

Bob _____
Joanne _____
Keith _____

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Accepted as Amended _____

**Town of Epsom
Board of Selectmen
Monday, October 6, 2008**

Present: Bob Blodgett, Chairman; Joanne Randall, Vice-Chairman; Keith Cota; Darlene McIntosh, Recording Secretary

Other Attendees: Andrew Walton, Gordon Ellis, State Representative Carole Brown, Joni Kitson, Barbara Clark; Joel Robinson; Betsy Bosiak; Debbie Tibbets; Nancy Wheeler; Nancy Heath; Marylou Keane; Dawn Blackwell, Town Clerk/Tax Collector; Alison Parodi, Conservation Commission; Llewellyn Kimball, Carol Maguire

6:15pm Bob Blodgett called the meeting to order & asked Representative Carole Brown to lead us in the Pledge of Allegiance.

FOR SIGNATURE

1. Accounts Payable was processed
2. Payroll was signed
3. Manifest was approved
4. Pre Disaster Mitigation Grant for North Road Culvert Replacement
5. NH Electric Cooperative – Pole License was postponed
6. Intent to Cut was approved

6:20pm Joel Robinson & Nancy Heath – Lantern Lane

Joel approached the Board to explain that his culvert needs to be repaired due to wash-outs along the brook. Keith and Bob have both been out to survey the damage at his property. He explained that he approached the Board of Selectmen in 2006, at which time the Selectmen agreed to replace his culvert. At this time the Town has not followed through, and now with the new Board members, he is requesting the Town to replace his culvert that was recently damaged by heavy runoff. He said the town received money in May 2006 from FEMA and wants to know if his property was included in that money. Keith explained that FEMA disaster funds do not apply to private property. Joel explained that FEMA only pays for Town property, not private damage. Keith pointed out private damage is typically addressed by property insurance. Joel expressed his frustration because he has been waiting for two years for this culvert to be fixed. Gordon Ellis explained that the culvert up above Joel's had been replaced by the town in the past. He recently reset the culvert due to another washout and added an additional 30 inch diameter culvert next to the 32 inch culvert. He feels this will help alleviate the overtopping the upper culvert and will most likely still rush down the road and could now possibly wash out the culverts downstream at Nancy Heath's and the Joel Robinson's driveways. Gordon noted that one problem is that the Nit-Pack is filling up Joel's culvert. Joel pointed out that as a result his culvert is now split on the bottom. Gordon is concerned that if we

replace this culvert – then other private property owners will want the town to replace theirs as well and this could set precedent.

Keith inquired as to why the town replaced the upper culvert to begin with. Gordon indicated that he does not know why the upper culvert was agreed to be replaced by the Town at that time. Joanne asked if there is anything that Gordon can do to the culvert up the road that will solve the problem. Gordon said no short of replacing all the culverts with larger pipes to permit more water to run through them.

Keith asked what the estimated cost would be to replace these culverts – Gordon said about \$1700 for an excavator, \$1000 for gravel, \$600 for pavement, plus the cost of the culverts – which would be roughly a total of \$7500 total for both driveway culverts.

Joel said he contacted his homeowner's insurance and was told he doesn't have flood insurance, so there is no coverage. Nancy Heath said she contacted her homeowners insurance, and was told that no insurance covers driveways or culverts. Nancy also noted that she spoke with George Carlson and it was George's opinion was that the culvert up above her driveway needs to be placed lower in the ground. Gordon Ellis said the culvert cannot be any lower due to the ledge location.

Nancy said she is willing to repair her own driveway; however she wants the water problem fixed.

Joel requested the Town to replace his culvert & take financial responsibility for all the labor & materials.

Nancy asked who was responsible for draining the swamp that's up there. Keith said he was not aware of any past issues with draining a swamp in this area and if it did happen that the responsible party would have to obtain a permit from NHDES.

Joel would like to know a time-frame for a decision. Keith noted the Board will need to review the previous BOS's decision, the minutes to learn the history of the culverts in that area. He also pointed out that by statutes the responsibility of the culvert is on the homeowner, not the Town. This will need to be factored in. it is important we clearly understand the reasons for the town's involvement to justify the expenditure of Town funds. In addition, considering the Town is operating under a default budget, no funds are currently available to undertake such a project. Gordon thinks the work was originally done in Summer-Fall 2002. Betsy Bosiak said Steve Kimball was Road Agent at the time that this project was started. Joanne agreed that further review of the history is needed.

Joanne will contact Joel Robinson & Nancy Heath when they have enough information to move forward with more discussion, which she hopes will be 2-3 weeks.

6:30pm Staff Discussion

Barbara Clark said two weeks ago she brought forward a BTLA settlement proposal on the Copson property, 18 Old Town Road Extension. Avitar has put the settlement together and it was offered to the Copson's, in the form of a 2007 abatement and 2008 lower assessment. Barbara indicated that Mr. Copson has countered the settlement by saying he will agree if the town will reimburse his out of pocket expenses of \$500 or a reduction in property value of an additional \$1500.

Barbara contacted Avitar to ask their opinion, and Avitar said the town is under no obligation to reimburse these out of pocket costs and advises against it. Joanne suggested that both parties incur costs when there is an appeal.

Keith made a motion to stand by our settlement offer for 18 Old Town Road Extension as originally proposed. Joanne seconded the motion. All in favor.

Nancy Wheeler – The VHB invoices that were in question were in error on VHB's part. The Town is all paid up. As for the NIMS training on 10/18 – she doesn't have any details (end time,

8:20 PM Break
8:28 PM

FOR DISCUSSION

- A. CASA – They are asking the Town to support \$500 for their 2009 program.
- B. Red Cross – They have asked for \$2054 support for 2009, based on per capita. The Board would like to consider these two requests after the full budget has been developed.
- C. Warrant Articles – Joanne presented a Warrant Article to rescind SB2. Keith is not necessarily in favor of SB2, but he feels it sends the wrong message if the BOS proposes rescinding it. He'd prefer to see it as a petition. Joanne said she has heard plenty of support to rescind SB2, so she is sure that someone would be willing to begin the petition.

DISCUSSION - FOLLOW-UP

1. Code of Ethics – Waiting for Tony's review of Keith's draft.
2. Tornado "Funds" Distribution – The town has accepted \$250 in donations, plus 4 \$25 gift cards for Wal Mart. According to Jay's assessment, there are 9 residents that were affected. Keith has offered to donate \$10 to bring the amount up to an even amount of \$360. Additional Wal Mart gift cards will be purchased so that each property owner will receive \$40 in Wal Mart gift cards. They will be distributed with a letter from the Board of Selectmen.
3. Tax Collector Registration Fee – As per our meeting on 9/22/08, Dawn has the authority to raise this fee without BOS approval, however she did ask for the Board input. The consensus of this Board is to support the 0.50 cent increase, as it will help offset costs.

MINUTES FOR REVIEW AND DISCUSSION

- Draft – September 29, 2008 – Joanne made a motion to approve the minutes as amended. Keith seconded the motion. Bob & Joanne in favor. Keith abstained as he was not here.
- Draft – September 22, 2008 – Joanne made a motion to approve the minutes as amended. Keith seconded the motion. All in favor.

FOR YOUR INFORMATION ONLY (No action required)

- a. Notice of ZBA Hearings
- b. Notice of ZBA Decision
- c. Bid Award & Partial Reimbursement – Griffin Road over Griffin Brook Bridge – We should be getting a check for partial payment.
- d. Primex Prime Times Newsletter
- e. Department of Safety – Notice – This is in regard to Town request for Criminal History Reports

- f. Resignation – from Colby Walker from the Fire Department. His last shift will be Thursday, October 9. He indicated to Chief Yeaton that he will be interested in volunteering for Epsom Fire Dept. once he is settled.

Old / New Business

Keith gave an update on the grants that Steve Couture is working on.

He received a budget breakdown from the Police Chief.

Joanne asked for an update on the Disaster Mitigation Grant on Webster Lane. Barbara said that she received information from the two residents; she passed the information on to Dick Verville.

Joanne looked into renting the stanchions for the voting area. They can be rented for \$10/day. To purchase them will cost about \$80 each. Joanne feels strongly that we will need something for crowd control in November.

Joanne attended the Suncook Valley Regional Town Association and the primary discussion was the regionalization of Fire Departments. She said it was very informative.

The Emergency Management Director gave Joanne a quote for 13 vests to identify key personnel during an emergency. The amount of the quote for all 13 vests is \$1172.50.

Betsy Bosiak asked if our Highway Department has safety vests. She is concerned about the safety of the Highway Department. The Road Agent has a line item in his budget for uniforms. She also indicated that the town equipment doesn't have any lettering. Bob will mention these concerns to Gordon.

The BOS received an email from a homeowner on Lord's Mill Road, in the Hoit Road subdivision, who believes that cracks in his cellar floor are being caused by work being done on an adjacent property by the developer. The Board feels this is a civil matter between the developer and the contractor. Keith said that some Planning Board members had been copied on this email and the response that was sent from the Planning Board was that it is a civil matter. The Board will request Debbie to send a letter to the resident stating that until this road is built and accepted by the town, the town doesn't have responsibility for its construction impacts beyond the property boundary.

9:30 PM Joanne made a motion to adjourn. Keith seconded the motion. All in favor.