

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 Annmarie Scribner and Greta St Germain and Town Administrator Heidi Carlson.

OLD BUSINESS

1. Selectmen reviewed the minutes for 14 July 2011. A motion was made by Scribner to approve them as amended. St Germain seconded and the vote was unanimously approved 2-0. Selectmen then reviewed the non-public session minutes of 07 July 2011. Motion was made by Scribner to approve them as amended. St Germain seconded and the vote was unanimously approved 2-0.
2. In response to Department Head questions, Carlson asked the Board about their budget plan for 2012. Selectmen said they were looking at level funding for the most part, and will further consider whether any type of raise should be budgeted.
3. Selectmen have reviewed, but did not further discuss the comments offered by Chief Janvrin relative to the revised Personnel Policy. This continues to be an action item.
4. Carlson updated the Board on the new Deputy Treasurer status. The paperwork is currently being finalized.
5. Selectmen re-signed the deed for parcel 03-167.004. It needed to be updated to be deeded to the Walter F Dickson Jr Revocable Trust of 1998. Attorney Tucker's Office has offered to hold the Fremont deed in escrow to be recorded at the same time as the Raymond portion. The Raymond portion is due to close on July 29, 2011. The Board approved the Fremont deed being sent to the Tucker Law Office to be held in escrow and recorded at the same time as the Raymond portion of the Clover Court property. The Town will wait to deposit Mr Dickson's check until it is confirmed that the transaction has been completed.
6. Selectmen discussed the agreement reached in May 2011 with Robert Hayes regarding property at 99 Louise Lane. Mr Hayes had collected ½ of the July rent for the property, which was outside of the signed agreement. Mr Hayes has been advised by verbal conversation with Heidi Carlson and by letter, that the full responsibility of this property is now his, and that any balance due on 2011 first issue property taxes and interest, must also be paid by him.

The Board directed Carlson to send a follow-up letter to Mr Hayes by certified mail confirming their concurrence with this information and restating the property owner's obligations in terms of property taxes.
7. Copies of the SRRDD 53B contract with Waste Management for tonnage were distributed for Board members to review. This is a prior contract which has been extended through what is believed to be 2015.
8. Carlson provided the Board with updates on the Library water system. Aqua Specialties came down and took the follow-up July water samples for submission. Additionally, some trouble-shooting has been done with the piping in the building in follow-up to conversations with Adam Torrey at NH DES. The fire sprinkler pipes and check valve will be looked at further as a potential source of bacteria. Carlson will speak further with Chief Butler about that system and piping, as well as look into having the fire suppression system serviced.

At 6:30 pm Police Chief Neal Janvrin came in to the Board's meeting.

Janvrin presented a comparison of some items (a list of six things) purchased at Staples versus purchased at Sam's Club in follow-up to the Board's discussion a few weeks ago about not driving to Sam's for purchases. The Sam's comparison was \$90 less.

Janvrin said that \$14,819 was budgeted for fuel for 2011 and he is concerned as he has already spent over \$12,000 in fuel. He is currently paying \$3.13 a gallon, and it was budgeted at less than that; and we are working on a default budget. He will be making some line item transfers to cover it, and the Board told him to continue to keep a close eye on it.

Selectmen were advised that the ballfields will be unlocked during the day so that the police can more easily get in and patrol. Dick Rand will unlock them in the morning and the police will lock it at dusk.

At 6:50 pm Road Agent Mark Pitkin came in to the Board's meeting.

Selectmen talked with Pitkin about the North Road tree in the area of frontage at 61 North Road, which is dead and has been declared a public nuisance which poses an imminent threat to safety. Selectmen drafted and signed letters to the condominium owners (4) at 61 North Road and to the Millers, who own the adjacent parcel of land. The Board asked for all of these letters to be sent certified mail on Friday.

The Board briefly discussed the Highway Truck replacement and getting further information from Jeane Samms about how to proceed. Pitkin is still working on quotes for a replacement truck to include the trade-in value of the old one ton.

Pitkin advised that the roadside mowing is due to begin next week, and the tractor has been rented for two weeks to do the whole Town.

The Board discussed improvements to the highway building. The Board agreed to put an article on the warrant in 2012 to make Selectmen agents to expend of the Highway Maintenance Building Capital Reserve Fund.

In response to a question posed by Leon Holmes today, Selectmen discussed with Pitkin the need for water (thus drilling a well) at the site, and inclusion of that provision in the budget for 2012 for the highway shed. The Board felt that this needed to be included in the building upgrades and did not make sense as a stand-alone improvement.

At 7:10 pm Tax Collector Kathy Arsenault and Deputy Tax Collector Christine Goudin met with the Board to discuss the list of Tax Deeds pending. Arsenault introduced Chris Goudin who was appointed in June. Arsenault discussed a few different types of payment agreements and the Board and Arsenault felt this was a good way to move forward.

Arsenault presented a list of the pending tax deeds and discussed those residents who are currently making consistent and significant payments. Arsenault lined out her schedule for the deeding and asked the Board to make a decision on which ones the Board wants to take deeds on.

After reviewing the list and discussing the payment plans in place, the Board decided to have Arsenault move forward with deed worksheet properties with the exception of 07-117.002 and 01-074 due to their payment plans.

There was discussion about making a formal payment arrangement moving forward with those residents who are making regular and consistent payments. Arsenault had a couple of formal payment arrangement documents that the Town can work with. Arsenault will do this upon completion of the deeding process.

At 7:30 Arsenault and Goudin left the Board's meeting and Selectmen met with Fire Chief Richard Butler. He presented bills and discussed some billing questions. Butler left the meeting at 7:40 pm.

At 7:43 pm Selectmen opened a Public Hearing to discuss the Rangeway Petition of Matthew Jensen. Present were Selectmen Scribner and St Germain; Heidi Carlson, Petitioner Matthew Jensen, Abutters Jerry Thayer, Jeffrey Sheehy of Beede Hill Associates, and Attorney John Ratigan representing abutter Sheila Lyford.

Selectman St Germain read the notice of public hearing which was posted and sent to all abutters.

**TOWN OF FREMONT
NOTICE OF PUBLIC HEARING**

The Fremont Board of Selectmen will hold a Public Hearing at 7:30 pm on Thursday July 21, 2011 to hear the petition of Matthew Jensen for "Highway Layout & Reopen Rangeway" pursuant to NH RSA 231:28. The rangeway is off of Shirkin Road in Fremont.

The purpose of this public hearing is to hear the Petitioner's plan for use of said rangeway to access his parcel 05-008 as identified on the Town of Fremont tax maps. The hearing will address potential upgrades, and obtain any abutter input to the process.

If you are unable to attend this hearing and would like to submit written comments to the Board of Selectmen, please do so such that they are received no later than July 20, 2011.

Written comments can be sent to Fremont Board of Selectmen Attn: Rangeway Public Hearing, PO Box 120, Fremont NH 03044-0120; or by email to FremontTA@comcast.net; or by Facsimile to 603 895 3149.

Attachments to the posted/mailed notice included the Jensen Petition for Highway Layout and NH RSA 231:28 through 231:42.

Petitioner Matthew Jensen came forward to present his plans. He laid out a map of the area identifying the Second Rangeway. This map is a compilation of title and deed research of the area, and the Town also laid out a copy of the tax map of the area.

Jerry Thayer presented title abstract work.

Attorney Ratigan's letter to the Town was shared with all present but not read aloud into the record due to its length. Ratigan represents abutter Sheila Lyford whose property is along Shirkin Road in front of Jensen's. In response to the letter and points raised, several questions were asked and Attorney Ratigan as well as Thayer and Jensen shared their thoughts.

Scribner asked about how the survey was coming and Thayer said that he has surveyed large sections of the Town, suggesting that post-processing GPS would be the best way to do it, and it can't be done until leaves come off the trees.

There was lengthy discussion about the rights of abutting landowners, prescription easements, and the layout process for Shirkin Road.

Attorney Ratigan said that the law disfavors people being landlocked; and often a prescriptive easement is created in favor of the back parcel for access. He said they are asking for a petition to layout a public highway. Ratigan further stated that it is a different provision for the Town to layout and maintain a highway.

The referenced statutes propose to establish via highway layout the access to the rear parcel (Jensen). The difference between easement access and highway layout is that in a highway layout, the Town is then responsible for upkeep and maintenance of the roadway.

There was discussion about layout of the area and whether the rangeway is a public way. The area of the rangeway currently has steep topography and is treed. It was indicated that there are two clear stone walls on either side of the rangeway. This information is not shown on the Town's tax maps.

Selectmen stated that there is more information being presented than they had anticipated, and that there are far more issues involved than originally stated. The Board discussed recessing the Public Hearing to allow for time for Town Counsel to review and offer advice on the matter.

Ratigan said that this is an historic dedication that is an oddity today. There was continued discussion about highway layout and betterment assessment, referring to statutes and the way they are worded; and facts shown by Thayer in the 1600's and 1700's regarding history and title research.

Board members asked Jensen about his future plans. He said that long term, he wants to install a dirt driveway and create future access to the lot commercially.

At 8:35 pm a motion was made by Scribner and seconded by St Germain to recess this Public Hearing to 7:30 pm on Thursday August 25, 2011. The vote was unanimously approved 2-0.

At this time all members of the public left the meeting.

OLD BUSINESS CONTINUED

9. Selectmen again discussed the new evaluation forms presented last week and asked that the Supervisor form be given to Fire Chief Richard Butler and Police Chief Neal Janvrin to be self-completed. St Germain will forward the forms to Carlson for electronic distribution.

10. Selectmen discussed the tax rate setting process and asked Carlson to talk with Jeane Samms at NH DRA about how it will go this year in response to State layoffs, particularly within the Department of Revenue. The Board asked for Carlson to get a copy of the School District's MS-24 form. The Board would like to have forms submitted early to try and get an early tax rate setting appointment.

11. Selectmen reviewed the contract with George Sansoucy for utility updates to include PSNH and NH Electric Cooperative. It has been decided that MRI will do the telephone utilities necessary for April 1, 2011 as an added warrant for second issue 2011. The Board signed the contract with Sansoucy for the contract amount in the 2011 budget of \$3,500.

12. Scribner said she has shared the Cable AV equipment with her resource at the Chester cable channel and awaits his input and further information. St Germain had also spoken with someone else and was sharing the information as well.

13. There were not yet any further comments or input to the website design "map". It was clarified that the following sites were ones of preference from Selectman Hunter:

www.town.wilmington.ma.us/pages/index

www.plymouth-ma.gov/public

www.wolfborough.us/pages/index

NEW BUSINESS

1. Selectmen reviewed the payroll manifest \$23,017.73 and accounts payable manifest \$35,072.29 for the current week dated 22 July 2011. Motion was made by Scribner to approve these manifests. St Germain seconded and the vote was unanimously approved 2-0.
2. Selectmen reviewed folder of incoming correspondence and folder of bills/invoices received to date.
3. Selectmen signed outgoing correspondence to Paul Mercier, Steve Tomasz, Michael & Susan Miller, and the condo residents at 61 North Road.
4. Selectmen discussed the next regional Selectmen's meeting which will be held in Plaistow on Thursday September 15, 2011. St Germain will attend and the other two Selectmen will handle business at the Board's regular meeting scheduled for the same evening.
5. Selectmen discussed road work at Cooperage Forest in follow-up to a proposal from the Cooperage's attorney that the Town hire their contractor. The members present (not a quorum) at the Planning Board last night felt that if the Town was going to do the work and pay for it from LOC proceeds, that the Town's process should be followed to include a full set of specifications and putting the project out to bid. The Selectmen agreed with this, and the full Planning Board will review next week, as will the Selectmen.
6. Selectmen reviewed and approved the August Newsletter to include the School Board insert.
7. Leon Holmes Jr had advised Carlson earlier in the day that the Pratt family has agreed to having the trees cut at Pratt Memorial Park and the Garden Club has offered to plant two shrubs in their place. The flag currently gets caught in the trees due to their growth. Holmes has said he will cut the trees and the Garden Club has offered to plant two shrubs in their place that will not hinder the monumentation and the flag. Selectmen agreed with this plan.
8. The Meetinghouse gully needs to be filled in and Leon Holmes Jr has some good leftover fill material at the HW shed, which Pitkin agreed is available for use. The work needs to be done prior to the Committee starting work on the pound. The Committee is going to start the rock work on Saturday September 17th with their volunteer efforts. The Board agreed this was acceptable to level the ground for the upcoming work.
9. There was some discussion about vacation benefits and payout of the old accrued liability. Carlson had prepared a spreadsheet that calculated the time in any given year and the value at that year's rate of pay. The Board would like to clear this liability and will continue to review the budget to see where transfers can be made to accommodate this in the 2011 budget if possible.

The Board asked that Department Heads discuss with full-time employees the new policy that vacation time must be used in the year it is earned or will be lost at year end.

10. Librarian Barbara Bassett's resignation was effective at the end of last week. The Library Trustees met last night and completed their work on the job ad for a replacement librarian. Carlson relayed information from John Hennelly on behalf of the Trustees. They are looking to increase the hours for the librarian and indicated they will be doing some budget transfers to accommodate that. Hennelly asked via email about meeting with the Board of Selectmen and was advised that the Board is waiting for some potential dates the Trustees could attend a Selectmen's meeting.

In the interim, John Hennelly will review the bills and timesheets prior to submission. Hennelly advised that the Trustees check in at the Library on a rotating basis.

NEXT WEEK

The next regular Board meeting will be held on Thursday July 28, 2011.

With no further business to come before the Board, motion was made by Scribner and seconded by St Germain to adjourn the meeting at 9:35 pm. The vote was approved 2-0.

Respectfully submitted,

Heidi Carlson
Town Administrator