

**Board of Selectmen**  
**7 April 2008**  
**Minutes**

**6:02 p.m.** – Chairman Don Guarino called the meeting to order. Present were Chairman Guarino, Selectmen Rachel Hatch and Betty Ann Abbott, Town Administrator Timothy J. Warren and Clerk Lois Dionne.

After attendance, everyone stood for the Pledge of Allegiance.

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

**MOTION – Selectman Abbott moved to accept the minutes of March 31, 2008 as amended. Selectman Hatch seconded. Motion passed 3-0.**

**Paul Perkins – Highway Update** – Tim Warren informed Paul and the Board that Jimmy Hurst of Wolcott Construction had come in the other day with his copy of the paving contract the Town had signed for the year, and said Jimmy had dropped the price of the asphalt by \$1 per ton because he (Jimmy) had gotten a better deal on the asphalt than he expected.

Chairman Guarino asked Paul what roads he planned to pave this year. Paul said they have to do the topcoat on Greeley Farm Road, and was hoping to do a portion of Stage Road; he is waiting to get permits for some culverts he needs to install there. He wants to do Loon Pond Road from Route 107 to the Marriott residence. There was a brief discussion on the culverts that need to be installed on Meadow Pond Road. Tim Warren will get in touch with DES regarding the permits for the culverts.

Chairman Guarino asked Paul what the plans are for a salt shed at the Town Garage. Paul replied that he had been looking at prices and designs, but it would have to be voted on at next year's town meeting before anything could be done.

The Selectmen commended Paul, the highway crew and the subcontractors for the job they did this winter keeping the roads cleared, and asked that he pass their thanks on to his crew. Rachel said she had one road complaint, but it had been withdrawn a couple of days later. They also informed Paul of the note the Town had received from Art Brown commending the Clairmonts for the job they had done on plowing Allens Mill Road this winter (A copy of the note was forwarded to the Clairmonts).

## **04-07-08 BOS**

Paul stated that the State needs to do something about the condition of the State-owned section of Crystal Lake Road from Route 140 to the dam. It was noted that we have been in touch with the State about the situation numerous times, and that a survey crew from the State had been out there last summer. Chairman Guarino is going to speak with DOT.

### **FYI's & Other Business**

**Tonnesen Case** – Last week Tim had informed the Selectmen that Mr. Tonnesen had asked for a motion to reconsider the court's decision that upheld the ZBA's decision to deny permission for a helicopter pad. Tim said our attorney had already filed a motion not to allow the motion to reconsider. Tonight he had a letter informing them that the court had denied the motion, and the court order closes the matter.

**FLSA** – Tim distributed copies of the FLSA (Fair Labor Standards Act) relating to overtime for fire department employees for the Selectmen to take home and review.

**Town-Wide Yard Sale** – Tim informed the Selectmen that the Gilmanton Community Church Fellowship Committee wants to hold a town-wide yard sale on Memorial Day weekend. The money raised from the event would go into their annual scholarship fund. The yard sale would be held Saturday, May 24<sup>th</sup> from 7:00 a.m. to 3:00 p.m. People would pay \$10 and would be included on a Town map showing where they are located. The committee was also seeking approval for the use of the front of the academy, and they will also coordinate everything with the police department. After a very brief discussion, the Selectmen approved the yard sale.

**Gilford/Gilmanton Jr. Class Yard Sale**- Tim said there was also a letter from Anne Bartlett requesting the use of the front lawn of the Academy Building to hold a yard sale to raise money for the Junior class of Gilford/Gilmanton High School. The yard sale would be held on Saturday, June 28<sup>th</sup>. The Selectmen approved the yard sale.

**Brenda McBride – Roadside Cleanup** – Tim had a note from Brenda McBride asking the Selectmen to sign a paper authorizing her to pick up the blue bags that are used for the roadside cleanup. She also asked the Selectmen if, to promote recycling to celebrate "this green earth" it was okay to hand out guides and get media reprints from their guides as part of the earth day celebration. Tim said we have recently had some information from the NRRA regarding the disposal of fluorescent light bulbs, mercury thermometers and some batteries. Tim said that is the type of thing that Brenda wants to reprint, and she also wants to put articles in the newspaper. He said Brenda is working with the school regarding the roadside cleanup, and a tentative date of May 16<sup>th</sup> had been set.

Tim said that each year after the blue bags have been tallied and sent in, we have a choice of receiving either daffodil bulbs or elm trees, and asked which the Selectmen would like to receive this year. After a brief discussion, the Selectmen decided on the elm trees.

## **04-07-08 BOS**

**Firemen's Association – Lease** – Tim said he had received a call from Bryon McSharry of the Firemen's Association regarding their State certification as an association. Tim said the State was going to pull the Association's certification because there were certain things the Association didn't have in place. He said one of the things is they haven't reported anything for a couple of years, and they also need a signed lease between the Association and the Town for the building in the Iron Works and the building in the Corners. Selectman Abbott asked if we didn't have that. Tim replied that we don't have a current one. He had a lease for the Iron Works station, which the Selectmen signed, and he will get a copy of a lease for the Corners Station for the Selectmen's signature.

**7:00 p.m. – Public Input** – No one was present for public input.

### **More FYI's & Other Business**

**Accounting Software** – Tim informed the Board that we are still working on getting all the information entered into the new accounting software package. He said all the invoices are in, and the payroll is in, so he hopes to be able to have all the budget information shortly.

**Paving of Recycling Center** – Tim asked if we should send out requests for proposals for the site preparation for the paving at the recycling center, or if we should ask the highway crew to do the job. After a brief discussion, it was decided to talk with Paul before making a decision,

**Joint Loss Management Committee** – Tim explained that it is mandatory for the Town to have a safety committee; it is the Joint Loss Management Committee, and is made up of 2 department heads or management, and 2 regular employees. Tim Warren and Phil O'Brien represent management, and Robin Bonan and Cindy Bedford represent the employees on the committee. He said Robin and Cindy had attended a couple of seminars on procedures, and one of the suggestions was if you have more than one site of employment, you visit each site to check it for safety issues. Tim said last week the committee had visited the dump, unannounced.

Tim had a list of violations they had found. He said the first was that Tom had been working by himself; Doug had been sick. No one is supposed to be working at the dump by himself. Tim said one suggestion that had been made was to move the eye wash station from the office to the bathroom; Doug has done that. Other items of concern were the need to clear the way to the baling machine, the wearing of gloves, safety glasses and safety vests. The employees are also supposed to wear long pants (not shorts), and steel-toes boots. An area of great concern is the lack of being able to communicate from one area to another, and it was felt they should be given two-way radios or walkie-talkies. Another area of concern is the need to update tetanus and hepatitis shots.

## **04-07-08 BOS**

During discussion of the situation at the recycling center, the Selectmen agreed on the need to establish a safety policy specific to the Recycling Center. Tim will draft a safety policy.

**7:30 p.m.** – Mr. Jean was not yet present for his meeting with the Selectmen, so they continued to discuss other business.

**Flags & Brackets on Utility Poles** – Chairman Guarino said he had received a call this week from Mr. Nagel regarding a letter Verizon had sent to the Town informing us that we needed to get permission to mount brackets on the utility poles for the flags that the Boy Scouts put up in the summer. Don said Mr. Nagel was concerned because we had sent the letter to the Boy Scout Council. Tim said when the Town received the letter, he had called Verizon, and asked if it was the Town's or the Scouts' responsibility for getting permission to put up the brackets. He said that he had been told it was the Scouts' responsibility, and was told to hold onto the letter, and they (Verizon) would contact the Scouts. Don said the Council had contacted Mr. Nagel and asked what was going on.

There was a discussion of who actually owns the flags, the Scouts or the Town, because nobody was accepting ownership. Tim said it is his understanding that the brackets and the flags belong to the Scouts. He said the Town had donated some money to the Scouts to replace some of the flags, and the Scouts had also done some fundraising for the flags. Tim said there has been a dispute between Mr. Nagel and the Scout Troop as to who actually owns the flag. It was decided that the Town's position is that the Scouts own the flags and the brackets, and it is their responsibility to get the permission, and to put the flags up.

**Flag's Absence**- Tim informed the Selectmen that if they had noticed that the flag is absent from the front of the Academy Building it is because the halyard had broken, and we had needed to find out how high the flagpole is before we could order a new rope. He said Mickey Daigle had come down the other day and measured it with a transit. Tim will order a new rope.

### **7:43 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Hatch moved to Enter into Non-Public Session as 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 Abbott seconded. Motion passed 3-0.

The Selectmen discussed a fire department personnel issue.

### **7:57 p.m. – Out of Non-Public Session**

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

**04-07-08 BOS**

**MOTION – Selectman Hatch moved to seal the minutes of the non-public session. Selectman Abbott seconded. Motion passed 3-0.**

**8:00 p.m. – Break**

**8:05 p.m. – Back in Session**

**FLSA** – While waiting to see if Mr. Jean would arrive at the meeting, the Selectmen briefly reviewed the copy of the FLSA Act in regards to the manner in which overtime is paid for the fire department. There were paragraphs that the Selectmen wanted clarification on, and Tim will contact LGC to try to get answers before the matter is discussed further.

**8:17 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Hatch moved to Enter into Non-Public Session as 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 Abbott seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

**8:45 p.m. – Out of Non-Public Session**

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

**Special Town Meeting – Zoning Change?** - The Planning Board and the Board of Selectmen had met last week to discuss the possibility of a special Town Meeting to change the wording of a change to the Zoning Ordinance that affects the issuance of building permits on non-conforming lots. The Planning Board didn't feel the need to hold a special Town Meeting, and asked that they let it ride for a year to see what happens, and it could be addressed next year, if necessary.

The Selectmen discussed the issue further, and are considering moving ahead with a special Town Meeting.

**04-07-08 BOS**

**9:29 p.m. – MOTION – Selectman Abbott moved to adjourn the meeting.  
Selectman Hatch seconded. Motion passed 3-0.**

Respectfully Submitted,

Lois Dionne  
Recording Clerk