

**Board of Selectmen  
24 September 2007  
Minutes**

**6:07 p.m.** - Chairman Brian Forst called the meeting to order. Present were Chairman Forst, Selectmen Don Guarino and Dave Clairmont, Administrative Assistant Tim Warren and Clerk Lois Dionne.

**Snowmobile Club – Paul Osborne**

Snowmobile Club president Paul Osborne and Don MacMillan were present to request permission for the snowmobile club to use portions of town roads to access their snowmobile trails.

Club president Paul Osborne stated that basically they wanted to use the same trails as last year. There were a couple of things he said the club would like to see, if possible. Paul O. stated that the Road Agent is ditching North Road, and asked if there was any way they could get a shelf in the areas where there is banking so they could keep snowmobiles off the road, but still on the road right-of-way. He said the club could do some brush cutting, and hire Brett to go through with his machine. Paul said they would also like to be able to make a boardwalk of five or six feet wide over wetland on Sawyer Lake Extension to keep the snowmobiles off plowed roads. Paul said there had been an issue in Valley Shores, but felt that had been resolved.

There was discussion regarding Mr. Osborne's requests, and Chairman Forst suggested that Paul speak with Paul Perkins, and told him that it is the Town's policy to check with landowners abutting rights-of-way before doing any cutting.

Don MacMillan informed the Selectmen that the Club also has a new crossing on Meadow Pond Road out of the State Forest.

The Selectmen granted permission for the Gilmanton Snowmobile Club to use the roads they have been using for the 2007 – 2008 season.

**ZBA Interview – Adam Gilbert**

Adam Gilbert had submitted a letter-of-interest to be an alternate on the Zoning Board. A copy of the letter had been forwarded to the Zoning Board Chairman, and Tim had told her the Selectmen would be interviewing Mr. Gilbert tonight.

## **09-24-07 BOS**

Mr. Gilbert is a Gilmanton native, and has lived in Town other than his years in the military. He is still in the National Guard.

Chairman Forst asked Mr. Gilbert where he sees Gilmanton going. Adam felt we need something to alleviate the tax burden, but is opposed to developing everything, but doesn't feel the Town should be "put in a bottle to ferment on a shelf in the basement." He felt either extreme would be detrimental to the growth and development of the town.

Selectman Guarino asked why Mr. Gilbert wanted to be an alternate on the ZBA rather than the Planning Board, as the Planning Board has a greater impact on the grow and development of the Town than the ZBA. Mr. Gilbert said he had heard about some ZBA cases, and felt they had been handled poorly, and hoped he could bring some fresh prospective to the board. Selectman Clairmont asked if Adam felt that time spent on the ZBA could be an asset if Mr. Gilbert should, in the future, wish to become a member of the Planning Board. Adam felt he would have experience with building and land use regulations, which might be useful in knowing why plans brought to the Planning Board might not work because of these regulations.

Selectman Clairmont asked if Adam would be able to devote the time needed to the position. Adam felt he could. Dave asked if there was the likelihood of Mr. Gilbert being redeployed to Iraq. Mr. Gilbert felt he wouldn't be deployed until at least 2011 because of the work he does. He said the unit needs to get familiarized with and have training on new equipment they are getting.

Carolyn Baldwin, member of the Zoning Board, explained some the responsibilities and duties involved with being an alternate member of the Board, and the importance of attending every meeting, even if they aren't a voting member, because you never know when a regular member might be absent, and the alternate would be asked to take their place as a voting member at that meeting. She also stressed the need to get training, and noted that there are municipal law lectures coming up that would be very helpful.

Mr. Gilbert was asked to sit in on the next Zoning Board meeting, which will be on October 18<sup>th</sup>, and then if he is still interested in the position to meet with the Selectmen on October 22<sup>nd</sup>.

### **GAT**

Last week Tim had informed the Selectmen that it was time to set the GAT (Guaranteed Annual Tonnage) to be sent to Penacook for 2008. As Chairman Forst was not in attendance at last week's meeting, it was felt they would like to wait until tonight to set the GAT.

Tim informed the Selectmen that the tonnage we have sent so far this year is down from last year. There was discussion on whether to lower the GAT or to keep it the same, keeping in mind that if it is lowered too much, and we go over our GAT, the cost for

## **09-24-07 BOS**

tonnage that we go over our GAT is almost doubled. The Selectmen carefully considered all the numbers and factors before making a decision.

**MOTION – Selectman Clairmont moved to amend the GAT to 1600 instead of 1625 tons for 2008. Selectman Guarino seconded. Motion passed 3-0.**

### **7:00 p.m. – Public Input**

Brenda McBride stated that she was glad to hear we were lowering the GAT.

**Landscaping – Old Town Hall** - Brenda commended the Selectmen for their choice of the person who has been responsible for the landscaping around the old town hall this summer. She said it looks nice, and we can be proud of it. *Jean Gagnon has done the landscaping this summer.*

**Handicap Parking – Post Office IW** – Brenda was concerned about the handicap parking area in front of the post office. She said it is marked on the street, but becomes difficult to see. Brenda asked if it would be possible to get a sign posted in that area.

**OLD Town Hall** – Brenda said she had heard the Selectmen talking about the old town hall, and the needs of the Police Station. She said the former Jahnle property next to the town hall is for sale. Selectman Clairmont felt the Town might want to contact the realtor to see if the owners of the property would be willing to sell a small portion of the property so we could possibly expand the parking area at the town hall.

There was a brief discussion of the property, and if selling a portion to the Town would keep the property a conforming lot.

**DOT** – Brenda informed the Selectmen that on May 29<sup>th</sup> she had received a letter from DOT (Dept. of Transportation) informing her that DOT was doing a survey on RTE 140 and Crystal Lake Road. She said she has spoken with them several times, and they are in the actual planning stage, and they do plan to take care of the drainage problem on Crystal Lake Road. Brenda was concerned because she had been told that her house is one of the houses that are very close to the road, but the Selectmen informed her that reconstruction of the road was fifteen or twenty years away. Brenda said she had also talked with them about the culverts that crossed under Route 140 and went on to the old Mill Road.

**Website** – Brenda said she had noticed that Bob Flanders was scheduled to meet with the Selectmen tonight, and asked the Selectmen to see if, when the website is up again, he (Bob) could put building permits that are issued onto the site. She felt in this way people would be able to know a person has a permit when they see building going on.

## 09-24-07 BOS

**LRPC (Lakes Region Planning Commission)** – Brenda asked if Lisa Robinson had been in to see the Selectmen; Lisa is the representative to the LRPC. Brenda said she has been working with the LRPC trying to coordinate with Hazardous Waste Day the reverse distribution of prescriptions and over-the-counter drugs to keep them out of the waterways.

Brenda informed the Selectmen that 72 households from Town had brought waste to the facilities for Hazardous Waste Days – 61 to Belmont, 1 to Bristol, and 10 to Laconia. Brenda said that overall about 42 ½% was paint, 22.4% were non-burnables, 6.1% was aerosols, 12.7 % mixed fuels, 1% mercury, 9.2% pesticides and a few miscellaneous. Brenda stated that UNH is going to be heated by the gas produced by waste management in Rochester, and the cost for the outlay of pipes should be made back in ten years.

Tim asked Brenda if she knew how many bags were collected in the roadside cleanup in the spring. Brenda said we had 398 bags.

### **Review of Minutes**

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

**MOTION – Selectman Clairmont moved to accept the minutes of September 17, 2007 as amended. Selectman Clairmont seconded. Motion passed 2-0. Chairman Forst did not vote, as he was not present at last week's meeting.**

**Linda Hamilton – Plourdes Way** - Linda Hamilton had addressed the Selectmen several times about changing the name of her road from Plourdes Way because a family named Plourde lived a couple of streets away, and she was concerned about confusion because of the name, and felt she didn't want her neighbor's name on her street. After several meetings and discussions, the Selectmen agreed that Ms. Hamilton could change the name of her street, but she would have to pay all expenses involved in the name change, which included having the map changed, the expense of notifying all the utilities, the cost of street signs, and any other expense involved in the name change.

Tim reported that Ms. Hamilton had agreed to pay the cost for changing the name, and had sent in three suggestions for names for the road, which had been requested by the Selectmen. Tim said the names she had submitted were, in order of preference, Stony Point, Autumn Cove and Lovejoy Lane.

There was a brief discussion, and the Selectmen agreed to submit the name of Stony Point Lane to 911 for approval.

**Berry Ave.** – Tim said we were here tonight to try to solve a problem in the Sawyer Lake area by offering a lot referred to as 163X on the original plan by sealed bid to abutters only. Present tonight were Bob Harding and James Boudreau, the only two abutters to the property.

## **09-24-07 BOS**

Chairman Forst clarified that we were to auction this lot, and then a swap of a town-owned lot and a lot owned by Mr. Harding would be done at Town Meeting. This is because the wrong numbers had been assigned to the original deeds when the area was developed.

There was a lengthy discussion, with Mr. Harding and Mr. Boudreau disagreeing that the Town owns two lots on the street, and that the Town is saying there is an extra lot on the street. They felt this had been proven when they and the Selectmen had walked the road and marked the lots last spring. This has been in contention for many years. The Town had the area surveyed, and felt it had been proven that lot was there. Tim stated that some of the lots had been numbered incorrectly on the original deeds, and that one of Mr. Harding's two lots had been numbered incorrectly. Tim stated that according to the deeds, one of the lots actually belonged to the Town, and Mr. Harding actually owns a lot that he had thought the Town owned. Mr. Harding agreed that the Town owns a lot there, and was not disputing that the numbers could be wrong, but he and Mr. Boudreau were adamant that there is only one lot on the street owned by the Town, and we are claiming there is a lot on the street that doesn't exist.. Tim had copies of the deeds for the properties on the street, but had only a quitclaim deed for the lot in question and could not pinpoint the location of that lot by the deed.

After much discussion and disagreement about the location and numbers of lots and the existence of lot #166, it was agreed that there could be no auction tonight, but that the original deeds to all the properties on the road that had the wrong numbers should be corrected. Tim stated that Attorney Philpot is attorney to the heirs of the original developers of the area, and has the authority to sign the corrected deeds. Chairman Forst asked Tim to check with Attorney Philpot to see what it will take to correct the problem.

### **8:52 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.

The Selectmen discussed a code enforcement issue.

### **9:37 p.m. - Out of Non-Public Session**

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

### **9:38 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

## **09-24-07 BOS**

protect a person who is a member of your Board, Committee or Subcommittee.  
Selectman Clairmont seconded. Motion passed 3-0.

The Selectmen discussed a contractual issue.

### **10:02 p.m. – Out of Non-Public Session**

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

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

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

**Governor's Road** – Selectman Clairmont asked if Tim had contacted the abutters on Governors Road to see if there were any objections to the First Congregational Society's request to cut the trees along Governor's Road. Tim replied that letters had been sent, but we have had no response.

**Class VI Road Information Sheet** - Selectman Clairmont informed the Board that he had brought the draft of the Information Sheet to the Class VI Road Committee for review. He brought notes he had made summarizing that meeting for the Selectmen to read. The Selectmen took the time to read Dave's notes. Dave didn't feel what he had presented was well received. Tim said he has heard that the meeting was just a bunch of bickering between Dave and Ella Jo about the two different forms (the original form drafted by Nanci Mitchell, and the one drafted by Dave). Don Guarino asked what the Committee had been unhappy about; he felt Dave had spent a lot of time on the draft he had made, and it almost duplicated what Nanci had drafted. Dave stated that they were unhappy because it contained content that focused on the road, as well as the environment. He said they were unhappy that he had left a section out of the sheet that stated what was recommend they do with the road; i.e. not allow any building, turn it into a trail or to allow some building, etc. Dave said that Nanci Mitchell would integrate the two forms and have a draft for the Board of Selectmen to review soon.

Chairman Forst stated that the Class VI Road Committee had been developed to make recommendations to the Selectmen. Tim said the Class VI Road Committee had been developed to inventory all the Class VI roads and make recommendations to the Selectmen regarding the suitability of development of the roads. He said they are now saying it is not their purpose to make recommendations to the Selectmen. Chairman Forst felt the Committee is getting off track as to what their obligations are. Selectman Clairmont stated that at one meeting they would say their obligation is to catalogue and inventory the road so the Selectmen will have a good inventory of all Class VI Roads, and another meeting the focus is something different.

## **09-24-07 BOS**

There was discussion about the Committee, building on Class VI roads, the need for information on the roads and recommendations to be used for developing these roads to enable the Selectmen to establish a Class VI Road Policy. Dave said he doesn't want it to be all about the roads, or all about the environment. It should be a combination of both.

**Places Mill Road** – Selectman Clairmont stated that it is his understanding that the aggregate materials for the Places Mill Road Project would not be coming from the Dane Thompson property.

**Emergency Response Plan** – Tim informed Brian of the informational meeting that is to be held on October 2<sup>nd</sup> at the school at 9:00 a.m. regarding the establishment of an emergency response plan. He told Brian that it was stressed that Town Officials including the Police Chief, Fire Chief, Tim Warren and at least one of the Selectmen attend the meeting. The other Selectmen had been informed of the meeting last week.

**Annual Conference** – Tim informed the Selectmen of the three-day 66<sup>th</sup> Annual Conference put on by the LGC in Manchester in November. He said he would be attending all three days, and there were a couple of sessions that Betty Hackett recommended Wendy attend, and Cindy might attend a couple.

**Steel Building** – Brian informed the Board that he had heard there is a metal boat-storage building in Laconia that is going to have to be removed. He said the building is not very old, and felt it might make a good firehouse. Brian wondered if this is something that should be pursued.

### **10:25 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 Guarino seconded. Motion passed 3-0.

A contractual agreement was discussed.

### **10:29 p.m. - Out of Non-Public Session**

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

### **10:30 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. Motion passed 3-0.

## **09-24-07 BOS**

The Selectmen discussed a fire department issue.

### **10:32 p.m. – Out of Non-Public Session**

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

### **10:33 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. Motion passed 3-0.

The Selectmen discussed an on-going code enforcement issue.

### **10:35 p.m. – Out of Non-Public Session**

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

### **10:36 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. Motion passed 3-0.

The Selectmen discussed an issue at the recycling center.

### **10:56 p.m. – Out of Non-Public Session**

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

### **10:57 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Guarino 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 Clairmont seconded. Motion passed 3-0.

The Selectmen discussed a recycling center personnel issue.

### **11:12 p.m. – Out of Non-Public Session**

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

**09-24-07 BOS**

**11:13 P.M. – MOTION – Selectman Clairmont moved to adjourn the meeting.  
Selectman Guarino seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk