

ATTENDANCE

Chairman Tom Gauthier; Selectmen, James McGeough, Rene Archambault; Town Administrator, Dean Shankle; Administrative Assistant: Judith Bielecki. Selectmen Karen Sott and Dianne Gilbert were absent.

1. CALL TO ORDER

Chairman Gauthier called the public session to order at 7:00 PM at the Epping Town Hall. The Pledge of Allegiance to the flag followed.

2. MINUTES OF DECEMBER 22, 2009

Minutes from December 22, 2009 were submitted for approval.

Motion by Selectman Archambault to approve the minutes of December 22, 2009. Seconded by Selectman McGeough. Motion carried 3-0.

3. SIGNING OF ACCOUNTS PAYABLE MANIFEST Tabled.

4. SEALING OF NON-PUBLIC MINUTES – January 4, 2010

Motion by Selectman Archambault to seal the Non-Public Minutes of January 4, 2010. Seconded by Selectman McGeough. Motion carried 3-0.

Town Administrator Shankle stated that the Non-Public Meeting of January 4, 2010 included Selectman Sott who was webcast on the computer as she is currently out of town.

5. BUSINESS

5.1 PURCHASE ORDERS – Safety Complex

Purchase order for Difeo Oil for repair to the Safety Complex heating system in the amount of \$4,553.61 was submitted for approval. Selectman Archambault requested a review of the bid process and request this request be re-bid by the Fire Chief and submitted to the Town Administrator for review.

Motion by Selectman Archambault to table. Seconded by Selectman McGeough. Motion carried 3-0.

Motion by Selectman Archambault to request Town Administrator Shankle contact the Fire Chief and request the repair to the Safety Complex be rebid and reviewed by the Fire Wards. Seconded by Selectman McGeough. Motion carried 3-0.

Purchase order for Certified Computer Solutions in the amount of \$8,857.00 for replacement of the server at the Police Department was submitted for approval.

Motion by Selectman Archambault to approve the purchase for Certified Computer Solutions in the amount of \$8,857.00 and attempt to utilize Impact Fees if available for the funding. Seconded by Selectman McGeough. Motion carried 3-0.

5.2 WARRANT ARTICLES

2009 OPERATING BUDGET (1)

To see if the Town will vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriates voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Five Million, Five Hundred Twenty Two Thousand, Five Hundred Seventy Three Dollars (\$5,522,573.00). Should this article be defeated, the default budget shall be Five Million, Two Hundred Ninety Seven Thousand, Three Hundred Forty Dollars (\$5,297,340.00), which is the same as last year, with certain adjustments required by previous action of the town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Majority Vote Required.

Mrs. Fogg, Finance, requested the vote be tabled until next meeting and asked for clarification of the Bond Payment for the Safety Complex, Revaluation Warrant Article, and purchase of the server for the Police Department. Chairman Gauthier requested the Bond Payment for the Safety Complex be placed in the Budget.

TOWN HALL IMPROVEMENT EXPENDABLE TRUST FUND (2)

To see if the Town will raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) to be placed in the previously established Town Hall Improvement Expendable Trust Fund. This sum will come from fund balance and no amount will be raised through taxation. Majority Vote Required

Motion by Selectman Archambault to recommend the warrant article for the Town Hall Improvement Expendable Trust Fund in the amount of \$10,000.00. Seconded by Selectman McGeough. Motion carried 2-1. Chairman Gauthier voted nay.

LANDFILL ENGINEERING DESIGN/CLOSURE EXPENDABLE TRUST FUND (3)

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars

(\$5,000.00) to be placed in the previously established Landfill Engineering Design Study/Closure Expendable Trust Fund. Majority Vote Required

Motion by Selectman Archambault to recommend the warrant article for the Landfill Engineering Design/Closure Expendable Trust Fund in the amount of \$5,000.00. Seconded by Selectman McGeough. Motion carried 2-1. Chairman Gauthier voted nay.

REVALUATION CAPITAL RESERVE FUND (4)

To see if the Town will vote to raise and appropriate the sum of Fifty Five Thousand Dollars (\$55,000.00) to be placed in the previously established Revaluation Capital Reserve Fund. Passage of this article will reduce the town's operating budget by said amount. Majority Vote Required

Judith Bielecki requested a revision to the amount on the warrant to \$38,500.00 due to the quotation received from Vision Appraisal in regard to revaluation.

Motion by Selectman McGeough to reduce the revaluation capital reserve fund to \$38,500.00. Seconded by Selectman Archambault. Motion carried 3-0.

Motion by Selectman Archambault to recommend the warrant article for the Revaluation Capital Reserve Fund in the amount of \$38,500.00. Seconded by Selectman McGeough. Motion carried 3-0.

POLICE DEPARTMENT CRUISER (5)

To see if the Town will vote to authorize the Board of Selectmen to enter into a Three (3) Year Lease/Purchase Agreement for Forty Seven Thousand Dollars (\$47,000.00) with a One Dollar (\$1.00) purchase option at the end of the lease term for the purpose of leasing and equipping one (1) police vehicle for the Police Department; and to raise and appropriate the sum of Fifteen Thousand Six Hundred Dollars (\$15,600.00) for the first year's payment. This lease agreement will contain a non-appropriation clause. Majority Vote Required.

Motion by Selectman McGeough to recommend the warrant article for the Police Department Cruiser in the amount of \$47,000.00 with a lease payment of \$15,600.00 for three years. Seconded by Selectman Archambault. Motion carried 3-0.

ADDITIONAL FULL TIME POLICE OFFICER (6)

To see if the Town will vote to raise and appropriate the sum of Sixty Five Thousand, Two Hundred Forty Five Dollars (\$65,245.00) for the hiring of an additional Full-Time Police Officer including benefits for the first year. Approval would call for a total estimated cost of Two Hundred Eleven Thousand, Seven Hundred Dollars (\$211,700.00) in fiscal years 2010, 2011, and 2012. 100% of said sum to be funded through an already approved Federal COPS Hiring Grant,

thus there will be **no tax impact** for this position for the first three years of the grant. The position must be retained for one year following the expiration of the grant at an estimated cost of Eighty Thousand, One Hundred Twenty Dollars (\$80,120.00.) Majority Vote Required.

Motion by Selectman Archambault to recommend the warrant article for an additional Full Time Police Officer in the amount of \$211,700.00 for years 2010, 2011, and 2012. Seconded by Selectman McGeough. Motion carried 3-0.

HIGHWAY TRUCK CAPITAL RESERVE FUND (7)

To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) to be added to the existing Highway Truck Capital Reserve Fund. Majority Vote Required. Mr. Dennis Koch, Public Works stated that the Highway Department would like to buy a pick-up and outfit it with a sander for plowing the downtown area. Chairman Gauthier requested they purchase a small sander and not equip it with a wing for this truck so that it will not be overloaded.

Motion by Selectman McGeough to recommend the warrant article for the Highway Truck Capital Reserve Fund in the amount of \$30,000.00. Seconded by Selectman McGeough. Motion carried 3-0.

DISCONTINUE EPPING TV EXPENDABLE TRUST FUND (8)

To see if the Town will vote to discontinue the Epping TV Expendable Trust Fund created in 2005. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the ETV Revolving Fund created in 2009. Majority vote required.

Motion by Selectman Archambault to discontinue the Epping TV Expendable Trust Fund which was created in 2005. Seconded by Selectman McGeough. Motion carried 3-0.

PUBLIC SAFETY FACILITIES AND EQUIPMENT REVOLVING FUND (9)

To see if the Town will vote to establish a revolving fund pursuant to RSA 21:95-h for the purpose of the public safety facilities bond payment and for the purchase of new equipment. All revenues received from ambulance services will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. Majority vote required. Tabled.

DISCONTINUE PUBLIC SAFETY FACILITIES SPECIAL REVENUE FUND (10)

To see if the Town will vote to discontinue the Public Safety Facilities Special Revenue Fund created in 1995. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the Public Safety Facilities and Equipment Revolving Fund. This article will automatically be rescinded if PSF &E Revolving Fund Warrant Article does not pass. Majority vote required. Tabled.

PUBLIC SAFETY FACILITIES BOND AND INTEREST PAYMENTS (11)

To see if the Town will vote to raise and appropriate the sum of \$108,009 (One Hundred Eight Thousand and Nine Dollars) from the Public Safety Facilities Fund, a fund solely financed by revenue from ambulance fees, for the 2010 bond and interest payments due. There will be no tax impact for this payment. This article will automatically be rescinded if Public Safety Facilities and Equipment Revolving Fund passes. Majority vote required.

Motion by Selectman Archambault to recommend the warrant article for the Public Safety Facilities Fund in the amount of \$108,009.00. Seconded by Selectman McGeough. Motion carried 3-0.

LAND PURCHASE (12)

To see if the Town will vote to raise and appropriate the sum of Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) for the purchase of 61 acres +/- of land with five existing water wells at Epping Crossing to include a portion of Tax Map 37, Lot 001, Tax Map 37, Lot 003 and Tax Map 37, Lot 007 and to authorize the issuance of not more than \$2,500,000.00 in bonds or notes for a 25 year term in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to negotiate such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof: and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. 3/5 Ballot vote required.

Motion by Selectman McGeough to recommend the warrant article for the Land Purchase at Epping Crossings in the amount of \$2,500,000.00. Seconded by Selectman Archambault. Motion carried 5-0.

SEWER PUMP STATION (13)

To see if the Town will vote to raise and appropriate an additional sum of Eighty Two Thousand, Seven Hundred Eighty Five Dollars (\$82,785.00) for the previously approved warrant article for the construction of a new sewer pump station to replace the existing 40 year old Mill Street Pump Station, and to authorize the additional amount in bonds, notes or SRF loans in accordance with the provisions of the Municipal Finance Act and to authorize the town to issue and negotiate such bonds, notes or SRF loans and to determine the rate of interest thereon: furthermore, to authorize the acceptance of grants under the American Recovery and

Reinvestment Act of 2009 in the amount of Fifty Percent (50%) of the eligible project cost with the balance to come Sewer Reserve Funds.

This appropriation is contingent upon receipt of American Recovery and Reinvestment Act of 2009 Federal Stimulus Funding. Passage of this article will have no impact on the tax rate. 3/5 ballot vote required

Motion by Selectman Archambault to recommend the warrant article for the Sewer Pump Station in the amount of \$82,785.00. Seconded by Selectman McGeough. Motion carried 3-0.

BY PETITION: LAMPREY RIVER YOUTH SOCCER (14)

To see if the Town will vote to raise and appropriate the sum of Two Thousand Dollars (\$2,000.00) to support the Lamprey River Youth Soccer Program. Majority Vote Required

Motion by Selectman Gauthier to recommend the warrant article for Lamprey River Youth Soccer in the amount of \$2,000.00. Seconded by Selectman McGeough. Motion carried 3-0.

EPPING YOUTH ATHLETIC ASSOCIATION (15)

To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) to support of the Epping Youth Athletic Association. Majority Vote Required

Motion by Selectman Gauthier to recommend the warrant article for the Epping Youth Athletic Association in the amount of \$3,000.00. Seconded by Selectman McGeough. Motion carried 3-0.

ROCKINGHAM NUTRITION & MEALS ON WHEELS PROGRAM (16)

To see if the Town will vote to raise and appropriate the sum of Three Thousand Nine Hundred Eighty Eight Dollars (\$3,988.00) to support the Rockingham Nutrition & Meals on Wheels Programs service providing meals for older, homebound and disabled Epping residents. Majority Vote Required.

Motion by Selectman Archambault to recommend the warrant article for Rockingham Nutrition & Meals on Wheels Programs in the amount of \$3,988.00. Seconded by Selectman McGeough. Motion carried 3-0.

LAMPREY HEALTH CARE (17)

To see if the Town will vote to raise and appropriate the sum of Three Thousand Eight Hundred Dollars (\$3,800.00) to support the Lamprey Health Care Program. Lamprey provides senior transportation and affordable medical care to the residents of Epping. Majority Vote Required

Motion by Selectman Archambault to recommend the warrant article for Lamprey Health Care in the amount of \$3,800.00. Seconded by Selectman McGeough. Motion carried 3-0.

ROCKINGHAM COMMUNITY ACTION (18)

To see if the Town will vote to raise and appropriate the sum of Eleven Thousand Three Hundred Fourteen Dollars (\$11,314.00) to defray the costs provided to Epping residents by Rockingham Community Action, a private, non-profit, multi-service, anti-poverty agency. Majority Vote Required

Motion by Selectman Archambault to recommend the warrant article for Rockingham Community Action in the amount of \$11,314.00. Seconded by Selectman McGeough. Motion carried 3-0.

THE RITCHIE MCFARLAND CHILDREN'S CENTER (19)

To see if the Town will vote to raise and appropriate the sum of Three Thousand Nine Hundred Dollars (\$3,900.00) for the Ritchie McFarland Children's Center. Majority Vote Required.

Motion by Selectman Archambault to not require a petition from the Ritchie McFarland Children's Center. Seconded by Selectman McGeough. Motion not acted on.

Motion by Selectman McGeough to table. Seconded by Selectman Archambault. Motion carried 3-0.

5.3 BUDGET ISSUES

Mrs. Lisa Fogg, Finance, requested approval to sign the new agreement with Local Government Center for health care.

Motion by Selectman McGeough to approve the agreement with LGC and request Town Administrator Shankle sign the agreement. Seconded by Selectman Archambault. Motion carried 3-0.

Mrs. Lisa Fogg, Finance stated that in review of the estimated year end figures there is \$50,000.00 left in the budget.

Selectman McGeough asked whether the question raised at the last Board Meeting in regard to the treasurer combining the school and towns funds and purchasing a CD has been addressed. He stated that the practice was reviewed with LGC and no issues exist. Selectman McGeough thanked the Treasurer and Mrs. Fogg for bringing in an additional \$1,400.00 to the Town for this investment.

5.4 REVALUATION WARRANT ARTICLE

Acted on previously.

5.5 REVISED ELDERLY EXEMPTION WARRANT ARTICLE

Motion by Selectman McGeough to table. Seconded by Selectman Archambault. Motion carried 3-0.

5.6 PURCHASE ORDERS – Town Report

Purchase Order for Select Print Solutions in the amount of \$4,255.00 for printing and typesetting of the Town Report was submitted for approval.

Motion by Selectman McGeough to approve the purchase order for Select Print Solutions in the amount of \$4,255.00. Seconded by Selectman Archambault. Motion carried 3-0.

Purchase Order for JLM Graphics in the amount of \$2,600.00 for design of the Town Report was submitted for approval.

Motion by Selectman McGeough to approve the purchase order for JLM Graphics in the amount of \$2,600.00. Seconded by Selectman Archambault. Motion carried 3-0.

6. CORRESPONDENCE & REPORTS

6.1 TOWN ADMINISTRATOR REPORT

Town Administrator Shankle

Town Administrator Shankle asked for clarification of whether the Board wanted to have MRI review the three bids for the revaluation. Chairman Gauthier advised that they were all aware of the requirements from DES and has quoted accordingly. He stated that having MRI review is not necessary.

Town Administrator Shankle requested hiring Mr. Dennis Pelletier as a part-time building inspector at a salary of \$20.00 per hour. He added that the hours he would be working are Monday-Wednesday 8:00 – Noon and Thursday and Friday – Noon to 4:00 PM .

Motion by Chairman Gauthier to hire Mr. Dennis Pelletier at a salary of \$20.00 per hour for 20 hours per week. Seconded by Selectman Archambault. Motion carried 3-0.

Town Administrator Shankle stated that a draft letter to be submitted to the representatives and senators was submitted for review in regard to revaluation. Selectman McGeough requested that the Governor, DRA, LGC, and any other municipalities be notified that the Town is

challenging this ruling.

Motion by Selectman Archambault to send the letter to Senators, Representatives, Governor, DRA, LGC, to review the requirements of revaluation. Seconded by Selectman McGeough. Motion carried 3-0.

6.2 INDIVIDUAL SELECTMEN'S REPORTS

Selectman McGeough

Selectman McGeough stated that ZBA Meeting on Wednesday will be standing room only as it pertains to a requested change to a building currently agricultural to commercial zoning on Prescott Road. Town Administrator Shankle stated that this issue is really a variance and could be switched back if sold to another owner as this really becomes spot zoning and allows the commercial use to be maintained.

Selectman McGeough stated that the Highway Department did a good job this last weekend with some equipment issues.

Selectman Archambault

Selectman Archambault advised that the case with ERPG against the Town, schools, and website was thrown out.

Selectman Archambault thanked DPW for a good job over the weekend considering the duration of the storm.

Selectman Archambault stated that the Police Department was very busy over the weekend as he was following them on Twitter.

Chairman Gauthier

Chairman Gauthier advised that a letter came in regarding the snow removal at the Woodlands. He requested the letter be given to Mr. Koch, Public Works for a response.

Chairman Gauthier asked for review of motion in regard to plowing dirt roads without the wings on the plows. Judith Bielecki advised she would review the minutes. Chairman Gauthier stated he would bring it up at the next meeting on the 25th.

7. COMMENTS BY VISITORS

None.

PUBLIC HEARINGS/APPOINTMENTS

None.

8.

ADJOURN

Motion by Selectman Archambault to adjourn. Seconded by Selectman McGeough. Motion carried 3-0.

Meeting was adjourned at 8:26 PM.

Respectfully submitted,

**Judith Bielecki
Administrative Assistant**

Tom Gauthier, Chairman

Dianne Gilbert, Selectman

Karen Sott, Selectman

James McGeough, Selectman

Rene Archambault, Selectman

Date _____