

TOWN OF EPSOM
BOARD OF SELECTMEN MEETING MINUTES
November 18, 2019 AT 6:00 PM

Hugh Curley
Virginia Drew
Cheryl Gilpatrick

Approved: **Cheryl / Virginia**
2 – 0 in favor

Staff Present: Nancy Wheeler, Dawn Calley-Murdough

Other Attendees: Joni Kitson, Nicholas Freese, John Kenyon, Bill Duffy, Deb Sargent, Mark Richardson, Norm Yeaton, Art Laro, Priscilla Bernard, Val Long, Bob McKechnie, Glenn Horner, Meadow Wysocki, Chuck Driesbach

Virginia called the meeting to order at 6:00 pm and asked Bob to lead the Pledge of Allegiance.

Virginia reviewed the agenda and changes to the agenda included Report of Cuts, vacation extension request, special Tax Collector Audit, and legal update.

Motion by: Cheryl to accept the agenda as amended. **Second by:** Hugh. **Vote:** 3 – 0 in favor.

Appointments: None

Finance Report: Nancy stated employees have received open enrollment paperwork for any proposed changes in 2020. Once all forms have been received she will be able to update the budget amounts for insurances to a more accurate number.

Town employees have been completing the required training in order for the town to keep their prime status to receive a small discount on the insurance premiums the town pays. A laptop has been ordered for the Selectmen assistant to use for minutes, and to use for online group employee insurance training.

The Budget Committee met and they are asking some department heads to make budget cuts. Department heads have also been asked to submit requests for warrant articles for board review during December, along with the default budget. Legal opinions have been requested regarding items that can be added to the default budget, such as retirement and benefits questions.

Nancy stated she is working on year-end audit prep work.

Employees have been requested to submit their mileage reimbursement and a few are included with A/P.

It was confirmed that department purchase orders will be submitted by November 25 for board review.

Cheryl asked if an answer was received about adding the additional increase for the BCEP reserve fund to the default budget and if the town office rent would increase with the addition of town water. Nancy stated she is waiting for an answer regarding the BCEP amount for the default budget. There is an expectation the town office rent will increase with the addition of town water but doesn't know how it will be applied to each individual unit yet. Nancy reminded the board the office rental contract expires at the end of 2020.

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Windsor/Wimbledon Road Concern: Virginia allowed the residents living on Windsor and Wimbledon Roads to speak to the board regarding their concerns.

Mr. Laro thanked the board, provided a history of the development of the road, which was started in 2006, and asked when the town would accept Windsor and Wimbledon Roads as town roads. Residents on these roads feel the amount of money they pay in taxes is enough to have their road plowed.

Virginia stated the town doesn't plow private roads and the road approval process goes through the Planning Board. Cheryl stated the Planning Board has received updates regarding the roads, and information has been provided to the developer about the process he needs to complete to have the road accepted by the town. Once those steps are completed the Planning Board will make a recommendation to the Board of Selectmen to accept the road as a town road. The Road Agent has completed some inspections of the roads with the town engineer, and engineering testing identified some concerns and the need for a topcoat. The town cannot maintain the road until it is accepted by the town.

Mr. Kenyon expressed concern the residents are paying property taxes and having to pay the developer for road maintenance for what was expected to be a temporary period; he asked how long is temporary.

Virginia reminded the audience that approximately 75% of their tax dollars are for the school and county; taxation is separate from the current concerns and the town liability for servicing a private road.

Mr. Robinson asked what the town does to hold the developer accountable to make sure they are providing the services they should to the residents that live within the development until the road can be accepted. Can residents receive relief on their taxes or require the developer to finish the road?

Hugh recommended the residents consider their relationship with the developer and to determine why the developer is charging the residents to plow the road, and if there is a homeowner's association agreement/contract, which is a civil matter between the residents and the developer. There are other residents in Epsom that live on private roads and don't receive road services either.

Joni stated she lives on a state road and pays the same taxes as others, the town doesn't plow her road either, and plowing is maintaining.

Cheryl stated plowing is road maintenance and the town cannot take on the liability that is owned by a private citizen. The Planning Board has a responsibility to monitor that the requirements and stages of the development are met, but cannot direct the relationship between the developer and the residents.

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Those in attendance were asked to provide copies of their documents to the board.

Ms. Bernard expressed concern that she is hearing conflicting information from the developer and the town. Nick Freese asked who is responsible for making sure emergency services can access Windsor and Wimbledon Roads if the road isn't plowed by the developer.

Virginia stated the town has been consistent in their message to the developer about how the road can be accepted and unfortunately the town isn't responsible for what he is telling residents on the road. Hugh stated he would look into the requirements of getting emergency services to the residents. Cheryl encouraged the residents to schedule an appointment with the PB and their next meeting is December 11.

The board reminded attendees of the ability to receive an email notification when the agenda's and minutes are posted on the town website, and the meeting schedules are also posted on the town website.

Private Road Waiver: Glenn updated the board on the town's ability to ask for a Private Road Waiver for homeowners that live on a private road. This waiver eliminates the town liability to provide emergency services and road maintenance and legally identifies that homeowners are responsible for their road maintenance.

This waiver is being requested with a Zoning Board approval to transition a seasonal home to a year-round home on a private road.

General discussion took place about including the waiver for individuals constructing homes as part of the Planning Board and permitting process.

Motion: by Hugh to approve the Waiver of Municipal Liability for Private Road for a property on Sleepy Hollow Lane identified in Book 3415 and Page 1084 (Map U01 Lot 95). **Second by:** Cheryl. **Vote:** 3 - 0 in favor.

Old Meetinghouse: Virginia and Chuck stated the Old Meetinghouse Revitalization Committee is looking to sell partition doors. Chuck stated the doors are not original to the building and there isn't a plan to utilize them in any current construction plans.

Cheryl and Len asked if selling the doors will violate the LCHIP agreement or if selling the doors is in disagreement with the decision by the voters to take ownership of the building.

Hugh and Cheryl recommended seeking LCHIP permission to remove and sell the doors, making sure it doesn't conflict with the agreement.

Deb stated the OMRC is also requesting the proceeds from the sale are returned to the meetinghouse fund.

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Motion: by Hugh at the discretion of the OMRC is the Board of Selectmen gives permission to sell the four interior petition doors pending approval from LCHIP with proceeds to be added to the OMH Fund. **Second by:** Cheryl. **Vote:** 3 - 0 in favor.

Department & Committee Protocol: The board and members of the OMRC discussed the process and protocols for purchasing materials for the renovation of the Old Meetinghouse.

After discussion, it was determined that the OMRC should follow the same purchase policy process as other departments, except the committee will need approval by the Board of Selectmen before any purchases can be made. Once approved, committee members can provide Nancy with a list of needed materials and she can coordinate online ordering, payment, and pick up, or schedule a date and time to meet at the store. Committee members have also been added as authorized buyers from specific vendors but again can only make purchases after Selectmen's approval has been received.

Virginia asked the BOS to review the purchase policy.

It was stated that Nancy previously reminded the committee that they must log all materials that are donated and hours worked by the volunteers. Deb stated she worked out an agreement with the committee about recoding materials, tracking work time, and a schedule to turn over the information to Nancy on a quarterly basis.

Discussion took place about the method of tracking the purchases made by the committee and using monies from the Meetinghouse fund.

The committee was asked to submit, at a minimum, quarterly requests identifying their proposed actions with a list of proposed materials that will be needed for those actions to the Board of Selectmen for approval, which would then be given to Nancy to coordinate the actual purchases with committee members.

Discussion took place about making sure the committee is communicating their plans to the Selectmen and the office to make sure enough monies are budgeted for the applicable utilities, such as propane and electricity. It was stated the town should also complete all applicable building safety checks. Committee members should report any building related concerns to the office to expedite any needed repairs.

Discussion took place about the process for a committee to receive authorization for a newspaper article. It was stated the Board of Selectmen should receive advanced notice of an article before it is published.

Signature/Approval Items:

Motion: by Cheryl to approve the vacation extension request, dated November 18, 2019.

Second by: Hugh. **Vote:** 3 - 0 in favor.

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Assessing Signature/Approval:

Motion by: Hugh to approve the Report of Cut for Map R08 Lots 25 and 29 and Map U04 lot 53. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Tax Collector Audit: Discussion took place about the need for an additional audit of the Tax Collector documents, which is statutorily required when she retires. This audit is not included in the regular town audit process and will cost an approximate \$750.00 to \$1,200.00.

It was stated this amount was not included in the Tax Collector's original proposed 2020 budget and would need to be added during her meeting with the Budget Committee.

Emergency Management Director Liaison – Request to Change: Postponed to another meeting.

Approval of Minutes:

Motion: by Cheryl to approve the October 28, 2019, public minutes as amended. **Second by:** Hugh. **Vote:** 3 - 0 in favor.

Motion: by Cheryl to approve the November 4, 2019, public minutes as amended. **Second by:** Hugh. **Vote:** 3 - 0 in favor.

Motion: by Virginia to approve the October 21, 2019, non-public minutes as written. **Second by:** Cheryl. **Vote:** 2 in favor. Hugh abstained.

Motion: by Cheryl to unseal the October 21, 2019, non-public minutes. **Second by:** Virginia. **Vote:** 3 - 0 in favor.

Department & Committee Protocol. cont.: Nancy clarified the process the OMRC should take to complete the process of purchases at Home Depot. The committee should establish a list of needed items that can be ordered online for pickup or they can schedule a time to meet at Home Depot for a purchase. Nancy stated this process is no different than any other department or committee. Two members of the committee were authorized as buyers to purchase minimal items on the local account at Heritage Hardware in Northwood.

Nancy stated she would hope the Board of Selectmen approves projects and purchases for the committee prior to purchases taking place, with some specific dollar amount. She would then group together receipts from the purchase of materials needed to submit to the Treasurer for payment of the expenses.

Nancy reminded the board will also have to review and accept the list of donated materials and volunteer hours for the Old Meetinghouse in order for it to qualify for any needed grant match.

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Selectmen Reports: **Hugh:** BCEP meets the following week to finalize the BCEP budget and to start preparing materials for the public hearing on December 12. He will update the full board on the current legal case information during non-public.

Cheryl: Highway Department has indicated New Orchard Road has been paved and is completing some minor ditching and other minor items. The truck is expected to come back this week. Follow up is taking place about the delivery date for the new truck and future follow up will take place expressing concern about the delay.

Hugh stated the New Orchard Road project was completed well and is a credit to the former and current Road Agents.

Cheryl stated a copy of the Gauthier Drive bond was sent to the developer and hope to have the final version returned by the December 11 Planning Board meeting for final approval then it should be referred back to the BOS.

Cheryl stated she enjoyed attending the conference as a participant and learned a lot. Hugh provided the other board members copies of the Legislative Update book from the NHMA. Virginia stated she was disappointed she was unable to attend the conference.

Virginia stated she would like the board to continue updating board meeting procedures to help make things run more smoothly. General discussion took place about some of the conference classes, including town Facebook accounts, meeting procedures, and statewide court updates.

Virginia: The Police Department will submit their purchase orders by Friday, the new officer is working well, and the part-time officer is working toward passing required tests.

The Budget Committee is asking for a 3% budget decrease from most departments from what was originally presented to them.

Cheryl stated it was tough for her to hear the committee request because the town didn't have an increase in 2019, and the presented budget increase equals an approximate 3 ½ % per year for 2019 and the upcoming 2020. The Budget Committee Chair has started to schedule department head meetings for the Budget Committee meetings, but a final schedule isn't available.

Virginia asked if one of the other board members would be willing to step up as liaison to the OMRC. She has always been passionate about the building and trying to make it useful, but is concerned about the recent issues making her ineffective with the committee. She still supports the committee but wants to make sure it functions effectively.

Cheryl stated while she would like to be liaison, she doesn't want to give up the Planning Board which meets the same night, and feels there are other issues taking place within the committee that probably can be resolved. Hugh stated he would be willing to take over the liaison position,

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but wouldn't necessarily take an active role in committee activities. The Zoning Board hasn't met.

Department & Committee Protocol. Cont: Dawn stated she would like to see better communication between some departments and committees with the town office. As well as making sure many of the official documents for departments and committees are put on file at the town office, for items such as grants and easements. The town office is the primary location where citizens and state officials go for information and it is upsetting to not be able to provide them with the information they seek because the information hasn't been shared.

Virginia agreed and felt the Old Meetinghouse situation was taken out of proportion and some of the policies and procedures aren't fully understood.

Hugh would talk to Dawn about some of the specific issues. Cheryl stated she understands some of the confusion and issues.

Dawn hoped the board would continue to refine policies and procedures to make sure all departments and committees are on the same page.

Other Business: Nancy asked if the board made a decision to grandfather the Blue Choice Point of Service plan. It was stated the board did make a decision to grandfather the plan and the information was part of the October 28, 2019 minutes.

The three-year audit contract runs through the 2019 audit and the board needs to determine if they will extend the audit contract for one year, three years, or even request bids for a new auditor next year. Hugh supported keeping the existing auditor for a new three-year contract with the transition of two new employees. Nancy stated keeping the same auditor will provide some consistency with a new finance director.

Motion by: Hugh to extend the Roberts and Greene relationship as Auditors for an additional three years. **Second by:** Cheryl. **Vote:** 3 - 0 in favor.

Nancy reported the town received the 2019 municipal aid, with the board making a decision to use some of the funds for the 2019 police cruiser with the remaining used to offset the tax rate. The town will receive approximately the same amount for 2020 and stated the board will need to determine how it will be reported in 2020; as offsetting revenue for the 2020 operating budget or to be added directly to the fund balance.

Virginia and Hugh supported including the 2020 municipal aid into the proposed 2020 revenue totals to offset the proposed 2020 operating budget. Cheryl asked for further information to understand the process before making a decision.

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Discussion took place about the CIP Update contract with Central NH Regional Planning Commission. It was stated the Planning Board should submit a purchase order for the first half of the contract and the Selectmen can further discuss the contract at their December 16 meeting.

Hugh asked about the upcoming meeting schedule and Dawn would provide the board with an updated calendar at their November 25 meeting.

Hugh asked if the board would add an additional meeting on December 9 or 23.

Public Comment: General discussion took place about the Windsor and Wimbledon Road concerns.

Non-Public Session: 9:48 pm Motion by: Cheryl to enter into Non-public session per RSA 91-A:3 II (c). **Second by:** Hugh.

Roll call vote: Hugh – Aye, Virginia – Aye, Cheryl – Aye.

10:12 pm Motion by: Cheryl to exit the non-public session and to seal the non-public minutes. **Second by:** Hugh. **Vote:** 3 – 0 in favor.

It was stated no decisions were made.

Non-Public Session: 10:12 pm Motion by: Hugh to enter into Non-public session per RSA 91-A:3 II (l). **Second by:** Cheryl.

Roll call vote: Hugh – Aye, Virginia – Aye, Cheryl – Aye.

10:25 pm Motion by: Cheryl to exit the non-public session and to seal the non-public minutes. **Second by:** Hugh. **Vote:** 3 – 0 in favor.

It was stated no decisions were made.

Correspondence – FYI: Dawn stated the board received information about low-income internet and a letter from the NHMA regarding their annual dues.

Adjourn the Meeting

10:27 PM Motion by: Cheryl to adjourn the meeting. Second by: Hugh. Vote: 3 – 0 in favor.

Respectfully Submitted,

Dawn Calley-Murdough