

APPROVED

**Board of Selectmen
26 April 2010
Minutes**

6:01 pm - Chairman Betty Ann Abbott read “This meeting of the Selectmen of the Town of Gilmanton is now open, and the matters presented and discussed here shall be for the purpose of managing the prudential affairs of the town and to perform the duties by law prescribed.”

Present were Chairman Abbott, Selectmen Don Guarino and Rachel Hatch, Town Administrator Tim Warren and Clerk Lois Dionne.

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

MetroCast Cable Service Area – Jeffrey Drapeau and Mike Casa of MetroCast were present to explain why there are areas in Gilmanton that do not have cable service. Allison and John Howe, who have been trying to get cable service to their home on Dow Road were also present.

Mr. Drapeau gave Tim an updated map showing areas in Gilmanton that do not get cable. He reviewed the map with the Selectmen. Mr. Drapeau explained that for them to run a line for the cable there have to be ten full-time subscribers per mile; it is not financially feasible for them otherwise. The Howe’s could pay to have the cable run to their home, but it is very expensive; it would cost them \$11,000 to get the cable to their home because there is no other home on the road. MetroCast had agreed to let Comcast run a cable to the Howe’s from Belmont, but upon research, the Howe’s found it would cost them \$168,000 for Comcast to run a cable.

Mr. Casa and another representative from MetroCast will be meeting with the Howe’s at their home on Thursday to discuss the cost of getting cable to their home. Mr. Casa said the cost MetroCast charges customers is the actual cost to MetroCast to extend service to the home; there is no markup in the price. Mrs. Howe asked if the Town would be willing to help people in any way who don’t get the service to their homes. The Selectmen stated that it had never come up to them before, but they would discuss it later.

Recycling Committee – Chairman Abbott welcomed the members of the Recycling Committee, and had them introduce themselves. Present were Israel Willard, Andrew Stockwell, Lew Henry, Johnna McKenna, Sue Smith, Barbara Swanson, Chrissie Waite,

Recycling Manager Justin Leavitt and Selectmen's Rep. Rachel Hatch. Lori Baldwin arrived near the end of the meeting.

Chairman Abbott stated that it is not the Selectmen's intention for the recycling committee to be directing the management of the transfer station. Selectman Hatch stated that the Board of Selectmen, Justin Leavitt and Tim Warren had talked about what they would like to see the recycling committee have as goals and guidelines. She read a mission statement and a list of initiatives, copies of which were given to each member of the recycling committee. Chairman Abbott stated that these are just suggestions, and the committee could use them or not. The committee was told they would have to elect a chairman and a secretary at their first meeting. Meetings have to be posted and minutes have to be taken at all meetings, and a copy of the minutes has to be given to the town clerk. The Selectmen's office will post the first meeting, and then it will be the responsibility of the recycling committee.

The date for the first meeting of the recycling committee was set for Tuesday, May 11th at 6:30 pm at the Academy Building.

Recycling Center Issues

Recyclables – Justin informed the Selectmen that he had received \$206.40 for a fifty-five-gallon barrel of copper that he had shipped out. He said tomorrow the vegetable oil would be picked up. He has two fifty-five-gallon barrels of vegetable oil, which brings in \$.07 a pound.

Work Attire – Chairman Abbott asked if Justin had spoken with his staff about wearing the proper attire. Justin replied that he planned to speak to them on Wednesday. He will also speak with them about smoking only in a designated area.

Earth Day – Tim stated that this year when the students had picked up the trash at the side of the road for Earth Day, they had put bottles and cans in clear bags so they could be recycled. The Town will pick up these bags, and the State will pick up the blue bags. A tally is kept of all the bags brought into the recycling center. We need to have the count by the end of next week. We send the total count to NH the Beautiful, which entitles us to receive elm trees or daffodil bulbs. The Selectmen have elected to receive the trees this year.

Container – Justin reported that the new container had been delivered; he is waiting to have it lettered with the Town name.

Kudos – Chairman Abbott stated that when Nate had brought their trash in on Wednesday, he had been very impressed. He felt the center was being run better than it has ever been run, and everyone was pitching in to do the work.

Justin was asked about the waste-oil furnace and the concrete pad; he is still waiting to hear from DES about the concrete pad, and waiting to see if he receives the grant for the furnace.

Roofs – Justin stated that the roof at the recycling center had been repaired. Chief Lockwood stated that both roofs, the one at the recycling center and the Iron Works fire station had been repaired, and both had come in under the estimates.

Public Input - Chairman Abbott read “Public input is reserved to allow residents, without prior notice, to bring forward new information on matters of interest to the Town. Existing cases or applications shall not be heard in public input. The Selectmen reserve the right to end testimony during public input at their sole discretion. No vote will be taken on any matter brought in through public input unless a dire emergency requires such action. Residents with existing cases or applications shall use the channels established for appeal or submission of new information in their cases.”

Fire Pit – Paul Dionne of Sawyer Lake addressed a problem with an alleged non-permitted or inspected propane tank that a neighbor had allegedly installed too close to the property line in 2002. He said he had let it slide because it hadn’t affected him because he was here only a couple of weeks in the summertime, but he now lives here full time, and had not been able to get a permit for his fire pit because of the location of the tank.

Mr. Dionne presented the Selectmen with a letter and pictures explaining his situation, and what action the Code Enforcement Officer and the Fire Chief had taken. The Selectmen will look into the matter.

Public Works Mutual Aid Program – Johnna McKenna asked if the Selectmen were aware of the Public Works Mutual Aid Program. It costs \$25 per year for road agents to join. If you are a member of this program, and there is a natural disaster such as a tornado or flood, and your town resources are exhausted, you could get help from other towns through this program. Johnna gave a copy of the brochure and agreement to the selectmen; this information will be passed on to Paul Perkins.

Metrocast rates – Tim informed the Selectmen that we had received the new rates for Metrocast effective January 1, 2010.

DRA Yearly Review Assessment Procedures – Tim informed the Selectmen that DRA does a yearly review of our assessment procedures to ensure that things are being done correctly. He reported that we had received a “thumbs up” all around.

NH Municipal Conservation Fund Guide Booklet – Tim stated that we had received a booklet called the NH Municipal Conservation Fund Guide Booklet that tells how, and

what the conservation commission can do with their funds. The booklet will be kept in the office.

Bridge Replacement Costs – Tim said we had sent a letter to the State asking them for estimates on costs for replacing the three bridges in town that will have to be replaced. The State bridge aid covers 80% of the cost. The estimates based on 2010 prices were as follows:

Stage Road Bridge over Nighthawk Hollow Brook - \$925,000 – Town’s share \$185,000
Crystal Lake Road over Nelson Brook - \$750,000 – Town’s share \$150,000
Stage Road over the Brook by Beauty Hill - \$650,000 – Town’s share \$130,000

Trustee Meetings – Tim informed the Selectmen of a notice from the Attorney General’s Office of the twenty-fifth Annual Seminar on Trust Fund Administration and Statutory Filing Requirements. The meetings are for the cemetery trustees, trustees of trust funds and library trustees. The information will be forwarded to the trustees.

Processed glass aggregate – Tim said there was an article in the “Road Business” magazine that is put out by the UNH Technology Transfer Center on using processed glass aggregate in roads. There was a brief discussion on using the crushed glass we have, if we have enough, when we do the public safety building. Tim stated that if we don’t have enough, the Town of New London has a processor. He said they take glass from other communities, crush it, and then sell it to municipalities at a reduced rate. Chairman Abbott will discuss it with Justin Leavitt and John Ricci.

Haas – Parsonage Hill Road - Tim said he had received a call from Joe Haas, and Joe is still looking for a way to smooth out Parsonage Hill Road for logging. Tim said Joe thought, from the letter he had received, the Selectmen might not have understood what it was he wanted to do; he wasn’t trying to upgrade the road, just make it “travelable” for logging trucks.

There was a brief discussion during which it was stated that the Selectmen had driven out there and had met Mr. Haas, and they felt the road is fine for logging trucks to get in. Tim was asked to send Mr. Haas a letter stating that they stand by their decision, and he is not to cut any trees along the road.

Hazardous Mitigation Plan – Chief Lockwood stated that he had met with the Lakes Region Planning Commission (LRPC) regarding the Town’s Hazard Mitigation Plan. The law requires that the plan be updated every five years; ours was last done in 2005. He said the last time it had been done by a private vendor, and was generic. Chief Lockwood said the LRPC would do the job for us; it doesn’t cost any money because there is a grant available for that. We already have the grant from the State Emergency Management to do it. Chief Lockwood asked permission to have LRPC do the update, and stated that it required three to five required meetings that he (KG), a Selectmen’s

Representative, the police chief, Tim Warren, a representative from the planning board, a citizen at large and the road agent would have to attend. The Selectmen approved Chief Lockwood's request to have LRPC do the update, and to schedule the meetings.

Other Issues - Chief Lockwood informed the Selectmen that repairs had been done to Ambulances one and two and Engine three had an air leak. He also asked Selectman Guarino to assist him in moving the sign at the Safety Building site.

Unit Commendation – Chief Lockwood informed the Selectmen that his department would be receiving a unit commendation as providers of the year from the hospital for the “save” they had on Cogswell Rd. This is to take place on May 19th at 7:00 at the Shalimar in Tilton.

Update - Public Safety Building – Chairman Abbott stated that we are getting the bond for the safety building through Laconia Savings Bank, and the \$2,500 origination fee could be taken from the bond. She said John Ricci had the results of the core samples, there a couple of things we need to add, stone beneath the concrete footing and a foundation drain, and about four inches of gravel beneath the paved area; this is where Chairman Abbott asked about using the glass aggregate. Chairman Abbott stated that we would be able to go ahead with the groundbreaking.

Hydrant Project – Chief Lockwood thanked Nanci Mitchell for the help she had given them that made it much easier for them to get the permits for the hydrant project.

Christie Land Gift & Conservation Easement - Conservation Chair Nanci Mitchell introduced Nancy Christie to the Selectmen.

Mrs. Christie is in the process of gifting two parcels of land to the Town and had wanted to meet the Selectmen. One parcel is around 14 acres, the other about 20 acres. One land has a conservation easement held by the Five Rivers Trust. Mrs. Christie wanted the land preserved, but didn't want to own it any longer. Nancy said the easement has no commercial activity and no forestry or agriculture. Hunting and fishing are allowed, but trapping is not. There was a brief discussion of the properties, and their possible use. Nanci said that Mrs. Christie still has to speak with her attorney, and Town Counsel has to review everything before the land can be gifted to the Town.

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

MOTION – Selectman Hatch moved to approve the minutes of April 19, as amended. Selectman Guarino seconded. Motion passed 3-0.

ZBA Decision – At a prior meeting the Selectmen had discussed a decision made by the ZBA to grant a variance that would take two currently conforming lots, subdividing them and making one of the lots into a non-conforming lot because it was less than ten acres in

the conservation zone. Tim said he had spoken with Jay Whitelaw of the Mitchell Group about the issue. He said he had sent her copies of the draft minutes and the ZBA decision along with a map of the property. Tim said he was told we could appeal the decision, but it might be hard to prove harm in this particular case because of the stipulations placed on the twenty-seven acres, and the fact that the smaller lot was in keeping with other five-acre lots in the area, and each ZBA decision is based on a case-by-case basis. Tim was asked to check with Town Counsel to see if this would be setting a precedent.

Groundbreaking Ceremony – Chairman Abbott stated that the groundbreaking ceremony for the Public Safety Building is set for May 8th at *10:00am.

**The meeting time has since been changed to 9:00 am.*

8:15 pm – Break

8:21 pm – back in Session

Propane Tank – Tim stated that he had spoken with Bob about the situation Mr. Dionne had brought forth earlier tonight regarding a propane tank. He said Bob and Mr. Dionne disagree as to where the property line is. Tim said Bob measured the distance from the tank to the stonewall, and it is about fifteen feet; the tank has been there for a number of years. Tim said Bob has no control over making someone move a tank that has been set in place for a number of years. The Selectmen reviewed the pictures, and discussed the situation. Tim said Mr. Dionne had gotten fire permits before, but Chief Lockwood won't give a permit because of its closeness to the tank.

After discussion, the Selectmen felt it is not a Selectmen issue; the fire chief and code enforcement officer should discuss it, and handle it. Tim will write a letter to Mr. Dionne informing him of their decision.

Cable Subsidy – There was a brief discussion on Mrs. Howe's question of the Town subsidizing homeowners getting cable to areas outside of the areas MetroCast currently serves. The Selectmen agreed that the town couldn't subsidize individual residents.

Mutual Aid for Public Works – Selectman Guarino questioned if we should get involved with the Mutual Aid for Public Works that Mrs. McKenna had brought forth. He was concerned that it could become an unexpected cost to the Town because he felt we wouldn't be obligated to just neighboring towns, but to towns throughout the state. There was a brief discussion, and Don said he would research what the Town's responsibilities would actually be; he will also talk with the road agent.

8:37 pm - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Guarino 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 Hatch seconded.

The Selectmen discussed a welfare situation.

8:40 pm – Out of Non-Public Session

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

8:41 pm - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Guarino 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 Hatch seconded. Motion passed 3-0.

The Selectmen discussed a code enforcement issue.

8:47 pm – Out of Non-Public Session

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

Capital Improvement Program – The Selectmen reviewed and discussed the information that Justin Leavitt had prepared for the Capital Improvement Plan for the Recycling Center. The Selectmen will work in conjunction with the planning board and the budget committee on the capital improvement plan, which is part of the master plan.

There was considerable discussion of items that the Selectmen would have to address to present for the capital improvement plan. Items of concern are bridges, town buildings, roofs, paving, painting, gutters, furnace, sprinkler system and lighting replacement. Buildings that need to be considered are the Academy Building, the Iron Works Fire Station, Iron Works Town Hall, the Town Garage, the Corner Library, Recycling Facility, the buildings at Crystal Lake Park and the Public Safety building. Tim was asked to make a list, by building, of things they would need for the Capital Improvement Plan.

Spruce Tree – Tim said a resident has a 15’ to 20’ high spruce tree they are willing to donate to the Town because it is interfering with power lines where it is now. He said they know someone who has the equipment and is willing to dig up the tree with a root ball and would plant it somewhere. They felt a good spot might be on the front lawn of the Academy Building. After discussion, it was decided that would not be a good spot because of the flag pole, and the fact that the lawn is used for many occasions such as the 4th of July celebration and the farmer’s market. It was stated that a good spot for the tree might be at the new public safety building once the landscaping is done.

04-26-10 BOS

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Smart Start Program – Chairman Abbott stated that a letter from the Energy Committee states that the Selectmen should contact Craig Snow at the NH Energy Cooperative to initiate an application for energy conservation financing through the Smart Start Program in order to move forward. Tim was asked to contact Mr. Snow.

9:25 pm – MOTION – Selectman Guarino moved to adjourn the meeting. Selectman Hatch seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk