

**TOWN OF EPSOM
BOARD OF SELECTMEN MEETING MINUTES
JUNE 17, 2019 AT 6:00 PM**

Hugh Curley
Virginia Drew
Cheryl Gilpatrick

Approved: _____ VJD/CCG on 7/1/2019

Staff Present: Nancy Wheeler, Dawn Calley-Murdough, Scott Elliott

Other Attendees: Joni Kitson, Debbie Sargent, Tammy Perreault, Scott Perreault, Len Gilman, Pat Curley, Celeste Decker, Betsy Bosiak, Miriam Cahill-Yeaton, Norm Yeaton

Hugh called the meeting to order at 6:02 pm and asked Miriam to lead the Pledge of Allegiance.

Hugh reviewed the agenda and stated changes to the agenda included the need for a couple of non-public sessions.

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

6:06 pm Motion by: Virginia to enter into Non-public session per RSA 91-A:3 II (c). **Second by:** Cheryl.

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

6:50 pm Motion by: Virginia to exit non-public session and to seal the non-public minutes. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Virginia stated decisions were made during non-public session.

Appointments:

6:30 pm Val Long/Old Meetinghouse LCHIP Grant: Deb expressed Val's regret for not being able to attend the meeting and updated the board on the grant request. Val has been working with Nancy to complete the grant, there are forms for both Hugh and Virginia to sign, the narrative is complete, the budget and attachments are in the works, and the final application with all documents must be submitted by June 25th.

General discussion took place about the purpose of the LCHIP Grant, which is for repairs at the Old Town Hall and in conjunction with the Moose Plate Grant. Nancy stated that it would be a 50% match grant for repairs to the Old Meetinghouse, and any awarded funds from the Moose Plate Grant funds could be used to support some of the 50% needed for the LCHIP grant.

Motion by: Virginia to approve the signing of the Historic Resource Project Acknowledgement form.

Second by: Cheryl. **Vote:** 3 – 0 in favor.

Finance Report: Nancy stated she worked with Alison on the McClary Cemetery Moose Plate Grant and the application for historical designation from NH Division of Historical Resources. Work took place with Val on the Old Meetinghouse LCHIP grant. The Police and Fire Department each submitted grant paperwork for radio frequency re-programming by the June 14 deadline, and the grants do not require any town matching funds. The CDBG grant for the Kingstown Crossing Cooperative was withdrawn due to the inability to use federal funds on property located in a flood way.

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Employees received information regarding the open enrollment period for Aflac insurance, along with dates they could meet with an Aflac representative.

The Suncook Valley Regional Association finance group will meet Thursday, June 27 to reconnect and review health insurance options for the multi-town group pool. This pool provided participants lower cost premium increases versus what would have been seen if they were participating alone. The group could lose current grandfathering status for health insurances options if a change of plan(s) takes place or group membership drops below 100+ employees. Nancy would update the board after the meeting.

Nancy stated Donna will attend a Current Use class on June 26th to learn about the Current Use laws.

Nancy provided answers to concerns previously expressed about the Old Town Hall and stated a few light bulbs were replaced and the door was repaired. It was requested that any new concerns be communicated to the office.

Nancy stated the town must complete an actuary update to determine town liability for potential retirees and provided a copy of the contract for board review. This study is required every two years and will be part of the town audit requirements. The cost is \$2200.00 and can be split over a two year period. Virginia asked if the expense was included in the budget. Nancy stated it was not in the budget, but the funds would be found.

Nancy updated the board on the legal situation regarding two forged town checks. The town did not lose any money and the fraud information has been turned over to regulating authorities. Although the town has not experienced any additional issues, new software is now required to document to the bank what checks the town has actually written. The software costs \$500.00 and has an annual \$90.00 support fee. The board supported the purchase of the new software.

Nancy stated she would be on vacation next week and there will be no accounts payable.

Nancy reported she participated in a meeting with the Highway Department and FEMA representative regarding the New Orchard Road project. It was determined a new scope of work is required, as the Road Agent determined a new culvert is also needed. The change in scope will require new bids. There is still money available and it is expected the project will be federally funded at 75%. The Road Agent is also requesting paving which will require a separate bid, and work must wait until after required FEMA inspections are completed.

Nancy stated Fire Department stipends are in the current payroll and other stipends will be in the next payroll. Nancy stated later during the meeting she received an updated payroll form, which increased and changed the payroll manifest.

Signature/Approval Items: The board reviewed and discussed items needing signatures.

McClary Cemetery: Hugh reviewed the application to NH Division of Historical Resources to add McClary Cemetery to the NH Register of Historical Places. After discussion Virginia and Cheryl agreed to support the request. Virginia asked to make sure the Cemetery Trustees were notified of the application. Nancy stated Alison discussed the application with Gary Kitson, but it would be forwarded to him.

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Motion by: Virginia to have the McClary Cemetery listed on the historic state register. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Old Home Day Safety Plan: Motion by: Virginia to approve the proposed Safety Plan for the 10th Annual Old Home Day Road Race. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Hugh asked to also have the Police and Fire Departments review and sign off on the plan as well.

Virginia stated the current organizers of the Old Home Day event have stated this will be their last year organizing the Old Home Day event. Past organizers and others were contacted, but no one has expressed interest in taking over the duties. Virginia stated interested parties should contact Gary and Georgia Perry to learn about the event. Virginia asked if the town would consider taking over organizing the event, if no volunteers were found.

Discussion took place about whether or not the town should organize Old Home Day, including whether or not the town should post information on the town website for committee participation. It was stated the committee always operated separately from the town, and concern was expressed about the time town employees would need to spend organizing the event, as well as the need to budget for the event if the town took it over. Town employees have only provided support with filing documents, providing emergency coverage, and the actual use of the park.

The board expressed their consensus that information about the event could be included on the website but other committee materials and requests should not. The board also agreed they would try to assist in finding volunteers to organize the Old Home Day event.

Updated General Release and Indemnification Agreement: The board signed the updated form, which added Cheryl's name to the document as the new selectman.

Assessing Signature/Approval: The board reviewed and signed assessing related documents.

Motion by: Virginia to approve the Land Use Change Tax for Map R10-1-5. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Motion by: Virginia to approve the Land Use Change Tax for Map R10-1-6. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Motion by: Virginia to approve the Land Use Change Tax for Map U01-13. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Dawn explained the recommendation for the 2016 abatement refund request. After discussion the board felt they would deny the abatement request.

Motion by: Cheryl to deny the abatement request for Map R01-30-28. **Second by:** Virginia. **Vote:** 3 – 0 in favor.

Dawn explained the Religious Exemption paperwork was a required annual filing by those already receiving the exemption.

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Motion by: Virginia to approve the Religious Exemptions for Map U14-40. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Motion by: Virginia to approve the Religious Exemptions for Map R02-48. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Motion by: Virginia to approve the Charitable Exemptions for Map U15-7. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Discussion:

Tax Deed Waivers: **Motion by:** Virginia to waive the following properties for the tax deed process for Map U05-64, Map U18-6-43, Map U06-14-1, Map U11-11-24, and for Map U-18-6-3. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Highway Bid Opening and Bid Opening Procedure: Hugh opened the three bids for the modified request to replace the Hoyts Road/Lords Mill Road culverts were received.

Busby \$89,430.00; Jeffers Excavation \$110,000.00; KJ Fisher & Sons \$264,723.00

After review the Busby bid was questioned, as the envelope stated Hoyts/Lords Mill but the bid paperwork was labeled New Orchard project, and the Road Agent was asked to clarify the bid.

Discussion took place about changes to the bid opening process. All three board members expressed their desire to make sure the bid opening process remained open to the public and transparent. There was agreement that opening bids would take place at a specified time, date, and location with the department head, one staff member, and at least one board member, as well as anyone from the public; bid opening would be on a day that is not during a regular Board of Selectmen meeting.

The actual bids, along with a bid summary/analysis and recommendation provided by the department heads would be submitted to the Selectmen for their review and consideration of accepting a bid. Bid opening information would be included on all requests for bids.

Recreation Background Check Policy: The board reviewed the updated draft policy based on prior meeting comments, and agreed with the editing changes. Dawn asked to send the policy to town counsel for a legal review prior to the board adopting the new policy and the board agreed.

Use of Town Office Meeting Room: Miriam asked to use the Town Meeting room once a month for the Epsom Democrats, or the Old Town Hall if the Meeting Room wasn't an available option.

Concerns were expressed about the many town committees that already use the Meeting Room, the potential access to planning and zoning town records if the room were used by the general public, and opening the space up to other groups which may cause additional conflicts.

After discussion the board determined they would continue to review the request. Hugh would meet with Miriam to inspect the Old Town Hall for suitability.

Fairpoint Settlement Offer: The board considered the recommendation from the town attorney. Cheryl stated she is familiar with the case and many of the towns that work with her company have made a

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decision to reject the offer, per the recommendation. After discussion the board agreed they would follow the legal recommendation and reject the settlement offer and will continue to wait.

Library Roof: Virginia updated the board on the need to repair the library roof, due to faulty shingles. The Trustees estimate \$20,000.00 to \$30,000.00 to repair the whole roof.

Discussion took place about the timing of the replacement. The trustees stated there are currently no leaks at this time, but they don't want to wait too long and begin to see issues before repairs take place.

Hugh asked the library to consider what kind of roof type they would like and asked that the board discuss creating a general building maintenance reserve fund to help pay for repairs such as this. Virginia would work with the Library Trustees to determine if the budget request would be submitted in the 2020 operating budget or as a separate warrant article, and requested formal estimates for the repairs.

Selectmen Reports

Virginia: A few things have happened with the Police Department and they have been handled. The Zoning Board will meet Wednesday and the Budget Committee would meet Thursday night.

Cheryl: The Planning Board will re-post the public hearing for a future date regarding regulations for town paint colors, and will also meet on July 10th.

Hugh asked if the new colors would be a requirement. It was responded specific colors are already in the Sub-division Regulations and further review of the regulation would take place.

Highway is updating road work bids and working on the Leighton Brook head wall replacement. Catch basins inspections have been completed and plans are being set for future cleanouts. Ditching work started June 10th and is progressing well with the rented equipment. Scott will update the board regarding the truck purchase when the information is received.

Cheryl stated she received a taxpayer email asking if the Selectmen had determined how they would take action on missing items at the garage. Hugh stated the items have not been on the inventory, it has been approximately three years since the items have been missing and did not think an insurance claim could be filed. The Road Agent could decide to file a complaint about the missing items to the Police Department to determine if any additional action could be taken.

Cheryl asked about the road bond for possible damage with the continuation of work on Gauthier Drive. Concern was expressed about the town hiring an engineer because of the additional costs on a default budget. It was stated that the Planning Board will consider the amount of any road bond or escrow accounts, and determine what action should take place as work continues on the Gauthier Drive development. After discussion the Planning Board was asked to contact an engineer to review potential damage costs and use funds from the escrow account, as it was considered normal procedure. It was stated the Road Agent previously stated he could not determine the amount of a damage bond. It was also stated the Road Agent can work with the Planning Board when new roads are being built.

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Hugh: The Supreme Court results from a recent town case are available online. The BCEP has started their remediation project on the old compost pile.

Hugh stated the Fire Chief asked if the BOS would consider waiving the bid process for renovations to the upstairs of the fire department, as he only received one response to his original request for estimates. After discussion the board determined the bid policy would be followed by the Fire Department, and should include a separate future bid for carpeting.

Hugh reported he received a complaint from a vendor on a prior highway bid that he would discuss during the legal non-public session.

Public Comment: Joni asked how Dawn would be paid for her duties as recording secretary, as it wasn't part of her original job duties. Hugh stated it would be part of her salary, and her job description was changed.

Len asked when the plow and wing were last on an inventory. Hugh stated he believed it had been a few years since the plow and wing were on a highway inventory, but he did not have a specific answer.

Non-Public Session

8:50 pm Motion by: Virginia to enter into Non-public session per RSA 91-A:3 II (I). **Second by:** Cheryl. Roll call vote: Hugh – Aye, Virginia – Aye, Cheryl – Aye.

9:20 pm Motion by: Virginia to exit non-public session and to seal the non-public minutes. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Virginia stated the board made no decisions.

9:25 pm Motion by: Virginia to enter into Non-public session per RSA 91-A:3 II (c). **Second by:** Cheryl. Roll call vote: Hugh – Aye, Virginia – Aye, Cheryl – Aye.

9:45 pm Motion by: Virginia to exit non-public session and to seal the amended non-public minutes from May 6, 2019 as they could affect the reputation of someone that is not on the board. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

No decisions were made

Approval of Minutes: Virginia stated during the May 6, 2019 non-public session at the end of the meeting, the board properly discussed a matter which, if discussed in public, could adversely affect a member of the public who is not a member of the board. The board then veered off to a discussion which could adversely affect the reputation of a board member. That discussion should not have been held in non-public. The board apologizes for this and an amendment to the May 6 public minutes has been prepared by counsel and reviewed by the board.

Motion by: Virginia to add the amendment prepared by counsel to the May 6, 2019 public minutes. **Second by:** Cheryl. **Vote:** 3 – 0 in favor.

Motion by: Cheryl to approve the June 3, 2019 public minutes as amended. **Second by:** Virginia. **Vote:** 3 – 0 in favor.

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Other Business: None.

Adjourn the meeting:

10:12 pm Motion by: Cheryl to adjourn the meeting. **Second by:** Hugh. **Vote:** 3 – 0 in favor.

Respectfully submitted by,

Dawn Calley-Murdough