

At 6:05 pm the Board's meeting was called to order in the basement meeting room at the Fremont Town Hall. Present were Selectmen Brett Hunter, Annmarie Scribner, and Greta St Germain; and Town Administrator Heidi Carlson.

Selectmen began reviewing template budget documents that have been prepared, showing expenses through February 2012, and some tentative line items for the 2012 default budget. Carlson had set up the spreadsheet using the same rationale as in 2011. This included the lesser of the default budget or the 2012 budget request (for example if a department requested less in 2012 than the 2011 default allocation, the lower number was used.)

The Board discussed using a different approach this year, and Scribner stated that the items which can be included in the default are contractual, mandated and recurring expenses. She felt that the adoption of the wage matrix for police officer wages was considered to be one of those recurring expenses, but the Board had not included in the default allocation. The amount of wages budgeted, does fit within the matrix for 2012 and the default budget, so it is sufficient.

The Board took copies of the current QuickBooks printout as well as a summary total spreadsheet with the total default budget number that needs to be allocated. This will be included on the agenda for the next meeting, as the MS-2 has to be prepared within 20 days of the meeting, and needs to include the Board's allocation of the total appropriation.

OLD BUSINESS

1. Scribner moved to approve the minutes for 08 March 2012. St Germain seconded and the vote was unanimously approved 3-0.
2. Selectmen Scribner and St Germain signed the one final page of Security Benefit documents, which had been approved by them at the meeting of March 2, 2012.
3. Carlson discussed the years of service included in the Capital Asset & Depreciation Policy. Board members had not fully reviewed the policy, but were satisfied with the years of service for items included. The Town has not yet gotten a response back from Mike Campo at Plodzik and Sanderson on his review of the policy.
4. Selectmen had not all further reviewed the Disaster Recovery Policy draft. The Board indicated it could be sent to DayStar for review, and members would also continue to review it.
5. Carlson updated the Board that the library water retests had showed bacteria again. The well is going to be chlorinated as soon as possible. Board members asked for Carlson to get the Health Officer involved in helping do this.
6. The certified letter to Freedom Renewable Energy was signed for by an agent as delivered on March 10, 2012. Updates from TRC Grant Administration staff include that the Town needs to follow an extensive ARRA plan document in terms of procurement, which may include re-bidding the balance of the work done. The Building Inspector is working on a document to outline the balance of work to be done to complete the project. From there, the Town will need to put together another RFP for the balance.
7. Loan documents for \$65,000 (borrowed for the Smith land acquisition) will be ready for Board signature on March 22 (legal) and March 29 (bank). The Board reviewed documents from Citizen's Bank

and review a policy on investment of loan proceeds as presented by Bond Counsel Devine Milliment & Branch.

NEW BUSINESS

1. Selectmen reviewed the payroll manifest \$23,347.99 and accounts payable manifest \$552,487.62 for the current week dated 16 March 2012. Motion was made by St Germain to approve both manifests. Scribner seconded and the vote was approved 3-0.
2. Selectmen reviewed the folder of incoming correspondence and bills for payment.

At 6:50 pm Police Chief Neal Janvrin came in to the meeting.

Chief Janvrin presented the annual grant contracts with NH Fish and Game for the OHRV patrols. He explained that the Board needs to authorize him to enter into a contract for the funding. The grant asks for 13 weeks of 12 hours per week and 39 weeks of 24 hours per week of patrol.

Motion was made by St Germain and seconded by Scribner that Chief Janvrin is hereby authorized to execute and deliver for in the name and on the behalf of the Town of Fremont, New Hampshire all professional service contracts, agreements and reports with the State of New Hampshire Fish and Game Department for Off Highway Recreational Vehicle law enforcement purported to be binding upon the Town shall be conclusive evidence for all purposes that such instrument is authorized by this vote. The vote was unanimously approved 3-0. Selectmen signed the minutes extract noting the vote, which was attested and notarized by Heidi Carlson. Selectmen also signed a letter dated 03/15/2012 stating the same resolution to the NH Fish and Game regarding the chief's authority to enter the OHRV contracts.

There was discussion about the OHRV Special Revenue Fund, which is the result of the OHRV patrols and any fines generated. At the town meeting this year, voters again defeated the request to use money from that fund to purchase OHRV safety equipment. There was discussion about whether the Selectmen could be designated agents of a special revenue fund. Carlson did not think the law allows for that, but will bring the statute back for the Board's review and consideration.

Janvrin then discussed with the Board the proposal he had for one-way glass at the service window at the Police Department. He said they had looked at reconfiguring the office and that it will not work as he does not want the Assistant's back to the window. He said in response to questions that the motor vehicle privacy issues have more recently become an issue, and that you can clearly see what is on the desk if you are standing at the window.

The Board said that if it is in his budget, they will support it. Janvrin said he will consider a heavy tinting first and will then do the cheaper of the two options.

At 7:03 pm motion was made by Scribner to enter non-public session pursuant to NH RSA 91-A: 3 II (a) to discuss a personnel discipline

At 7:05 pm motion was made by Scribner and seconded by St Germain to return to public session. The roll call vote was unanimously approved Hunter – aye; Scribner – aye; St Germain – aye. No decisions were made.

NEW BUSINESS CONTINUED

3. Selectmen discussed a call St Germain had received yesterday regarding voting process. St Germain informed the Board that she received a call from the NH Attorney General's Office (AG). The investigator was following up on a complaint that was filed by Lori Holmes and received at their office at the end of February 2012. What the investigator found odd was that it was for events that occurred at the March 2011 Town Election. St Germain went on to share with the Board that the complaint stated that Lori Holmes discussed the problem with St Germain which St Germain disputed with the AG's office as a definite false statement. St Germain explained that her conversation that day was with Moderator Rydeen only, and believed it to be immediately resolved.

After lengthy discussion St Germain asked the investigator if the Lori Holmes complaint also included the obstruction of voters in the polling path by her father-in-law Leon Holmes Sr as well as other Holmes family members that same day. She informed him that Mr Holmes was seeking write-in votes on the ballot for his candidacy for Selectman, a position that was un-opposed to St Germain until that morning. This was an ongoing problem that day as Officer Huard of the Fremont Police Department, as well as the Moderator, continually had to ask them to remain behind the barricades. The investigator had no mention of that matter but did plan to contact and follow up with Moderator Rydeen concerning that incident. He concluded that it appeared to be a personal attack directed at St Germain.

The Board would like to meet with Moderator Michael Rydeen at the meeting of March 29th to follow up. St Germain brought it to the Board's attention that any person whose name is on the ballot shall not touch the ballot in any capacity. St Germain was notified by the Attorney General's Office that a follow-up letter will be coming. Selectmen circulated copies of NH RSA's 659:44-a, 659:24, and 659:58 for their knowledge and information.

4. Selectmen reviewed and acted upon the following abatements that have been reviewed and processed by the Assessor:

02-004 41 Scribner Road Jeffrey & Marjorie Diggins
Subject is an old cape style dwelling on a 1.75-acre parcel. The reason for the request is applicant's concern with assessment as compared to appraisal indication of \$215,000 as of June 21, 2011 and purchase price of \$212,000 in July 2011. Copy of appraisal was provided and reviewed. Property was inspected. Based upon the inspection, it was determined that there were discrepancies regarding the sketch, overall condition and outbuildings. After corrections, the assessment is reduced \$36,700 from \$252,300 to \$215,600. The revised assessment is supported by appraisal and purchase price. It is recommended that an abatement in the amount of \$1,000.81 plus any applicable interest be granted.

Motion was made by Scribner and seconded by St Germain to accept the Assessor's recommendation and approve the abatement. The vote was approved 3-0.

03-037.001 Spaulding Road River Bank
This includes condo units 03-037.001.014 through 03-037.001.022 which are part of the property, each now separately assessed.

Per the Board's decision and settlement of the pending 2010 BTLA appeal of the above referenced property, it is recommended that the total assessment be reduced \$367,200 to \$437,500 and that an abatement in the amount of \$10,013.54 plus applicable interest be granted.

Motion was made by Scribner and seconded by St Germain to accept the Assessor's recommendation and approve the abatement. The vote was approved 3-0.

05-057.001.001 6 Pollinger Road Robert & Deborah Carr

Subject is a ranch style duplex being constructed on a 6.96 acre parcel. The reason for the request is applicant's concern with assessment. Former property was destroyed by fire in 2009 and former home was removed for the 2010 tax year. In 2011 new home was listed as under construction and applicants do not feel that they should be taxed on home which has not received occupancy permit. It should be noted that assessments reflect the property as it exists on April 1st of any given year and applicant has not provided any evidence of value. Property was inspected in December 2011 regarding incomplete construction. Assessor has reviewed that information and it was noted that some discrepancies regarding the sketch were found as well as property coding. As a result of corrections, the assessment is reduced \$66,700 from \$390,600 to \$323,900 and it is recommended that an abatement in the amount of \$1,818.91 plus any applicable interest be granted.

NOTE: Assessment will be adjusted to reflect changes made since April 1, 2011 for the 2012 tax year.

Motion was made by Scribner and seconded by St Germain to accept the Assessor's recommendation and approve the abatement. The vote was approved 3-0.

5. Selectmen reviewed Cooperage Forest Manifest 2012-014 CFE in the amount of \$3,020.00 for receipt of the lighting fixture to be installed this spring. Motion was made by Scribner to approve the manifest, and St Germain seconded. The vote was approved 3-0.

6. The Fire Department's Engine 1 was out of service due to a transmission problem. The technician called this morning to indicate the total invoice for repairs was estimated to be \$2,950. Chief Butler had contacted three companies for information and pricing, and the truck was towed to Power Products in Wakefield MA. The bad part (ECU – computer for the transmission) was \$2,487.70. Chief Butler stopped by briefly this evening and dropped off the repair bill and other bills, and said that he had just returned with the truck, and it is back to operational status.

He indicated he was going to request a recount as the truck on the warrant only failed by two (2) votes. He is planning to make the request next week.

7. Selectmen reviewed a Land Use Change Tax for parcel 03-015.001.025 in the amount of \$2,142.85 per agreement with Lewis Builders. The Board discussed an error in Lewis's calculation of fee due within agreement in follow-up to a letter received from their attorney. The Attorney's original calculation of the fee due per unit was over by \$100, and he is now asking for a rebate of \$800 for the eight lots which were sent out per the agreement.

Selectmen felt that they would prefer to make a one time adjustment to the bill currently pending for lot 03-015.001.025 of \$800, making that bill \$1,342.00, noting on the bill why it was different from the rest. Moving forward the amount will be billed at \$2,142.85 per lot. Attorney Levine (Attorney for Lewis Builders) did the original agreement, and will be asked to amend it and send it to the Town for review and Board signature. Selectman Hunter asked for the LUCT bill for lot 25 to be revised to the adjusted amount and presented to the Board for signature at their next meeting.

8. Selectmen reviewed and signed an Intent to Cut for the 2012-2013 tax year for parcel 04-006 owned by Richard Porter.

9. The Building Inspector sent up a copy of the building renovation permit form for repair of the damage to the Turner house on Main Street. The Board asked if her insurance company will pay the fee, since they can subrogate against the insurance company of the party who hit the home and caused the damage. No Board decision was made on the request.

10. Carlson asked the Board how they wanted to post the Conflict of Interest Ordinance that was approved last week by voters. The Board asked Carlson to contact Town Counsel and determine if any other procedural matters needed to be done first, and if not, that it be available for posting and placed on the Town's Website.

At 7:30 pm Mark Pitkin met with the Selectmen to discuss several items in follow-up to Town Meeting voting. Selectmen congratulated Pitkin to being elected to the first three year term for a Fremont Road Agent.

This included the Highway Equipment Capital Reserve Fund, which will be increased by a \$50,000 appropriation. Pitkin asked if the Board was going to purchase a backhoe. There was discussion about this, and the Board felt it was prudent to do. Pitkin said he had begun looking at used backhoes for the Town to purchase. He has found one with 1500 hours on it, which he said you could run it for quite a while. He stated that you are taking a chance that something could happen to it, but he feels with hours that low, it would be fine for the Town.

After further discussion, Pitkin said he will go look at the machine next Monday, ask the owner about maintenance records, and talk with him about the machine. The Board asked if the owner would also consider getting it serviced before the Town buys it. The Board was in support of the purchase of a used backhoe.

Pitkin then discussed the proposals received approximately 18 months ago for the renovations to the Highway building. The article on the Warrant passed to make the Selectmen agents of the Highway Building Capital Reserve Fund.

After discussion it was decided that Pitkin would contact each of the contractors who bid the project the first time and ask each to update their numbers on the same proposal as before. Following that, any changes will be made, accounting for inflation and other cost changes. Pitkin said he wanted to remove some items, and change a few others.

There was general discussion about the Bridge Capital Reserve Fund. Carlson indicated she continued to be contacted by engineers who had submitted proposals last year in response to the RFQ. The Highway Study Committee is going to start reading the proposals for bridge aid, and their next meeting will be held on March 26th.

Pitkin has recently follow-up again by looking at a tree at 5 Riverside Drive that the owner reported as a potential hazard. Pitkin showed the Board photos of the trees in the area, and said the tree looks healthy and alive and that it is on private property. He said he does not believe it is a hazard. A follow-up letter will be drafted.

Pitkin then discussed with the Board his personal concern about the shooting that takes places regularly at the Galloway property on Shirkin Road. He said that he has talked with owner John Galloway about it, and that Galloway has only given permission to law enforcement agencies to shoot out there, but that the property is not posted. This means a person has to call the Police Department and have them go out there to remove unauthorized subjects.

Pitkin described several incidents on his property where he felt that he and his family were in danger because the offending parties do not know where the property lines are, and that trails run through the area where they shoot. It was suggested that Pitkin file a complaint with the Police Department about the welfare of his family. Pitkin said he felt badly for constant calls to the Police Department (sometime 3-4 calls per weekend). He said he would ask Chief Janvrin to voice concerns to Galloway, including the

safety of families, and concern for the Fremont Police Department having to be called back repeatedly on weekends. Pitkin asked about any type of mandate to have Galloway post the property so people would know it is not legal to shoot there.

Pitkin then discussed the lack of availability of the Ellis School Gym for youth sports practices. He said that he has had to travel out of time on many occasions because Zumba classes are being taught at the school and that is taking away from the time that Fremont kids have to practice. Scribner said that School policy was that kids have the first rights for use of the gym and school property. Pitkin said he had spoken with Ida Keane about the matter as well.

Pitkin left the meeting at approximately 8:00 pm.

OTHER BUSINESS

1. Selectmen reviewed a resolution forwarded by Attorney L'Huillier of Devine Millimet & Branch relative to her work on the Town's bond opinion for the Smith land purchase. They also reviewed a sample Post-Issuance Tax Compliance Policy and Procedures for Tax-Exempt Obligations that was supplied by Attorney L'Huillier. They are recommending approval of the Policy, and the Board decided to have the Board of Selectmen as the Coordinator outlined in the Policy. The Board also reviewed the following Resolution regarding the Policy:

RESOLUTION OF THE BOARD OF SELECTMEN OF THE TOWN OF FREMONT, NEW HAMPSHIRE

March 15, 2012

WHEREAS, the Town of Fremont, New Hampshire (the "Town") from time to time, on a tax-exempt basis, issues (i) bonds and bond anticipation notes to finance capital projects, (ii) tax anticipation notes to pay the Town's maintenance and operation expenses and (iii) municipal leases to finance the lease-purchase of certain equipment, all pursuant to the provisions of New Hampshire RSA Chapter 33, as amended;

WHEREAS, the federal income tax laws included in the Internal Revenue Code of 1986, as amended (the "Code), require that issuers of tax-exempt debt comply with certain post-issuance requirements set forth in the Code;

WHEREAS, for purposes of maximizing the likelihood that the Town complies with such requirements of the Code, the Board of Selectmen of the Town (the "Board") desires to adopt the Post-Issuance Tax Compliance Policies and Procedures, attached hereto as Exhibit A;

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

VOTED: That the Post-Issuance Tax Compliance Policies and Procedures, attached hereto as Exhibit A are hereby approved.

VOTED: That the Board hereby names the Fremont Board of Selectmen as the "Coordinator" under the Post-Issuance Tax Compliance Policies and Procedures and that the Fremont Board of Selectmen has accepted such nomination.

VOTED: That this resolution shall take effect from and after its adoption.

Motion was made by Scribner and seconded by St Germain to adopt the Resolution, thereby adopting the Policy as stated. The Board asked Carlson to prepare both documents for signature.

The Board further discussed their schedule as St Germain will not be available next week. After some discussion the Board will not hold a meeting and Scribner and Hunter will come in individually to sign all the documents voted this evening, including documents for the loan, Resolution and Policy regarding investment of proceeds.

Motion was made that Hunter review the invoices for payment next Wednesday night (when he is at the Town Hall for the Planning Board meeting). St Germain seconded and the vote was unanimously approved 3-0. The invoices for payment next week have already been approved, so the manifest will be signed at the next regular meeting.

St Germain left the meeting at 8:15 pm.

2. Selectmen reviewed the Mosquito control contracts forwarded by Mike Morrison for the period April 1 through November 15, 2012. The first is for \$12,000 is with Municipal Pest Management Services Inc for larval mosquito control. The second is \$37,550 for biological monitoring for larviciding and adulticiding mosquito control programs. With the passage of warrant article 15, the voters authorized \$49,550 for mosquito control. Selectmen signed both contracts and they will be returned to Mike Morrison with a letter outlining the amount and terms of each.

3. Selectmen discussed the agenda for March 29th. The Board has completed several employee reviews and wants to meet with the employees over the coming weeks. They said they would like to hand out the employee evaluation the night they meet, discuss it with the employee, let them absorb it, and then come back to discuss it further if the employee would like. The Board wants employees to use this as an opportunity to look forward and have an opportunity to look at accomplishments and areas that need work.

Selectmen asked for Carlson to contact Jeanne Nygren, Meredith Bolduc, and Heidi Carlson for ½ hour increments beginning at 6:00 pm on Thursday March 29, 2012. The Board asked for additional blank evaluation forms to be sent to them for employees and supervisors so they can complete the rest. Hunter was asked to work on Chief Butler's final format. The Board asked for Carlson to give Lori Holmes a form to do an evaluation for Kathy Arsenault as the Town Clerk clerical assistant. The Board has also asked Mark Pitkin to do one for Leon Holmes Jr; and asked Carlson to do one for Dick Rand.

Scribner said that she had spoken with Dick Rand on election day and he had asked to have the Board come and meet with the Cemetery Trustees at the Leavitt Cemetery to review the work the Trustees feel needs to be done at the Leavitt Cemetery. No date certain was set for this meeting.

The next regular Board meeting will be held on Thursday March 22, 2012.

With no further business to come before the Board, motion was made by Scribner and seconded by Hunter to adjourn the meeting at 8:35 pm. The vote was unanimously approved 2-0.

Respectfully submitted,

Heidi Carlson
Town Administrator