

**I. CALL TO ORDER** The meeting was called to order at 6:33 pm in the basement meeting room at the Fremont Town Hall. In attendance were Selectmen Gene Cordes, Roger Barham and Neal Janvrin; Town Administrator Heidi Carlson and Selectmen's Clerk Kathy Clement. All rose for the Pledge of Allegiance. The meeting was recorded for rebroadcast by Bill Millios from FCTV. Due to technical difficulties, the meeting was not live broadcast.

## **II. ANNOUNCEMENTS**

1. The Town Clerk Tax Collector has reopened on Mondays from 9:00 am to 12 noon.
2. The Building Inspector's Office will be CLOSED on Tuesday and Wednesday October 8 & 9 for training.
3. The Planning Board is proposing to update portions of the Master Plan that are almost 10 years old. Our town is growing and changing in ways that warrant a collaborative review of the Town's Master Plan. A Master Plan Update will incorporate current information on growth and revisit the Town's vision for land use and development. All departments and the public are invited to attend a work session to start the discussion. This will be held on Wednesday September 18 at 7:00 pm in the Town Hall Basement Meeting room. During this first work session, the Planning Board will review the current Master Plan, discuss what sections that need updating, how these updates may be used, and how these updates will be accomplished.

The current plan is on the Town's website and available for review at the Town Hall and Library.

4. The annual Grassdrag event meeting will take place on September 19 at 7:30 pm, with the event to be held on the north side of town during Columbus Day weekend. Public Safety Departments will also attend.
5. Household Hazardous Waste Day has been scheduled for Saturday September 21, 2019 from 9 am to 12 noon at the Brentwood Highway Garage at 207 Middle Road in Brentwood. The flyer will be up on the town website shortly and flyers are available at the Town Hall, Safety Complex, and Library. If you call the Selectmen's Office we can also mail/email you one. Fremont residents can show ID to participate.
6. Fall Bulky Day will be held on Saturday October 19, 2019 from 8:00 am to noon at the Highway Shed.

## **III. LIAISON REPORTS**

Cordes reported the Budget Committee met last night September 11, 2019. They began going through the department budgets. They are inviting the Town Clerk to come in 2 weeks. At the next meeting they will have the School Department and the Police Department. The Library budget was reviewed last night, and it went well.

## **IV. APPROVAL OF MINUTES**

Janvrin made a motion to approve the minutes as written of September 5, 2019. Barham seconded the motion and the vote was unanimous 3-0.

## **VI. OLD BUSINESS**

1. Black Rocks Village: No further update yet.

## VII. NEW BUSINESS

1. The Selectmen reviewed the folder of incoming correspondence. This included a letter from Stantec regarding the Evroks bill for bridge including demo work and bridge installation; a cover letter from Comcast related to a check for \$10,000 which will go into the Franchise Fund for PEG access and cable related items as part of the new contract; correspondence from an attorney that is working on a municipal Right of Way Ordinance for towns relative to updated statutes. Carlson will contact and ask for more information and another week to consider this option. The last item was a Memo to Carlson that Mary Dutton will be filling the part-time position at Library.

2. The Parks & Recreation Commission met this week and has decided they want to budget for camp and run a program next year under a tent at the ballfields, with Ellis School as a backup location. The Chair is working on the budget submission as well as a Warrant Article for the construction of a pavilion. They will plan to meet with the Board and the Budget Committee. The Board felt they needed information as soon as possible on the pavillion. The Selectmen had questions, as they had no information on this, they recommend the Chair/members come before the Board.

3. Barham made a motion to approve the Accounts Payable manifest of \$66,172.99 for the current week dated September 13, 2019. Janvrin seconded and the vote was 3-0. \$49,000 was for guard rails and paving for the bridge.

4. Carlson reviewed Purchase Order 2019-017 in the amount of \$5,807 for bleachers for the ballfields. Part of this was included in the budget for the bleachers with one section to be replaced each year. The smaller set is to be reimbursed by someone who vandalized it earlier this year. Janvrin made a motion to approve Purchase Order 2019-017 and Barham seconded the motion. The vote was unanimous 3-0. The amount of restitution is \$1,205.

5. In accordance with a payment plan, payment in full of principal amounts on the 2017 tax lien has been completed for parcel 01-005. Barham made a motion to approve the abatement of \$1,007.88 in interest in costs on the 2017 tax lien. Janvrin seconded and the vote was unanimous 3-0.

### 6. Budgets

**4194 Government Buildings** – Carlson reviewed the approximate \$10,000 overall increase from the budget last year. About half of the increase is in the computer maintenance line to include the conversion to Office 365 with a monthly subscription cost on nearly all of the Town's computers now. There is a 2% wage increase and \$700 increase for propane at the Town Shed, this is more accurate going into the second year of propane usage. The shed behind the Town Hall needs a new roof this was estimated from the shed roof at ballfield, and this is \$4,500 of the increase. Town Hall maintenance is down, and contract rates are adjusted in the budget. Barham moved to recommend the Government Building budget as proposed at \$104,339. Janvrin seconded and the vote was 3-0.

**4290 Emergency Management** – The budget is leveling dollars; some reallocating will be done with light towers which will come out of generator maintenance line. Janvrin moved to recommend the Emergency Management budget as proposed at \$4,330. Barham seconded and the vote was 3-0.

**4711-4721 Debt Service** – This is principal and interest on loans for the Library and Glen Oaks bonds. The Library bond is in the 19<sup>th</sup> year of 20-year financing and will be done in 2021. This is \$90,000 principal and \$13,450 interest. Barham made a motion to recommend the Debt Service budget as proposed at \$103,450. Janvrin seconded and the vote was 3-0.

**4723 Tax Anticipation Notes** – This line item includes \$1,500 in the event that we need to borrow money in anticipation of Taxes. Janvrin moved to recommend the Tax Anticipation Notes budget as proposed at \$1,500. Barham seconded and the vote was 3-0.

**V. SCHEDULED AGENDA ITEMS – times subject to change depending on flow of the meeting**

At 6:55 pm Janvrin moved to recess until 7:15 pm Barham seconded, and the vote was 3-0.

At 7:15 pm Janvrin moved to return to session Barham second, and the vote was 3-0.

At 7:15 pm Selectmen opened a Public Hearing relative to the Conservation Easement on the Brett Property. Chairman Cordes read the Public Hearing Notice:

***Town of Fremont***  
***Notice of Public Hearing***

*The Fremont Conservation Commission, with the Fremont Open Space Advisory Committee and Fremont Board of Selectmen, will hold a public hearing on Thursday September 12, 2019 at 7:15 pm at the Fremont Town Hall, pursuant to NH RSA 36-A:4 and 5 and RSA 675:7 concerning a proposed Town contribution toward the purchase of an Agricultural Land Easement over an approximately 29 acre portion of property located at 240 Beede Hill Road identified as parcel 05-071 and currently owned by Nicholas and Nancy Brett, for future conservation. Town funding for this purchase is proposed to come from the Fremont Land Use Change Tax Conservation Fund. The remainder of the funds will be raised from outside grant and other funding sources.*

*The public is welcome to attend and written comments may be submitted to the Board of Selectmen by mail, electronically to [FremontTA@comcast.net](mailto:FremontTA@comcast.net) or hand delivered to the Fremont Selectmen's Office no later than 4:00 pm on the date of the hearing.*

*Posted: 19 August 2019 and Published in the Union Leader 27 August 2019*

In attendance were Leanne Miner Conservation Commission Chair, Bill Knee Vice Chair and members Rich Cooper and Pat deBeer, Dennis Howland Open Space Chair, Duane Hyde from SELT; and Landowners Nicholas and Nancy Brett. Member of the Public Richard Boyd was also present.

Miner stated that the Conservation Commission and SELT have been working for a few years with the Brett's on grading the property which is a very comprehensive process for conserving land. Hyde explained that the property would be conserved under two separate easements, Agricultural Land Easement and Wetlands Reserve Easement. The Land Easement will allow the land to be used for agricultural purposes as it presently is and SELT will monitor and enforce the easement with the Town of Fremont being a 3<sup>rd</sup> party enforcer. The overall budget is \$331,000 and will be funded through NRCS (\$123,750); Town funds (approximately \$150,000); a grant from the Great Bay Resource Protection Partnership; and another grant applied for from the State Moose Plate Program grant.

Hyde explained that SELT has not requested any money from the Town in the past and has conserved approximately \$2.2 million in Fremont, listing off the Horsburgh (343 acres), Mullen (33 acres), and McRae (currently in process) properties; as well as the Town owned Cooperage Conservation area. This money will not affect taxes as it comes from the LUCT Fund that taxpayers had set up for this purpose. With the Brett property conserved this brings the total contiguous acres to approximately 700 acres.

Howland stated that Open Space thanks SELT for their work but would like to improve communication with SELT. He would like Hyde to make every effort to connect the trails from the Cooperage Trail to the Brown Brook Trail System, also trails connecting Barred Owl to other trails, and help to clean the

Kelleher trail for better access to the B52 site. Hyde will facilitate a meeting for Miner and Open Space with SELTs Land Management person.

The Selectmen thanked everyone for their work and the Bretts for their patience with the process. Barham made a motion to endorse the Conservation Commission to commit and expend \$150,000 from the Conservation Fund toward the purchase of an Agricultural Land Easement on a portion of the Brett property located at 240 Beede Hill Road, and approve the Town holding an Executory Interest or Third Party Right of Enforcement in the Agricultural Land Easement, subject to review of the easement terms. Janvrin seconded the motion and the vote was unanimous 3-0.

Barham made a motion to recess at 7:32 pm until 7:45 pm for the next public hearing. Janvrin seconded and the vote was 3-0. All were thanked and the Conservation Commission, SELT and Brett's left the meeting at approximately 7:35 pm.

The Board took a 10 minute recess to the start of the next Public Hearing.

At 7:45 pm Cordes reopened the continuation of the Thru Trucking Public Hearing last held on July 25, 2019. In attendance were Richard Boyd, Teresa Boyd, Rich Cooper, Doug Andrew, Jack Karcz, Leon Holmes Jr Road Agent, Michael Holmes, David Motowidlak, Gary Cloutier, Sharon Tonas, Claudette Townsend and Jon Drabik Buxton Oil representatives; Brandt Lambert resident and Eastern Propane representative.

Cordes recapped the history of the issue at the present time, beginning with the hearing which began in June. The Town has continued to gather information since the July meeting which was continued to get guidance from Town Legal Counsel regarding options for the Town to pursue to try and resolve the issues with trucking and road conditions. Counsel discouraged using a Thru Trucking Ordinance as this could cause legal problems for the Town. Selectmen are encouraged to pursue a Weight Limit Ordinance regarding these issues. Weight limits are data based and enforced by looking at the registration of the vehicle. Weight limits are data and safety related, there will be a survey that looks at safety, load bearing capacity of roads, width, structure, the use they can tolerate, sight distance, turning radius and other factors. There is good data already regarding work and dollars spent on roads. The Town has started getting engineering proposals they feel this is the best route and need to get it right.

There was some correspondence from Epping Town Officials and Fremont Town Officials to NH DOT to inquire about adding a frontage road that goes parallel to Route 101 near Beede Hill Road near exit, to avoid trucks on local roads. There has not been a response from the DOT to the Fremont letter, and the Board will consider a follow-up letter.

Richard Boyd, 76 Shirkin Road, stated that the 18-wheeler trucks are starting to run all day and night with 2 and 3 am trucking. He also states that the road has sunk for about 40' going in front of his house causing the trucks to bang, which shakes his house, with each truck going in to deliver and then out again, also the noise from the Jake brakes. He said it makes it tough to live there.

Brandt Lambert, 188 Beede Hill Road, resident and Eastern Propane representative, wants to know if they are Eastern trucks as they have spoken to their drivers instructing them to turn off Jake brakes and obey speed limits this included their transports. He would like any feedback that neighbors can provide.

Claudette Townsend, Buxton Oil representative, also would like to know if it is their trucks. They have put tablets in their trucks, and they have explicit instructions for anyone going to their site regarding the same issues.

Cordes asked the representatives how they felt hearing these type of complaints.

Townsend responded that at certain times of year they can have more control over delivery times, but certain times of year like November thru January the demand is at peak and it is about the turn of the inventory and where they are delivering. They run two shifts and trucks run 24 hours a day.

Richard Boyd asked if there was anything that the Town could do to run the trucks through Epping because it is unlivable with this going 24 hours a day. The Board indicated that they cannot stop traffic on a public way. There continued to be discussion about enforcement throughout the hearing.

Leon Holmes Jr, Road Agent, said that the roads from Rogers to Shirkin are shot from all the trucking load after load, day after day. These roads were not built for this type of traffic some are only 21 – 22' and the trucks have to ride the sides and are ruining the roads.

Cordes spoke to the strategy of using the data-based information and this will deal with the roads but not the noise, hours of operation or smell which cannot be regulated. If the roads cannot handle this usage, then a Weight Limit Ordinance will be enforceable.

Townsend mentioned that when the Town of Epping Town Administrator attended the Fremont meeting, he discussed possible revenue sharing for the potential to improve the roads to withstand that kind of traffic. She indicated that they are still interested in looking at this option.

Cordes stated that the engineers will do the evaluation and this type of report will provide the Town the information necessary to decide what our options are. This will be done with the roads as they are now.

Holmes questioned if he needs to change his budget to start work on these roads. In 2012 the Town rebuilt Rogers Road and regular vehicle traffic would not cause the kind of damage that has been done to the road.

Sharon Tonas, 117 Shirkin Road, stated that they knew when they moved in that there were only two oil companies there but now there are many more and they did not anticipate this many.

Holmes mentioned that he was discussing with Dan Tatem from Stantec some of these areas as he prepares to work on his budget for next year.

Barham stated that it is the operator's choice of route and is a business decision and if they feel we treat them unfair they could take Fremont to court. He feels we need data on our side.

Michael Holmes has and drives heavy trucks and said he understands the needs for roads to be at a certain standard to have so much heavy trucking on them and that these roads are not OK.

The Selectmen stated that they understand everyone's concerns and that they are going to keep working on this issue to find a solution, but it is going to take time. RFP's are being requested for engineering study work, and then it will take a few months to receive information from the survey. Residents understand the process but are frustrated with the time. The Board expressed their frustration as well.

Dennis Howland, 121 Tuck Drive, encouraged the Selectmen to keep pushing for the frontage road long term and not give up. Carlson suggested that the business also send letters to the NH DOT regarding the frontage road. She also mentioned that there appeared to be minimal regulation on operating times in Epping, from the Site Plan Review information that had been forwarded from Epping.

Janvrin made a motion to close the Public Hearing at 8:26 pm and Barham seconded the motion. The vote was unanimous 3-0.

Barham made a motion to recess for 5 minutes, Janvrin seconded. The vote was 3-0.

As the room cleared, Barham made a motion to come back to regular session at 8:40 pm. Janvrin seconded. The motion was 3-0.

Carlson received an email from Eric Abney asking to put in the annual Warrant Article for \$5,000 for the Library Expendable maintenance Trust Fund. The Board agreed this was an item that we would continue to save with.

Carlson advised that Police Chief Twiss will meet with the Budget Committee in 2 weeks. Fire Rescue Chief Butler will be before the Selectmen next week with his budget and a new candidate next week. Carlson will attempt to schedule Parks and Recreation with Selectmen on September 26<sup>th</sup>.

### VIII. WORKS IN PROGRESS

1. Budget work continues.
2. The Planning Board has provided additional information for the public's information relative to:

#### **What is the Master Plan?**

**It's a plan** with **guiding principles** for future land use and development.

**It's a long range plan** that reflects the values of the community.

**It's a collaborative plan** that provides a vision for the community

**It's a living plan** with chapters that focus on topics such as existing and future land use, community facilities, natural resources, and growth management.

**It's a growth plan** that helps guide town officials when making short and long-term decisions.

**It's a plan that needs your input to be successful!**

#### **How can we use the Master Plan?**

**Use it** to identify long range transportation projects for prioritization by the state.

**Use it** to develop goals to protect natural resources.

**Use it** to develop department goals for resource management.

**Use it** to develop objectives to protect the community against natural hazards.

**Use it** to develop long range budgets for capital improvements.

And any other business which may legally come before the Board

Janvrin made a motion to enter Non-Public Session pursuant to NH RSA 91-A:3 II (c) and (e) for discussion of a personnel and legal matters at 8:43 pm. Barham seconded. The roll call vote was 3-0, Cordes – yes; Barham – yes; Janvrin – yes.

Clement left the meeting at 8:45 pm.

Respectfully submitted,

Kathy Clement

**IX. NON-PUBLIC SESSION as needed per NH RSA 91-A:3 (c) or (e)**

Selectmen began their Non-Public Session at approximately 8:47 pm.

At 9:10 pm a motion was made by Janvrin to return to Public Session. Barham seconded and the roll call vote was 3-0, Cordes – yes; Barham – yes; Janvrin – yes.

Selectmen asked Carlson to get back to Attorney Gorrow relative to the Ferwerda matter. The Board continues to feel that the site conditions out there, with several feet of drop-off at the “roadway” are unacceptable, and that the first house was as important as the last, and no permits are eligible out there until this is resolved.

The next regular Board meeting will be held at 6:30 pm on Thursday September 19, 2019 at the Fremont Town Hall in the basement meeting room.

At 9:20 pm motion was made by Janvrin to adjourn the meeting. Barham seconded and the vote was unanimously approved 3-0.

Respectfully submitted,

Heidi Carlson  
Town Administrator