

At 7:37 pm Chairman Kimball called the Town Public Meeting posted for January 11, 2011 to order in the main floor meeting room at the Fremont Town Hall. Present were Budget Committee members Michael Nygren, Andrew Kohlhofer, Charles Kimball, Laurie Allore, Patricia Martel, Ida Keane and Greta St Germain; Selectmen Annmarie Scribner and Brett Hunter; Police Chief Neal Janvrin, Road Agent Mark Pitkin, Fire Chief Richard Butler, Parks & Recreation Commission members Nicole Cloutier and Jon Benson; Emergency management Director Joyce Booker-Janvrin, Town Administrator Heidi Carlson; and members of the public Theresa Blades, Larry & Brian Dobson, Peg Pinkham, Greg Fraize, and Sharon Girardi.

Copies of the Town's draft warrant and State Form MS-7 were available; as well as excel spreadsheets (more compact version) of the budget and revenue information, as well as an estimated tax impact sheet.

Chairman Kimball began by reviewing the Town budget by line item. This included the Selectmen's recommendation and Budget Committee recommendation and asked for questions.

The attached spreadsheet shows the line items as reviewed.

Questions were addressed as they arose per line item.

Larry Dobson asked about the default budget and the \$2,000 difference in the Executive line item. Carlson explained that the \$2,000 was transferred to the Direct Assistance budget and was thus carried in that default budget.

Chief Janvrin asked to address the Police Department budget specifically line 4210-101 Clerical wages. He said that the monies not recommended were to fund two weeks vacation of the Administrative Assistant and asked for it to be returned to the budget.

With regard to line item 4210-203 Inservice Training, Janvrin said the Board of Selectmen recommended \$5,276 and the Budget Committee recommended \$2,638. Janvrin said that the State requires eight hours of inservice training per person. In addition he has recertification training items such as one week of firearms recertification or hire an outside person to come in and train. He indicated the Detective is scheduled for a three day 24 hour class in crime scene investigation that was part of this budget; and that he had planned for two officers to take the intoxilizer training. He said with the reduction in budget that these items will not be able to be undertaken.

With regard to New Officer Training, he expressed concern that with \$1 in the line item, he could not retrain even one person who might leave. He said one current officer has recently been certified to work in Massachusetts and if he was to leave, would create a vacancy for the 16-24 hours per week he currently works. Chief Janvrin said this would not easily be replaceable.

Keith Stanton came in to the meeting at 7:50 pm.

Larry Dobson suggested supporting these changes for the Police Department.

Nygren said that the pay issue has been addressed and pay grades have been updated.

Janvrin suggested that it was not good planning to not be able to replace someone. In response to a question, Janvrin said there are currently seven part-time police officers.

Theresa Blades left the meeting at 7:52 pm.

Chief Janvrin explained that part-time certified officers can only work 1,300 hours per year.

Pinkham asked if the Town could turn the money back if it was not used. This would be the Selectmen's discretion. Pinkham then asked the Budget Committee to reconsider the request.

Keane moved to increase the Budget Committee recommendation on line 4210-207 New Officer Training by \$6,937 to a total recommendation of \$6,938. Allore seconded. The vote passed 4-3 with Nygren, Kohlhofer and Martel voting in the negative.

Discussion then moved to line 4210-101 Clerical. Nygren said that the funds had previously been paid out from the Animal Control Budget and that this was discussed at the Budget Committee meetings as a possible solution.

Kohlhofer moved to reduce 4414-301 Animal Control Wages by \$1,000 to \$5,515 and increase the Police Department 4210-101 Clerical Wages by \$1,000 to \$28,052. Keane seconded and the vote was unanimously approved 7-0.

With regard to In-service Training line item 4210-203 the Budget Committee explained that their rationale for reduction was because it is beyond what is required by State law. Janvrin said he asks for the additional training for liability reasons. He said until the past couple of years when it has been cut, that he always had 24 hours of in-service training per officer. There was discussion about liability issues and Court decisions that indicate lack of funding is not a suitable reason for lack of training.

It was stated that all hope the increase in the pay matrix will help with the turnover.

There was discussion about the training standards and a review of the detail within the Police Department rationale. The Budget Committee's recommendation was for one hour per month per person; and Janvrin asked for two hours plus the added time for recertification of instructors and other specialized courses.

Keane moved to for the Budget Committee to recommend \$5,276 for In-service Training in line 4210-203. Allore seconded and the vote was unanimously approved 7-0. Kimball asked Chief Janvrin in future years to detail out more information for in-service hours including exactly what is required for the recertifications and other in-service items so the information is clearer to the Committee.

Kimball returned to the line item review of the budget items.

Larry Dobson asked for the difference in the Fire Rescue Department budget. Kimball explained that the largest change was in a request for a full-time Fire Chief in the station during daytime hours.

It was further added that the Fire Rescue Department has historically grossly underspent their budget. There was a final review of 2010 expenditures and the one time expense of \$11,000 for a new thermal imaging camera had been removed.

Matthew Thomas came into the meeting at 8:17 pm.

There was discussion about the number of calls answered by the Fire Rescue Department and some calls where Raymond Ambulance (contracted service) is the only responder for a medical call.

Booker-Janvrin said that this is about public safety and peoples lives.

Chief Butler thought that there had been 52 more calls in 2010 than 2009 but did not have final tallies yet. Nygren added that over the past couple of years, the number of calls are increasing but that the calls unanswered by a Fremont responder are about the same, percentage-wise, as the past couple of years. Booker-Janvrin said that having someone dual-certified is in the Town's best interest.

Pinkham asked for clarification on opinions and data.

Martel offered that the Budget Committee had discussed this at their meetings with the Fire Rescue Department and made a decision that the Town just could not afford it right now. Keane added that she had heard loud and clear that the population has not increased in the past couple of years; and there have not been major changes in the call volume and status adding that it is just not the right time right now to hire another full-time staff person and take on the associated costs.

Chief Butler added that years ago there were more people who worked in Town, and that daytime response is not the same any more.

In answer to Larry Dobson's initial question about the changes in recommendations, Butler added that one of the other cuts was \$3,000 in protective gear and uniforms. Fuel was reduced slightly as was dues and conferences.

Kohlhofer added that his rationale was we have not ever had a full-time person and that he felt part of moving to a small town is that there are not always full-time services. You weigh your decision based on what is available and what you want. He added that we can't have everything that we would like and the Budget Committee made some choices. Adding a full-time position expense adds other permanent expenses as well, such as retirement and other benefits.

Stanton suggested that a warrant article could be put forth for this item. Kimball said that the Budget Committee had also suggested this as a way to bring the idea and the position forward to the voters.

Nygren discussed the Town's needs year to year and perhaps prioritizing items throughout the year to decide how to handle the town's needs on a more balanced basis, deciding what to make a priority in each budget year. He said that all departments come in with good arguments for what they need but that we cannot support (afford) everything.

Martel highlighted two full-time positions that were cut this year and those two employees lost their benefits, and how devastating that was.

Kohlhofer discussed tax arrearages and the difficult times being faced by residents.

There was discussion about what might be viewed in another year, as well as other questions such as hiring to part-time people at a lower rate to cover certain days or busy times. St Germain suggested that it be monitored and reported back with additional documentation next year.

A typographical error was noted on the MS-7 under Building Inspection in that the Budget Committee's recommendation should be \$30,607; or \$200 less than the Selectmen's recommendation of \$30,807.

There was discussion about the contracts for solid waste disposal and collection and the fuel adjustment.

There was discussion about the prior year budgeting for road maintenance and that there is \$150,000 included in the 2011 budget for paving; which will be bid out at the time it is done.

Cloutier asked about the Committee's recommendation in the Parks & Recreation budget. The Committee indicated their recommendation reduced the summer program field trips to one per week from two; thus also reducing the bus rental costs. They also recommended \$500 less for the Playgroup based on historical expenditures.

Cloutier explained that in prior years they were not being charged for their time at the Brentwood Gym. She said Playgroup has increased due to the open gym and sense of community. She had been using the Church and moved to the gym to be more active; at a cost of \$3 per child (Town share and parent also pays \$3); which had never been billed to the Town (or parents) until about a month ago when new management came in. She reviewed the program and how it works and believes it is a good program. With a \$500 budget they can only afford to go for about six of the 10 months that the playgroup functions. She asked them to reconsider the \$500 being put back in the budget.

Keane moved to put \$500 back into the Budget Committee recommendation for Playgroup, line 4520-020. Martel seconded and the vote was 3 in favor and 4 opposed (Nygren, Kohlhofer, Allore and Martel). The motion did not pass.

Jon Benson and Nicole Cloutier left the meeting at 9:05 pm.

It is noted that twice per year tax billing saved a significant amount of money in interest on Tax Anticipation Notes.

Peg Pinkham left the meeting at 9:13 pm.

Kohlhofer then began reading each of the Warrant Articles aloud.

ARTICLE 2: To see if the Town will vote to authorize a total appropriation of \$465,000 for a lease/purchase of a 2011 KME Fire Truck; and to raise and appropriate the sum of one hundred thousand dollars (\$100,000) for the down payment; and further to authorize the withdrawal of one hundred thousand dollars (\$100,000) from the Fire Truck Capital Reserve Fund for said down payment; further to authorize the Selectmen to enter into a lease/purchase agreement or issue bonds and/or notes under and in compliance with the Municipal Finance Act, RSA 33:1 et seq, as amended; in an amount not to exceed \$365,000 and to authorize the Selectmen to apply for, obtain and accept federal, state or other aid if any, which may be available for said purchase and to comply with all laws applicable to said purchase; to authorize the Selectmen to issue negotiate sell and deliver said bonds, notes, or lease/purchase agreements and to determine the rates of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. The Selectmen ___ recommend this appropriation ____. The Budget Committee ___ recommend this appropriation ____. (3/5 ballot vote required.)

Kohlhofer moved to recommend Article 2. Allore seconded. The vote was approved 7-0.

Article 3 was read aloud.

ARTICLE 3: Shall the Town of Fremont raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$2,588,713? Should this article be defeated, the default budget shall be \$2,452,660 which is the same as last year, with certain adjustments required by previous action of the Town of Fremont or by law or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

Note: This operating budget warrant article does not include appropriations contained in ANY other warrant articles. The Selectmen recommend this appropriation _____. The Budget Committee recommends this appropriation 5-0. (Majority vote required.)

Budget Committee action to vote on the revised number was deferred until all of the changes are made from this evening and a new total is obtained. This will be finalized at the Committee's meeting on Thursday night.

Kohlhofer read through Articles 4, 5, 6, 7,8, 9, and 10.

ARTICLE 4: To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to be placed in the Highway Department Equipment Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 5-1. (Majority vote required.)

ARTICLE 5: To see if the Town will vote to raise and appropriate the sum of twelve thousand five hundred dollars (\$12,500) to be placed in the Police Cruiser Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends the appropriation 6-0. (Majority vote required.)

ARTICLE 6: To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Town Hall Renovations Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.)

ARTICLE 7: To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be placed in the Property Reassessment Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.)

ARTICLE 8: To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Fire Truck Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.)

ARTICLE 9: To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to be placed in the Highway Maintenance Building Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 4-2. (Majority vote required.)

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be placed in the Historic Museum Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee does not recommend this appropriation 5-1. (Majority vote required.)

Carlson highlighted that the Board of Selectmen has still to decide to fund any Capital Reserve Funds from Unreserved Fund Balance. If they do so, the articles will only have additional verbiage added to them, and those articles funded from Unreserved Fund Balance will not be a 2011 tax impact.

Kohlhofer read Articles 11, 12, and 13.

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of twenty-six thousand nine hundred ninety-six dollars (\$26,996) to purchase and equip a Police Cruiser for the Police Department; and further to authorize the withdrawal of twenty-four thousand dollars (\$24,000) from the Police Cruiser Capital Reserve Fund created for this purpose. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.) There is \$2,996 to be raised from taxation for this article.

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of six thousand three hundred eighty-five dollars (\$6,385) for the purchase of OHRV equipment; and further to authorize the withdrawal of six thousand three hundred eighty-five dollars (\$6,385) from the OHRV Special Revenue Fund created for this purpose. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.) There is no amount to be raised from taxation for this article.

ARTICLE 13: To see if the Town will vote to raise and appropriate the sum of one hundred twelve thousand dollars (\$112,000) to renovate the Fremont Highway shed to a maintenance garage and build a salt and sand pole barn storage area; and further to authorize the withdrawal of one hundred twelve thousand dollars (\$112,000) from the Highway Building Capital Reserve Fund created for this purpose. The Selectmen recommend this appropriation 3-0. The Budget Committee ___ recommends this appropriation ___. (Majority vote required.) There is no amount to be raised from taxation for this article.

The Budget Committee considered the article. Carlson had presented additional information indicating that the article does not need to say "not to exceed" because by law the amount raised is a ceiling. It was also explained that if less than the \$112,000 is needed, that a lower amount can be removed from the Capital Reserve Fund as was done at the tax rate setting in 2010 for the recertification article.

Motion was made by Keane to recommend Article 13. St Germain seconded and the vote was approved 5-2. with Kohlhofer and Nygren voting in the negative.

Kohlhofer read Article 14.

ARTICLE 14: To see if the Town will vote to raise and appropriate the sum of forty-nine thousand five hundred fifty dollars (\$49,550) to continue the Public Health Mosquito Control Program. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 4-2. (Majority vote required.)

Kohlhofer read Article 15.

ARTICLE 15: To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of Cable Access, and to raise and appropriate twenty-five thousand dollars (\$25,000) from cable franchise fees, to be placed in said fund. All revenues received from cable franchise fees will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's General Fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.) There is no amount to be raised from taxation for this article.

There was discussion about the return line being nearly completed and the cable channel being self-funding, once a fund was established for the Town to accept and expend revenues from.

It was stated that there is no impact to taxpayers of this article and it does not involve raising Town dollars. These funds came from Comcast cable subscribers.

Kohlhofer read Article 16.

ARTICLE 16: To see if the Town will vote to raise and appropriate the sum of five thousand two hundred dollars (\$5,200) for an increase in the Road Agent Salary. The Selectmen recommend this appropriation 3-0. The Budget Committee does not recommend this appropriation 4-2. (Majority vote required.)

Committee members noted that this is not recorded correctly and that they voted to recommend this appropriation 4-2.

Kohlhofer read Article 17.

ARTICLE 17: To see if the Town will vote to change the term of elected Road Agent from one (1) to three (3) years. The Selectmen recommend this article 3-0. The Budget Committee does not recommend this article 6-0.

Committee members noted that this is not recorded correctly and that they voted to recommend this article 6-0.

Kohlhofer read Articles 18, 19, and 20.

ARTICLE 18: Pursuant to RSA 41:45-a, are you in favor of having the office of Town Clerk combined with the office of Tax Collector, thereby creating a new office of Town Clerk-Tax Collector to be held by one individual, with a term of 3 years? The Selectmen recommend this article 3-0. The Budget Committee recommends this article 6-0. (Majority ballot vote required).

ARTICLE 19: To see if the Town will vote to adopt the provisions of NH RSA 36-A:4-a, I (b) to authorize the Conservation Commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town will retain no interest in the property. The Selectmen recommend this article 3-0. The Budget Committee does not recommend this article 5-1. (Majority vote required.)

ARTICLE 20: To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the Radio Communications Capital Reserve Fund previously established in 1998. The Selectmen recommend this article 3-0. The Budget Committee recommends this article 6-0. (Majority vote required.)

There was some explanation of this authorization and how it would be used to replace communication equipment if needed in between Town Meeting sessions.

Kohlhofer read Article 21.

ARTICLE 21: To see if the Town will vote to adopt the provisions of NH RSA 41:14-a in accordance with NH RSA 41:14-c to authorize the Selectmen to sell land, buildings, or both, which have been

acquired by tax deed. The Selectmen recommend this article 3-0. The Budget Committee _____ recommends this article _____. (Majority vote required).

Carlson had provided some additional detail to the Committee on this article in the earlier recessed session. With that information, motion was made by Keane and seconded by Allore to recommend this Article. The motion passed 7-0.

Kohlhofer read Article 22.

ARTICLE 22: By Petition: “Shall the Town of Fremont vote to eliminate the \$3.19 “franchise fee” (tax) that has been placed on all Comcast subscribers bills by the Fremont Selectmen?” The Selectmen do not recommend this article 3-0. The Budget Committee does not recommend this article 7-0. (Majority vote required).

Keith Stanton asked to speak to this Article.

Stanton said he was a member of the Cable Committee renegotiating the contract and that the Committee had an agreement with Comcast that the return line was going to cost \$26,000; and that the Selectmen terminated the Committee about one year prior to the final execution of the contract.

He went on to detail the legality of Franchise Fees versus Franchise Related Costs and that Franchise Fees could not legally be used (citing FCC regulation) for construction of the return line. The contract was briefly reviewed but not separation was clearly located.

This posed questions unable to be answered about the difference and the legality of using those fees for the return line construction, which is an integral part of local access programming and broadcasting.

There was lengthy discussion about the amount of money collected to date in franchise fees (something just over \$105,000) and of that, \$57,600 was designated to pay for the return line construction. Stanton went on to say that he felt there was enough money in the fund to pay for the next eight years of public access and broadcasting needs (duration of the Cable Contract). This included the initial estimate of \$20,000 to purchase video equipment and upkeep the broadcast needs.

It was thought that there was a provision in the Contract to allow the Town to review annually the need for a franchise fee and to terminate it with notice. This could not be located in a brief review of the document.

Keane moved to recommend Article 22. Nygren seconded and the vote was approved 7-0.

Kohlhofer read article 23.

ARTICLE 23: By Petition: “Shall the Town vote to rescind the adoption of an Official Budget Committee in accordance with the provisions of the Municipal Budget Act (NH RSA Chapter 32:14)? The Selectmen ____ recommend this article _____. The Budget Committee _____ recommend this article _____. (Majority vote required).

The petition was made available to those who wanted to review it.

Nygren moved not to recommend Article 23. Kohlhofer seconded and the vote was 7-0.

ARTICLE 24: By Petition: “To see if the Town of Fremont NH will vote to approve the following ordinance:

All entrance onto private property for non-recreational purposes, including but not limited to bio-diversity studies, endangered species or habitat survey’s sampling, delineation, and other data gathering projects, whether or not authorized by municipal agencies, boards, or commissions, shall require prior, written notification to the property owner(s) and prior written permission from the property owner(s).

Such notification shall include a specific and complete description of:

1. The purpose or reason for accessing the property;
2. The date and duration of the requested access;
3. Species, land, or environmental features that are being evaluated;
4. The way information collected will be recorded and retained;
5. The method or methods by which information will be shared with government boards, agencies, other third parties and/or the general public.

Information gathered without permission shall not be recorded, made public, or used for studies and/or grants. Data gathered without permission shall invoke a fine of \$250 per tax parcel payable to the Town of Fremont. The requirements of this ordinance shall not apply to federal, state, or local law enforcement, emergency fire and ambulatory services, local assessment officials, boundary surveys, customary utility activities, or emergency response related to public health or animal control.”

The Selectmen ____ recommend this article _____. The Budget Committee ____ recommend this article _____. (Majority vote required).

The petitioner was not present. Kohlhofer explained some of what he knew of the Article. This included that the State had changed the definition of wetland and that it had dramatically increased the Town’s watershed area and reduced the value and utility of property owners land. He said the purpose of the ordinance was to prohibit agencies to come on to private property without first telling you they are coming.

Carlson asked a question about the NH Statute authorizing this and it was not known. Chief Janvrin added that he would need to know about enforcement authority as well.

Keane moved to not recommend the article as written as the Committee did not feel they had enough information to recommend it. Nygren seconded and the vote was approved 6-1 with Kohlhofer voting in the negative.

It was suggested that the petitioner have additional information available for the Deliberative Session.

With no further discussion, the Public Hearing came to a close at 10:00 pm.

The next Budget Committee meeting will be held on Thursday January 13, 2011 at 7:00 pm. At that time the Committee will review School District Petitions; and the School District Public Budget Hearing will begin at 7:30 pm in the main floor of the Fremont Town Hall.

With no further business to come before the Committee at the posted public hearing, motion was made by Nygren to close the Public Hearing and adjourn this meeting at 10:00 pm. St Germain seconded and the vote was approved 7-0.

The Budget Committee then returned to the recessed session of January 10 to January 11, 2011 (please refer to those minutes). All of the members of the Public and Town Officials aside from the Committee Members and Carlson left the Hall at this time.

Respectfully submitted,

Heidi Carlson
Town Administrator