

**APPROVED**

**Board of Selectmen  
11 April 2011  
Minutes**

**6:00 pm** - Chairman Don Guarino 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 Guarino, Selectman Ralph Lavin, Town Administrator Tim Warren and Clerk Lois Dionne. Selectman Rachel Hatch was not in attendance due to illness.

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

**6:02 pm – Selectman Lavin 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. Chairman Guarino seconded. Motion passed 2-0.

The Selectmen discussed a tax agreement with a resident.

**6:08 pm – Selectman Lavin moved to come Out of Non-Public Session.** Chairman Guarino seconded. Motion passed 2-0.

**6:09 pm – Selectman Lavin 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. Chairman Guarino seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

**6:23 pm – Selectman Lavin moved to come Out of Non-Public Session.** Chairman Guarino seconded. Motion passed 2-0.

**State Auction** – The State auction at the White Farm will be held on May 14<sup>th</sup>. The Town has nothing to send to auction this year.

**Landfill Monitoring** – The Department of Environmental Services notified us that the landfill monitoring could be done once a year beginning in November, rather than twice a year. The report to DES will be done on a biennial basis rather than an annual basis.

**HDC Interview** – The Selectmen interviewed Ernie Hudziec who had submitted a letter of interest to serve on the Historic District Commission. He has had experience restoring and renovating old houses.

**MOTION – Selectman Lavin moved to appoint Ernie Hudziec as an alternate member of the Gilmanton Historic District Commission. Chairman Guarino seconded. Motion passed 2-0.**

**Tree – Allens Mill Road** – Selectman Lavin said he had been out to look at the tree on Allens Mill Road that had been reported as being dangerous because it was rotted. Selectman Lavin said he felt the tree needs to come down as at least 1/3 of the bottom is rotted, and the roots are coming out of the ground on the backside of the tree.

There was a brief discussion as to who owned the tree. The matter was tabled for discussion at a later date.

**TAC Meeting** – Selectman Lavin said he had attended the LRPC-TAC meeting, and said they don't seem to have the funds to get things done; the number of accidents on a road appears to be a factor in getting a road upgraded. Selectman Lavin is going to speak with Police Chief O'Brien to see if he can get information on the number of accidents we have had on Rte 140.

**9F2 Forestry Truck** – The fire department 9F2 forestry truck is being returned to the Department of Resource and Economic Development. It was deemed unsafe for operation as it has no roll bar or seat restraint, and is also expensive to repair.

**Planning Board Interview** - The Selectmen interviewed Jackie Heath who had submitted a letter of interest to serve on the Planning Board. Duties of a planning board member were explained, and questions were answered by the Selectmen and Planning Board Administrator Desiree Tumas, who was also present for the interview.

**MOTION – Selectman Lavin moved to appoint Jackie Heath as an alternate member of the planning board. Chairman Guarino seconded. Motion passed 2-0.**

**1935 Antique Fire Truck** – Tim said Fire Chief Hempel had asked if, since the Town still owns the building, the 1935 antique fire truck could be housed in the old Corners

Station. After a brief discussion, the consensus was that the truck could be housed in the building.

**7:00 pm – Public Input** - Chairman Guarino 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. Residents with existing cases or applications shall use the channels established for appeal or submission of new information in their cases. The Selectmen reserve the right to place time limits on public input. No vote will be taken on any matter brought in through public input unless a dire emergency requires such action.”

**Old Corners Station** – Brett Currier asked why the Town is keeping the old Corners station, and if allowing the antique truck to be stored there would affect ownership of the station. He was told it wouldn't. Brett also stated that the deed said once the building was no longer used as a fire station, the owner of the land could buy it back for \$75.

It was explained that after a certain number of years, it becomes a town asset and is part of a charitable trust. The only way it can be disposed of is by a vote at town meeting, and this couldn't be done without the approval of the trust. The Attorney General's office would also have to approve the sale, and the only way they would consider it would be to have the property appraised and sold at fair-market value. Selectman Guarino assured Brett that the Selectmen have not just dropped the issue.

**Septic Inspection Fee** – Brett Currier was also concerned about the \$50 inspection fee that is charged for the Building Inspector to inspect a septic plan before it is submitted to the State. Brett had questioned this fee before. He was told it is because the Town regulations are more stringent than the State's regulations, so this is to ensure that the Town regulations are met. Brett felt it might be okay for waterfront properties, but didn't feel it necessary for other properties. He felt the building inspector should be able to get all the information from blueprints, and not have to visit the property.

**Rental Space – Old Town Hall** – Tim said Norma Ruchti had asked if the Town was renting out space in the Old Town Hall. The Gilmanton pre-school is interested in renting space in the auditorium for their preschool for three hours in the mornings, Monday, Wednesday and Friday, September through June.

There was a brief discussion whether allowing that would change the use of the building. If the building use were changed, the Town would be required to spend a great deal of money to bring the building up to code. Tim will speak with the Code Enforcement Officer for clarification.

**Parking Lot – Safety Complex** – Chairman Guarino noted that there have been questions about the pavement in the parking lot at the safety complex. He said they have talked with the general contractor, and the issue is being addressed.

**7:33 pm – Chairman 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 Lavin seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

**7:55 pm – Selectman Lavin moved to come Out of Non-Public Session.** Chairman Guarino seconded. Motion passed 2-0.

**7:56 pm – Selectman Lavin 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. Chairman Guarino seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

**7:58 pm – Selectman Lavin moved to come Out of Non-Public Session.** Chairman Guarino seconded. Motion passed 2-0.

**Approval of Minutes** - The Selectmen reviewed the minutes of last week's meeting.

**MOTION – Selectman Lavin moved to accept the minutes of April 4, 2011 as amended.** Motion passed 2-0.

**Sealed Minutes** – There had been a question as to whether the Selectmen were required to go through old sealed minutes to determine if they felt they should be unsealed. Chairman Guarino spoke with LGC and was told there is no requirement to unseal minutes.

**Bonding of Contracts** – Chairman Guarino stated that state regulations require any contracts \$35,000 or more need to be bonded.

**Tax-Deeded Properties** – Tim reminded the Selectmen that they would have to do a site walk to all properties that are scheduled to go to tax deed. The Selectmen will do a site walk the last week of April.

**04-11-11 BOS**

**APPROVED**

**8:15 pm – MOTION – Selectman Lavin moved to adjourn the meeting. Chairman Guarino seconded. Motion passed 2-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk