

**Board of Selectmen  
4 April 2012  
Minutes**

**6:00 pm** - Chairman Hatch called the meeting to order. Present were Chairman Hatch, Selectman Ralph Lavin, Town Administrator Tim Warren and Clerk Lois Dionne. Also in attendance was Town Counsel, Walter Mitchell.

After attendance, everyone stood for the “Pledge of Allegiance”.

**6:01 pm – Selectman Lavin moved to enter into Non-Public Session per RSA 91-A:3, II(a)** - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Chairman Hatch seconded. Motion passed 2-0. Chairman Hatch noted that Selectman Currier had recused himself from this non-public session.

The Selectmen discussed a personnel issue.

**6:05 pm – Selectman Lavin moved to come out of Non-Public Session.** Chairman Hatch seconded. Motion passed 2-0.

Selectman Brett Currier, Road Agent Paul Perkins and James Munsey joined the meeting. Mr. Munsey videotaped the meeting.

Chairman Hatch noted that the Board had received a letter of resignation from Police Chief Phil O’Brien. She asked for a motion to accept the letter of resignation.

**MOTION – Selectman Lavin moved to accept the letter of resignation from Chief O’Brien as written. Chairman Hatch seconded. Motion passed 2-0. Selectman Currier recused himself from the vote.**

**Road Agent** – Chairman Hatch thanked Road Agent Paul Perkins for the hard work he and his staff had done during the difficult times with the road issues the past couple of weeks. She said although they had received some calls with concerns, she felt most people understood the plight the road crew was in. Chairman Hatch said one of the positive comments was the possibility of establishing a roads committee. She said the Selectmen wanted to talk further about that with Paul. She said she knows there are some

areas on certain roads he struggles with that cause the roads not to be traversable, and that Brett, along with one of the residents, had come up with the idea of establishing a road committee to look at problem roads, come up with and plan for improvement knowing they are dealing with budget constraints. Chairman Hatch turned the topic over to Selectman Currier for discussion.

Selectman Currier stated that last week Bill Smith had come in and said he would be willing to be on a road committee. Brett thought that a committee of about five guys, not to boss Paul around, but to help him by going over things with him and try to get a handle on spots that are always bad. He said they could take a portion of the road budget; the final decision would be Paul's. Paul said he is open to suggestions. Brett said Bill Smith and Mickey Daigle have expressed interest in being on the committee, and he thought Bill Hurst would be interested. Chairman Hatch asked if we should advertise for members of the committee. It was decided it would be better to ask people they knew had the expertise that would be needed for such a committee. Brett would serve as a Selectman's rep on the committee.

There was a brief discussion of the road conditions this year, and the concern that roads had to be closed, emergency vehicles couldn't traverse the roads and people couldn't get to their houses. Paul said he had never seen the roads as bad as they were this year.

**Asphalt Bids** – Paul submitted three bids for asphalt paving this year. The bids were as follows:

Wolcott Construction, Inc.	
Machine Method Top	\$65.00 per ton
Machine Method Binder	65.00 per ton
Hand Method Top & Binder	103.00 per ton
CMI Paving Specialists	
1" shim & Overlay	\$69.95 per ton
Handwork	125.00 per ton
Pike Industries	
Machine Method	\$73.00 per ton
Hand Method	125.00 per ton

**MOTION – Selectman Currier moved to award the paving bid to Wolcott Construction. Selectman Lavin seconded. Motion passed 3-0.**

**Rte 140 Study Group** - Selectman Lavin stated that Selectman Currier is the Town's representative to the Rte 140 Study Group, but he (Ralph) had attended the last meeting. He noted that it is more a study group to look at improvements and development on Rte 140. Ralph said they were asked to present any concerns to the group, so asked Paul if he

had any questions or concerns he has regarding Rte 140 to give them Brett. Paul replied that the worst areas should be ground up and re-laid; the same for Rte 107.

Tim informed Paul that we had received a letter from DOT (Department of Transportation) informing us that they would be shimming Rte 107 from Rte 140 to Hounsel Ave. in Laconia this summer.

**6:20 pm – Selectman Currier moved to enter into Non-Public Session 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 Lavin seconded. Motion’

The Selectmen discussed a highway department issue with the road agent.

**6:23 pm – Selectman Currier moved to come out of Non-Public Session.** Selectman Lavin seconded. Motion passed 3-0.

**FYI’s & Other Business**

**MetroCast Service** – In March the Selectmen sent a letter to MetroCast asking how many residents, in the past two years, had requested cable service, and a breakdown of those who were hooked up to cable, and those that could not be hooked up due to the cost of extending the service lines.

Tonight Tim had a letter responding to our request. In 2010, 115 Gilmanton residents requested service, 9 residents declined service due to the additional construction costs to their home. In 2011, 87 Gilmanton residents requested service, 4 declined due to the additional construction costs to their home.

Tim said one the things the towns in the consortium were thinking about was the number of houses per mile in order to get service. He said in the original contract with MetroCast stuck with 20 houses per mile; it is not houses, but people who actually connect to the cable service that determines if the company will run the cable. Tim said these are things that the attorney hired by the consortium is working on; she is doing a “boiler-plate agreement”, and each town will “tweak” it to suit them.

**Tree – Mountain & Canney Hill Roads** – Tim informed the Board that a resident had called about a tree on the corner of Mountain Road and Canney Hill Road that is rotted off on the bottom. Tim said Dean Dockham had been in the office the other day, and he (Tim) had asked him to look at the tree. Dean told him the tree is in very bad shape and is very tall; if it should come down it would wipe out all the power lines. Tim said Dean said he could take the tree down and remove all the wood for \$1,250; there is also a dead

birch that he would take down at the same time. Tim said he had driven by, and the tree is in bad shape; it is in the town right of way.

There was a brief discussion during which Selectman Currier said he would like to look at the tree before making a decision. Tim said it would require someone with a crane to take the tree down because there is no place to drop it.

**Flagging Town Forest** – Last week Tim had suggested having the county forester flag the Thompson Town Forest, rather than hiring a forester. He said he found out the county forester could not, by law, flag for a town. They can flag for residents, but not a municipality. He said the conservation commission is working with the town forester. They feel they have enough money in their budget to cover his cost for flagging the forest. Any additional costs would come out of the proceeds of the cut.

**Concord-Single Stream Recycling** – Tim received a copy of a letter addressed to Jim Pressure of the Concord Regional Solid Waste from the City Manager of Concord stating that Concord is pulling out of the single-stream facility. They have determined that Concord would be losing money if they stay with the facility. They can opt out of their contract December 13, 2014 as long as they notify the Co-Op by December 2012.

**Women’s Club Waiver** – Tim said the Gilmanton Women’s Club, who meets about six times a year, and in the past has never had to have liability insurance has asked for a waiver of the liability insurance. The club meets about for about 1-½ hours. They would like to meet at the old town hall. The money they raise is donated to provide items to individuals in need who don’t qualify for assistance from the town.

There was a brief discussion of the issue and the fact that the women are doing the town a service by donating their time and money.

**MOTION –Selectman Currier moved to waive the liability insurance requirement for the Gilmanton Women’s club. Selectman Lavin seconded. Motion passed 3-0.**

**Fluorescent Bulb Charge** – Tim stated that last week the Selectmen had discussed the possibility of charging for the disposal of fluorescent bulbs at the recycling facility because we are charged to get rid of them at household hazardous waste day.

He said the NH Pollution Prevention Program inspector had stopped by the facility last week and left a sheet informing us of what needed to be gotten out of the recycling mainstream; one of the things was fluorescent bulbs. The charge for recycling the bulbs is .45 cents a linear foot for straight fluorescent lamps and .30 cents per compact or specialty fluorescent lamps.

There was discussion during which concern was expressed that people might break the bulbs and stick them in bags if we charge to dispose of them. Brett felt we should leave it

as it is with no fee charged to the resident. Ralph asked Tim to find out from the recycling manager how many fluorescent bulbs are taken in on an average during a month.

Tim said another thing we are required to do is post a sign indicating the prohibition of disposal of mercury-added products.

**Historic Museum** – Tim informed the Selectmen that John Dickey, president of the Historical Society, would like to give the Selectmen a tour of the space in the Old Town Hall that has been converted into a Historic Museum. He would be willing to show them around as a board or individually.

**Recycling Center Income** – Income from articles we charge to dispose of in March was \$830. Year-to-date total is \$2,218.42.

**Cover over Compactor** – Tim presented the Selectmen with a rough diagram of a cover Justin Leavitt would like to have erected over the compactor chute to keep the rain and snow out of the compactor and to help keep the trash contained. The cover would have a roof and heavy plastic strips hanging down the side like they have in entrances to freezers in dairies and other places.

Selectman Lavin asked if he would be getting a quote, and Selectman Currier said he would like to look at it first, and then discuss the issue next week.

**Recycling Decal** – Tim stated that last week the Selectmen agreed to do away with the fee for recycling stickers at the end of 2013, but hadn't made a decision on the individual who had asked for a waiver of his fee because he was a disabled veteran.

Tim said people who had come in today for stickers were surprised that the fee for the stickers was so low. He said the prices they said they had to pay ranged from \$5 to \$100 per year.

The Selectmen discussed the request from the resident. During discussion the Selectmen decided such requests should be handled on a case-by-case basis. In this particular case, the Selectmen paid the fee for the resident; Tim will notify the resident tomorrow.

**Route 140 Corridor Committee Meeting** – Selectman Lavin reported that at the Rte 140 Corridor meeting there were a number of people from planning boards, and asked if since he Gilmanon's planning board rep, not only would we have a Selectmen's rep or if he should take over. Tim said when they originally requested representation, they had requested more than one person. Ralph said the next planning board meeting will be the first one he will attend as the Selectmen's rep, and he is going to ask if the want to get involved and send someone in addition to Brett or himself.

Ralph said one of the things mentioned at the meeting was public transportation in Gilmanton. He said they are very interested in getting information on accidents. They want direct input from the police departments on where all the accidents are. Ralph reiterated what he had said earlier, that this is more of a study; they don't plan on anything happening within the next year.

He said they had also discussed the historic district, and crosswalks between the church and old town hall in the Iron Works, and between the school and library. Ralph felt they are interested in development on Rte 140.

Tim informed Ralph that crosswalks at the school and at the church had been looked into before, and DOT denied permission. Ralph said he would contact the traffic bureau.

Ralph said they also wanted data collection of the amount of traffic on Rte 140 and Rte 107. He was told that the state usually does that.

### **Public Input**

**Crosswalk** - Jim Munsey felt the cross walk would be dangerous and be a liability issue.

**Suncook River Nomination** – Mr. Munsey said he had spoken with Mr. Jeffers of Lakes Region Planning Commission and a couple of other people about the Suncook River Nomination. He said Mr. Jeffers told him that once the nomination is in, it is in; there is no withdrawing it. The nomination has to be in by June 1<sup>st</sup>.

Mr. Munsey said that nomination affects a lot of people; the whole village downtown in the Iron Works, all of Crystal Lake Road (both sides), all of Elm Street (both sides). He said it impacts and structures the boundaries from the high water mark a quarter of a mile out or the hundred-year flood high water mark. He said all the residents will be subject to DES approval to do, if not all, a lot of what they do on their property even something simple such as fertilizing their lawn or a building permit, digging a whole or removing a stump. Mr. Munsey said that requires getting a \$200 permit from DES. He said there is a local area commission (LAC), which is being worked out by Tracy Tarr and Erin Hollingsworth of the conservation commission. He said, according to the March 15th minutes, they were going to notify area landowners, hold public information meetings, and submit the nomination on June 1<sup>st</sup>.

Mr. Munsey said it is already April 4<sup>th</sup>, and he has seen nothing in the Suncook Sun about a meeting; the conservation commission has been aware of this since the beginning or middle of last year, but no notices have gone out about it, the Selectmen have had two meetings he knows of with Mr. Jeffers; the meetings were attended by only a couple of people. He felt there has to be a lot more public input into the matter, and there isn't enough time between now and June 1<sup>st</sup> to do that.

Mr. Munsey said this impacts a lot more people than you think. He said Tracy Tarr had said they would be having informative meetings throughout the summer to explain how this impacts people; this is putting “the cart before the horse”. Mr. Munsey requested that since there is a new board of Selectmen that they vote today, and the Selectmen put a hold on this issue for another year, if not for good.

Chairman Hatch stated that the Selectmen would discuss the matter later after public input.

**Lake Region Public Access Television** - Mr. Munsey felt the Town should fund Lakes Region Public Access TV; we need to get the meetings on TV, get people involved and know what is going on. He said he had visited them and spoke with Denise, the director, who said they had asked the Town, when they stopped paying the franchise fee, what they were going to do with the money. He alleged that one of the board members had said we would be better off putting the money into squirrel planters; Denise was insulted. No one remembered anyone making that comment. Mr. Munsey said the Selectmen had decided not to continue funding it, so they could decide to renew the funding.

Chairman Hatch said the Selectmen would discuss the issue.

**Road Committee** – Mr. Munsey felt the road committee was a good idea, but should meet only once a year, and should discuss the projects. When you start micromanaging departments, you would run into problems like were had with the fire department. He alleged that a report done on the fire department had said the problem was micromanagement. He felt the police chief’s resignation and issues in the department are also the result of micromanagement. He asked if the Town had a Mission Statement telling what the Selectmen, Road Agent, etc are to do; he felt the Selectmen have to quit micromanaging the departments. Mr. Munsey said we have muddy roads, but when people looked at the house to buy it, they drove down a dirt road to get there, so should assume there would be issues; maybe they should live in the city, they aren’t the type to live on a country road. He asked Mr. Ogni how he felt.

Mr. Ogni said he didn’t feel the Selectmen had micromanaged the police department. Mr. Munsey said he heard there were two studies done on the police department over the past year, and asked why they couldn’t see the evaluation of the police department. Chairman Hatch said there had been no study done of the police department. Mr. Munsey asked if a consultant had been hired; he said he heard there had been two. Chairman Hatch said they hired one agency.

Mr. Munsey expressed concern that the road committee would be telling the road agent what to do. He asked why the Selectmen would drive around looking at trees, and why they didn’t designate that to the highway department. Chairman Hatch said the Selectmen’s goal is not to micromanage the highway department, but to assist him. She said the board has not been micromanaging the department heads.

Selectman Lavin asked if they should call the road agent and tell him to go take the tree down. Mr. Munsey said they should tell him take a look at it. Selectman Currier stated that there had been road committees years ago, but there had never been accusation that they were micromanaging anybody. There was more discussion of micromanagement and the road situation.

**7:25 pm – Break**

**7:27 – Back in Session**

**Clarification of Minutes** – Selectman Lavin was concerned that last week’s minutes had not correctly reflected the comment he had made regarding the motion on the changes made to the budget. The minutes said his concern was that the changes made to the budget were not what the Budget Committee had recommended nor what residents had voted for at Town Meeting. Ralph felt he had said it was because the Budget Committee had recommended cuts in the police department, and that was what voters had approved at Town Meeting. Lois said what was in the minutes was what Ralph had said at the time of the motion. She acknowledged that earlier in the discussion of the budget cuts, Ralph had said it was because the cuts recommended by the Budget Committee and what the residents voted for was in the police department. Ralph wanted it clarified that was the reason for his objection.

**Approval of Minutes** – Selectman Lavin moved to approve the minutes of March 26, 2012 as written. Selectman Currier seconded. Motion passed 3-0.

**Planning Board Rep.** – Selectman Lavin was unsure as to whether he should sit on the Planning Board at their next meeting as he has a case before the board that night. He was told he could sit on the board until his case came up; then he could recuse himself during discussion of his case, and then resume his seat on the board when his case was finished.

Ralph asked what his responsibilities were as a selectman representative on the board. His responsibilities are the same as any of the regular members on the board.

**Suncook River Nomination** – Chairman Hatch stated that Mr. Munsey had brought up points about the Suncook River Nomination. She said she wants to know if the conservation commission has made any plans to hold public hearings, and get information to the residents. Tim said it is his understanding that the Lakes Region Planning Commission (LRPC) is doing the nomination; Tracy Tarr and Erin Hollingsworth are the Town’s representatives on the committee. He said LRPC needed support from the Board of Selectmen to move forward with the process.

Chairman Hatch said her understanding was they needed the Selectmen’s support to look into it; it was to be a long process, and we would be kept informed. Tim said he understands that shortly there will be letters going out to all the property owners along

the river; he didn't know when the next meeting would be. He said the board, at the time, had voted to support the nomination. Mr. Munsey said he didn't see that in the minutes. The last meeting was March 5<sup>th</sup>, and there was no discussion. Tim said it was done before the March meeting. Chairman Hatch asked Mr. Munsey not to interject, as public input was over. Selectman Lavin said he remembered that it was discussed, but didn't know when the letters were to go out.

Selectman Currier expressed concern that this might just be a "money maker" for DES. Selectman Lavin noted that he had voted against the nomination last time as he felt there are so many conservation groups out there, we don't need another one. It was decided there are a lot of unanswered questions, and Tim was asked to check into this with LRPC, and see if we could get Mr. Jeffers in next week to discuss it.

**Funding Lakes Region Public Access TV (LRPATV)** – Chairman Hatch wanted clarification that the cost for funding LRATV to tape Selectmen's meeting for TV used to come out of our franchise fee check, but they discontinued with that, and we paid directly, then the previous board of Selectmen did away with that. Tim replied that was correct, and stated the reason to discontinue was the cost; that is when the website was developed for the town. The Board felt it was cheaper, and more residents had access to the Internet than the cable TV, and also the times the meetings were shown were not consistent or convenient. Chairman Hatch said since she had been on the board, she has had two other residents come before the board and ask about funding it again. She asked for time to find out what the cost would be. Tim said that out of the twelve towns in the consortium, he thought there were about four that pay to belong to LRPA.

Mr. Munsey again interrupted the conversation to tell Tim that he was wrong, and to also allege that the minutes never reflected about not funding it because of the internet, the website or the cost.

**7:49 pm – Selectman Lavin moved to enter into Non-Public Session per RSA 91-A:3, II(a)** - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Currier seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

**8:00 pm – Selectman Lavin moved to come out of Non-Public Session**. Selectman Currier seconded. Motion passed 3-0.

**8:01 pm – Selectman Lavin moved to enter into Non-Public Session per RSA 91-A:3, II(a)** - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a

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**APPROVED**

meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Currier seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

**8:04 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0.

**8:05 pm – MOTION – Selectman Lavin moved to adjourn the meeting. Selectman Lavin seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk

