

\_\_\_Bob  
\_\_\_Joanne  
\_\_\_Keith  
\_\_\_Betsy

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

TOWN OF EPSOM

BOARD OF SELECTMEN MINUTES

APRIL 14, 2008

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

Other Attendees: Wayne Preve; Joni Kitson; Andrew Walton; Gordon Ellis; Jason Gallant; Lee Bartlett; Mary Frambach; Pam Hoyt-Dennison; Bruce Graham; Rob Topik; Bill Gelinis; David Fiorentino; Carole Brown; Nancy Wheeler

Bob opened the meeting at 6:17 P.M., having the Pledge of Allegiance said.

**Police Department Re: Removal of Cruiser from Service**

Chief Preve wants to sell the 2004 cruiser and the 2005 cruiser in another month unless another department wants one. He requested a Board consensus to sell both cruisers.

Chief Preve said he will not be present for Department Head meeting, having nothing from his Department. He had met with Keith on Thursday to discuss issues.

The Board had a consensus to allow Chief Preve sell the cruisers.

**FOR DISCUSSION**

**D. Police Chief's Request for Over Time**

Keith said this was one of the things the Chief and he had discussed. Keith explained the Board had concerns with over working the Chief. The staff schedule was discussed with Chief Preve having explained to Keith he needed to fill in for some vacation time and other days officers wanted off. Keith felt with this explanation it would be appropriate to grant the request.

Chief Preve explained it was to fill two slots, the staff has filled in most of the shifts, but needed time off or had worked too many hours. Chief Preve said he still needed Nancy to check the legalities of his doing this.

Chief Preve discussed the process to be followed for a new hire – he was going to select two candidates for consideration for police training at the Police Academy

which does not start until August 25<sup>th</sup>. If one candidate cancels out the other one could be hired.

Joanne felt it was not unreasonable to ask about the Chief's request to work the extra shifts. Bob is concerned with the officers and the Chief getting burnt out. Chief Preve said he is watching the time worked. Keith felt they should wait to make a decision until they hear from the Chief and Nancy.

**Open Bids for Recording (Center Hill Road Bridge)**

Jason Gallant indicated he was present to observe. The Board was to open and verify the bid bond and that the two addendums were acknowledged. At the end Jason will take the bids to his office to canvas and review for accuracy of bids and conformancy to contract requirements, returning next week with a recommendation.

**FOR SIGNATURE**

**4. Appointment Papers**

Keith said Pam Hoyt-Dennison was present to sign appointment papers as an alternate to the Zoning Board of Adjustment and would like to recommend the Board vote on that so she could complete the paperwork tonight.

**Keith made a motion to appoint Pam Hoyt-Dennison as an alternate member of the Zoning Board of Adjustment with Joanne 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 Board signed the appointment papers.

The Board opened the bids for the Center Hill Road Bridge project with the following unofficial results:

A J Coleman	\$580,137.00
Advanced Excavating & Paving	\$418,065.00
Merrill Construction	\$518,793.35
DBU	\$507,590.00

Keith reiterated the procedure would be for Louis Berger Group to take the bids back for checking bids and contract commitments and come back to the Board with a recommendation for the low bid contractor. Jason said before the project can be awarded concurrence has to be obtained from the Department of Transportation, through Nancy Mayville. Jason will review the numbers and return next week with a summary of the bids.

Rob Topik asked once the engineer comes back with the recommendation will the Board be getting familiar with the bids and will the Road Agent weigh in also. The originals will be left in the office for the board and Road Agent to review.

Jason explained next meeting he would give a comprehensive summary. The originals will be left in the office with the Board welcome to do what they would please. He reiterated what his firm would be doing and making the contact with the Department of Transportation.

Rob asked if Louis Berger would be following through with the plan with Jason saying they would be having construction oversight.

**Road Agent Re: Waiver (memo in packets)**

Gordon Ellis said he was looking to address the contract policy with waivers for things to be put out by the hour. He was there to answer questions regarding waiver requests for grading, ditching and roadside mowing. He discussed bidding these items vs. doing by the hour and the use of experienced vs. inexperienced operators to complete the work (grading for example)

Joanne said she had a long talk with Nancy regarding the bid policy and in summary if the Board is waiving items to be paid by the hour, they should include them in the policy as exception. Nancy has gone through the vendor report for 2007, giving Joanne a list marked with the vendors paid over \$5,000.00. Some of these items would never be bid out, i.e. Regional Planning, legal services, ambulance billing, Eastern Topographics for examples. Joanne discussed they either list items as exceptions or start over.

Bob asked if a job was being done by the hour how could it come under the bid policy with Joanne saying it only does as the Board hasn't excluded it. Discussion ensued exempting the Road Agent's items from the policy.

Keith wanted to be sure the town has the best bang for the buck. He realizes Gordon's concerns regarding using experienced operators vs. inexperienced in the decision making process. He felt the Board should have assurances the project should not go over a certain price and if it does Gordon should return to the Board. He thought these projects could be bid out. He said a contract could be based on low bid and/or quality assurance. Keith said it could get into potential legal complications with the low bidder was not always getting the bid. The approach Gordon wanted to take this year was the hourly rates could be set and could be managed. Keith is supportive but would like reports over the summer regarding the costs per mile.

Gordon said the numbers were the going rates. Gordon said Keith was right and after this year they could put it out to bid. He is still cutting trees now and it would be difficult to bid.

Joanne asked when Gordon would do the bid process. Gordon said the brush cutting in the fall with grading in the spring. He said ditching could not be put out to bid.

Keith discussed the numbers saying for 8 hours of grading a day the cost would be \$1,600.00 per day. Gordon said it would depend on the number of trucks being used.

Rob said they heard the list of numbers that went over \$5,000.00. He said when the bid policy was first recommended Gordon was asked to obtain information as to what other towns do. He asked if Gordon listed the annual ballpark figure and with the town's vote maybe the Board should check the \$5,000.00 figure and maybe reduce it to \$2,000.00. Joanne said the bid policy is based upon a policy from Pittsfield which has a lot of its own equipment.

Andrew asked if the proposal would be beneficial to the Highway Department, Gordon said yes. Gordon discussed the bid costs in 2003 and the process did not work out. Gordon explained how he was doing the spring, summer and fall grading with not all parts of all roads being done each time.

Keith confirmed this work was being paid from the Highway and Street Maintenance line, Gordon said yes. Gordon discussed he had \$140,000.00 for summer maintenance. David Fiorentino asked how much Gordon felt he could save per year not bidding out the work and doing the projects hourly. Gordon said approximately \$30,000.00 on grading, but he could not establish ditching. David asked if he could, theoretically, save \$60,000.00 without going out to bid with Gordon saying yes.

Rob questioned why the town needed to bid the bridge project but couldn't ditching due to trees and rocks. Keith explained the process used for the bridge being more defined. They couldn't do this for ditching without a survey to determine the amounts to be removed or type of reconstruction. Rob said doing by the hour he was doing it by handshake.

Keith said if the Highway Department had the staff to do the work it would be an operations procedure. Gordon is asking for assistance to do an operations procedure through an hourly contract.

Rob said the end he was coming from was take the short road – to bid out the project and the low bid does the job. If they do the job they pass the test, if not the contractor is out. Joanne was not in favor of changing the amount of the bid policy. She was in favor of waiving. Although these projects won't be going out to bid Gordon would be calling around to look for the best prices any way. Bob asked Gordon for comments regarding what was said. Gordon said everything

Keith and he said was true. If they have to take shortcuts then he would have to. Joanne summarized the discussion.

Bruce Graham asked Joanne why she did not like the \$2,000.00 figure. Joanne felt \$5,000.00 was a fair number with a lower number being too restrictive.

**Keith made a motion to provide a waiver of the bid policy for the Road Agent to enter into a grading contract at an amount not to exceed \$125.00/hour for a grader and triaxle trucks at \$70.00/hour each; ditching for an excavator at an amount not to exceed \$125.00/hour and triaxle trucks at \$70.00/hour each and roadside mowing not to exceed \$65.00/hour with Joanne 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.**

Gordon said next week he would be bringing up the backhoe, asking the Board to familiarize themselves with the information in the office. Keith asked if they needed to amend the bid policy, Joanne will verify the list of what they have and what Betsy lists in the minutes and submit an amendment next week.

Rob asked Nancy to clarify her statements regarding the waivers. Nancy said if the board is going to have waivers they need to be consistent across the departments. The current policy only indicates the waivers, not the exceptions. Keith said the items are waived this week and will be listed as exceptions in the policy in the future.

#### **FOR SIGNATURE**

- 1. Accounts Payable**
- 2. 1 Manifest**
- 3. Updated Pay Rate Schedule**

Joanne asked Nancy to clarify the list which Nancy did.

- 4. Appointment Papers**

One set of appointment papers was signed earlier. The remaining appointment papers were for members of the Website Committee.

**Joanne made a motion to accept the appointment of James Bowen to the Website Committee 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 made a motion to accept the appointment of Crystal Gosselin to the Website Committee 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 made a motion to accept the appointment of Colby Walker to the Website Committee 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 made a motion to accept the appointment of Norman Gentry to the Website Committee 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. Joanne said she also was on the committee.

**5. Multiple 2007 Tax Abatements and Refunds**

**6. Land use Change Tax & Warrant**

**7. 3 Elderly Exemptions**

## **FOR DISCUSSION**

### **A. Multi-year LGC Policies**

Joanne said Barbara is to schedule a time for LGC representatives to come in and explain the items to the Board. Keith confirmed there were only certain categories the town obtained insurance from the LGC with Joanne confirming this.

### **B. Charitable Tax exemption (requires a vote)**

Joanne said the Merrimack Valley Church requested changes in areas of the property. Avitar reviewed the information determining the new areas did not qualify.

**Joanne made a motion to keep the exemptions as they were last year.**

Joni asked what they had requested. Joanne said it was something to do with the parking lot. Keith said they own two condo buildings with portions not needing the exemption. Discussion ensued as to what exemptions the Church does have. Andrew Walton said they had purchased the land in the rear.

**Joanne reiterated her motion was to keep the exemption for the Merrimack Valley Church the same as last year 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.**

Joni said the Evergreen Lodge has not received a letter about the exemption. She said the town has always sent a letter after the exemption was granted. Bob will check on this.

**C. Letter from Army Corp of Engineers (Center Hill Road)**

Joanne said Barbara explained to her the letter was for the Board's review with nothing to sign yet. The letter is for compliance and is to be signed after the project is complete. Keith said the Road Agent and Louis Berger Group should have copies of the letter.

**E. Epsom River Study Regional Communications**

Joanne said there was nothing regarding this item in the folder. Keith had some information regarding topographical flights. Nancy said they should have an e-mail from Sharon Copp of Eastern Topographics. Keith read the information. Nancy asked if their question was if the town wanted to wait until the water level in the river recedes before the photographs were taken. Keith thought they would want to wait until just before the trees leaf out. There was a consensus to wait.

Joni asked if the e-mail was forwarded to Peter Walker and Steve Landry with Keith saying yes.

**F. Schedule Meeting with Library Trustees?**

Joanne said the Library Trustees have informed her they already have a meeting on May 12th. They suggested if the Board wanted a meeting at the old library building it be done on May 14<sup>th</sup> or 15<sup>th</sup>. Joanne suggested they meet the first hour of the trustees meeting on the 12<sup>th</sup>. She thought they needed to discuss what they are doing with Attorney Soltani.

Keith said the night of the Board meeting was more convenient, May 14<sup>th</sup> was not convenient for him. Dates were discussed with it being determined the 12<sup>th</sup> was the best time to meet. Joni said the 12<sup>th</sup> is the trustees' regular meeting and they may have the agenda set with people on it. Discussion of other possible dates with 5:00 P.M. on May 19<sup>th</sup> at town offices being chosen as a recommendation to the library trustees.

Keith asked if the office could research the Warrant Articles regarding the library. Joanne will ask Barbara to have these available.

**G. Need for Another Cemetery Trustee**

Keith reviewed information as to the trustee responsibilities included. Bob said they need to advertise for a trustee. Joanne said Dawn had mentioned after the election a trustee was needed. Joanne has sent an e-mail to several people with no one responding. Discussion ensued as to locations to post for the position. There was a consensus to post the cemetery trustee position.

**MINUTES FOR REVIEW AND DISCUSSION**

**Final Non-Public Minutes of April 7, 2008**

**Joanne made a motion to accept the final minutes of the non-public session of April 7, 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.**

**Final Minutes of March 31, 2008**

**Joanne made a motion to accept the final minutes of March 31, 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 April 7, 2008**

These minutes were reviewed and amended.

**Joanne made a motion to accept the draft minutes of April 7, 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.**

## **CONFIDENTIAL**

Joanne said there was one confidential item that the Board reviewed individually. Lee Bartlett asked for a copy with Joanne saying a copy was sent to the Welfare Office on April 14, 2008. Joanne said if they needed to the Board can go into a non-public session to discuss the matter at the end of the meeting.

## **MISCELLANEOUS ITEMS/FYI**

### **4. NH Surplus Property Auction Notice**

Joni asked the date of the auction with Joanne saying May 17<sup>th</sup>.

### **2. Letter Re: Relocation of Mobile Homes in Kingstowne**

Joanne said it was a letter to Jay from Attorney Zimmerman updating Jay regarding issues at Kingstowne. Joanne read the letter. It requested an extension of the time periods for replacing the destroyed mobile homes for two years from the April 2007 flood.

## **LIAISON REPORTS**

Keith met with the Police Chief with the department having a plan of attack for the loss of personnel.

The Planning Board met last week to discuss the ongoing case. It will be returning for a rehearing.

Joanne discussed the State primary is September 9<sup>th</sup> and the Board members have to set up. Previously it had been discussed changing the hours of the election.

This needs to be done 60 days prior to the election. The Board had previously discussed 7:00 A.M. to 8:00 P.M., saying they might want to bring this up soon. Joanne asked Keith for a bio for the Website and a digital picture. Nancy asked about use of the space on the Website with the minutes, feeling this should be addressed before new information is added.

**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, Keith and Joanne voting yes.**

The Board went into non-public session at 8:25 P.M. returning at 8:53 P.M.

The board took a break from 8:53 P.M. to 8:56 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 with Bob, Keith and Joanne voting yes.**

Joanne had the 2008 holiday dates that she had forwarded to the Board members for discussion. She said Memorial Day would be celebrated on May 26<sup>th</sup> asking if they wanted to change that meeting date. Joanne will be on vacation the week of July 7<sup>th</sup>. She said Labor Day is September 1<sup>st</sup>, saying they could cancel or reschedule. Veterans Day, Thanksgiving and Christmas are not Monday holidays so those weeks are not affected.

Keith suggested rescheduling the May 26<sup>th</sup> meeting on Tuesday May 27<sup>th</sup>. There was a consensus to do this. The Labor Day meeting was rescheduled to Tuesday September 2. The remaining holiday weeks will continue with the current schedule.

Joanne asked the Board to consider meeting every two weeks during June, July and August. She said they would have to determine with the office staff payroll weeks.

Joni said they would have to plan late meetings if they do a meeting every two weeks and take into consideration Nancy would be doing the Accounts Payable and payroll checks the same week.

Joanne said Barbara indicated the Board has not completed the job description for the office position. To date there are 16 applicants for the position. There was a consensus of a list of duties for the job description.

Joanne discussed putting minutes on the Website. She said scanning to an adobe PDF file takes up a lot of file memory. She said another option would be to put them on as a Microsoft word document that has been converted to PDF. She said the copy would not have their signatures. Keith suggested after the minutes are finalized to put their initials of who approved them and then have them e-mailed to the Website.

**Joanne made a motion to allow changes regarding uploading the minutes to the Website 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.**

Keith had information from Barbara from the Suncook Valley Regional Association. They wanted to have each town submit the cost of the attorney being used and a list of 2008/2009 road projects for the town. He wanted to be sure it was okay to submit the information.

Joni asked why they wanted this information. Keith said one of the things they wanted to look at was whether certain town activity could be collectively obtained at a reduced cost. Discussion ensued. There was a consensus of the Board to bring the information to the next meeting.

Joni asked if the road plan was being updated as the budget did not pass. Joanne said per Gordon he is trying to get done all the listed projects as best as he could.

**Joanne made a motion to close the meeting 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.**

Bob adjourned the meeting at 9:15 P.M.

Respectfully submitted,

Betsy Bosiak  
Recording Secretary