

**BOARD OF SELECTMEN MEETING MINUTES
TOWN OF EPPING, NEW HAMPSHIRE
May 13, 2019**



ATTENDANCE:

Chairman Adam Munguia; Selectmen, Mike Yergeau, Cody Belanger and Joe Trombley. Town Administrator Gregory C. Dodge; Selectman Bob Jordan and Executive Secretary Joyce Blanchard were excused.

CALL TO ORDER

Chairman Adam Munguia called the meeting to order at 7:00 PM at the Epping Town Hall.

PLEDGE OF ALLEGIANCE TO THE FLAG

BUSINESS

TAX WARRANT

The First Issue of the 2019 Tax Warrant in the amount of \$9,085,834.17 (Nine Million, Eighty Five Thousand, Eight Hundred Thirty Four Dollars and Seventeen Cents) was submitted for approval.

Motion by Selectman Cody Belanger to approve the First Issue 2019 Tax Warrant in the amount of \$9,085,834.17 (Nine Million, Eighty Five Thousand, Eight Hundred Thirty Four Dollars and Seventeen Cents). Seconded by Selectman Mike Yergeau. Motion carried 4-0.

LIBRARY DISCUSSION

Mr. Charlie Goodspeed was present to give the Board of Selectmen an update on the status of the library project. Chairman Munguia made it clear that there were six (6) people working on this project and not just one. Mr. Goodspeed said that the library is totally cleared out, that was done on today's date in about 8 hours. He expects to have the library re-opened on Monday May 20, 2019 at their temporary home in the Epping Community Church. The "POD" in the back of the parking lot was paid for by the "Friends of the Library" and has no effect on his budget and that the "Friends of the Library" would not be seeking for reimbursement for this by the Town. He thanked the library staff for working so diligently on packing up the library and getting things moved. There will be an added expense for 400 boxes that needed to be purchased and the move did cost \$3,000. Bills were submitted but did not have prior approval and were set aside at least until the initial expectations have been met.

Mr. Goodspeed indicated that 19 bid packages had gone out on Friday May 10th which caused questions from the Board of Selectman. Selectman Trombley wanted to know why copies of those bid packages had not been forwarded to the Board of Selectmen as requested in previous library discussions and which was specified in an email sent at 7:57 AM the same morning the bid packages were sent. Chairman Munguia said

that greater latitude could be given to Mr. Goodspeed but he needed to keep the Board informed as stipulated in previous meetings and emails. Mr. Goodspeed was frustrated and said that he “could not fight with the Board”. He said he had given “you people” copies of documents previously without any comment. Selectman Belanger asked Mr. Goodspeed to refer to the Board in a name other than “you people”. Selectman Belanger asked about the building committee to which Mr. Goodspeed said that it did not exist, no one shows up. Mr. Belanger reminded him that the committee exists by authority of the Selectmen and can only be abolished by the Selectmen.

Mr. Goodspeed would like to begin excavation on Monday May 20, 2019 but the Board questioned how that could be without a contract being awarded. Mr. Goodspeed produced an “AIA” contract to have the site work done however the “Owner” is named as Harvey-Mitchell Memorial Library and should be the Town of Epping. So that contract needs to be updated. Prior to that happening however, the Board needs to review the scope of work and terms of contracting outlined in the “AIA” document which should be reviewed and discussed as Mr. Goodspeed indicated that the content was developed by the subcontractor.

Selectmen Joe Trombley and Mike Yergeau questioned how Mr. Goodspeed could move forward without receiving the bids back. Mr. Goodspeed was adamant that the library addition project would come in under the \$600,000 and that if it did not he would personally see to it that donations were made to make up the difference or he would pay out of his own pocket. Selectman Yergeau was concerned that there were no costs for steel in the budget and felt that there was still some uncertainty as to what the real cost would be. It was mentioned that cost estimates and/or bid packages must either include fixtures as to door handles, sinks, toilets, partitions, etc. or at least provide clarity that the subcontractor had all of the scope items anticipated to avoid change orders and scope issues during construction. The Selectmen were clear that this could be handled through a “RFI” (Request for Information) if the bids came back with only minor clerical issues and that this was required information in order to assure that each subcontractor bid included all of the project scope and that the project would be completed on budget. It was obvious that Mr. Goodspeed continuously was frustrated with the Board’s feedback and said, “I can’t do this” and that the Board “needed to find someone else”.

Chairman Munguia suggested that we “bite the bullet” and go for it. Selectman Trombley said that the Selectmen do not know if the bid packages reflected the scope of work for each discipline because copies of the bid packages were not provided to the Board for review as requested. The Selectmen need to know if 100% of the work is included in each package and that the Selectmen do not know that information. Selectman Joe Trombley and Mike Yergeau said they were not ready to approve any work until they have seen updated numbers. Mr. Goodspeed stated that “the bids are due Friday May 17th”. Selectman Trombley stated that the Board could not work with those results and if necessary the Selectmen could meet with Mr. Goodspeed to define and review the bid packages and contract documents to ensure the bids were complete. Charlie responded that the bidders are not responsive and that he was not likely to see any of them. When asked by the Selectmen when he expects to have them back, Mr. Goodspeed was non-committal and was not willing to provide a date. Selectman Trombley stated that he was okay with waiting and moving forward if we could get at least one bidder for each discipline back that reflected the complete scope and a cost under \$600,000.

Mr. Goodspeed said that he would “have the library move back in again” that he “could not do this”. He said that he was not going to ask the subcontractors to itemize everything and would not move forward with the project if he could not start on Monday May 20th.

Selectman Belanger suggested that a Board member be assigned to work with Charlie on this project or that the Building Committee be charged with seeking proposals. Mr. Goodspeed said that he wasn’t sure he is willing to accept the help.

There was discussion about the Performance Bond. Town Administrator Gregory Dodge said that it was not required for this project. If a General Contractor were to have been hired for this project that would have been covered. Any one “discipline” did not meet the \$125,000 threshold and by statute a performance

bond would not be required. This was confirmed with Town Counsel and our insurance company. However each contractor will be required to name the “Town of Epping” as an additional party to the policy with a liability limitation of no less than \$1 million dollars.

Selectman Joe Trombley said that he thinks there will be a delay in this project from 2 weeks to 1 month based on the feedback from Mr. Goodspeed regarding when he may receive the bids, to allow time to issue any RFI’s that may be required to ensure that the Selectmen are aware of exactly what is being purchased in each of the contracts and execute the “AIA” contracts to each of the selected subcontractors. Mr. Goodspeed stated that a delay is not acceptable as the church was not interested in allowing the Library to use the space through the late fall and winter months due to Holidays. Selectmen Belanger questioned this feedback as the church agreement had different rental rates for winter months. Eventually Mr. Goodspeed revealed that he has committed himself to a DOT contract first thing in October and would not be able to continue overseeing the project after that time. Selectmen Trombley asked if another volunteer has been thought of and suggested that maybe Aaron Ravenelle (Library Trustee) who seems to have some construction background and may be interested. Mr. Goodspeed stated that he was working on his own construction project and would not be able to do this. Selectmen Trombley asked if he were prepared for any delays that may occur during construction such as hitting ledge and Mr. Goodspeed stated that it could happen and that they would need to address it at that time. Mr. Goodspeed’s frustration never subsided and he left the meeting stating, “let me know what you want me to do”.

Selectman Joe Trombley with input from the Board formulated the following list of requirements:

1. Forward copies of all bid packages mailed out on Friday May 10th to the Board of Selectmen.
2. Forward copies of all bid responses received to the Board of Selectmen as soon as they are received.
3. Based on the bids received the project budget spreadsheet is to be updated and reviewed with the Selectmen.
4. Pending Board of Selectmen review of the completeness of the scope of work defined in the bids received the Board will determine if the information received is satisfactory to begin site work or work with Mr. Goodspeed to issue RFI’s to ensure a complete contract of work.

Motion by Selectman Joe Trombley to require the following from Charlie Goodspeed as it pertains to the library addition. 1) Forward copies of all bid packages mailed out on Friday May 10th to the Board of Selectmen, 2) Forward copies of all bid responses received to the Board of Selectmen as soon as they are received, 3) Based on the bids received the project budget spreadsheet is to be updated and reviewed with the Selectmen, 4) Pending Board of Selectmen review of the completeness of the scope of work defined in the bids received the Board will determine if the information received is satisfactory to begin site work or work with Mr. Goodspeed to issue RFI’s to ensure a complete contract of work. Seconded by Selectman Adam Munguia. Motion carried 4-0.

Town Administrator Dodge said he would deliver the Board’s decision to Mr. Goodspeed in the morning.

RESPONSE TO LETTER

Selectman Cody Belanger had brought up the letter sent to the Board by the Town Administrator in Fremont, NH regarding the proposed asphalt plant in Epping. He felt that the Board should at the very least acknowledge receipt of the letter.

Motion by Selectman Cody Belanger to acknowledge receipt of the Town of Fremont letter. Seconded by Selectman Joe Trombley. Motion carried. 4-0.

FURTHER BUSINESS

Town Administrator Gregory Dodge asked the Board if they were willing to negotiate further with the Bernier family on the taxes and interest owed. The Board said that they were not **inclined to change their minds**.

Motion by Selectman Cody Belanger to advise the Bernier family that the Town was not willing to negotiate any further on back taxes. Seconded by Selectman Adam Munguia. Discussion followed with Selectman Belanger rescinding the motion and Chairman Adam Munguia rescinding his second.

ADMINISTRATOR'S REPORT

Town Administrator Gregory C. Dodge

Town Administrator Gregory Dodge stated that the State DP-8 forms are available at Town Hall to help low and moderate income families with their property taxes. He stressed that this is a State form only and has nothing to do with the Town.

INDIVIDUAL SELECTMEN'S REPORT

Selectman Cody Belanger

No Report.

Selectman Mike Yergeau

No Report.

Selectman Joe Trombley

No Report.

Selectman Bob Jordan

No Report.

Selectman Adam Munguia

No Report.

ADJOURN

Motion by Selectman Cody Belanger to adjourn the meeting. Seconded by Selectman Mike Yergeau. Motion carried 4-0.

Meeting was adjourned at 9:40 PM.

Respectfully Submitted:

Gregory C. Dodge
Town Administrator

Adam Munguia, Chairman

Bob Jordan, Selectman

Mike Yergeau, Selectman

Cody Belanger, Selectman

Joe Trombley, Selectman

Dated: May 20, 2019