

**APPROVED 08/06/2009**

The Board's meeting was called to order at 6:00 pm in the basement meeting room at the Fremont Town Hall. Present were Selectmen Greta St Germain, Brett Hunter, and Donald Gates Jr; and Town Administrator Heidi Carlson.

A motion was made by Gates to enter non-public session at 6:05 pm pursuant to NH RSA 91-A:3 II (a) to discuss a personnel matter. Hunter seconded and the vote unanimously approved 3-0. Carlson left to tend to other Town business upstairs.

At 7:10 pm Carlson returned to the Board's meeting. It remained in non-public session. Gates dictated minutes of the meeting for Carlson to transcribe.

At 7:20 pm motion was made to return to public session by Hunter. St Germain seconded and the vote was unanimously approved 3-0.

Gates moved to seal the minutes of this non-public session indefinitely. Hunter seconded and the vote was unanimously approved 3-0.

Chief Janvrin came into the meeting at 7:25 pm to discuss Police Department matters. Selectmen reviewed with Chief Janvrin an ACO bill from the NH SPCA for a 2005 case involving Brad and Michelle Shattuck. The Shattuck's had been court-ordered to pay restitution. Chief Janvrin said he spoke with probation and parole today, and they will now pursue violation of the court order against the Shattucks. A letter so stating this was sent to Attorney Poulin by the Selectmen.

The Board and Janvrin do not feel that the Town has any responsibility for this based on the arrangement at the time with the SPCA and the court-order for the Shattucks to pay the restitution. The Town does want to remain open about our relationship with the SPCA however.

Janvrin discussed some upcoming schedule issues regarding military leave.

The Board then asked Chief Janvrin about a cat that had been hit on Danville Road, resulting in a bill that the Town paid two weeks ago to the Emergency Veterinary Hospital of Brentwood. Chief Janvrin explained that the cat had been hit and there were several witnesses who believed the cat belonged to a Danville Road resident. The cat was still alive and needed services upon arrival of the Police/ACO. Given that they thought they knew who the owner was and that person could not be reached, the cat was provided the necessary services.

It was later determined the person thought to be the owner was not, and the owner has still yet to be identified. The Fremont ACO worked with a Massachusetts Animal Rescue League for placement, and they paid a portion of the bill as well. In good faith, Chief Janvrin authorized the expense from the Animal Control budget to pay a portion of the services incurred.

There was discussion about the expenditure and how it might have been handled to avoid the Town incurring any expense in the matter.

At 7:40 Fire Chief Richard Butler came into the meeting as did the Library Trustees. Butler said that the NHSA Grass drag personnel met with Chief Janvrin this week and are planning to meet with Butler at another time to review the October 2009 session.

Butler said that their roster is now up to 33. He also said he had started working on the budget.

At 7:40 pm Library Trustees John Hennelly, Meredith Patrick, and Eric Abney met with the Selectmen. The Board apologized for the delay in their appointment.

Trustees said they were here to discuss again with the Board the work needed at the intersection of Jackie Bernier Drive and Main Street. This continues to be a problem due to the turning radius of trucks coming out from the property in the rear. Hennelly said that the Town Highway crews do their best, but continuing to fill the "hole" does not seem to be enough.

It was discussed that the railroad station belongs to the State of NH and is used for snowmobile association events and meetings. This parcel lies adjacent to the 50 foot wide right-of-way that is known as Jackie Bernier Drive. Hennelly said that they feel the State also has some responsibility to the driveway access point, as they use the roadway as well, to access their building.

Trustees asked if DOT could be approached about putting a delineator or rock there to avoid trucks cutting the corner. It was unclear if this could be done safely.

This section of Route 107 is a 30 mph speed limit but the sight distance back toward Village Market can be congested.

The Trustees asked if the Highway Department could fill it again, but asked about putting crushed stone in the space instead, in hopes it might last longer. The Trustees also asked the Board to talk to DOT about the danger of the intersection and again ask them to consider assisting the Town. The area of impact is within the Route 107 (State's) right-of-way.

Hennelly said they wanted to go on record again about the safety concerns in the area. Carlson indicated that Chief Janvrin had also voiced concerns about how the trucks turn and enter the drive and Route 107 as they take up both lanes when doing so.

Trustees also questioned whether the apron at Jackie Bernier Drive where it connects to Main Street could be increased in size, by making more of a Y-intersection to eliminate the hazard. Selectmen said they would work on another letter to NH DOT.

Carlson had done up a painting bid RFP for the north side of the building, posted it publicly, included it in the newsletter, and put it on the Town's website. The due date for bid proposals was July 22, 2009. The Trustees had a regular meeting scheduled for that night. Trustees reviewed the proposals at their meeting last night.

Hennelly said they got one bid for the work at \$2,700 from Carr Associates here in Fremont. This is less than the bids they got for the same work last year, and it can be covered by what the Trustees put in the budget. The Trustees are planning to award the work to Carr Associates. Carlson offered to send the Town's vendor form and insurance requirements in a letter out to Carr.

The Library Trustees were advised of the Town's new hire policies so they would be aware, as it pertains to hiring someone part- or full-time. This pertains to posting positions and paperwork processing, etc.

Trustees said they were also beginning work on their budget and would be back in contact with the Board soon.

Selectmen thanked the Trustees for their time. Trustees left the meeting at approximately 8:10 pm.

**OLD BUSINESS**

1. Selectmen reviewed the minutes for 09 July 2009. Hunter moved to approve them as written. St Germain seconded and the vote was unanimously approved 3-0.
2. Tax deed updates – the Tax Collector has not yet prepared any of the deeds. Carlson discussed with Selectmen the remaining parcels slated for tax deed. This includes:
  - a. Parcel 05-055.005 – owner-occupied and no response has been received from Carlson’s letter of July 7<sup>th</sup>. The Board drafted and sent a follow-up letter to go by certified mail.
  - b. Parcel 07-118 – prior owner working with neighbor Bruce Farris on probating the family estate to clear the title and move ahead with a transfer. Mr Farris has proposed to pay a portion of the owner’s taxes and then move forward with a plan to probate the estate and obtain the deed from the prior owner. The Board agreed to this with the understanding a \$1,000 tax payment will be made on Friday and Mr Farris will follow-up with a written plan of action and scheduling outline within the following two week period. Within a following two to four week period, the Board expected another update in writing from Mr Farris. Carlson will draft a letter to Mr Farris and speak with him on Friday during his visit to the Selectmen’s Office.
  - c. Parcel 03-037.003 – owner has indicated that he cannot pay the taxes and there is still an outstanding question about what type of liens are against the property. More research will need to be done, but the deed is still pending.
  - d. Parcel 06-057 – foreclosed on by RBS Citizens. Letters sent to mortgagor with no response. Deed is still pending.
  - e. Parcel 03-001.001.23B – owner working on full payment of 2006 balance due. Deed is still pending.
3. Selectmen reviewed a July 20, 2009 letter from Attorney Weddleton regarding Risloves Way. Carlson drafted a response to reiterate again the answers to Attorney Weddleton’s questions and had sent that to John Ryan for a final review given the complexity of this matter. The Board reviewed the letter and agreed to sign a hard copy once Attorney Ryan indicated it was appropriate. The final form will be prepared for signature once that approval is received.

**NEW BUSINESS**

1. Selectmen reviewed the payroll manifest \$25,554.83 and accounts payable manifest \$196,535.41 for current week dated July 24, 2009.

There was discussion about submission of timesheets and St Germain questioned why the Board signed Carlson’s timesheet. Carlson explained that it is required that in addition to all employees signing their own timesheet, it must be signed by their supervisor prior to submission for payment. St Germain said she was uncomfortable signing a timesheet if she could not verify that all hours were worked. Carlson stated that she keeps, and has always kept, a timesheet for recordkeeping purposes even though a salaried employee. She asks the Board to sign it simply to indicate they have reviewed it. St Germain said she was not disputing it, but felt it was not something she could verify.

There were then questions about other salaried employees and the keeping of time records. There was discussion that salaried Town Officials are not required to submit a timesheet, though it would assist in recordkeeping. The Selectmen reviewed the folder of timesheets and bills.

St Germain asked about how office hours are set for town officials, noting that recently the Tax Collector's and Town Clerk's hours had changed slightly. Carlson indicated that by statute hours could be determined by the particular Town Official. The statute indicates that only two hours per week are required to be set by the Tax Collector.

Motion was then made by St Germain to approve the payroll manifest in the amount of \$25,554.83. Hunter seconded and the vote was unanimously approved 3-0.

It is noted that all of the Selectmen signed the accounts payable manifest approved last week dated July 17, 2009 in the amount of \$27,067.84.

Carlson indicated that updates for the AP and PR systems were installed on Monday, with training completed by Carlson and Nygren on these changes. Along with this, additional information and procedural sheets are available through the programs and the software website for the Town to continue to work on formalizing the Town's financial policies. St Germain referred to the newest edition of Knowing the Territory and said the Town is required to have written financial policies. Nygren has begun working on these to firm up the current policies, formalizing their documentation and such.

There was discussion about mileage reimbursement and how it is logged. The Board discussed at a minimum having a list of dates for repeat trips, so that they can be matched to timelogs or deposit slips. A memorandum outlining the procedure was reviewed and signed. The memo will be distributed to all Departments who regularly accrue mileage expenses. The matter of when reimbursements are paid is also a consideration for the Personnel Policy, ie: on a monthly or quarterly basis so that budget reporting is more timely than if annually or semi-annually.

Motion was then made by St Germain to approve the accounts payable manifest for the current week in the amount of \$196,535.41. Hunter seconded and the vote was unanimously approved 3-0.

2. The Selectmen reviewed the folder of incoming correspondence.

3. Selectmen reviewed and signed outgoing correspondence to Shawn Senter regarding the two year maintenance period on Moose Meadow. The Board also signed a letter to Attorney Poulin for the NH SPCA regarding the failure of Brad and Michelle Shattuck to pay restitution, after discussing the matter with Chief Janvrin.

4. Carlson provided some updates on the State budget and NH Retirement System rates. As of July 1, 2009 the Town's contribution increased from 11.68 to 13.66% for Group II employees, which is one percent higher than what they had projected (and what the Town budgeted) for calendar year 2009. Additionally, now all third party billed special details for full-time Police Officers must also pay the State's share of 5.85%. This new amount will be direct billed to the requesting party and the Town's rate for special details will increase. This amounts to a \$2.00 per hour increase in the billed rate to anyone needing a special police detail.

5. Carlson provided some further updates on the revaluation, and indicated that a package of information has also been sent to Attorney Ryan as the Board requested. Clarification needs to be obtained from DRA (pending return of the Director from vacation); about whether DRA will pursue the Town this winter, or after the 04/01/2010 mandated revaluation date.

6. Selectmen reviewed the August Newsletter. St Germain had questions about the Universalist Society session at the Old Meetinghouse and questioned the Town's regulations about publishing information on religious events. Carlson referred to the Newsletter Guidelines from memory and indicated that she thought any event in Fremont for Fremont residents could be included, but that advertising was prohibited.

For general information and review, the **Fremont Newsletter Guidelines** are reprinted below:

*The Fremont Newsletter is a taxpayer-funded, monthly publication of the Town of Fremont. The following are guidelines established by the Board of Selectmen:*

- 1. No opinion or editorial pieces.*
- 2. No summaries of minutes or partial minutes.*
- 3. Official Town/School Board, Commissions, Committees summaries of information or happenings are permitted, as approved by the Official Board, Commission, Committee, making the submission.*
- 4. Only Fremont non-profit groups and organizations, or non-profit groups and organizations from the area, which have Fremont residents participating in them, shall be authorized to submit information.*
- 5. Official public Boards, Committees, and Commissions information will be permitted, including schedules and contact information.*
- 6. All notices must be factual in content and pertain to Fremont events and residents. Submitter shall list his/her contact name, address and telephone number or email address.*
- 7. Events published must be for Fremont non-profit organizations or non-profit organizations that serve Fremont and its residents.*
- 8. No advertising is permitted.*
- 9. The Board of Selectmen shall review all newsletter content prior to printing. The Board's review takes place at regularly schedule Selectmen's Meetings (generally held on Thursday evenings).*
- 10. The Newsletter Committee / volunteers may edit submissions for clarity or space constraints.*

*General guidelines were adopted by the Board of Selectmen in 1997, formally printed in 2001 and readopted October 5, 2006 for publication and posting.*

It was decided that the piece welcomes all denominations, and having been allowed for many years in the Newsletter, that it was OK as submitted. The balance of the August Newsletter was also reviewed and found to be in order by the Board.

7. Selectmen reviewed the upcoming budget season schedule. Carlson put the schedule together first using the statutory dates for meetings such as the public budget hearing, deliberative session, and voting

day. The schedule is somewhat aggressive, as it was in 2008-09 so that all work and budget reviews can be completed in a satisfactory time to meet deadlines and meeting dates.

### Fremont 2009-2010 Budgeting Calendar

#### 2009

10-Jul-2009	Memo to Departments with Budget due date
Thursday August 6	Submission of Budgets to Selectmen from Departments
Wednesday August 12	Budget Committee meets at 7:00 pm Review of first half of 2009 Set Budget Schedule for fall and winter
August & Sept 2009	Selectmen meet with Departments  Submission of Selectmen's budgets to Budget Committee
October - December 2009	Budget Committee work sessions on Town Budget
December 2009	Budget Committee work sessions on School Budget

#### 2010

January 2010	Budget Committee work sessions on School Budget
Tuesday January 12	Last day to post notice of Public Budget Hearing Town Petitioned Warrant Articles due to Selectmen's Office by 4:00 pm <b>TOWN PUBLIC BUDGET HEARING at 7:30 pm</b> Budget Committee meets at 7:00 pm to review petition warrant articles SNOW date is Thursday January 14, 2010 at 7:00 / 7:30 pm.
Tuesday January 19	Last day to hold Bond Hearing Last day to hold Public Budget Hearing
Monday January 25	Deadline to post Warrant & Budget
January 30 to February 6 inclusive	Deliberative Session must be scheduled (can be scheduled at any time between these dates) <b>SATURDAY JANUARY 30, 2010 at 9:00 am</b> to leave room for snow contingency, etc <b>SNOW date is Monday February 1, 2010 at 7:00 pm</b>

Tuesday March 2           Town Reports must be available

Tuesday March 9           Voting Day Polls open 0700-2000

The Board was comfortable moving ahead with this schedule and stressed that Departments need to remain on target. Carlson indicated that Land Use had already scheduled time on the Board's agenda for August 20<sup>th</sup> to present their budgets.

There was further discussion about the budget process and ensuring that Departments have their budgets submitted timely to keep the process moving along. The Selectmen will meet with all Departments prior to submission of budgets to the Budget Committee. The Committee also asks for budgets the week prior to a Department coming in to meet with them, so they have an opportunity for review.

8. Selectmen reviewed a letter from Gene Cordes and from Bob Larson with a variety of Energy Committee updates. Cordes' email talks about the PSNH grant for lighting retrofits in the Fremont Safety Complex, Town Hall, and ballfield concession stand.

Additionally the newly passed HB189 was reviewed and discussed. The new statute provides for creation of a more formal Energy Commission with between 3 and 10 appointees. It also provides for establishment of a separate Energy Fund in which deposits for grants and gifts could be made.

There is currently a \$1,000 grant check pending, for installation of solar panels at the Safety Complex. The Board felt this fund should be established. Carlson will forward the check and the new legislation to the Treasurer.

The Board felt that they should get input from the Energy Commission on number of members and appointments to move ahead with formalizing the existing committee.

The next Energy Commission meeting will be held on Saturday August 29, 2009 at 9:00 am at the Fremont Town Hall.

9. Selectmen reviewed a newsletter regarding the NH LGC Proposed Article 28-a Lawsuit against the State of NH. There was discussion about the money being spent in this lawsuit and what may come of it. There was also discussion that when the economy was good, that Town's were not then paying their fair share because it was being earned in the market. The LGC letter points to a downshift by the State government by "arbitrarily reducing the State's share of the employers' retirement contribution for Group I teachers and Group II police and firefighters. Starting July 1, 2009, the State's retirement contribution drops from 35% to 30% and then drops again to 25% next July when the 2011 State fiscal year starts."

The Board discussed this at length and decided not to become actively involved financially in the matter. There was discussion about the anticipated \$500,000 the LGC is anticipating being needed in the legal fund to "fight unconstitutional retirement mandates adopted by the Legislature."

10. Carlson advised of updates from the Road Agent including that work was ongoing this week on Karlin Road culvert replacement. He is waiting to hear from his insurance agent on the newest proposal for stone wall repair work. Holmes also indicated that there are about eight dead trees on North Road in the area of #360; where the dead and dangerous trees need to be removed. He indicated Highway will flag these trees for Board to review. One dead tree fell today, not in the roadway, but will be picked up by Highway.

Selectmen asked for Holmes to put survey ribbon around these trees for them to view. There was also discussion about the adjacent homeowners being notified by the road Agent of the trees, as well as giving the abutting landowner the first option on the wood if they should want it.

There was discussion about the Municipal Budget Act as it relates to the town budget paying for a portion of the work. There was also discussion about the proposal from J Keating Stonework & Water Features of Barrington, who had met with the Miller's last week to review the situation, as well as review the Town's earlier survey work.

#### **NEXT WEEK**

The next regular Board meeting will be held on Thursday August 6, 2009 at 6:00 pm.

With no further business to come before the Board, motion was made by Hunter and seconded by St Germain to adjourn the meeting at 10:25 pm. The vote was unanimously approved 3-0.

Respectfully submitted,

Heidi Carlson  
Town Administrator