

APPROVED

**Board of Selectmen
20 June 2011
Minutes**

Present were Chairman Don Guarino, Selectmen Rachel Hatch and Ralph Lavin, Town Administrator Tim Warren and Clerk Lois Dionne.

6:00 pm - The Selectmen entered a non-public session to confer with legal counsel.

6:35 pm – Meeting with legal counsel ended, and Selectman Hatch left the meeting to attend the graduation at the Gilmanton School.

6:40 pm – Chairman Guarino opened the regular meeting, and everyone stood for the “Pledge of Allegiance”.

Belknap County Commissioners – Members of the Belknap County Commissioners met with the Selectmen as part of their County Conversations that had been initiated last year and to update them on the topics that had been discussed last year at their County Conversations.

A part-time position for a Juvenile Prosecutor in the County Attorney’s office was added to their 2011 budget recommendations. They are currently reviewing applications for the position.

Improvements to Community Corrections facilities are one of their goals. Their court diversion programs are expanding and generating revenue. A consultant has been hired and a Criminal Justice Council was created; they expect recommendations within six months.

Because of the negative response from communities, they will not be privatizing the county nursing home. The Commission had also received input on the dispatch billing for the use of the Sheriff’s dispatch service; the billing will continue as it is currently being done.

The Commission felt that areas that should be explored are regionalization of Health Officers, Welfare Departments and other local departments. By consolidation, towns could save on services and they could be handled more efficiently at the county level.

The Commissioners were proud to announce that Belknap County Commissioners had won several awards for the best management and administrative team in the state.

7:00 pm - Public Input – No one was present for public input.

FYIs & Other Business

Mowing Bids – Tim reported that we had received only one bid for the mowing of the landfill cap at the recycling center.

The bid was from Tops in Crops for \$650.

MOTION – Selectman Lavin moved to accept the bid from Tops in Crops to mow the cap at the landfill for a price of \$650. Chairman Guarino seconded. Motion passed 2-0.

Intent-to-Cut – The Selectmen had held off on issuing an intent-to-cut on a property that the Town had previously owned. When the property was sold, there were restrictions put on the property regarding timber harvesting. The restrictions were that the remainder of property shall be reserved for purpose of conservation and managed forestry, no logging within 100' of streams and wetlands on the property.

The intent had been held up while it was decided what constituted managed forestry. The conservation commission wanted a management plan. Tim said he had spoken with DRA and Town Counsel, and the opinion was that if the property owner or logger gave us any plan stating what they intended to do, that is a management plan. We were given a plan stating that they would be cutting anything 10" high at chest level, and would measure 100' from wetlands and stream.

After a brief discussion, it was the consensus to issue the intent-to-cut.

Intent-to-Cut – Tim informed the Board of another intent-to-cut we had received that there are questions about. The property is going to foreclosure; there is to be a meeting between the property owner and the bank on June 24th. He said the property owner is disputing the foreclosure, but have signed an agreement with the mortgage company that they would not do anything to devalue the property. He said both LGC and DRA had indicated that timbering the land could be considered devaluing the property.

There was considerable discussion as to whether we could issue the intent, if it would be fair to the property owner to deny him the right to earn money from the sale of the timber, or if it would be devaluing the property and going against the agreement with the bank. It was felt this was an issue that should be discussed between the bank and the property owner when they meet on June 24th. Tim will speak with Cindy Bedford to try to get more information before the intent-to-cut is signed.

Milfoil – Rocky Pond – We received a letter from Lycott Environmental Inc. informing us that they are scheduled to treat the milfoil in Rocky Pond on June 23, 2011.

Sludge Site Permit Application – DES will be holding a public hearing at the Academy Building in Gilmanton on Tuesday, July 19th at 7:00 on a permit application they received from Robert McWhinnie of Hayshaker Farm to allow Resource Management, Inc. to apply biosolids and short paper fiber on their property.

Junk Vehicles – A written complaint has been received about junk vehicles on Mountain Road. The Code Enforcement Officer has spoken with the property owner, and they are working on cleaning the property up.

New Associate – Mitchell Group – The Mitchell Group has hired Attorney Steven Whitley, who has extensive experience in land use, abatement and other municipal issues.

Red Cross Meeting – The Selectmen received an invitation to the American Red Cross annual Business Meeting in Concord on Wednesday, June 29th at 4:30 pm.

GAT – The tonnage sent to Penacook for May was 107.47 tons, up from 46.14 tons in 2010. Year-to-date tonnage is 548.92, up from 489.00 at this time last year.

Interment Fees – The Town received a check for \$200 from the Cemetery Trustees for interment of a couple of residents; the money was deposited into the general fund. Tim said we received money like that a couple times a year, and the question had risen as to whether, because it is not a big income that would reduce taxes, it would be better to have the cemetery trustees deposit the money into a general-care fund, and have the money come from that fund to help care for the cemeteries, and maybe reduce their budget requests. There was a brief discussion, and Tim will find out if this could be legally done before a decision is made.

Parking Lot – Public Safety Building – Tim asked if Chairman Guarino had scheduled a meeting with Ricci Construction to discuss the parking lot at the public safety building. A meeting has not been scheduled yet, but Don will call Mr. Ricci tomorrow.

Water Treatment System – Public Safety Building – The water treatment system was installed at the public safety building today.

Cabinet – Flammable Liquids – Tim said he had spoken with the fire and police chiefs about the cabinets to store flammable liquids. There was a very brief discussion. Tim will order the cabinets, which will cost \$2,600; the money was budgeted.

Old Corners Fire Station – Tim said he had forwarded more information that he had found regarding the deed for the corners fire station to Town Counsel. There has been controversy about what was to happen when the building was no longer used as a fire

station. After review of the information, Town Counsel said it seems that the Firemen's Association does own the property, so it is no longer a town issue. Tim said Town Counsel had suggested that the Firemen's Association might want to seek legal counsel before taking action as there were questions of the right to revert because there have been two individuals who claim to be heirs of the original owners that have expressed interest in buying the property back for the \$75 quoted in the deed.

Meeting – Nanci Mitchell & Selectman Lavin – Selectman Lavin received an email from Nanci Mitchell, former Chair of the Conservation Commission, asking to meet with him to inform him of what has been done on issues the Conservation Commission had presented to the Selectmen prior to his being elected to the Board. He asked if it would be appropriate for him, as a single selectman, to meet with Nanci, or if it should be done as a board. He was told it would be okay for him to meet with Nanci because she just wanted to bring him up to date on issues that had been acted on before he was a selectman.

Gilford School Board Meeting – Selectman Lavin said he had wanted to attend the Gilford Town/ School Board meeting tomorrow night, because they are trying to get rid of their superintendent. He said he was interested in hearing both sides, because there are people in town who feel we don't need a SAU Office; they are being closed in many towns. He was told that if he could get Mr. Bosiak to substitute for him at Gilmanton's Special Town Meeting that is being held tomorrow night, he would be free to attend. Selectman Lavin felt he should probably be at Gilmanton's town meeting.

8:09 pm – Selectman Lavin moved to enter into Non-Public Session 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 code enforcement issue.

8:15 pm – Selectman Lavin moved to come out of Non-Public Session. Chairman Guarino seconded. Motion passed 2-0.

8:16 pm – Selectman Lavin moved to enter into Non-Public Session per RSA 91-A:3, II(a) - 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 personnel issue.

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8:20 pm – Selectman Lavin moved to come out of Non-Public Session. Chairman
Guarino seconded. Motion passed 2-0.

**8:22 pm – MOTION – Selectman Lavin moved to adjourn the meeting. Chairman
Guarino seconded. Motion passed 2-0.**

Respectfully submitted,

Lois Dionne
Recording Clerk