

At 6:00 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, Greta St. Germain, Town Administrator Heidi Carlson and Selectmen's Clerk Jeanne Nygren.

Carlson presented the legal documents for the Selectmen's signatures on the Smith property transfer that she notarized before she left the meeting due to illness. This included Smith land closing documents with acceptance of the property deed, Conservation Easement Deed and the Project Agreement. The closing is scheduled for Monday April 2, 2012 at 11:00 am in Hampton NH.

At 6:10 pm a motion was made by Scribner to enter into non-public session pursuant to NH RSA 91-A: 3 II (a) to discuss personnel evaluations. The motion was seconded by St Germain and voted unanimously in favor; Hunter-aye; Scribner-aye, St. Germain-aye.

At 6: 20 pm a motion was made by Hunter and seconded by Scribner to return to public session. The roll call vote was unanimously approved; Hunter-aye; Scribner-aye, St. Germain-aye. No decisions were made.

At 6:30 pm Police Chief Neal Janvrin came into the meeting. He stated that Officer Adam Raymond has resigned effective the 31st of March. He is asking for the Board to approve the appointment of Joseph Lister, who is full time certified and works in Northwood. He has 8 years' patrol experience and 2 years' experience as a detective. He is willing to take part time and Janvrin wants to put him on in a part time capacity for a probationary period of one year. St. Germain motioned to appoint Joseph Lister as a part-time police officer for a probationary period of one year. This was seconded by Scribner. The vote was unanimous 3-0.

At 6:45 pm a motion was made by Scribner to enter into non-public session pursuant to RSA 91-A: 3 II (a) to discuss personnel evaluations. St Germain seconded and the vote was unanimously in favor; Hunter-aye; Scribner-aye, St. Germain-aye

At 7:00 pm motion was made by Scribner and seconded by Hunter to return to public session. The roll call vote was unanimously approved; Hunter-aye; Scribner-aye; St. Germain-aye.

Selectmen approved the proposed step increases for police officers as outlined in the Chief's letter of 29 March 2012 for all uniformed officers. The Board decided to add 2.5% to the Chief's hourly rate as he is at the end of the pay grade.

St. Germain stated that the Selectmen have completed updating some of the policies that were overdue, and now evaluations need to be done and structure needs to be set up.

OLD BUSINESS

1. A motion to approve the minutes of the 15 March 2012 meeting as written was made by St. Germain. This was seconded by Scribner. The vote was unanimous 3-0.
2. After review of the Capital Asset & Depreciation Policy, Selectmen adopted the final version with the revisions as proposed by the Auditors. The Board signed the signature page. Scribner asked for a paper copy and scanned copies to be sent to Plodzick & Sanderson with attention to Mike Campo & Sheryl Pratt.
3. Eric Bamford at DayStar has the Disaster Recovery Policy for review. Selectmen tabled this for another meeting.

4. Board Reorganization - After discussion St. Germain motioned and recommended Selectman Scribner as Chairman of the Select Board. Scribner accepted this recommendation. The roll call was approved 2-1, Scribner-aye, St. Germain-aye and Hunter-nay. The Selectmen's representative to the Planning Board will be Hunter; and the Budget Committee representative will be St. Germain. Scribner will act as alternates in their absences on both of these Boards.
5. The Road Agent has advised that he did not post roads for the Frost Ban this spring because with all the warm weather and relatively little frost, it was out of the ground quickly.
6. In follow-up to the last meeting, Selectmen cannot be authorized as agents to expend for Special Revenue funds pursuant to NH RSA 31:95-c. That authority is the Town Meeting only. The Board tabled this discussion.
7. The Road Agent went to see the used backhoe that he had discussed with the Board on March 15th. It is available for sale on April 15. He indicated it looks like new, and has 1,500 hours on it. It was purchased in 2003 by the current owner. It has new front tires on it, and comes with set of forks for \$46,000.
8. Bob Meade met with a contractor familiar with Heliodyne equipment at the Complex on Tuesday and will continue to work on the list of items to cure the solar panel work at the Safety Complex to prepare a new RFP in accordance with the State and ARRA Grant requirements.
9. The Board tabled the default budget allocation.
10. The Town's Conflict of Interest Ordinance has been posted on the Town's website following adoption by voters.
11. St. Germain wanted to know the status on going live with the town's new web site; she thought this was scheduled for the 31st. Carlson will get back with this updated information.
12. A Land Use Change Tax bill for parcel 03-015.001.025 in the amount of \$1,342.85 was reviewed. This includes a one time adjustment correction of \$800 to account for eight previously issued bills that were \$100 greater than the amount calculated by Lewis Builders. A motion to sign this bill was made by Scribner. This was seconded by St. Germain. The vote was unanimous 3-0.
13. The Board reviewed and signed the agreement extension for nine months on the Waste Management Contract at the same rate. This will extend the Town's contract through December 13, 2013.

NEW BUSINESS

A motion to approve the payroll manifest \$21,304.61 dated March 30, 2012 was made by St. Germain with one pending adjustment, this was seconded by Scribner. The vote was unanimous 3-0. A motion to approve accounts payable manifest \$123,493.70 dated March 30, 2012 was made by Scribner, seconded by St. Germain, and voted unanimously in favor. Selectmen signed the manifest dated 23 March 2012 in the amount of \$29,330.07 (as approved by vote at the meeting of 03/15/2012).

Moderator Rydeen entered the Board's meeting at 7:30 pm. The Board discussed the current complaint received by the NH Attorney General's Office targeting St. Germain and the events of the March 2011 Election. The Board asked Rydeen if he was aware of this issue. He stated he was. The Board questions the lapse of time and why this came in one year after the event? Rydeen explained that he was informed

by Holmes that a similar complaint was being filed so he believed (we) should file this ahead of this so called complaint.

St. Germain asked why Rydeen did not file the complaint about "ALL" the infractions that day as under RSA 659:45 it is the Moderator's responsibility to report any violations that occur. Rydeen stated that he was unaware of this responsibility and that anyone can file a complaint. He stated that being a small Town it has been a "learn as we go" process. St. Germain rebuked his statement stating that it is the small Town thinking of a few individuals that cripple the growth of Towns to move forward, and that all infractions of that day should have been reported accurately to the Attorney General's Office as previously discussed in the minutes of the meeting dated March 24, 2011.

St. Germain went on to state that while she was the object of the complaint of which she reiterated to the AG's Office and all meeting attendees, if there was an infraction that occurred on her part she takes full responsibility. She went on to discuss the complete chain of events that day and confirmed that at no time did she handle ballots. St. Germain and Rydeen discussed the problem early in the day at which time it was corrected immediately, and at no time during that day was there discussion between complainant Lori Holmes and St. Germain, as Holmes had reported to the Attorney General's Office.

St. Germain stated that while she was the target of this complaint by Holmes that it appears that Holmes failed to report to the Attorney General's office the entire events and complaints received throughout that day. St. Germain went on to say that she inquired with the AG's Office if the other infractions concerning RSA 659:40 suppression of voters, and RSA 659:37 interfering with voters were also listed on that complaint. The AG's Investigator stated that Lori Holmes said she was unaware of any other violations occurring that day by her father-in-law or any other family members. The March 24, 2011 (inserted for record below) minutes show clearly that The Town Clerk, Holmes, Moderator Rydeen and Chief Janvrin discussed with the Board of Selectmen the ongoing complaints received by voters and witnessed by all candidates campaigning. Rydeen stated that he did not see the Suppression of voters as an infraction. The Selectmen expressed their disappointment with the vague explanation. Rydeen left the meeting at 8:00 pm.

Minutes of March 24, 2011 Board of Selectmen's meeting as referenced above.

There was discussion about layout and where things needed to be set up. The Supervisors, Moderator and Clerk will plan to get together and map this out in advance.

Selectmen then asked how it would be set up outside for people entering the polls. St Germain said the Board had received complaints about how the entrance was set up outside and having an open area for voters to walk in. Scribner said she was seated just inside the training room and was approached by many voters with complaints about the entrance setup and how candidates approached incoming voters.

St Germain made reference to NH RSA 659:37 Interfering with Voters and 659:40 Suppression of Voters and discussion about how this seemed to be happening on election day. The Moderator confirmed discussion that this is a misdemeanor.

The Board continued with their recollection of the March 2011 election and discussed all candidates that were outside during that time and had witnessed the ongoing need for the police.

The Board reviewed the folder of incoming correspondence and bills for payment, signed outgoing correspondence, reviewed April newsletter.

The Parks & Recreation wished to purchase picnic tables they were not specifically outlined in the 2012 appurtenances line, so Nicole Cloutier was asked to submit information on pricing for the tables, and she is requesting the purchase be approved to the Picnic Table Factory in Windham for a total of \$598.00. Scribner felt this was okay as long as the money is in the appurtenance line and it is not overspent.

The Board, due to a date conflict with Hazardous Waste Collections (May 19th our original date), rescheduled Bulky Day for May 12, 2012.

The Board reviewed an email from Keith Stanton and wants the office to answer with amounts in cable fund and the information he is requesting.

Selectmen signed a letter to Jack Baker regarding his resignation from the Zoning Board of Adjustment.

The following is the resolution that needs to be adopted by the Board pertaining to issuance of the \$65,000 bond for purchase of the Smith land:

TOWN OF FREMONT, NEW HAMPSHIRE
(the "Issuer")
RESOLUTION OF GOVERNING BOARD

The undersigned, at least a majority of the Governing Board of the Issuer and the Treasurer of the Issuer hereby certify (i) that a meeting of the Governing Board of the Issuer was held with respect to the issuance of the Bonds (defined below); (ii) that notice of said meeting was afforded to said officers and the public in accordance with the provisions of RSA 91-A, as amended, and the applicable rules and bylaws of the Issuer, if any; (iii) that at least a majority of the Governing Board were present throughout said meeting; (iv) that the following votes were adopted at said meeting, all as being in the best interests of the Issuer; and (v) that the resolutions set forth below have not been repealed, amended or rescinded as of the date hereof:

VOTED: To authorize the issuance of \$65,000 General Obligation Bonds (the "Bonds") of Issuer, which were heretofore authorized by the Issuer on March 18, 2006 such Bonds to be dated March 29, 2012.

VOTED: To sell said Bonds to the purchaser (the "Purchaser"), with the principal amounts, maturities, premium, if any, redemption provisions, if any, and interest rates specified on Schedule A, attached hereto and made a part hereof;

VOTED: To issue the Bonds in substantially the form set forth in Schedule B, attached hereto and made a part hereof;

VOTED: To authorize at least a majority of the Governing Board and the Treasurer to sign the Bonds or to have said signatures printed in facsimile on the Bonds and to affix the Issuer's seal thereto;

VOTED: To authorize the Treasurer to deliver the Bonds to the Purchaser against payment therefore;

VOTED: To authorize at least a majority of the Governing Board and the Treasurer to execute and deliver a Signature and No Litigation Certificate with Receipt, a No Arbitrage and Tax Certificate, a Material Events Disclosure Certificate and IRS Form 8038-GC in substantially the form

presented to this meeting and such other documents as may be necessary or appropriate to accomplish the sale and delivery of the Bonds in accordance with the foregoing; and

VOTED: To authorize the Issuer to serve as its own Paying Agent with respect to the Bonds.

Scribner motioned to formally adopt the resolution as written above, seconded by St. Germain. The vote was unanimous 3-0.

An Intent to Cut for parcel 02-181 located off of Copp Drive was reviewed and signed by the Board.

The letter from Steve Tomasz requesting for ½ of final balance to be paid out was reviewed and denied by the Board.

The following one year appointments were submitted by the Town Clerk for the Board signature: Joyce Booker Janvrin-Emergency Management Director; Laurene Allore-Assistant Emergency Management Director; Robert Meade-Health Officer; Gertrude Butler-Deputy Health Officer; Richard Butler-Fire Chief and Forest Fire Warden; Sarah Lamirande-Parks & Recreation Commission; Janice O'Brien-Conservation Commission and Alternate to Community Technical Assistance Program Representative; John Kartz-Community Technical Assistance Program Representative; Kenneth Pitkin-Assistant Electrical Inspector; Elizabeth Torre-Parks & Recreation Commission Member. After review a motion to sign the above appointments was made by Scribner and seconded by St. Germain. The vote was unanimous 3-0.

The Security benefit document was re-signed as one spot was omitted.

At 8:30 Chris Albert, Paul Willis and Tim Farrell came in for follow up on the Planning Board resubmission and what they need to do to iron out the issues the Board has with Seacoast United. Willis shared his view as when the fields were built and their biggest issue was parking which needed to be increased. Epping repaved their part of the road to help with additional parking. The problem of the field freezing was addressed and felt some trees should be taken down. He had no idea field 3 and field 4 trees were taken down. He admitted they were wrong, and that trees were removed that should not have taken down. He felt this wasn't his fault. He also explained that complaints received on a one time incident of a marching band being scheduled for an event and that he was unaware of this being scheduled. He stated that lights were to be off by 10 pm, no loud speakers and no score board.

St. Germain, speaking as an abutter, stated the intrusion of noise and lights has affected the whole neighborhood. Farrell stated he assumed the logger filed the proper paperwork but the Intent to Cut was not done prior to trees coming down. This whole situation needs to come before the Planning Board. The abutters felt betrayed and they need to hear this from Willis. How is this intrusion going to be corrected? Chris Albert is working on ways to help the current situation. He said that placards are getting done and putting in metal posts for them. He is working on a planting scheme with the forester and some type of sound barrier around the existing fence.

Willis addressed the complaint of the artificial turf pellets and stated that if they used fertilizers, pesticides, etc. there probably would be more problems to address. He doesn't want to make more of an environmental impact. He wants to set up a meeting with him and the abutters for all views to be heard and to have a plan to work together. They were thanked for coming in tonight and will get back to them on a date. Albert is meeting with DES next week and he would like the abutter meeting before the

Planning Board meeting. Albert will email Carlson on dates that work for them. They were thanked and left the meeting at 9:00 pm.

The next regular Board meeting will be held on Thursday April 5, 2012 and it is a work session.

Respectfully submitted,

Jeanne Nygren
Selectmen's Clerk