

Board of Selectmen
23 March 2009
Minutes

5:30 p.m. – Chairman Rachel Hatch called to order the Workshop to discuss road issues. Present were Chairman Hatch and Selectmen Betty Ann Abbott and Don Guarino, and Clerk Lois Dionne. Town Administrator Tim Warren is out on medical leave.

Upgrade of Gale Road – Erin and Seth Maltais have met with the Selectmen on several occasions to request permission and get specifications to upgrade a portion of Gale Road from the end of the Class V section up to Donovan Road in order to get a building permit.

The Maltais met with the Selectmen last Monday, to inquire whether they could do a lesser upgrade, which did not include paving of the road, such as was granted to Lee and Mary Ann Morrill to upgrade Donovan Road to obtain a building permit. The agreement with the Morrills had come about by a court mandated mediation hearing. The Selectmen felt the Morrill case was an exception, and did not set precedent to allow other building permits to be granted on Class VI roads without bringing the road up to specified Class V road standards set forth by the town. These standards require paving of the road.

The Maltais felt that as they also currently have a dwelling on the property, the same standards should apply to them as to the Morrills, which they felt had been a lesser standard than had been given to them. It was explained that the standards that had been given to the Maltais were the specifications that had been given to the Morrills, and the Morrills had to adhere to all of them, with the exception of paving the road. The Selectmen felt they needed time to review the Maltais case before making a decision. The workshop tonight is to review and discuss the Maltais' request.

Lois stated that Conservation Commission Chair Nanci Mitchell had been in the office today, and had asked if the Selectmen were aware of the restriction on the Maltais deed. Nanci gave Lois a copy of the deed, which was presented to the Selectmen tonight.

Selectman Abbott said it comes to her mind that the portion of Gale Road, for which the Maltais would be responsible, and Donovan Road are two completely different circumstances. She said Gale Road has a very steep incline, and also has a real water problem, so the Selectmen can't just say that whatever they did for the Morrills, they would do for the Maltais. Selectman Abbott felt it would be a good idea to revisit the road, with an engineer, or someone who has built roads, such as Bill Hurst. She said there is big water issue out there if you don't require paving.

03-23-09 BOS

Selectman Guarino said the Maltais' deed restriction states that the road has to be brought up to a Class V road standard, and that includes paving.

After a brief discussion, and review of the deed and the specifications that had been given to the Morrills when we had been asking them to upgrade Gale Road, as well as Donovan Road, it was unanimously decided that the Morrills and Maltais situations are not the same. The restrictions on the deed say the restrictions are conditions of subdivision approval imposed by the Town of Gilmanton Planning Board as reflected on the subdivision plan referenced herein, and the following stated condition:

“No building permit shall be issued for expansion or replacement of the dwelling or for septic and well installation nor shall this lot be occupied on a year-round basis until the Class VI portion of Gale Road from the existing end of the Class V portion to the location of the driveway to this lot as shown on the approved plan is upgraded to Class V.”

Chairman Hatch said the Selectmen couldn't over ride restrictions on a deed.

It was unanimously agreed that Town Counsel should be consulted about the restrictions on the deed before making any decisions.

Approval of Minutes – The Selectmen reviewed the minutes of last week's meeting.

MOTION – Selectman Abbott moved to accept the minutes of March 16, 2009 as drafted. Selectman Guarino seconded. Motion passed 3-0.

Bids – Last week the Selectmen had postponed awarding bids for two projects at the recycling center until Selectman Guarino could get some clarification on the bids.

Roof over Glass Bin – A couple of bids were only for the framing for the roof, but not the actual installation of the roof. There was also a difference in the size of the posts that were to be used. Although the bid chosen was not the lowest bid, it included installation of a metal roof, using sturdier materials for posts (6" X 6" opposed to 4" X 6"), putting on an overhang and a back wall.

MOTION – Selectman Abbott moved to award the bid to erect a roof over the glass bin at the recycling center to J.R. Stockwell. Selectman Guarino seconded. Motion passed 3-0.

Fencing at Recycling Center – Don also called the contractors who had bid for the fencing. Custom Gates & Fences bid had been for 2 cantilevered slide gates, whereas the bid from East Coast Rent-a-Fence had double-swing gates; his price included three gates, while Custom Gates had only two gates. Don asked both companies for prices for two cantilevered slide gates and one swing gate. East Coast Rent-a-fence added \$3,200 to

03-23-09 BOS

their bid price of \$10,439.25 to replace two of the swing gates with cantilevered slide gates, bringing their bid to \$13,639.25. Custom Gates and Fences added \$650 to their bid of \$10,550.00 for the third gate, which would be a swing gate, bringing their bid to \$11,200.00.

MOTION – Selectman Abbott moved to award the fencing project at the Recycling Center to Custom Gates and Fences. Selectman Guarino Seconded. Motion passed 3-0.

Selectman Guarino will notify Justin Leavitt and the contractors for both of the above projects of the Selectmen’s decisions.

6:02 p.m. - Chairman Rachel Hatch called the regular meeting to order. Present were Chairman Hatch, Selectmen Abbott and Guarino, and Clerk Lois Dionne. Also in attendance were Police Chief Phil O’Brien and Fire Chief K.G. Lockwood.

After attendance, everyone stood for the Pledge of Allegiance.

Safety Building – Chairman Hatch noted that neither the warrant article for the land purchase for a new police station, nor the article to deposit \$100,000 into the capital reserve safety-building fund had passed at Town Meeting. She said the impression she had received was that the body present at Town Meeting wants to continue to move forward with a safety building in the Corners. Rachel stated that the Selectmen had talked a little about the safety building last week, and their goal is to break ground in the next year or two, and asked for chiefs feelings on the matter.

Selectman Guarino stated that he had been speaking with both the fire and police chiefs, and they had taken the “Salisbury plan”, and looked at it to see if it would be feasible for a safety building. He felt it was the consensus that the building would work for both departments.

Chief Lockwood felt the floor plan could be arranged to work for both departments.

Selectman Abbott asked if both chiefs are okay with the concept of sharing a building. Chief Lockwood replied that he was. Selectman Abbott said it had been suggested that the land in the corners could accommodate two separate buildings, with not a great difference in the expense, if that were preferable. Chief O’Brien felt the two departments could share a building. Chief Lockwood felt the location is fine for him, but his needs are different from the police department. Phil said his only concern is the safety of the children and the school because of the distance from the school.

Chief O’Brien felt a lot of decision on the building hinges on the stimulus money. He stated the Chief Lockwood had put in for two grants. Chief Lockwood stated that they had lost the grant that was put in at the State level for economic stimulus; they (the State)

03-23-09 BOS

shifted over to the national grant for assistance for fire grants. Selectman Abbott noted that this is only for the fire department. She said she had received an email, the same as Chief Lockwood about the grant. She said she had spoken with a woman at the State, and asked if they could do a joint police and fire station under the program, and the woman had told her that it was her understanding that there is nothing for the police at this time. Chief Lockwood felt the State is unaware of what is going on. He said when he had first applied, he had applied through the State for a public safety building and through the AFG Program for a fire station and the State had told him they thought the Fire Marshall's Office would decide that. He said this is all new to them (State), and they don't know just how to proceed, so are sending things to whatever state division they think appropriate, except the fire items, which they kick back to the federal program.

The Selectmen also had copies of some information that had been forwarded to Selectman Guarino with websites and other information on American Recovery and Reinvestment Act of 2009 for a program titled Rural Community Facilities that have loans or grants to assist communities with a population of less than 20,000 with essential community facilities. Part of the award criteria is for projects for municipalities with populations under 5,000.

The Selectmen reviewed the floor plans for the Salisbury building with the fire and police chiefs. It was pointed out where the chiefs would like to adjust the floor plans to enable to building to satisfy the needs of both departments. There was considerable discussion of the stimulus grants and other grants, and the fire chief and police chief were encouraged to apply for as many grants as they could. It was also suggested that we might be able to start doing some site work this year. Chief Lockwood said he had been approached by some residents who asked if there could be a few extra parking spaces in back of the safety building for use as a "park and ride" area. Neither chief had a problem with that idea.

Chief O'Brien said that since Town Meeting, he had been contacted by two members of the Year-Round Library Association who had informed him they would be willing to discuss having a police station erected on land across from the school. The Selectmen had received a letter last week indicating the Association's willingness to talk with them about the land.

It was agreed that not much more could be done until we get find out whether we will be receiving any stimulus or grant monies.

Sprinkler System – Chief Lockwood informed the Selectmen that last Thursday he had received a call from the Selectmen's Office about a problem with the sprinkler system. He said he had come in and met with Chairman Hatch, then went downstairs and met with the sprinkler company. He said there was water everywhere, and the "kid" had been saying it would cost \$10,000 - \$15,000 to repair, and replace the fire pump downstairs. Chief Lockwood said he had told him to start cleaning up while K G came upstairs and

03-23-09 BOS

called an electrician; he called Wayne Ogni, who was on vacation, but they had spent about an hour on the phone checking different things. He said Mr. Ogni felt it is a breaker problem, and the install was code compliant at the time it was done, but it is not something that would be allowed today. K.G. said Mr. Ogni feels it is the breaker causing the problem, not the pump itself. He said three people had been here from the sprinkler company, and he had sent them home, telling them he would contact them after talking with the electrician. He said Mr. Ogni felt it would cost approximately \$270 to fix, if that (breaker) is the problem. Mr. Ogni will be in tomorrow to take readings, swap out the breaker arrangement, put a larger, newer single one in, then start the pump and take readings to see if that is what it is.

There was also a brief discussion on how the system is flushed, and as to whether we could flush the system with clean water from a fire truck, rather than use the pond water, which the Chief felt leaves sediment in the system.

Recycling Update – Recycling Manager Justin Leavitt informed the Selectmen that he had shipped out 40 bales of corrugated cardboard, and 30-40 bales of consolidated items; tin, steel, aluminum, plastics, TVs, etc. Selectman Guarino asked if we would be making money on the items we shipped out. Justin replied that we are making some money on the cardboard, but the paper is “flat lined”, it isn’t costing us money, but we aren’t making money. There was a brief discussion on the advantage of having the extra container at the station.

Security Cameras - Justin said he had two video security systems donated to the facility; they are up and ready to go. One system is a two-camera set up, infrared, which is at the little shack. The other system is an eight-camera set up that surrounds the building and the lower premises. The only cost to the Town is for the wiring. He said there are two cameras not yet attached. One will go by the metal pile and leaf and glass area; the other will be added to the building to watch the entry. Selectman Abbott asked if the cameras are recording. Justin replied that they are. He said the only camera that is recording sound right now is in the “free room”, because there is a sign notifying the public that they are being recorded. He is waiting for a sign to post at the other stations before those cameras will be activated.

Other Recycling Issues – Justin reported that the safety issues at the center have been corrected. The Bobcat was overhauled and the bailer has been overhauled. Justin informed the Selectmen that the pressure on the pump on the compactor is dwindling, and asked permission to order an extra pump to have on hand for when this pump fails. He said if you had to wait to order a replacement pump after the pump fails, the center would have to be shut down until we receive a new pump. He said the last quote he had received for a new pump was \$300. There was a brief discussion of the pump, and the Selectmen Okayed the purchase of a new pump. Justin will get the information to the office for a purchase order for a new pump.

03-23-09 BOS

7:00 p.m. – Public Input

Grant for Cupola – Carolyn Baldwin presented the Selectmen with an application form for a Conservation License Plate Grant (from the moose plate). She felt that the Town might qualify for the grant to restore and replace the cupola on the Academy Building because the grant can be used for the preservation of a publicly owned historic resource.

An historic resource is a building, structure, object, set, designed landscape, or contributing property in an historic district that is listed or has been formally determined to be eligible for listing in the National Register of Historic Places or the New Hampshire State Register of Historic Places.

Carolyn said she has attended two workshops on funding and other information about restoring historic buildings. She said we are on the National Register. Carolyn briefly reviewed the application with the Selectmen. Selectman Abbott will get the information needed to apply for the grant. Carolyn stated that it needed to be into concord by 4:00 p.m. on Friday, March 27, 2009.

Charette – Old Town Hall – Carolyn stated that it is clear that the police department will be out of the Old Town Hall in the Iron Works eventually, and she felt the building is a very important part of the Iron Works. She said that she thought maybe we could get Plan New Hampshire to do a charette next spring to figure out what could be done with the building, and how to do it. Carolyn felt there would probably be a number of people who live in the Iron Works who would be interested in preserving the building.

Selectman Abbott felt it is a good cause, but had said that a process had already been begun with the Belknap County Economic Development Council to plan a charette in Gilmanton for the Corners, and they would be applying to have Plan New Hampshire do the charette. Betty Ann said the State only takes three a year, so they wouldn't take two from Gilmanton.

Planning & Zoning Board Fees – Last week Planning Board Clerk Lynne Brunelle and Land Use Clerk Annette Andrezzi reviewed fees charged to process applications and permits for their departments; several of the fees do not cover what the Town expends to process these applications. A list of the current fees, and the suggested changes was submitted to the Selectmen for their review.

The Selectmen reviewed and discussed the proposed changes, which included the following:

Raising the Abutters Notification Fee from \$5.00 to \$6.00 per abutter. It currently costs the Town over \$5.00 to send out notices to abutters.

03-23-09 BOS

There are a couple of new fees that have to be paid to Belknap County to record decisions and documents.

Earth Excavation Permit Renewal Fees were raised from raised from \$20.00 to \$50.00 to bring them into line with other renewal fees.

Planning Subdivision/Boundary Line Adjustment Fees were changed to make them clearer.

Copies of Zoning/Historic District Map went from \$1.50 to \$2.00

Copies of Master Plan went from \$35.00 to \$5.00. The decrease is because we no longer have to have them sent out to a printer to be copied.

MOTION – Selectman Abbott moved to approve the recommended changes to the Town’s Non-refundable Fee Schedule. Selectman Guarino seconded. Motion passed 3-0.

Selectman Abbott expressed her thanks to Lynne and Annette for their work in getting these changes in place.

Boards & Committees – Chairman Hatch received an email from Sue Hale-deSeve indicating that her term on the Conservation Commission is up this year, and would like to be reappointed.

An ad, listing upcoming vacancies, has been sent to the papers requesting any persons interested in serving on any boards or committees to send a letter of interest to the Selectmen’s office by Monday, April 6th. The Selectmen will then set up meetings with and appoint/reappoint interested persons.

FYI’s & Other Business

Carpet – Selectmen’s Office – Lois reported that she had notified Holmes Carpeting & Cabinetry that they had been awarded the bid to replace the carpet in the Selectmen’s Office. She asked if the Selectmen wanted her to go ahead and place the order for the carpet. The only problem she could see is that no one in the office recalled selecting a color for the carpet, but the bid had been for a particular style and color. Lois asked if we should ask to see the samples again before an order was placed. It was agreed that Lois would call the company and ask them to bring samples before placing an order.

Sand – Ridgewood Drive - Lois informed the Selectmen that Joe Hickey of Ridgewood drive was in the office the other day, and had asked if it was necessary for the highway department to use so much sand on the road. He said it was like living on a dirt road. It also makes it unpleasant when they sweep the road in the spring; dust flies

03-23-09 BOS

everywhere and gets into the houses. Mr. Hickey asked if the residents could be allowed to clean the sand from in front of their houses. Selectman Abbott asked if Mr. Hickey had called the road agent. She said it is policy that when someone complains about a road, to refer them to the road agent. Lois replied that Mr. Hickey said he had spoken with Paul, but he wanted the Selectmen to be aware of it.

Lawn Care – Old Town Hall – Lois reported that a phone call had come into the office last week from a man who wished to do the lawn care at the Old Town Hall. After a brief discussion, it was decided that the work should be put out to bid. Selectman Guarino will help write the specs for the job.

Lower Gilmanton Library – Last week the Selectmen had been discussing the lower Gilmanton Library, and what was to become of it. It is housed in the Kelley’s barn. Lois reported that we had received an email from Walter Mitchell in which he had stated that he had spoken with his wife, Carol, former library trustee about the book collection referred to as the Lower Gilmanton Library.

Mrs. Mitchell suggested that someone, acting on behalf of the town, speak with Carolyn Kelly (of Concord) and Chuck Kelly (Kelly Son who lives at the farmhouse) to confirm whether they wish to continue to have the library there, and what arrangements would be made to have a volunteer be responsible for checking the books in and out to the public.

Family Entertainment Radio on Website – Lois had a copy of an email sent to Deb Cornett from Joe Laurendeau of Gilmanton. His family has been producing an internet music broadcast 24/7 called “Family Entertainment Radio”, and asked to display their new music player on their website as the “official” music broadcast of Gilmanton. Deb asked what the Selectmen felt about placing a link for this on our website.

After a brief discussion, it was felt that this is a business, and we don’t promote or have links to businesses on the Town website.

Wakefield Cell Tower- Lois had a letter from the Town of Wakefield notifying us that Industrial Tower and Wireless, LLC had requested a major site plan review for construction of a 30-foot extension to the approved 90 foot telecommunications tower to be located on Province Lake Road in Wakefield. A copy of the letter has been given to the Planning Board.

Community Development Finance Authority (CDFA) - Lois had a letter from CDFFA notifying us that their Community Development Block Grant (CDBG) would be accepting applications for the second round of Planning Grant Applications. All grants must benefit low-and moderate-income persons or households, and are awarded on a competitive basis. The Selectmen didn’t feel these grants applied to Gilmanton.

03-23-09 BOS

Kim Ayers Nomination – Lois had a letter from the Lakes Region Planning Commission requesting nominations for the Kim Ayers Award. This award is to recognize someone who has made an extraordinary voluntary effort over the years to maintain and improve the environmental quality of the region. The Selectmen will try to come up with a nominee. Nominations have to be submitted by Friday, May 1, 2009.

Seminar – Lois informed the Selectmen of a seminar that Lorman Education Services will be holding in Manchester on April 16, 2009 on Americans with Disabilities Act and the Impact of the 2008 Amendments.

Energy Evaluation - Lois had a copy of the free site energy evaluation of the five town buildings done by Jordan Institute. Included was a table of estimated energy saving for the Academy, Iron Works Fire Station and Old Town Hall buildings. Selectman Guarino will review the evaluation.

7:42 – Break

7:47 – Back in Session

Painting of Academy Building – Selectman Guarino said he would help write the specs to put out a bid for the painting of the Academy Building, (one side gets painted every year) but he felt we should wait until later in the season, when things have had a chance to dry out more, and the weather would be better for painting.

Sargent Road - The Selectmen had received a complaint about the condition of Sargent Road, and had requested that the Selectmen take a look at the road. Selectman Guarino said he had sent someone to look at the road, and the Road Agent was working on the road at the time.

Damage by Bus on North Road – Selectman Abbott said she had received a call from Mr. Wahlstrom regarding a bus that is doing damage to North Road. Betty Ann said a woman who drives the bus lives on North Road, and takes the bus home. She said she had spoken with Paul Perkins about it, and Paul had felt the road was in pretty good condition, and would contact Mr. Wahlstrom. Betty Ann said Mr. Wahlstrom had called again on Sunday informing her that he couldn't go to church because the condition of the road in front of the driver's house was in such bad condition. She said she had spoken with Paul again, and she had driven up there this afternoon; although the road is firm now, you could see where it was bad. The roads have been posted for 6 tons, and Paul felt a school bus weighs about 6 tons. Selectman Abbott said this issue had come up before, and we have had the driver park the bus at the Town garage during the mud season. She said she had told Paul that she would leave the matter to his judgment, and he hadn't felt the bus was doing much damage. Betty Ann added that Mr. Wahlstrom had told her how wonderful Paul is and what a great job the highway department does on the roads.

03-23-09 BOS

7:55 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Abbott moved to Enter into Non-Public Session as per RSA 91-A:3, II(c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person unless such person requests an open meeting; however, this cannot be used to protect a person who is a member of your Board, Committee or Subcommittee. Selectman Guarino seconded. Motion passed 3-0.

The Selectmen discussed a welfare issue.

8:09 p.m. - Out of Non-Public Session

Selectman Abbott moved to come Out of Non-Public Session. Selectman Guarino seconded. Motion passed 3-0.

8:10 p.m. - MOTION - Selectman Abbott moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk