, and let them know if we will not be sending them any more money this year, or if we will be waiting until January. We will have our next reevaluation in 2010. There was discussion about how this would work if we are or are not in a default budget again next year. The BOS wants to continue with Level Funding. Nancy will talk to Avitar.

Barbara Clark - Office Staff Barbara asked what our options are for Whitehouse Acres. She will contact Tony.

Stewart Yeaton - Fire Department - Right now the Department has had about 660 calls this year. He reported that they had to rescue some people from Lazy River when the river rose by 10'. He reported difficulties dealing with Lazy River Campground - and that they were not able to reach the Campground Manager when they needed to evacuate. Dealing with Epsom Valley Campground is very easy and they have a plan.

He said his budget is almost complete and will be very close to what it was last year. He is losing an employee to another town that is offering more money & full benefit packages. He has concerns about losing our paramedic, and that it will cost us more to lose him than to keep him. He said they are working closely with the Police Department, and helped out with traffic control recently when someone hit a moose on Route 4. It is getting harder & harder to meet demands, as many volunteers are now working two jobs & are not available to go out on calls. Currently he has 4 full time employees and that is not enough to put out a fire.

There was a minor accident involving the ambulance. It is being repaired, and the final cost is about \$500.

Nancy advised Stewart that he has some money that needs to be spent this year or it will be moved into a fund that would need town approval to expend.

Barbara made a note that any accident needs to be reported to her so she can determine if an insurance claim should be made.

Wayne Preve's Report: Sergeant Michaels is in charge while Wayne is on vacation. Their newest employee has dropped out of the academy, so he is looking to hire another officer. He has started the hiring process. He has supplied the accident history at the intersection of Route 4 and Route 107. He said that the speeding on New Rye & Swamp Road definitely has a speed problem, caused mostly by homeowners in that area, and agreed that placing some signs up there is a good idea.

Crown Victoria has not been sold. Bob is going to check with the Town of Barnstead to see if they are still interested in buying it.

Wayne said the department has been very busy.

## FOR DISCUSSION

## A. Access to Fire Hall - Parking &amp; Entrance

An email has been received from a representative from SFC, who and is in a wheelchair and she attended a meeting at the Fire Station, & had difficulty entering & exiting the facility, and it is out of compliance because of the gaps in the ramp, the door handles need to be lever-style, and a parking spot has to be painted. Joanne copied the email for Stewart Yeaton & Keith suggested that he takes these things into consideration when developing his budget.

## B. NHDOT Public Officials Info Meeting - Rte 107 Bridge Replacement

The meeting is Tuesday night, October 7 at 7 PM at the Epsom Town Library. Joanne is going to ask Debbie to post this as a Selectman's Meeting in case 2 Selectmen are there, and they discuss anything. Bob will talk to Gordon & see if he will attend that meeting.

## C. Resident Request for Road Sign - Swamp Road

## D. NH Public Works Mutual Aid Program

This is a Mutual Aid for Public Works. The fee is \$25 per year. The way it works is if you need help in an emergency situation, this group will coordinate the help that you need. There is no cost to the town aside from the Membership fee. If the group does help & submits a bill to the town, and FEMA does not cover the bill, then the bill is waived.

Keith made a motion to give Gordon the authorization to enter into this Mutual Aid Program. Joanne seconded the motion. All in favor.

## E. Board Meeting Schedule for October and beyond.

(Budgets)

## F. Water Issue - New Orchard Road

## G. Avitar Invoice - level Funding

## DISCUSSION - FOLLOW-UP

## 1. Tax Exemptions for Elderly

This is not a credit on a tax bill - it is a reduction of the value of a property.

There are 10-12 people who typically apply & typically 4 or 5 qualify.

If the BOS is in favor of changing the limits on the application, it can be done by warrant article.

Joanne would like the BOS to consider increasing the income & assets by 10%, which will likely increase the number of applicants, and will reduce tax revenue by about \$10K. Keith is concerned that the people that would benefit from this may be the same people who vote against the budget. We need to make sure that the tax cuts we give are balanced somehow.

Joanne will prepare the warrant article for discussion.

9:05 PM Joanne exited the meeting at this time, and joined the meeting by teleconference.

## 2. Central NH Regional Planning Route 28 Corridor Study

Previously the BOS discussed this & had the following questions:

Do we need this study?

What is the duration of the study? 1 Year

This study is being extended through Pembroke as part of the 1-93 Technical Assistance Program.

The cost of the study is \$1,400 and can be paid in 2009.

Keith feels this would benefit the Planning Board, and would be looking for them to pay for it out of the Planning Board budget. Keith will bring this up to the Planning Board at Wednesday's meeting.

3. Code of Ethics

Keith has redrafted the Code of Ethics, as it relates to the Ethics Committee, and reviewed his changes. The Ethics committee would consist of the Town Moderator and members of the Supervisors of the Checklist. Keith will revise the proposed changes & will send to Tony for input. When it comes back from Tony, then we will present a copy to the Moderator & Supervisors of the Checklist and have them come forward for discussion.

Joanne suggested we clarify with Tony whether or not the members of the Ethics Committee can be held personally responsible for any decisions made.

MINUTES FOR REVIEW AND DISCUSSION

. Draft - September 8, 2008

Keith made a motion to accept these draft minutes as presented.

Bob seconded the motion. All in favor.

. Final - September 2, 2008

Keith made a motion to accept the final minutes as written. Bob

seconded the motion. All in favor.

FOR YOUR INFORMATION ONLY (No action required)

a. Gravel Pit Map R13 Lot 37

This is off of Goboro Road. It appeared they were expanding beyond the area they were supposed to be. Avitar has gone back out to inspect the area, and it looks as though the owner is operating in the allowed area. Barbara contacted State Sand and Gravel Appraiser and the State will do a GPS reading ASAP to clearly show the disturbed area.

b. Contract for Heating Oil

The Library Trustees were ok with this & this has been approved.

c. NH Retirement System Contribution Rates

d. Letter from Gloria Seidenberg

e. Auction at White Farm - October 18, 2008

Bob does not recommend bringing the cruiser to this auction, as he doesn't feel we will get what we want for it.

f. Thank You Letter from Police Department

The Epsom Police Department has received a donation of a portable GPS unit for the K-9 program

g. NH & FBI Criminal History Record Checks

h. Abutters Notice - Cell Tower - Goffstown

i. Avitar Newsletter

j. NH DRA Pilot Agreements

k. 2008 NH Watershed Conference Sat Nov 15th

7am to 3pm

I. Unlined Municipal Landfill & Incinerator Closure  
Grant Program Public Hearing October 22,  
2008

This is only for landfills that are on the priority list. BCEP is not near the top of the list for this.

m. CNHRPC Salt Purchasing Letter to Governor CNHRPC has sent a copy of a letter that has been sent to Governor John Lynch requesting reconsideration of salt purchasing, as the cost of salt has increased a great deal and will adversely affect the taxpayers. The town will pay \$51.47 per ton this year.

n. News Release for Executive Council District  
Two

o. CDFR Memo

p. Trust Documents - Will of Rachel Reid

Carole Brown asked about this. Keith responded that the Fire Department, the Library, New Rye Church and the Rescue (ambulance) each received \$36009.25.

9:56 PM Keith made a motion to adjourn. Bob seconded the motion. All in favor.