

**Board of Selectmen  
17 September 2007  
Minutes**

**6:22 p.m.** – Selectman Donald Guarino called the meeting to order. Present were Selectmen Guarino and Dave Clairmont, Administrative Assistant Tim Warren and Clerk Lois Dionne. Chairman Forst was not in attendance.

**6:23 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 2-0.

The Selectmen discussed a fire department issue with Chief Robbins.

**6:59 p.m. – Out of Non-Public Session**

Selectman Clairmont moved to come Out of Non-Public Session. Selectman Guarino seconded. Motion passed 2-0.

**MOTION – Selectman Clairmont moved to seal the minutes of the nonpublic Session with Chief Robbins. Selectman Guarino seconded. Motion passed 2-0.**

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

**FYI's & Other Business**

**State Auction** – Tim Warren informed the Selectmen that he had received a notice from James St. Jean Auctioneers that the State Auction would be held at the White Farm in Concord on October 13<sup>th</sup>. Items to be auctioned need to be at the White Farm on Thursday and Friday, October 4<sup>th</sup> and 5<sup>th</sup>. He said the Town doesn't have anything going to the auction this year.

**GAT (Guaranteed Annual Tonnage)** – Tim said he had received a letter from Concord Regional Solid Waster informing us that it is time to set our GAT for 2008. There was a very brief discussion on the GAT, and it was decided to wait until next week when the full board would be present to set the GAT.

## **09-17-07 BOS**

**Air Grease Pump** – Tim reported that a resident had dropped off a 120 lb. professional air-operated grease pump package at the recycling center to be disposed of. He said Doug Kapplain spoke with Paul Perkins, and the pump has been forwarded to the Highway Garage.

**Telephone Service** – Tim said that five years ago we had a company out of Maine that was a retailer of telephone services, and because they didn't have to charge the same rate as Verizon, even though Verizon's wires came into the building, the other company sold the long-distance service, and we had used that company for a couple of years before it went defunct, and it had saved us money. Tim said that an individual from another company, who does the same thing, has contacted him and they are analyzing our telephone bills and expenses to see if they could save us any money.

**Letter – School District** – Tim had a letter from the School District asking for support from the Selectmen in the participation and development of the Emergency Response Plan that is required by law under RSA 189:64. There is to be an informational meeting on Tuesday, October 4th at 9:00 a.m. at the Gilmanton School; the meeting will be facilitated by Greg Chaplain from the NH Dept. of Safety. The letter stressed that it is critical that local emergency authorities such as Selectmen, Town Administrator and fire and police be present, as the law stipulates that our (school) plan shall be coordinated with local emergency authorities and with the emergency operations plan in the municipality in which the school is located. Tim stated that this is the same emergency preparedness plan that Deb Cornett had mentioned last week. Tim will contact Deb to see if she would go. He said that Walter Mitchell, School Board Chairman, had contacted him and said he (Tim) and at least one of the Selectmen should attend. Selectman Clairmont will let Tim know if he can attend.

**Municipal Law Lecture** – Tim reminded the Selectmen that the Municipal Law lectures regarding land-use laws start next Wednesday.

**Web Site** – There had been discussion about getting a Town website professionally set up, and then being maintained by the Town. There would be a cost of \$4,000 to get it up and running. It was felt the money would be well spent in that it would enable minutes from all the Board Meetings, and other happenings and items of interest to be posted, and available for all people who own property in Gilmanton to access 24-hours a day, seven days a week. People who live out of town, and residents who do not have access to cable TV could access this website. It was decided to ask all the Department Heads to contribute toward the set up of the website, and to forego items in their current budget to enable this to be done. Dave asked if anything had been done about contacting them. Tim reported that a memo had been sent to all the Department Heads, and the ones he had spoken to had thought it was a good idea. Tim said Deb has contacted the individual that they had spoken to before, and he is going to come back in next week to speak to them further about it.

## 09-17-07 BOS

**Building Dept. – ID Requirements** – Tim stated that for the past year the Building Inspector has required a copy of the Electricians and Plumbers licenses, as well as a photo ID when people are applying for a building permit, or having work done on their homes. The photo ID is usually in the form of a driver's license. He said some individuals have not wanted to give us that information, and Bob has withheld issuance of permits until we have received that information. Tim said he understood that the request had originally come from the State Plumbing Board because there had been instances where the individual's name on the permit was not the person who had done the work.

Tim stated we had amended the building packet to include that the applicant was to have copies of Plumbers and Electricians Licenses, as well as a copy of a driver's license or photo ID. He said the Board of Selectmen had adopted this change in March of 2006. Tim said that when reviewing a building application this afternoon, Bob Flanders had requested that information, and had been told that no other town requires this. He said the electrician did come in later and gave us a copy of his electrician license and a photo ID. Tim said Deb Cornett has made us aware that under the State of New Hampshire Division of Motor Vehicles Regulations, Drive Privacy Act, NH RSA 260:14 the Division of Motor Vehicle's records are confidential; that includes driver's licenses, therefore, we cannot require that information. We can ask to see it, but cannot copy it. Tim said we have to amend the building packet to read that a photocopy of the practicing license is required.

There was a brief discussion on requiring the driver license.

**MOTION – Selectman Clairmont moved that we amend the requirements of the building packet checklist Item 7 to read that we require a photocopy of the State electrician's and plumber's license, to be presented at the time of the application for a building permit. Selectman Guarino seconded. Motion passed 2-0.**

**Class VI Road Information Sheet** – Selectman Clairmont asked if Selectman Guarino had the opportunity to review the Class VI road information he had given the Selectmen. Selectman Guarino replied that he had, but felt it should be discussed as a whole board. Dave stated that there is to be a Class VI Road meeting this week, and he had wanted to present the information sheet at the meeting. Tim Warren felt it could be discussed, as Dave wanted input on the draft before presenting it to the Class VI Road Committee.

The Selectmen reviewed the draft information sheet. There were a few minor changes, but was generally felt that the information Dave was suggesting was pertinent in determining whether a Class VI Road should be allowed to be upgraded, and would be helpful in the establishment of an inventory of Class VI Roads.

Dave will bring the information sheet to the Class VI Road Committee meeting, and will bring their feedback to the Selectmen.

## 09-17-07 BOS

**Review of Minutes** – The Selectmen reviewed the minutes of last week’s meeting.  
**MOTION – Selectman Clairmont moved to accept the minutes of September 10, 2007 as amended. Selectman Guarino seconded. Motion passed 2-0.**

**Salt/Sand Shed** – Selectman Clairmont asked if GDE Corp. had responded to the certified letter that was sent concerning a patch kit for the fabric sand shed. Tim replied that the company had sent someone who came and patched the shed for us.

**Old Salt/Sand Shed** – Dave stated that he had driven by the old salt/sand shed site on Currier Hill Road, and the silt fence had been removed. Tim said we had received a copy of the Wetlands Scientist Report on that site. He said we have a copy, a copy was sent to the State, and a copy to the Conservation Commission. Dave asked if that meant that as far as we are concerned, the project is complete. Tim felt that was the case.

**Middle Route – Grinding & Paving Project** – Selectman Clairmont stated that the grinding and paving on Middle Route had been done, and everything looks great.

**Bell Tower – Academy Building** – Selectman Clairmont asked Selectman Guarino if Henry Page had responded to the request Don had made concerning the bell tower on the Academy Building. Tim Warren said he had seen Mr. Page at the store last week, and Mr. Page had said he would be stopping by within the next couple of weeks to look at it. Don said he had spoken with Mr. Page, and Mr. Page had thought it could be a bigger project than we thought. Don felt this would be a good time to find out, before the budget season.

**ZBA Alternate** – Selectman Clairmont asked if Adam Gilbert has been scheduled for an interview for the alternate ZBA position. Tim replied that he would be scheduled for next week.

**Places Mill Road** – Selectman Clairmont asked the status of Places Mill Road Project regarding the contract, bond, payment schedule, and deposit of funds from the Daniel Webster Council. Tim said Bob Flanders had spoken with Attorney McLaughlin, who spoke with Ovide LaMontagne of the Daniel Webster Council, and Ovide had said that his understanding was that once the first \$60,000 had been spent, the Council would deposit the rest of the money. He said Bob and Attorney McLaughlin said, “No, the final agreement was that all funds would be deposited.” Tim said Attorney McLaughlin was going to relay that back to Ovide LaMontagne. Tim said we hadn’t received the bond from the Potters, but he had spoken with them today, and was told that information would be coming from his insurance company either today or tomorrow. Tim said no mention had been made of a payment schedule, and we have no actual contract. Dave felt we needed to have a contract signed before we could proceed. Don agreed. Tim said Bob Flanders had been out there (Places Mill Road) today and had concerns about the headers on two culverts. He said rocks had been placed, but they weren’t mortared, which Tim felt was a requirement.

## 09-17-07 BOS

**Nutter Construction/Dane Thompson** – Selectman Clairmont said it is his understanding that Nutter Construction is not going ahead with a deal with Dane Thompson; nothing has come before the Planning Board.

**Darbyshire Reconsideration** – Dave asked if Tim had received anything from the Planning Board as to whether they would accept the Selectmen’s recommendation to rehear the Darbyshire case. Tim said he hadn’t received a memo, but had received an unofficial note that they have decided not to reconsider the decision. Dave felt that left the Selectmen with a small window of opportunity to act, if the Board wished to do so.

**Aerial Photography/Current Use** – Selectman Guarino was concerned about the accuracy of aerial photography in terms of land coming out of current use. He said several people have talked to him about it. Tim replied that the photography is accurate, and in addition to the photography, they use surrounding surveys and deed descriptions. Tim said none of the property that had been disqualified had been real close; they had all been at least two acres or more.

Selectman Clairmont asked about the legality of posting land in current use. Tim said it is legal unless the owners have an addition “recreational” adjustment on their taxes.

### **9:17 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Clairmont 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 Guarino seconded. Motion passed 2-0.

The Selectmen discussed a Recycling Center personnel issue.

### **9:22 p.m. – Out of Non-Public Session**

Selectman Clairmont moved to come Out of Non-Public Session. Selectman Guarino seconded. Motion passed 2-0.

### **9:23 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Clairmont 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 Guarino seconded. Motion passed 2-0.

The Selectmen discussed a Building Department personnel issue.

**09-17-07 BOS**

**9:32 p.m. – Out of Non-Public Session**

Selectman Clairmont moved to come Out of Non-Public Session. Selectman Guarino seconded. Motion passed 2-0.

**9:33 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 2-0.

The Selectmen discussed an unfulfilled agreement.

**9:47 p.m. – Out of Non-Public Session**

Selectman Clairmont moved to come Out of Non-Public Session. Selectman Guarino seconded. Motion passed 2-0.

**9:48 p.m. – MOTION – Selectman Clairmont moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 2-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk