

**I. CALL TO ORDER** at 7:15 pm at conclusion of the annual Veteran's Open House. Present were Selectmen Gene Cordes, Neal Janvrin and Roger Barham; Town Administrator Heidi Carlson. The meeting was held in the basement meeting room at the Fremont Town Hall. All rose for the Pledge of Allegiance.

## **II. ANNOUNCEMENTS**

1. This meeting is live broadcast on FCTV Channel 22 and will be rebroadcast throughout the week ahead.
2. Assessors will be out in the field more often looking at all of the housing stock in conjunction with the cyclical update. MRI personnel are in the field working usually on Fridays. They carry MRI Photo Identification and have with them, a letter from the Town. If you have any questions, please contact Jeanne or Heidi in the Selectmen's Office.
3. The drought conditions are somewhat improved, but still continue to affect Fremont homeowners and our resources. The Town continues to monitor the situation as some local wells are going dry, despite the recent rain. All residents are asked to be cautious about water use, and conserve whenever possible.
4. All Town Offices are closed on Friday November 11, 2016 for Veteran's Day. There are no delays in trash and recycling this week.
5. A Community "SHARPS" collection will be held on Saturday, November 12, 2016 from 8:00 am to 12:00 noon at the Perry Building Lobby on the Exeter Hospital Campus. Local residents may drop off sharps (syringes, needles) in an approved sharps storage container or a sturdy plastic container such as a laundry detergent bottle. Participants will receive containers to take home in which to store used sharps until the next collection date in May. Sharps collections are held the second Saturday of May and November at Exeter Hospital.
6. All Town Offices are closed on Thursday and Friday November 24 and 25, 2016 for Thanksgiving. Trash is delayed on day during that holiday week. Thursday collections are on Friday and Friday collections are on Saturday.
7. The Annual Tree Lighting and Recreation holiday party will be held on Sunday November 27, 2016 beginning at 5:00 pm at Ellis School. The tree lighting (on the Safety Complex lawn) will commence at 6:15 sharp.
8. The Annual Fremont Parks & Recreation Holiday Fair will be held at Ellis School on Sunday December 4, 2016 from 11:00 am to 5:00 pm at Ellis School. Registration forms are on the Parks & Recreation page of the Town's website.
9. The Wreaths of Remembrance Ceremony will be held at the Fremont Town Hall on Saturday December 17, 2016 at 12 noon. There will be a brief service honoring our troops and refreshments will be served following the ceremony.

## **III. LIAISON REPORTS**

11/09/2016 Budget Committee – Cordes reported that the Committee met last night and were presented with the 2017-2018 Fremont School District budget books. They began reviewing it and asking questions. They will further review it next week and prepare a list of any questions or other information they would like. The next meeting following that will be held on November 30<sup>th</sup>.

There were a couple of other issues in the Town budget to be updated and the Committee plans to make recommendations on the Town Warrant next week.

11/05/2016 ZBA – Janvrin reported that on Tuesday evening a site walk took place at 19 Brentwood Road relative to the wetland setback. Janvrin reported that the full ZBA was present and new perspective member Josh Yokela was also there. The Board reconvenes next Tuesday to a regular meeting to finish this case and hear the Galloway special exception request and the Hard Rock appeal.

#### **IV. APPROVAL OF MINUTES**

Selectmen reviewed the minutes of 03 November 2016. Cordes outlined that a part of the discussion about the Black Rocks Village road network and infrastructure concerns was missing from the minutes. The Board indicated that the conversation relative to Barham's review of the work and lack of engineering inspections need to be added to the minutes, along with the information from Dan Tatem's conversations with Barham over the past week to 10 days. The Board also discussed and had voted to withhold pending CO's at that meeting pending satisfactory resolution of the outstanding matters.

Barham had detailed development improvements and plan notations that all Town regulations would be followed despite that this is always intended to be a private road network. Stantec has expressed concern that the work has not been completed to the proper standard and this cannot be verified without the inspections throughout the construction process. Barham stated that in his conversations with Tatem, Tatem noted site conditions that were inferior. Stantec is recommending that the final top coat of pavement be bonded for a period of five years, and Tatem is working on that estimate.

With the amendments as discussed, Janvrin moved to approve the minutes of 03 November 2016. Barham seconded and the vote was unanimously approved 3-0.

The Board also had a meeting posted for 08 November 2016. They reported that the only action item was election activities and an appointment for Claire Brien. Carlson will prepare the minutes for review next week.

#### **V. SCHEDULED AGENDA ITEMS - None**

#### **VI. OLD BUSINESS**

Carlson provided a brief update on Black Rocks Village, and copies of the letter sent by Dan Tatem on Monday were circulated. Barham provided information from his conversations this week with Dan Tatem and also Harold Morse of Lewis Builders. There is significant road work which has been done within the project without benefit of any engineering inspections. This is contrary to the approved plans and to Town Regulations, even though the road network within the project is always intended to be private.

Barham reports in his conversation with Morse that Lewis Builders is asking for the Board to vote tonight to release three pending CO's if they plan to meet with the Board on Monday November 21, 2016.

Janvrin stated that he was not interested in releasing the CO's until all of these issues are resolved because this was not a problem created by the Town.

Information from Bob Meade is that there about 10 total remaining building permits, three of which are ready for CO now, or within the coming 7-10 days. The engineer's letter of 11/07/2016 indicates that the Town should request a five year bond for the road improvements in the amount of \$152,607 and

additional engineering escrow in the amount of \$5,754. There is immediate attention needed to remedy pooling of water on Route 107, puddling in other areas (depicted in photos 9 and 10 in the engineering report), and remedy of any residual areas of puddling and ponding of water in the deceleration lane of Route 107.

The Board discussed the Town releasing a set number of the CO's if all of these things were done immediately. There was additional discussion about a similar problem happening about five years ago where remedies were not made to a problem until CO's were withheld. There has also been issue and continued debate about driveway permitting within the development.

After lengthy discussion, Janvrin moved that the Developer Lewis Builders post a five year letter of credit in the amount of \$152,607 using the Town's approved letter of credit template (if not posted as cash); and post a cash escrow for engineering services in the amount of \$5,754 and take care of the immediate safety issues, including all areas where water is ponding according to the Town Engineer's letter of 11/07/2016, and have the Town Engineer (or representative of Stantec) come out and verify that all work is completed satisfactorily; and following all of that the Board will release the pending 3 CO's; further that Lewis will then schedule a meeting with the Board of Selectmen to address all of the other noted items in the Stantec letter and come up with a time frame for Lewis to complete these remaining items. Barham seconded and the vote was unanimously approved 3-0.

Board members made it clear that the Town did not create this problem.

In summary the Board is requiring the following prior to release of COs:

1. Initial 3 COs:
  - a. Provide \$152,607 Bond
  - b. Provide additional funding to the Escrow Account to \$5,754
  - c. Remedy puddling issues to Town Engineer's satisfaction
2. Final 7 COs:
  - a. Prepare a plan/timeframe to fully address all outstanding matters raised by the Town Engineer
  - b. Meet with the BOS of Selectmen to discuss/agree plan

Further discussion by the Board will be shared with Lewis:

1. The Board was fully aware of the previous episode with driveways and Lewis Builders attitude towards the Town and felt that this latest episode regarding the roads was more of the same and demonstrated your company's total disregard for Town regulations.
2. The Board is fully aware of Lewis Builders position on private roads and objection to the Town's requirement for observations/inspections. Nevertheless, the Board is also fully aware that Lewis Builders are in no doubt that the Town requires these inspections and expect Lewis Builders to comply fully.
3. The recent string of emails involving the Building Inspector, Town Administrator, Town Engineer and Lewis Builders clearly documented Lewis Builders continued cavalier attitude regarding Town regulations and proceeded to perform the work contrary to Town and Town Engineer's directions.

4. The matter of the 3 pending house closings were discussed in detail and it was proposed that relief be given to release these 3 COs, subject to bonding/escrow and Lewis Builders meeting with the BOS on November 21<sup>st</sup>, 2016. This proposal fell on deaf ears and given that the Board's opinion is that this situation is solely the making of Lewis Builders, the Board felt no obligation to make any concessions or relief.
5. Although Lewis Builders have made clear their dislike for Dan Tatem as Town Engineer, I would remind you that he serves the interests of the Town and has the full and unwavering support of the BOS, Planning Board and Road Agent.

Finally, the Board had no objection with the Building Inspector completing the final inspections of the three properties so that once Lewis Builders is in compliance the 3 COs may be issued without further delay.

Carlson was asked to post a meeting for 7:00 pm on Monday November 21, 2016 just in case one needs to be held during the week of Thanksgiving.

Barham will get out an email tomorrow to Josh Manning and Harold Morse at Lewis Builders with this follow-up information.

## **VII. NEW BUSINESS**

1. Selectmen reviewed the accounts payable manifest \$557,865.68 for the current week dated 10 November 2016. Barham moved to approve the manifest of \$557,865.68 which includes a \$500,000 payment to the Fremont School District. Janvrin seconded and the vote was unanimously approved 3-0.
2. Selectmen reviewed the DRA Sales Ratio Survey for 2016 and discussed the Assessor's letter outlining his preview of what the percentage will be for the current year. Motion was made by Janvrin to sign the DRA Sales Ratio Survey for 2016. Barham seconded and the vote was unanimously approved 3-0.
3. Selectmen reviewed the folder of incoming correspondence.
4. The Town had a section of North Road paved (to fix a large crevice in the area of Lyford Drive); and resident Jack Mullen has paid half of the cost. The project was \$2,820 in total to complete.
5. Hard copies of the Points Plan updates from Deputy Chief Nichols were distributed. This was to be acted upon by the Fire Rescue Department last Monday evening, but no report is back yet from Chief Butler on the disposition of the matter. No Board action can be taken until the Fire Rescue Points Board has acted on the revisions.

## **VIII. WORKS IN PROGRESS**

Carlson asked the Board to consider any end of year projects they would like to complete. Janvrin mentioned follow-up on the Safety Complex well, and he will continue to work on additional quotes for this work.

Town Hall renovations are ongoing. Steve Tomasz is scheduled to be here Saturday morning to begin the brick work. Selectmen asked for the next meeting with Bob Meade to be scheduled for next Thursday evening.

**IX. NON-PUBLIC SESSION NH RSA 91-A**

At 8:20 pm motion was made by Janvrin to enter non-public session pursuant to NH RSA 91-A:3 II (c) to discuss a personnel matter. Barham seconded and the roll call vote was unanimously approved 3-0; Cordes – aye; Janvrin – aye; Barham – aye.

At 8:40 pm motion was made by Janvrin to return to public session. Barham seconded and the roll call vote was unanimously approved 3-0; Cordes – aye; Janvrin – aye; Barham – aye.

Selectmen will direct a letter to Chief Butler regarding additional information needed on the building permit for the pole shed he wants to erect (and is already under construction) at the Safety Complex, as well as follow-up on some other outstanding issues regarding the new fire truck and the points plan finalization for year end.

The next regular Board meeting will be a work session, to be held on Thursday November 17, 2016 at 6:30 pm.

**IX. ADJOURNMENT**

With no further business to come before the Board, motion was made by Janvrin to adjourn the meeting at 8:45 pm. Barham seconded and the vote was approved 3-0.

Respectfully submitted,

Heidi Carlson  
Town Administrator