



APPROVED

## Board of Selectmen Town of Gilmanton, New Hampshire

Meeting  
October 11, 2016  
**6:00 p.m.** – Gilmanton Academy

**Present:** Chairman Stephen McWhinnie, Vice Chair-Selectman Michael Jean, Selectman Marshall Bishop, Town Administrator Paul Branscombe, Administrative Assistant- Heather Carpenter.

Also present please see attached sign in sheet.

**6:00 p.m.** Chairman McWhinnie opened the meeting, took attendance of those present and voting (Chairman McWhinnie, Selectman Jean, and Selectman Bishop) and led the Pledge of Allegiance.

### **Approval of Minutes** –

**MOTION:** On a Motion by Selectman Jean, and seconded by Chairman McWhinnie it was voted unanimously to approve the minutes of September 19, 2016 (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-abstain, Selectman Bishop– yes, Selectman Jean-yes

**MOTION:** On a Motion by Selectman Jean, and seconded by Chairman McWhinnie it was voted unanimously to approve the minutes of September 26, 2016 (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

### **Signature File**

Election form- Selectman Jean provides his signature

### **Old Business**

#### **Highway Garage Ventilation System-**

- Received a quote from Clean Air Systems
- Waiting on an additional quote that Selectman Jean is handling, once the quote comes in the Select Board will be able to do a comparison.

#### **Compactor Quotes-**

Selectman Jean requested that the Board allow him to get two additional quotes.

#### **866 Province Rd. Complaint-**

Discussion between the Selectmen about RSA 147 and what the RSA pertains to. The home owners will need to call the Selectmen, the Fire Department, Police or the Town Administrator when the issue is taking place so that it can be documented and someone can go out and be a

witness to the problem. Due to the fact that Mr. Losefsky had contacted the Town of Salem and Portsmouth, the Town Administrator Mr. Branscombe will follow up with those Towns, keeping in mind that because they are cities the Health Officer's authority may be different. Any decision has been tabled until further documentation is presented.

### **New Business**

#### **Sand Bids-**

Discussion about the pricing, delivery and the differences between the bids.

Multiple bids have been obtained from the following;

- Pike Industries, INC,- delivered \$4.75 per ton
- Andrew D. Morse- Logging Farming and Trucking: Hauling to GYO shed \$6.75 per ton, and Hauling to Ironworks Shed \$8.40 per ton.
- Brian Forst Transport-\$7.50 a ton
- Nutter Enterprises'- FOB Stone Road; \$5.00 per ton, delivered to GYO at the Corners \$6.86 per ton, delivered to the Ironworks Shed; Tri-axles \$10.73 per ton; Trailer Dump \$10.55 per ton.
- Robert L. Potter & Sons, LLC-Delivered to the Corners- \$6.35 per ton and delivery to the Ironworks- \$8.10 per ton.

**MOTION:** On a Motion by Selectman Jean, and seconded by Chairman McWhinnie it was voted unanimously to accept the Winter sand bid for 2016-2017 from Pike Industries, INC. (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

The bids for plowing are still expected, the Town Administrator will get a time frame from the Road Agent and pass the information on to the Board.

#### **Primex Playground Report-**

Due to the recommendations of Primex, and the issues of liability that the playgrounds at the Town Hall and Crystal Lake could cause, it is the suggestion of the Town Administrator to take down the Town Hall playground and work with Parks and Recreation Director- Richard Kordas on preparing a Warrant Article for replacement of the Crystal Lake playground. There are grants available with match incentives that Mr. Kordas is looking into.

It is the consensus of the Board to give the Town Administrator permission to work with Richard Kordas to try and mitigate the situation.

**MOTION:** On a Motion by Selectman Jean, and seconded by Chairman McWhinnie it was voted unanimously to remove the playground from the Town Hall Academy yard. (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

Chairman McWhinnie has been asked by the Town Administrator to recap the information for Mr. and Mrs. Losefsky about the complaint on 866 Province Rd.

#### **Acceptance of Highway Foreman Resignation-**

The Board accepts the resignation of Mr. Brock Mitchell the Foreman of the Highway Department.

**MOTION:** On a Motion by Selectman Jean, and seconded by Chairman McWhinnie it was voted unanimously to accept the resignation of Brock Mitchell as Highway Foreman. (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

-Discussion about the Foreman position and possibly filling the position internally further discussion will take place once the Town Administrator looks into CDL qualifications of Mr. Eric Snell.

#### **Water Restrictions-**

Belknap County is still considered to be in moderate drought conditions. The recommendation from the Department of Environmental Services is voluntary water restrictions.

The Select Board has the understanding that the community only has private wells and it is the responsibility of the property owner to take care of the of their well if it were to run dry, it should not be placed on restriction. The suggestion of the Board would be to remind the residents to use their water wisely during this unseasonably dry period.

#### **55 Heath Dr. Complaint-**

Two complaints from neighbors have been placed about 55 Heath Drive. It is the Town's understanding that the property has been abandoned for a lengthy period of time. The police have been contacted and have checked on the property. Officer Guidry was able to contact the owner. Mr. Delsie who has no interest in taking care of the property at this point in time. Under RSA 155 which references dilapidated building/safety hazards the Building Inspector can take a look at the property and the Land Use Administrator can start gathering a paper trail for the complaints, safety issues and information from the Police Department to see what the Town has the authority to do.

#### **12 River Rd. Complaint-**

The complaint is for the property across the street of 12 River Rd. The is tires, and debris in larger quantities. The Boards consensus is to have the Building Inspector go out to the property and speak to the owner Mr. Goodwin.

#### **Ernie Hudziec-**

Chairman of the Historical District Commission is looking for input from the Selectmen on an ongoing problem with an HDC violation. The HDC has no enforcement authority, problems can only be referred to the Board of Selectman for some kind of action. The Building Inspector has been out to the property numerous times over the last several years and he has expressed his concerns about the building and egress issues. The owner has ignored all communication from the HDC.

The Board would like to find out the last time the building inspector went out to the property. The HDC Chairman asks the Board to keep the lines of communication open and keep them informed about the situation.

#### **Joe Haas-**

Speaks about his request for a Performance Audit and the removal of an elected official.

Chairman McWhinnie responded with the following;

“The Town has never presented an MDA in its town reports, however on the recommendation of the candidate for auditor, this firm would prepare a boilerplate language for the Board and the Town Administrator to fill in the blanks as done in other communities.”

Town Administrator-Paul Branscombe states that an MDA has never been done in the Town of Gilmanton but the new candidate for the Auditor’s position has recommended highly that an MDA is done and he would be willing to do one as a part of the contract.

Chairman McWhinnie stated to Mr. Haas that the Board will not be removing an elected official at this time and stated again to Mr. Haas that the Board has done everything they can do for him at this point.

[Selectman Jean stepped out at minute 40:00 to take a phone call]

### **Library Alternate-**

The Board of Selectmen acknowledge the acceptance of Sue Christie as alternate for Library Trustee.

### **Waste Management-**

Waste Management would like to cancel the current contract and have a rewritten contract for the next five years. The Select Board is not looking at the contract at this point and will look at the request after budget season.

Tax Collector employee evaluations- Board of Selectmen initials needed

Discussion about Transfer Sticker quotes, gather samples and more information.

### **Select Board Items**

Selectman Jean asks for an update itemized revenue and expense report from finance.

The Town Administrator stated BMSI is completed as far as expenditures are concerned, when meeting with the four key department on the 18<sup>th</sup> all the worksheets will be done in BMSI.

The budget binders will be provided for budget committee members and the Selectmen will meet with Department Heads and then will meet jointly with the Budget Committee.

### **Public Comment – 7:00 p.m.**

Joe Haas-

- Spoke about the qualifications for the Deputy Treasurer

Barbara Swanson-

- Suggested to the Selectmen not to use crumb rubber for any of the new playground safety surfaces because it has been linked to cancer.
- Bio-solids Committee and all the properties that use it, there needs to be more meetings and activity due to the importance of the issue.
- Recommendation to place a water reminder on the scroll bar on the Town website.

Brett Currier-

- He believes that if the Academy playground is removed that it should be replaced because it is an actively used area during community events.

Brenda Currier

- Clarification on the playground conversation and the actual locations of the playground [Crystal Lake and Academy yard] She believes it is used by parents when visiting the Library and is helpful and she agrees that a grant for the playground should be looked into.
- Speaker system for the auditorium of the Academy building is needed for the meeting due to poor acoustics and extremely hard to hear.

Chairman McWhinnie closes the public comment- 7:08 p.m.

[During these non-public meetings there was operational issues with the recorder which will be reflected in the audio recordings]

### **1-Non-Public Session Per RSA 91-A:3,II(c)**

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Jean it was unanimously to go into Non-Public Session per RSA 91-A:3,II(a) (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

Reputation

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Bishop it was unanimously to come out of Non-Public Session. (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

### **2-Non-Public Session Per RSA 91-A:3,II(c)**

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Bishop it was unanimously to go into Non-Public Session per RSA 91-A:3,II(a) (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

Reputation

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Jean it was unanimously to come out of Non-Public Session. (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

### **3-Non-Public Session Per RSA 91-A:3,II(c)**

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Bishop it was unanimously to go into Non-Public Session per RSA 91-A:3,II(a) (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

Reputation

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Bishop it was unanimously to come out of Non-Public Session. (3-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– yes).

### **Non-Public Session Per RSA 91-A:3,II(c)**

*This non-public was cancelled and did not take place and Selectman Bishop left the meeting at this point.*

**4-Non-Public Session Per RSA 91-A:3,II(a)**

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Jean it was unanimously to go into Non-Public Session per RSA 91-A:3,II(a) (2-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– not present).

Compensation

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Jean it was unanimously to come out of Non-Public Session. (2-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– not present).

**MOTION:** On a motion by Selectman Jean, and seconded by Chairman McWhinnie it was unanimously to seal the minutes (2-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– not present).

**5-Non-Public Session Per RSA 91-A:3,II(a)**

**MOTION:** On a motion by McWhinnie, and seconded by Selectman Jean it was unanimously to go into Non-Public Session per RSA 91-A:3,II(a) (2-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– not present).

Compensation

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Jean it was unanimously to come out of Non-Public Session. (2-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop–not present).

**MOTION:** On a motion by Chairman McWhinnie, and seconded by Selectman Jean it was unanimously to seal the minutes (2-0 Voice Vote –Chairman McWhinnie- yes, Selectman Jean-yes, Selectman Bishop– not present).

**Adjournment:** On a Motion by Chairman McWhinnie and seconded by Selectman Jean it was voted unanimously to adjourn (2-0).

Respectfully Submitted,

---

Heather Carpenter  
Recording Secretary

**Approved by the Board of Selectmen**

---

Chairman Stephen P. McWhinnie

---

Selectman Michael J. Jean

---

Selectman Marshall E. Bishop

{Audio recordings are available at the Selectmen's Office}