

**Board of Selectmen  
7 May 2007  
Minutes**

**6:00 p.m.** - Chairman Brian Forst called the meeting to order. Present were Chairman Forst, Selectmen Don Guarino and David Clairmont, Administrative Assistant Tim Warren and Clerk Lois Dionne.

**6:05 p.m. - 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 Clairmont seconded.

Members of the Firemen's Association requested a non-public session with the Selectmen and Lois only to discuss fire department issues. Tim Warren left the meeting.

**7:03 p.m. - Out of non-public session**

Selectman Guarino moved to come Out of non-public session. Selectman Clairmont seconded. Motion passed 3-0.

**MOTION- Selectman Guarino moved to seal the minutes of the meeting with the firemen's association. Selectman Clairmont seconded. Motion passed 3-0.**

Tim Warren returned to the meeting.

**7:08 p.m. - Public Input**

**Clearing Brush - Smith Meetinghouse** - Present were George Roberts and Frank Bosiak, members of the executive committee for the 1<sup>st</sup> Congregational Society (AKA Smith Meetinghouse). George explained that a few years ago the committee had a survey done for the meetinghouse by Paul Darbyshire. He said survey lines had been drawn from the existing stonewalls along Governor's Road, based on their width. Mr. Roberts said they were pretty consistent throughout, but there was a place where the stone wall was disturbed, so Mr. Darbyshire had suggested they keep a straight line. Mr. Roberts stated that there is a section on the corner of Governor's Road where there has been an encroachment of trees. Mr. Roberts was asking permission to cut the brush in this area to

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enable them to keep the road wide enough (22 feet) for access to the Meetinghouse property. He explained just how they wanted to do it. This would be in the Town right-of-way, but would be along the Bartlett's property line. There is one bush that Mr. Roberts wasn't sure what it was, but said if the Bartletts wanted them to, they could move the bush anywhere on their property that they wanted it. Brian asked if Mr. Roberts had spoken with the Bartletts. George replied that he hadn't yet. Brian felt that would be the first step. Tim will contact the Bartletts, and ask if they would meet with the Selectmen and Mr. Roberts to discuss the issue.

**Sand – Crystal Lake Beach** – Crystal Lake Park Attendant Judy Williams asked if anything was being done to the beach at Crystal Lake. She was told we would be replacing the sand on the beach. Judy was concerned about the drop off that had been created by the sand that was washed into the lake, and asked about that. She was concerned that the drop off could be dangerous to small children and create a liability issue. Judy was told that we had gotten permission from DES to replace sand on the beach, but not to dredge it from the water; we need a dredge and fill permit for that, and haven't been able to get that yet. There was a brief discussion during which, Judy explained how they meant to correct the problem so a washout wouldn't happen again, which had been one of the requirements in getting a dredge and fill permit. Don felt he would like to talk to DES to see if we could get an emergency dredge and fill permit. Brian Forst said he would haul the sand for the beach, and hoped it would be done before Memorial Day.

**Staircase & Railing over Vault** – Selectman Guarino stated that the HDC was concerned about the looks of the stairs and railings that had been erected over the vault. The top of the vault had to be higher than anticipated to meet code because of an electric conduit that was in the ground. He said the HDC is trying to soften the impact the vault has on that side of the Academy Building, and one of the suggestions had been that instead of the stairs going down to the parking lot, the egress could be out onto the lawn from the roof of the vault. Don said the HDC had felt it would need a handrail, and also that we could probably use the services of an engineer and a landscape architect to “wrap this up”.

There was a brief discussion during which George Roberts said we hadn't had engineering specs when the HDC approval had been given. He said he had spoken with a gentleman who was an architect and told him of their concerns. He said the gentleman told him that he would write the specifications to meet all the codes, so the contractor would know what to do to dress the side of the wall. George stated that the gentleman would do this gratis.

Tim stated that Deb Cornett and Bob Flanders are scheduled to come in next week at 6:00 p.m. to discuss the issue. Chairman Forst stated that they would take the meeting outside to review the issue, so everyone could get a clear idea of what was going to happen.

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**Conservation Easement** – Conservation Chair Nanci Mitchell brought in the finalized copy of the conservation easement on the Bacon property for the Selectmen’s signature. The Selectmen and Nanci signed the easement, which was notarized by Tim Warren.

### **7:53 p.m. – Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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.

Claire Wilkins had requested a non-public session with the Selectmen to discuss a tax issue.

### **8:06 p.m. – Out of non-public session**

Selectman Guarino moved to come Out of non-public session. Selectman Clairmont seconded. Motion passed 3-0.

### **Interview – ZBA Applicant**

**Rachel Hatch** had sent a letter requesting to be appointed to an alternate position on the Zoning Board. Rachel stated that she used to be a full board member of the ZBA, and she is trying to find a way to serve the town in any capacity she can; she heard there was an opening on the ZBA, so she would like to apply. It has been nine years since Rachel has served on the Board.

Chairman Forst asked Rachel how she saw the current operation of the ZBA as it is currently operating. Rachel said she had the opportunity to observe them about a year ago when she was substituting for the ZBA recording clerk, and was very impressed with the organization of the ZBA. She felt Betty Hackett was an excellent chairperson, and that there was enough diversity on the board, and the board asked a lot of pertinent questions; they didn’t just “rubber stamp” approvals or denials. Rachel said she knew she would have to brush up on the zoning ordinances, but she is willing to do that, and has the time and desire to put into it.

Brian stated that the Selectmen appoint ZBA members, and he feels it is important for appointees to understand that decisions they are making are based on zoning ordinances. Rachel stated that when she had been a member, part of her job was to visit each individual site, and if the property owner were home, she would talk with them to try to get a better understanding of what they were planning. She said she always tried to be very well prepared for the meeting, but keeping an open mind, and her attitude is that each case is judged on its own merit. Rachel said she also knows and understands the

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difference between variances and special exceptions and appeals to administrative decision.

Don asked Rachel if she felt she would be able to make all the meetings. Rachel said she would behave as if she were a full voting member, and because of where she lives she doesn't have any special interest in any of the lakes districts, and feels she could be objective.

**MOTION – Selectman Guarino moved to accept Rachel Hatch's application to become an alternate member on the ZBA. Selectman Clairmont seconded. Motion passed 3-0.**

**Brett Currier** had called and asked to have his name removed from consideration as an alternate to the ZBA.

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

**Logging Operation – Middle Route** – Selectman Clairmont asked if the logger doing the work off Middle Route had been contacted regarding the Selectmen's concern about the entrance to the logging area possibly eroding Middle Route. Tim said a letter had been sent to the logger, and the logger had also been told to call Paul Perkins to see what he could do about letting them in there before he lifted the ban on the roads. He said he hasn't talked to Paul to see if they had contacted him, but the roads are no longer posted, so they can get in there anyway.

**Shellcamp Beach Culvert Replacement** – Tim said he had called and spoken with or left messages for all the contractors the Selectmen had requested he call requesting a bid for the replacement of the culvert at Shellcamp. He said Dave Clairmont's name had been on the list, but he hadn't called him because he felt it would be a conflict of interest. Dave had asked about that when his name had been mentioned last week. The Selectmen agreed that because the contractors were invited to bid it would be a conflict of interest, but if, in the future, jobs were advertised for anyone to bid, it would be acceptable for the Selectmen to bid on them.

There was a discussion of the project regarding the size of the culvert and the type of catch basin needed. Selectman Clairmont felt it would be a good idea to have a site walk with interested contractors so they would know exactly what the job entailed. A site walk will be held on Saturday, May 12<sup>th</sup> at 4:00 p.m.

Bids for the project have to be in to the Selectmen by 4:30 p.m. on May 17<sup>th</sup>. The Selectmen will open the bids on May 17<sup>th</sup> at 6:00 p.m.

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**Hole in Salt/Sand Shed** – Dave asked if Paul Perkins was aware of the hole in the fabric at the sand/salt shed. Tim said Paul had been notified, and that he (Tim) would contact Steve Green (the man from whom we bought the shed).

**Thank you letters** – Selectman Clairmont stated that he was very disappointed that Brett Currier had withdrawn from consideration for ZBA alternate. He felt you have to be involved if you want things changed. Dave was also disappointed in the lack of response to most of the vacancies on the various boards, with the exception of the Planning Board. He felt, however, that we should send a letter of thanks to all the applicants for the Planning Board who didn't get selected to show our appreciation for their having applied. The other Selectmen agreed that would be a nice gesture.

**Response from DOT – Road Issues?** – Selectman Clairmont asked if we had any response from DOT regarding our concerns on Crystal Lake Road, on 107 & 140 and 140 and Elm Street in the Iron Works. Tim replied that we hadn't had any response. Dave said we should keep sending letters until they respond.

**Term Limits** – Tim informed the Selectmen that he had done more research on whether the Selectmen could set term limits for the various boards, and they can't. He said he had spoken with LGC (Local Government Center), and they said the only thing the Selectmen could do would be to not reappoint an applicant when their term expires. Tim said they suggested that the applicant be asked to take an alternate position on the board, so they could still have the benefit of their experience, and at the same time allow "new blood" on the board.

**Places Mill Road** – Tim said Phil McLaughlin had sent an email to Bob Flanders with a letter from Ovide Lamontagne of the Boy Scouts regarding Places Mill Road. Tim said Bob has spoken with Phil and has made some changes because neither Bob nor Phil agreed with everything in the letter. Tim said the Scouts are supposed to come back here to us with an RFP by the 15<sup>th</sup> of May.

There was a brief discussion of the letter, and it was stated that there was supposed to be another site walk with the new representative from the Daniel Webster Council, and all the representatives from Hidden Valley to identify areas with problems, so everybody could be on the same page as to the scope of work.

**Recycling Center** – A couple of weeks ago Recycling Manager Doug Kaplain had informed the Selectmen that he had to close early because of the dumpster filling up. He had been asked to have Ralph Goodwin change his day of dumping, as he had done last summer, to try to alleviate the glut of trash being dumped on Sunday. Tim reported that Ralph had agreed to change the day he drops his trash off.

**Iron Works Fire Station Garage Doors** – Tim informed the Selectmen that the garage door project at the Iron Works fire station has been completed.

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**Refurbishment of Fire Truck** – Tim said the fire department had received two bids for the refurbishment of the fire truck, and expects a third one on Friday.

**Crystal Lake Assoc. Newsletter** – Tim told the Selectmen that we had received the annual newsletter from the Crystal Lake Association, and it is available in the office if they wish to read it.

**NHIS Traffic Control Plan** - Tim said we had received an NHIS Traffic Control Plan for the two major events at the racetrack. It is also available to read in the office.

**Food Pantry** – Tim informed the Selectmen that the Gilmanton Community Church is starting a food pantry. The grand opening will be May 12<sup>th</sup>, and is open to all Gilmanton residents. Proof of residency is required. The pantry will be open the 2<sup>nd</sup> and 4<sup>th</sup> Saturdays of the month from 10:00 a.m. to 1:00 p.m.

Tim told the Selectmen that employees in the office had considered starting something in the basement of the Academy Building for personal items and items such as toilet paper and paper towels because many times people who need assistance aren't allowed to buy these items with a food voucher.

**Worker's Comp & Employment Law Seminar** – Tim informed the Selectmen that Primex would be putting on a Workers' Comp and Employee Law Seminar on June 8<sup>th</sup> from 9:00 a.m. to noon at the Elliot Hospital in Manchester. Tim said he would be attending.

**Paramedic Intercepts** – Selectman Clairmont had questioned an invoice for paramedic intercepts a couple of weeks ago, and asked if it was something for which we were reimbursed. Tim Warren explained that we get a bill for a paramedic intercept if we have a patient enroute to Concord and a paramedic is needed before we get there. The paramedic will meet the ambulance, and we get billed for his/her services. We don't get reimbursed. Tim added that if Pittsfield should need a paramedic and we respond, we charge them for a paramedic intercept.

**Storm Damage** – Tim said Paul Perkins had estimated the cost of the damage to the roads in town during the last rainstorm to be \$150,000, and because we opened a shelter, the school, we get an additional amount, so we are now up to about \$152,000. He said Belknap was declared an emergency area, so FEMA is in the locality. Tim stated that Chief Robbins had attended a FEMA meeting in Belmont today. The paperwork needs to be submitted within sixty days. Tim said that there is no emergency management money available to individual property owners at this time.

**Berry Ave** – Brian Forst asked what needed to be done on Berry Ave. to address the situation with lot line issues. Tim said he was going to ask the individuals involved to meet with the Selectmen on May 21<sup>st</sup>.

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**Donovan Road** – Brian stated that he knew Don Guarino had gone out to Donovan Road. He said he and Dave had been out there when reviewing the tax lien properties on Sunday. They discussed the work that had been done out there, and the Selectmen didn't feel the work that had been done exceeded the guidelines the Selectmen had set.

**Highway Dept. Hours** – Tim informed the Board that Paul Perkins had said the Highway Department has going to start their summer work schedule of four 10- hour days starting this week.

**Legal Fees** – The Selectmen have been concerned with the amount that is being expended in legal fees by the various land-use boards. There was considerable discussion as to whether some of the situations might be handled in a way to avoid them becoming legal issues.

**Approval of Minutes**

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

**MOTION – Selectman Clairmont moved to accept the minutes of April 30, 2007 as written. Selectman Guarino seconded. Motion passed 3-0.**

**10:05 p.m. – MOTION – Selectman Guarino moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk