

APPROVED

**Board of Selectmen
30 April 2012
Minutes**

6:02 pm - Chairman Rachel Hatch called the meeting to order. Present were Chairman Hatch, Selectmen Ralph Lavin and Brett Currier, Town Administrator Tim Warren and Clerk Lois Dionne. Also in attendance were George Roberts and Susan Woodward.

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

Justin Leavitt arrived at the meeting.

Recycling Center Issues

Chairman Hatch informed Justin that they had asked him to attend the meeting to address a couple of concerns that had been brought to their attention.

The first issue is the amount of trash on the ground in front of the facility by the road and on the ground on the side of the compactor near the Clairmont property. Justin replied that most of the trash has been picked up; it accumulated during the winter. He said on Wednesdays and Saturdays, when they get time, the employees pick up the trash. Chairman Hatch asked whom we could get to spruce up the garden area in front of the building by the road. The Boy Scouts and then Mr. Nagel used to do it. Mr. Nagel provided the plants and bark mulch at his own expense. Justin said the area basically just needs to be raked and weeded and have some bark mulch spread. Selectman Currier said if the recycling center employees raked the area, he would supply the bark mulch.

The second issue of concern is the amount of time spent on the computer at the center, and not being available to residents. Justin replied that he is the only one that uses the computer, and he uses it a couple of hours a day to research changes in rules and regulations; he is available if residents ask for him. Selectman Lavin said there have been complaints that Justin spends time playing games on the computer. Chairman Hatch told Justin he should do the research when the facility is not open to the public.

Glass Crusher – Justin informed the Board that he is working with Tim to get the glass crusher back in place. The ground settled and needs to be leveled out; he has been talking with the road agent about getting gravel and hard pack so the crusher can be set on even ground.

Storage Areas – Justin reported that the old burn pit is going to be used for tire storage, and the space that had been used for tires is going to be used to store plastics.

Paper Separation – Justin said they are discontinuing the need to separate newspapers from mixed papers; the price we get is not making it worthwhile any more. We still need to separate the corrugated cardboard. Justin said he would be shipping a load of newspaper tomorrow for consolidation. He said we were going to have to do something else because Barnstead is no longer going to accepting consolidation. He explained that consolidation is that some towns, with not much storage facility, ship loads to one location where it is stored until there is a full load to be shipped out. The towns that consolidate their items get a share of the profit when the loads are shipped; the money is divided evenly between the towns that consolidate their items. Justin said he is working with a company in Allenstown to store our items there; if this happens, the shipping costs will go up.

Fluorescent Bulbs – Tim said he had forgotten to tell Justin that the Selectmen wanted the fluorescent bulbs shipped out. There was a brief discussion, and Justin was asked to ship out any excess bulbs over the amount we are allowed to take to the Hazardous Waste Day.

Crushed Glass – Selectman Currier asked where the pile of crushed glass is going. Justin replied that when he gets enough, it would be going to the highway department. Brett said Mr. Lemieux is interested in using the glass for fill. Brett said he was under the impression that the road agent doesn't want the glass, and if that is the case he felt we should let residents use it.

There was a brief discussion of letting residents have the glass, and if a resident is interested in having the glass, they should submit a letter to the Board of Selectmen requesting permission to have the glass.

Compost Pile – Justin asked if we could get someone to turn over the compost pile at the facility. He was told to ask the highway department; Justin said they don't want to do it. There was a brief discussion, and Tim was asked to speak with the road agent.

Cover over Compactor – Justin said Selectman Currier had not been in favor of his request to have a cover over the compactor, and would rather have one over the C&D bin. There was discussion about the need for a cover over the compactor or the C&D bin.

Drug Take Back – Justin said residents had been asking when Gilmanton is going to do a drug take back; this would be accepting any unused medicines. Other towns have a day for accepting the drugs. Justin did some research on the procedure to do this, and gave a copy of some information he had gotten to the Selectmen to review.

Approval of Minutes – MOTION – Selectman Currier moved to accept the minutes of April 23, 2012 as amended. Selectman Lavin seconded. Motion passed 3-0.

Draft Minutes – Chairman Hatch said a resident had asked why the draft minutes couldn't be put on line, instead of waiting until they are approved. Selectman Currier felt if corrections have to be made, they wouldn't want them on line until the corrections had been made. Rachel said the draft minutes are available for public inspection in the Selectmen's office five business days after the meeting.

Building Inspector – Selectman Lavin said a resident had expressed concern that we have no building inspector. She was concerned that the people doing the engineering, such as Mr. Jansury doing the septic and the gentleman doing the inspections should not have anything to do with any construction on anything they approve.

Tim Warren said we are paying a building inspector from Belmont; Bill Tobin has been doing our inspections and reviewing septic plans. He has also been doing health inspections. We are paying him \$30 for each inspection he does.

Minutes on Website – Selectman Lavin asked if the meetings that are taped could be put on the website. No one knew if it could be done; whoever is taping the minutes could put them on YouTube.

7:00 pm – Public Input - John Funk joined the meeting.

Redistricting – John asked if the Selectmen had considered joining the lawsuit regarding redistricting so we can get Gilmanton back as a sole district rather than being joined in with Belmont and So. Laconia. Chairman Hatch asked for explanation.

John stated that Gilmanton has had our own voting district; Dave Russell was our representative; with the redistricting, Gilmanton was put in with Belmont and the southern part of Laconia. He thought there was a constitutional amendment designed to make certain that each community had its own representative to the extent possible based on the population. John said he thought Gilmanton fell in the zone where we should have our own representative, and thought it was worthwhile looking into; three other communities have filed suit complaining about the way the redistricting had been done. He thought it would be in the best interest of the community to have our own representative.

When asked what the benefit is to having our own representative, John replied that there are 400 representatives in the legislature, and if we are lumped into a pool, there is no assurance we would even have someone from Gilmanton elected. He said we have had a voice in the legislature for a long time representing Gilmanton alone; he felt it would be worthwhile being part of the lawsuit and try to get our district back. John wasn't sure what it would cost to join the lawsuit.

Susan Woodbury felt to have your own representative, you needed to have a population of 3,921 residents. Chairman Hatch said Gilmanton's population is 3,777. John felt it would be worth looking into. Rachel said she would have to know more about it, and how to go about doing it. John said he would try to get more information for Rachel.

Trash Cans – Academy Grounds – John said he thought it would be helpful if the Town could have a trash can by the swings and slide at the Academy Building. There was a brief discussion about who would empty the can.

Grape Ave Property - Byron Dalton of Grape Ave. was present to see what had been done regarding a complaint that had been made about, what he considers a health and safety issue on a property on Grape Ave. Selectman Hatch said the matter is being addressed. Mr. Dalton asked if we had gotten a report back, and what the findings were.

Tim said the fire chief felt the wood on the road is a Sawyer Lake District issue; he can get fire equipment past it. We have asked our interim health/code enforcement officer to look at the property; we have received a report, but the Selectmen have not had a chance to see and discuss it. Rachel assured him that the Selectmen would keep on top of it. Mr. Dalton asked to be kept informed of what is going on.

Mrs. Bishop, also a neighbor of the property expressed concern about the health issues because of the trash and garbage in the yard.

Crime Watch – Susan Woodbury asked if Chief Robarge had met with the Selectmen to talk about her Crime Watch; they have not spoken with him about it since Ms. Woodbury had come in last week. Ms. Woodbury said she has met with Officer Fiske who is helping her write a mission statement. She asked if she should meet with Chief Robarge or wait until we get a new chief. Ms. Woodbury said there is money out there for federal grants. She said last week Brett had said most grants are for a year, then they are gone and the town has to pay the costs. Ms. Woodbury said we missed out on a CHP grant that was awarded which was a three-year grant that covered 75% of a police officer, including benefits, but we missed out on it; we have no DUNS#. She said she would be willing to help; she had talked with a grant writer on Friday and the CHP grant is very lengthy and you have to be very precise. Ms. Woodbury said as long as the grant is for something on their website, the grant writer she spoke with on Friday said they would write it for free.

There was more discussion about the grants, and the Selectmen felt we should wait until a new chief is hired before we proceed with grants. Rachel said we hope to have a new chief by the middle of July, but can't count on it.

Ms. Woodbury asked what they had decided to do about hiring a chief. Chairman Hatch reiterated what she had said last week about a conversation she had with Sheriff Wiggin about how Moultonboro had hired a new chief. They had a five member hiring committee made up of area police chiefs, the town administrator and they had the school

psychologist on the committee. LGC advertised the position, and the committee interviewed the candidates, and narrowed the applicants down to two or three for the town to choose between. Tim has talked with the town administrator in Moultonboro, who is going to forward him information with the steps they went through.

Suncook River Nomination – George Roberts said he had received some phone calls about the Suncook River Nomination asking when there was going to be another hearing. Chairman Hatch explained the last Selectmen’s meeting when this was discussed was not a public hearing. A group of residents had come for public input opposing the river nomination. Mr. Jeffers from Lakes Region Planning was meeting with the Selectmen that night to answer questions the Selectmen had about the nomination, so the meeting was moved upstairs to allow the residents to hear what Mr. Jeffers said, but it was not a public hearing. After hearing the residents concerns at public input, and then hearing Mr. Jeffers, the Selectmen withdrew their approval of the nomination application. Last week a resident asked if the Selectmen could reconsider; they could, but Ralph attended a meeting of the nomination committee in Epsom last week, and said that nothing he heard had changed his mind about the Board’s decision to not support the nomination.

Blue Bags – Ms. Woodward asked if there was a deadline to put out the blue bags containing the trash picked up at the side of the road. Tim said there wasn’t; the state picks up the bags on the state roads, and the town picks up the bags on the town roads.

7:30 – Chairman Hatch closed public input.

FYIs & Other Business

Police Chief Hiring Status- Chairman Hatch asked Tim about the status of hiring a chief. Tim replied that he expected to get the information from the Moultonboro town administrator tomorrow or the next day. We had also asked for a quote from LGC for them to find us a chief. LGC’s proposal was for \$3,360, which includes all basic services including all professional and support staff time, psychological and polygraph tests, background and reference tests, travel expenses, postage, supplies, telephone calls, faxes and copies. The cost is \$4,800, but the town would get a discount of \$1,440 because we have different insurances through them. The cost does not include advertising costs, travel or lodging costs for applicants or special interview board expenses.

There was a brief discussion on the options, and it was the consensus of the board to process, as was discussed last week, with the way Moultonboro had done.

Street Lighting – Tim had a letter from DOT (Department of Transportation) informing the Town that DOT is proposing to assess street lighting on state highways, and ultimately discontinuing all lighting that is not needed for motorist safety. The location of lights to be removed and the timing of the removal is being engineered. Tim didn’t think Gilmanton would be affected.

Personnel Policy – The personnel policy has been updated except for the section on drug use. Mandatory drug testing and the cost involved was the issue to be resolved before the policy is completed. Tim sent a request on line asking other towns if they do random testing, and if so, what the cost is. He received two replies; the cost for drug & alcohol testing incurred by the two towns was \$1,235 for one town and \$785 for the other town. Tim said the idea of drug testing was discussed at the safety meeting last week. There was a brief discussion of mandatory testing and how it would be implemented. Tim will contact the Department of Labor.

Crystal Lake Association sent us a copy of their yearly newsletter.

Community Action Program sent a letter thanking us for our support.

Copier – Selectmen's Office – Last week Tim informed the board that the lease for the copier in the selectmen's office was coming up. The proposal, from the same company, for a new copier lease included more copies and offered color printing for less than the current lease. It was unclear whether the cost of the lease included the cost of toner for color copies. Tim contacted the company for clarification. The toner for the color copies is included, but it cost us .05 cents a copy for every color copy we make. Tim estimated that we make approximately 100 color copies a year, which we currently print on a printer. The Selectmen approved the new copier lease with the color option.

Ambulance Lease – Tim stated that last week the Selectmen had accepted the terms of the new ambulance lease. He said according to Town Counsel there is a section that needs to be readdressed. They need a motion to resolve the lease.

Chairman Hatch read the section. This resolution is to show that the town has determined the need for the acquisition of the ambulance, and that the Selectmen approve the lease.

MOTION – Selectman Currier moved to resolve that the governing body of the Town of Gilmanton has determined that a true and very real need exists for the acquisition of the equipment. Selectman Lavin seconded. Motion passed 2-1. Selectman Lavin abstained from the vote.

Old Cruiser – Tim reported that at the Joint Loss Meeting last week they had discussed the old cruiser that is at the highway department. He said the fire department would like to use it as training practice using the Jaws of Life on it. He said we could get more money for it if it is not cut up. After a brief discussion, it was decided not to cut it up for practice, but to send it as is.

Ambulance Billing- Tim informed the Selectmen that Chief Hempel could not attend the meeting tonight to discuss the ambulance billing practice, but had sent information on the billing system. Tim read a letter explaining why a resident had received a notice that her bill was being sent to a collection agency. It was a mistake by Comstar, and the

situation has been resolved. The Selectmen briefly reviewed the information, but felt they would still like to meet with the chief to discuss it.

Fire Department Update – Tim also presented copies of the fire department update Chief Hempel had given him. Some things that have been done or are in the works are, Smokey bear signs are nearly complete; the new ambulance has been ordered and anticipated delivery is late September; we will have three new students; the department will participate in live fire training on May 12th with the demolition of the structure on 32 Crystal Lake Road; fulltime staff will participate in an offensive fire attack school on May 10th and 11th. Capt. Boyajian and Lt. McSharry participated in First In Leadership, Tactics & Strategies Seminar; Lt. McSharry participated in Rapid Intervention Team training. Chief Hempel obtained H Fire Inspector 1 certification from NH Fire Academy.

The chief will be asking to replace Engine 1 next year; the department will be hosting a Family day August 26th at Crystal Lake Park, instead of the annual April Dinner. Ladders and pumps will be tested and all SCBA will be serviced and tested.

A firefighter will be leaving the department. Selectman Currier asked if there is any way we could get a firefighter to sign a contract to stay in the town for a certain amount of time after we get them certified, or get them to reimburse the cost of their training to the town. There was considerable discussion, but no one knew if we could legally do that; we will need to check laws governing that.

Tax Deeding Properties – Selectmen Lavin and Currier did a site visit to all properties scheduled to go to tax deed. It was the consensus that the town should take all but one property that they felt would have liability issues.

Gift of Property - A while ago a gentleman had contacted Tim about a piece of property he had inherited, but was not interested in keeping. He asked about donating the property to the Town. At the time the gentleman was asked to contact his abutters to see if one of them wanted the property. Tim heard from the gentleman who said none of the abutters was interested in the property, so he again wanted to deed the property to the Town.

After a brief discussion, it was the consensus to accept the property after review of the deed by Town Counsel.

MOTION – Selectman Lavin moved to accept the gift of the parcel of land on Flintlock Circle. Selectman Currier seconded. Motion passed 3-0.

Agreement with Sheriff Dept - Chairman Hatch had a copy of the agreement with the Belknap County Sheriff's Department (BCSD) and the Town to hire William Robarge as interim Police Chief for Gilmanton.

The main things in the agreement were that Chief Robarge shall remain as an employee of the BCSD with all existing rights, powers and duties of a Sheriff's Deputy. His service as interim police chief shall be as needed, anticipated time to be at least three (3) days per week, but that time could be increased at Chief Robarge's discretion. The Town will pay the sheriff's department Chief Robarge's hourly costs including salary and benefits at the established outside detail rate of \$50 per hour. Chief Robarge will use a sheriff's department vehicle, keep track of his hours on a weekly basis and submit a weekly timesheet to the Town and the BCSD. All payments by the Town shall be made on a monthly basis. Chief Robarge shall have the powers of police chief, and because he remains an employee of the BCSD, he will be considered "at will" and may be relieved from duties at any time by writing of the Town. The Town will bring any matters of concern related to Chief Robarge's service and performance directly to the sheriff. The Town shall indemnify and hold BCSD harmless with respect to any claims, actions or complaints pertaining to Chief Robarge's service as police chief to the town. The agreement shall remain in effect until rescinded or amended in writing by either party.

MOTION – Selectman Currier moved that Chairman Hatch sign the agreement between the Town of Gilmanton and the Belknap County Sheriff's Department pertaining to hiring William Robarge as interim police chief for the Town of Gilmanton. Selectman Lavin seconded. Motion passed 3-0.

White Farm Auction – Selectman Currier asked the status of equipment to be taken to White Farm for the auction. Tim replied that Chief Robarge is going to arrange to have the cruisers taken down; Paul Perkins would like to wait until fall to take the old tanker they have been using. He said there is also an old tanker at the highway department that is evidence; Robin is doing some research to see if we can get rid of that.

8:20 pm. – Selectman Lavin moved to enter into Non-Public Session 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 Currier seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

8:32 pm – Selectman Lavin moved to come out of Non-Public Session. Selectman Currier seconded. Motion passed 3-0.

8:32 pm – Selectman Lavin moved to enter into Non-Public Session 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 Currier seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

8:45 pm – Selectman Lavin moved to come out of Non-Public Session. Selectman Currier seconded. Motion passed 3-0.

8:45 pm – Selectman Lavin moved to enter into Non-Public Session per RSA 91-A:3, II(e) - Discussion of pending or threatened (in writing) litigation against the Town or Town Officials, Board Members or employees. Selectman Currier seconded. Motion passed 3-0.

The Selectmen discussed a legal issue.

8:50 pm – Selectman Lavin moved to come out of Non-Public Session. Selectman Currier seconded. Motion passed 3-0.

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

8:50 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. Selectman Currier seconded. Motion passed 3-0.

The Selectmen discussed a welfare issue.

9:00 pm – Selectman Lavin moved to come out of Non-Public Session. Selectman Lavin seconded. Motion passed 3-0.

9:00 pm – Selectman Lavin moved to enter into Non-Public Session per RSA 91-A:3, II(e) - Discussion of pending or threatened (in writing) litigation against the Town or Town Officials, Board Members or employees. Selectman Currier seconded. Motion passed 3-0.

The Selectmen discussed a legal issue.

9:15 pm – Selectman Lavin moved to come out of Non-Public Session. Selectman Currier seconded. Motion passed 3-0.

MOTION – Selectman Lavin moved to seal the minutes of the last non-public Session.

Speeding Crystal Lake Road – Selectman Lavin said his wife had been concerned about the speed cars were traveling when she was walking on Crystal Lake Road this morning;

04-30-12 BOS

APPROVED

there are a lot of children waiting for the bus. Selectman Currier stated this is a problem every year. Rachel will discuss the issue with the police chief.

9:16 pm – MOTION – Selectman Lavin moved to adjourn the meeting. Selectman Currier seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk