

**APPROVED**

**Board of Selectmen  
28 February 2011  
Minutes**

**6:00 pm** – Selectman 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.

**Computer Policy** – The Selectmen have been working on a computer policy for the Town. One had been previously drafted, but never adopted. Updates were added, and the Selectmen will review the updated version and discuss it at another meeting.

**Recycling Center Update**

**Grant Authorization** – Recycling Center Manager Justin Leavitt requested that the Board authorize him permission to sign a grant application to NH The Beautiful to cover half the cost of the storage units he is getting. After careful review of the application, it was noted that the Selectmen needed to sign the application. The application was signed.

**Signs** – Justin noted that they earn points from NH the Beautiful for participating in the yearly earth day celebration. The points go towards getting signs on recycling. Justin said he is donating 60 points to the school to enable them to have a recycling sign for the school. The other points will be used to obtain signs regarding the disposal of electronics, a “thank you for recycling” sign and one stating that we now accept numbers 1 thru 7 plastics.

**Household Hazardous Waste Site** – The Lakes Region Household Hazardous Waste Committee is looking for a host cite like the one in Wolfeboro that is open once a month, year round to dispose of hazardous waste. Justin said they asked if Gilmanton would be interested in being a host cite. The Selectmen did not feel they would be interested in being a host cite. Justin said the committee had also discussed alternating sites for household hazardous waste day between Belmont and other towns, and asked if the Selectmen would consider that. After a brief discussion, Justin was asked to get more

information on that, and then the Board would discuss it. Justin will ask the recycling committee if this is something they would like to take on and investigate.

**Recycling Power Point and Survey** - Justin has put a power point and survey on the town website.

**Annual Report** - We received a copy of the annual report for the landfill for 2010. It is in the Selectmen's office.

**Reappointment** - Marty Martindale submitted a letter of interest to be reappointed to the Planning Board. Tim said they would like him reappointed before their next meeting on March 10<sup>th</sup>.

**MOTION – Selectman Hatch moved to reappoint Marty Martindale as a full member to the planning board. Selectman Hatch seconded. Motion passed 3-0.**

**Rollins Pond Dam** - We received a copy of a letter DES sent to Patricia Bosiak informing her that based on a review of title documents, they had determined that she owned the Rollins Pond Dam. Ownership of the dam has been in dispute for several years.

**Street Light** – A resident requested that the street light at the circle on Halmar Road be turned back on. Don will get the pole number, then contact the Co-Op to see who owns the light; it might be privately owned.

**Route 129 Shim** – We received a letter from DOS (Department of Transportation) informing us that they would be shimming 8.8 miles on NH Rte 129 just north of NH Rte 106 to NH Rte 107 in 2011.

**Fee Schedule – Building Dept.** – Tim presented the Selectmen with an amended fee schedule for the building department. We are allowed to assess a fine of \$50.00 per day for all work started without a permit. This had never been noted on the building fee schedule, but the Selectmen were asked to approve the amended schedule with the notice of the fine included.

A brief discussion ensued.

**MOTION – Selectman Guarino moved to accept the amended fee schedule. Selectman Hatch seconded. Motion passed 3-0.**

**7:00 pm – Public Input** – Present were Brenda and Brett Currier.

**Fire Dept. Evaluation** – Brenda Currier asked what the outcome of the evaluation of the fire department was. Chairman Abbott stated that there were a series of

recommendations that had to do with personnel, and they are going to keep them non-public. She said they had presented several options, which were weighed carefully; the Selectmen are moving forward, but are not prepared to talk about that because they are personnel issues. Brenda asked if they had recommended a full-time or a part-time fire chief. She was told they had recommended a full-time chief; the Selectmen agreed. Brenda asked if the Selectmen were taking applications and opening up a job search. She was told they were not. When asked if they were just hiring someone, Chairman Abbott said she wasn't going to discuss it any further. Brenda asked if they would be ready to talk about it at Town Meeting. Chairman Abbott replied that they hoped to. She added that whoever gets the fire chief position would have very specific directives based on the recommendations of the LGC. Brenda asked if they were adding another full-time firefighter. She was told they are not at this time.

Brenda asked if the evaluation was going to be made public. She was told that it isn't. Brenda asked why there were so many personnel issues in the report. She thought it had been designed to evaluate the direction the department should take. Chairman Abbott said it had been designed to evaluation management and personnel policies; once a new chief is in place, he/she would discuss it more fully with the department.

There was also discussion about whether the new chief would be a working chief, as the fourth full-time person.

**Tree – Allens Mill Road** – Brenda was concerned about a tree on Allens Mill Road that she thinks is in the Town's right of way, and she feels is dangerous; the bottom is rotted, and she is afraid it might come down on a car. She said she had brought it to the Selectmen's attention before, and Don was supposed to look at it.

There was a brief discussion of the tree, and if the town has to responsibility to pay to take down all the trees that residents are concerned about, especially if they are not on town property. Don will look at the tree.

**Cell Tower – Copp Road** – Tim informed the Board that there has been an application for a cell tower on Copp Road, and the gentleman had asked him if the Town would be interested in having any whip antennas on the tower. He said he was told that the company the gentleman works for might be able to help fund the antennas, cables, etc.

**Traffic – Varney & Mountain Road** - Tim said the information from the resident concerned about school children waiting for the bus due to the speed of the traffic in the vicinity of Varney & Mountain Road was passed on to Police Chief O'Brien. Speed details will be set up.

**Lease – Old Town Hall** – The Selectmen signed the revised lease between the Town and the Historical Society for rental of the space in the Old Town Hall that was vacated by

the police department. The lease will be given to the Historical Society for their signature.

**Register of Historic Places** - Thanks to Carolyn Baldwin's hard work and dedication, we received a letter and a certificate stating that the Old Town Hall in the Iron Works has been added to the New Hampshire Register of Historic Places, as of January 24, 2011.

**Grant for Furnace** – The paperwork for a grant for the furnace replacement has been signed and submitted. It is expected that we should get about \$5,000.

**Approval of Minutes**

**MOTION – Selectman Hatch moved to approve the minutes of February 14, 2011 as drafted. Selectman Guarino seconded. Motion passed 3-0.**

**MOTION – Selectman Hatch moved to approve the minutes of February 22, 2011 as drafted. Chairman Abbott seconded. Motion passed 2-0. Selectman Guarino was not in attendance at that meeting.**

**Conservation Commission** – Present were Conservation Chair Tracy Tarr, members Joe Derrick, Nanci Mitchell, Erin Hollingsworth and Clerk Desiree Tumas. Also in attendance were Tom Howe, member of Society for the Protection of NH Forests, Paula Gilman and Thomas Dombrowski.

**Gilman Conservation Easement** – In December the Selectmen accepted a gift of a conservation easement deed with restrictive easement from Paula Gilman subject to Mortgage Subordination from Merrimack County Savings Bank.

Nanci Mitchell explained that Paula wanted to get organic certification for her property, so asked the Selectmen to approve a change in the wording in the easement that would apply to any commercial sale of agricultural products. The Conservation Commission would be responsible to be sure that the yearly organic certification is obtained.

There was a discussion of the advantages of organic certification, which would mean that no chemicals could be used on the land. Paula said she is considering having commercially grown flowers, predominately peonies, and she wants to ensure that even after she is gone, it will always be done organically.

**MOTION – Selectman Hatch moved to approve to add the language to the conservation easement for Paula Gilman that any commercial agriculture must be certified organic. Selectman Guarino seconded. Motion passed 3-0.**

**7:40 pm – Public Hearing** - Conservation Commission Chair Tracy Tarr opened the public hearing on the purchase an undivided one-half interest in Tax Map/Lot 110/015

from the Society for the Protection of New Hampshire Forests (SPNHF), and turned the meeting over to Nanci Mitchell.

Nanci stated that the public hearing is in accordance with RSA 36 A-5 for the expenditure of \$9,000 from the Conservation fund for the purchase of real estate. She said SPNHF owns half interest in a property on Pine Circle, and would like to sell that half interest to the conservation commission. Nanci explained the commission already has a conservation easement on the other half interest of the property, and felt by buying the half interest from SPNHF they could protect drinking water sources, as the property abuts the highest yielding aquifer in Gilmanton.

Nanci gave a brief history of how the SPNHF had come to own a half interest in the property, and how the conservation commission had come to have a conservation easement on the other half interest.

There was a brief discussion of the necessity of a title search on the property. The SPNHF had already done a title opinion on the property, and the commission would just have to update that title, which could be done at the registry at the time the deed is recorded. Desiree Tumas will do the update as she had experience doing that when she worked in real estate. The conservation commission got a title opinion on the other half interest before they accepted the conservation easement. Tom Howe said the Society had contracted with an independent broker about the value of the one half interest in the property. We will receive a signed copy of a letter confirming that the value is \$20,400.

**8:05 pm** – Conservation Chair Tarr closed the public hearing.

**MOTION – Conservation Commission member Erin Hollingsworth moved that the Gilmanton Conservation Commission approve the purchase of an undivided one-half interest in Tax Map/Lot 110/015 of approximately 2.4 acres on Pine Circle from the Society for the Protection of New Hampshire Forests for \$9,000 from the Conservation Fund contingent upon a satisfactory review of the title. This purchase is made in order to protect the drinking water resources of the parcel as it abuts the highest yielding aquifer in Gilmanton and it also abuts the highest “Drinking Water Resources” lot on Pine Circle, so designated by vote of the 2005 Town Meeting. The Chair of the Conservation Commission is authorized to sign for the Commission. Joe Derrick seconded. Motion passed 4-0.**

**MOTION – Selectman Hatch moved that the Gilmanton Board of Selectmen approve the purchase of an undivided one-half interest in Tax Map/Lot 110/015 of approximately 2.4 acres on Pine Circle from the Society for the Protection of New Hampshire Forests for \$9,000 from the Conservation Fund contingent upon a satisfactory review of the title. This purchase is made in order to protect the drinking water resources of the parcel as it abuts the highest yielding aquifer in Gilmanton and it also abuts the “Drinking Water Resources” lot on Pine Circle, so**

**designated by the vote of the 2005 Town Meeting. Selectman Guarino seconded. Motion passed 3-0.**

The deed was signed and notarized, and will be recorded after update of the title opinion.

Desiree stated that Pete Pinckney had come in on Friday and wanted a record of the conservation commissions funds regarding the expenditures for the Bacon property; she looked those up, but he is also requesting the non-public minutes because it doesn't say in the regular minutes that they were sealed, although it does state in the sealed minutes that a motion had been made and a roll call vote had been taken to seal the minutes in the non-public minutes. Desiree stated that in the future, a motion would be made in public session. She said she made a note on Pete's request that the minutes are sealed, and asked if Conservation Chair Tarr signed off that they are sealed, if that would be sufficient. It was felt it should be.

**Warrant Article – Old Fire Station – Corners** – Tim received a phone call from Steve Owens asking if there was to be a warrant article about the old Corners fire station; there isn't. Tim said Steve asked if the Selectmen planned to go forward with deeding it back to the Owens. He said Steve had said that the Owens were moving forward to have an appraisal done on the property in the spring to be able to buy it back.

Chairman Abbott stated that it was the opinion of Town Counsel, after having spoken with the Attorney General's office, that if we were to make the property available, it would have to be sold at market value, and be approved by voters of the town. She said we hadn't gone in that direction because we had thought the town might have use for the building. The Selectmen said they might consider it for next year.

**Iron Works Fire Station – Toilet Overflow** – Chairman Abbott stated that an upstairs toilet in the Corners fire station had overflowed for the major part of the day while no one was at the station, and caused considerable damage. LGC sent an adjuster out, and they will submit a report.

**8:26 pm – 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 Guarino seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

**9:10 pm – Selectman Hatch moved to come Out of Non-Public Session.** Selectman Guarino seconded. Motion passed 3-0.

02-28-11 BOS

APPROVED

**9:11 pm – 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 Guarino seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

**9:28 pm – Selectman Hatch moved to come Out of Non-Public Session.** Selectman Guarino seconded. Motion passed 3-0.

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

**9:30 pm – Selectman Hatch moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk