

___Bob
___Joanne
___Keith
___Betsy

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Accepted jmr kac rb _____
Accepted as Amended _____

TOWN OF EPSOM
BOARD OF SELECTMEN MINUTES

APRIL 7, 2008

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

Other Attendees: Herb Bartlett; Lee Bartlett; Joni Kitson; Andrew Walton; David Fiorentino; Ralph Weeks; Bruce Graham; Penny Graham; Gordon Ellis; Stewart Yeaton; Carole Brown

Bob opened the meeting at 6:15 P.M., having the Pledge of Allegiance said.

FOR SIGNATURE

- 1. **Accounts Payable/Payroll**
- 2. **1 Manifest**

FOR DISCUSSION

D. Request from Welfare Received April 7, 2008

Lee Bartlett, Welfare Officer discussed her discussion with Attorney Bedard regarding issues with notifying recipients of liens that could be placed upon their property. She said Attorney Bedard suggested to help the town get liens paid to send a letter to people 30 days after they receive the assistance reminding them the lien will be placed on their property. The letter should indicate if the amount of assistance is repaid no lien will be placed on the property. Lee suggested putting the information on the Notice of Decision she has to complete within 7 days of receiving the application for assistance.

Bob has reviewed the RSA with Lee saying recipients should receive a copy of the RSA with their other documents from her. Lee said the Notice of Decision has to state how much assistance people will receive and what they are eligible for. In the corner she would put the amount owed and if additional assistance is requested she would put a total owed. She could also add information that a budget plan could be completed for repayment. Lee is exploring the use of a one sheet application if more assistance is required after the first round application.

Bob said according to the statute the lien can be placed immediately upon signature of assistance with interest being charged after one year. Joanne said

they were not budgeted for the type of supplies required for sending 30 day letters. She suggested attaching the RSAs to the application and Lee explaining them. Lee should then send a letter having the amount owed listed on it. Lee discussed when letters could be sent with discussion ensuing.

Joni thought it would be a good idea as when a client comes in they just need assistance. They are desperate and will sign anything. Lee could verbally remind clients they could do a payment plan. Joanne said most people sign the paperwork thinking they do not have to pay the money back. She said having payback options is good.

Joni suggested Lee make a note in the file when she verbally reminded people of the payback. Lee said this could be done. Keith suggested people receive copies so they know it is a contract with Lee keeping a paper trail. Discussion ensued as to what the client should receive.

Joni said in the past Lisa had given copies of the RSA to clients.

There was a consensus of the Board for Lee to do this.

Lee asked if this would have to go into the rules and regulations of the town. Joanne said it is a procedure and not necessary as a policy would be. Joni said there is a written policy and procedures for the Welfare Officer. It should be added to in case Lee isn't here and the Deputy has to do the application to be sure it is done per procedure. Keith requested Lee review the policies and return to the Board if it is necessary to make revisions.

A. Multi-year LGC Policies

Joanne has talked to Barbara with Barbara suggesting the Board meet with LGC representatives to review the policies. The item will remain in the file until a meeting can be set.

B. Properties for Tax Deeding from Tax Collector

The properties were reviewed and discussed. Keith questioned labeling lots as unbuildable.

Keith said they could not say a lot was unbuildable. The owner could upgrade the Class 6 road or go to the ZBA to obtain a variance to build on the lot. He said there was a process to go through and discussed zoning issues.

Andrew Walton asked if someone could purchase properties for back taxes. He explained the town could auction the properties. Keith's understanding was if the town sold the property it would have to sell it at full value, only keeping the amount of taxes and returning the remaining amount to the owner. Joni said often owners come in and make arrangements to make payments. Joanne said notes were put on some parcels requesting more information from the office.

C. Update from Devine Millimet

Joanne had noted in an earlier meeting the Graham case had been resolved. She said Mr. Graham could appeal the decision within 30 days and he has done so.

FOR SIGNATURE

4. Mutual Aid Agreement CNH Special Operations Unit

Joanne said the Board had left it up to Chief Preve if the Department would like to belong to the Special Operations Unit. The Board has the contract and a Purchase Order for the membership costs.

Keith said the last time this was discussed the Board felt it would be good to continue this membership. The recent incident proved it was good to have.

David Fiorentino said whether or not the town was a part of the unit it could call the unit in if it was required. The unit would take over and diffuse the situation. The only benefit was an Epsom officer could be a part of the diffusing team. He said Epsom did not need this.

Joanne said that was not true as the town also gets access to equipment and a vehicle and many hours of training for the officers. Now Epsom has just one officer as a member of the unit.

Keith said according to the contract if Epsom does not belong it would cost \$45.00/hour for each officer responding plus a minimum of \$5,000.00 for each situation the unit was utilized. David responded he was wrong in his assessment. Joni said this was the first time she had heard those figures.

Bruce said the recent incident paid for two years of costs.

Andrew asked to see the contract which Joanne gave to him to review. The costs to the town if we are not a member of the unit were discussed. Joanne felt with what the Police Department finances were going through and the morale of the officers the town should allow the Police Department to be a part of the Special Operations Unit.

Ralph Weeks discussed when he went through SWAT school in another state it cost \$48,000.00 for three months of training. He had other training that also added to the costs.

Joanne made a motion to sign the contract for the Special Operations Unit with Keith seconding the motion.

Bob asked if there was any discussion on the motion.

Keith said the Police Chief understands he has to work through the Department's budget.

There being no further discussion on the motion, Bob called for a vote. The motion passed unanimously.

The contract was signed.

3. Appointment Papers

Joanne said the papers were to appoint Patricia Hickey as the Deputy Welfare Officer.

Joanne made a motion to appoint Patricia Hickey as the Deputy Welfare Officer with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

The appointment papers were signed.

MINUTES FOR REVIEW AND DISCUSSION

Final Minutes of March 24, 2008

Joanne made a motion to accept the final minutes of March 24, 2008 with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Draft Minutes of March 31, 2008

These minutes were reviewed and amended.

Joanne made a motion to accept the draft minutes of March 31, 2008 as amended with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

MISCELLANEOUS ITEMS

2. Important Scale Issue from BCEP

Bob asked what this item was with Joanne saying it was from Earl Weir. Mr. Weir had testified before the Senate Committee regarding a bill for this issue, having only a limited time to talk. He requested people contact members of the Committee via telephone and e-mail to express concerns.

3. Corrected Report of Town Officers

The Board reviewed the report and initialed it as being correct.

LIAISON REPORTS

Keith discussed attending the Suncook Valley Regional Association meeting. He said it was recently formed by towns from Barnstead to the Merrimack River. The intent was to discuss items of common interest and other items that might come forward. He said a great deal of the discussion centered on budgets and how the towns fared. He said town with a traditional town meeting fared better than those with an SB2 format. Keith said he also discussed abilities to form regional partnering, i.e. health insurance for employees or highway projects in similar areas. Off peak sharing of police coverage was also discussed. The next meeting will be in Pembroke on June 19th.

Keith said the river study was discussed. He said the Pembroke representative was very interested in the study. This representative asked if Epsom, Pembroke and Allenstown could have a joint meeting with DES representatives, etc. regarding the study and where it was going.

Keith said there were town officials other than Selectmen present, suggesting members of the Budget Committee are invited to attend. Joanne will mention it at the Budget Committee meeting.

Keith has scheduled a meeting with Chief Preve to discuss Department issues.

It was asked what the cut off was regarding people attending the regional meetings. Keith said they were a public meeting.

Joanne discussed setting up a meeting with Attorney Soltani, the Library Trustees and the Board after May 1st. This meeting was tentatively set for May 12th at 5:00 P.M. at town office.

Joanne requested a short bio and photo for the Website from each board member. She said they will also be asking for it from each Department Head as well.

Joanne and Nancy have spoken about the bid process with Nancy having concerns about the policy requesting the exceptions be qualified for auditing purposes.

Joanne said they need to clarify what falls under the exceptions. A letter is needed to document why the bid policy was waived. Bob said it would depend upon the circumstances. Joni said it was clarified by Attorney Soltani as to what could be waived; saying only emergency situations only should be waived.

Joanne had a copy of the policy and read the paragraph about exceptions clarifying that emergencies were only one way a bid could be waived. Joni asking if it was a copy signed by all five Selectmen as Bob McKechnie and she did not sign it until Attorney Soltani had reviewed it.

Rob Topik asked if this was a convenient time to review the exceptions was it also a convenient time to discuss the bid amount. He was told it was not being reviewed now. Joanne noted the bid amount will be brought up at a further discussion.

Gordon Ellis said he was here for grading, ditching and mowing to be done by the hour with asphalt paving and patching done by the ton. He asked if the hourly condition falls under the contract criteria. Joanne said when they were discussing the bid process they were talking equipment, etc., they had not discussed other items, i.e. hourly work.

Gordon discussed he might get 4 prices for grading and the lowest price might not always be the best price. It depended upon the company, operator, etc. This year all the roads would be graded once. Others would be graded 3 times and others spot graded once or three times. He could not contract this item as it was done by the hour. He said a contract was costly to write up.

Rob asked if Gordon would be held to the ceiling. Joanne said even though they were talking about projects by the hour she questioned if they would be less than \$5,000.00. Gordon discussed costs.

Keith said they should also be making decisions using a qualified bidding approach, looking at qualifications. Gordon discussed the use of different grading contractors and what makes the differences. The last time the grading was bid the cost was \$95,000.00. The next year the cost was \$60,000.00 with no bids. He said even the State hires roadside mowing by the hour.

Joanne said per the policy if Gordon requests a waiver he needs to submit something to his liaison in writing. Gordon submitted a document to the Bob.

Gordon said tonight he was only concerned about roadside mowing. Joanne had reviewed the document submitted asking for something more official. Keith said they needed something with more justification as to why the project would be done by the hour. He said if the Board limits the hourly cost Gordon would have to return with a reason as to why he would want to use a higher bidder. Joanne reiterated they need more information, asking Gordon to put what he said in writing. What he submits would be filed for the auditors, it needed to be dated and written.

David explained how Gordon finds contractors and discussed examples. Joanne reiterated for auditing purposes they need a very clear written statement.

Rob suggested another option instead of doing each individual waiver to change the policy to exempt certain items. Joanne thought Rob made a good point. She said for now they have to live with the policy they have and amend it as they go along. Rob said the auditors might be able to answer what information they get from other towns. Joanne said Nancy says they read the town's policy and mark us off if we are not following it.

Joni asked Joanne, who wrote the policy, if she had mirrored Pittsfield's policy, asking if Pittsfield had passed their policy more than a year ago. If they have Joni suggested contacting them to ask how they handle item for their Road Department. It was stated Pittsfield has a lot of its own equipment and does not need to bid out many of its projects.

Joanne asked Keith if he had any suggestions regarding the back tax issues. Keith suggested creating a list of ongoing issues. He would like to discuss through a meeting with our State representatives to see how they could help the town through possible legislation.

Joanne said the Budget Committee would be meeting April 17th. She would be asking them for a BCEP representative at that time.

Keith discussed two telephone calls he received from citizens. The first was from David Goulet regarding the common land at Whitehouse Acres. David has spoken with Barbara regarding the process to go through, saying it would not be finished before mid-May. David would like to discuss the approach with the Board with Keith wanting to have him come in mid-May.

Keith received a call from David Noyes regarding 4-wheel vehicles using the Class 6 section of Mountain Road. David asked him if there were legal limitations to prevent damage from happening. David had called the Police Department with their telling him they had limited abilities. David had asked if there was something the Board could do. Joanne had also received a call from David. She had looked up the RSA and reviewed sections of it.

Keith said the Board could establish some by-laws for Class 6 roads. Gordon said there are enforceable laws now – i.e. destruction of public property. Further discussion ensued. Keith was concerned with the protection of town property and the destruction making the roads inaccessible for emergency services. Gordon thought the roads could be posted now. Joanne will discuss with Attorney Soltani and the LGC.

The Board took a break from 8:18 P.M. to 8:26 P.M.

Joanne made a motion to go into non-public session per RSA 91-A:3 II(e) for litigation with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed with Bob, Joanne and Keith voting yes.

The Board went into non-public session at 8:27 P.M. returning at 8:35 P.M.

Joanne made a motion to seal the non-public minutes with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Joanne said during the non-public session they identified two items that need to be discussed in a public session. The Board had requested Attorney Soltani provide a contract for services and discussed the contract.

Joanne made a motion to accept the agreement with Attorney Soltani with Keith seconding the motion.

Bob asked if there was any discussion on the motion. There being no discussion on the motion, Bob called for a vote. The motion passed unanimously.

Joanne said another item was a letter from Attorney Soltani saying Ed Mosca was no longer associated with the office. The office is now called the Soltani Law Office.

Joanne made a motion to close the meeting with Keith seconding the motion.

Bob asked if there was any discussion on the motion.

Bruce observed when the Police Officer came in for his exit interview and requested it in public there were no objections by Board members. When Faith had requested her exit interview in public there were objections. Joanne said the only discussion was she was going to step out of the room, but then she did not.

There being no further discussion on the motion, Bob called for a vote. The motion passed unanimously.

Bob adjourned the meeting at 8:40 P.M.

Respectfully submitted,

Betsy Bosiak
Recording Secretary