

**APPROVED**

**Board of Selectmen  
18 June 2012  
Minutes**

**6:00 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 Debra Shackett, Steve Nedeau, Ed Philpot and John Thomas from the Belknap County Commissioners Office.

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

**Belknap County Commissioners** – Mr. Philpot explained that this is the fourth year the commissioners have been holding their county conversations whereby they attend Selectmen’s meetings in the Towns in Belknap County to keep them abreast of what is going on in the county, goal setting process in promoting Belknap County, finding more effective ways of running county services, how it will affect the county budget and asking input from the towns.

Mr. Philot said they have been prioritizing how they manage the business of the county government. He said that taking out the stimulus money they receive, the county budget is at the same level as 2008. They have eliminated duplicative positions, and they look at each department for efficiency, and have been able to have nominal tax increases to the towns. Their revenue is down because the state has obligations such as Medicaid reimbursement for the nursing home, and the state has adopted a zero-impact budget, therefore are cutting more in what they are reimbursing the counties for Medicaid to help balance the state budget.

Mr. Philpot explained ways they are trying to keep the budget down such as looking at new phone contracts, new energy efficient lighting contracts and are having an analysis done of the Belknap County Community Correction system. They are in the process or developing a Capital Improvement Plan. He explained why there is the need for a new prison, and that the planning process has already begun.

There will be a hearing on the County budget on June 25<sup>th</sup>. Selectman Lavin will attend the meeting. Deb Shackett stated that Gilmanton’s share of the county budget is 4.6%.

**6:40 pm – Selectman Currier 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 Lavin seconded. Motion passed 3-0. – Chairman Hatch-Yes, Selectman Lavin-Yes, Selectman Currier-Yes.

The Selectmen discussed a personnel issue.

**7:02 pm – Selectman Lavin moved to come out of Non-Public Session**. Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch-Yes, Selectman Lavin-Yes, Selectman Currier-Yes.

**Public Input** – No one was present for public input, but Chairman Hatch stated that public input would remain open until 7:30.

### **FYIs & Other Business**

**Landfill Cap** – Tim informed the board that he had given the recycling manager permission to shoot a woodchuck that was burrowing into the landfill cap.

**Auction** – Tim reported that we received a total of \$2,816 for the three vehicles that we sent to Auction at the White Farm.

**GAT** – The year-to-date tonnage sent to Penacook thru May is 537.17 tons compared to 548.92 tons for the same period in 2011.

### **Public Input**

**Currier Hill Road Posting** – Brenda Currier stated that on her end of Currier Hill Road the posting there is “no through traffic”. She noted that the road connects two state highways, and asked how it could be posted for no through traffic when everyone pays for the road; if the residents on that road want it to be a private road, they should pay for it. She said she drives the road, and asked if she is breaking the law.

There was a brief discussion during which it was stated that the understanding for the posting was that it was meant to prevent heavy trucks using it as a shortcut. There was also concern about accidents and the speed on the road.

### **More FYIs & Other Business**

**4<sup>th</sup> of July Recycling Center Closure** – Tim asked if the recycling center would be closed on the 4<sup>th</sup> of July, and if so, would it be open another day to make up for it?

The recycling center will be closed, and after a brief discussion, it was the consensus not to open the center on another day.

**Turkey Carcasses in Compactor** – Tim reported that a couple of weeks ago they had pulled the can from the compactor at the recycling center because somebody noticed blood coming from the compactor. He said the police department was notified and they supervised the pulling of the can. Tim said it turned out the blood came from somebody disposing of wild turkey carcasses including heads, feet, wings etc. ***It is illegal to dispose of carcasses in the compactor; they should be buried.***

**Mudgett Burial Cite** – Tim read a letter he received from the Cemetery Trustees saying they had received the first, of what they feel would be several, requests regarding the Mudgett burial cite in the Beech Grove Cemetery. Due to the increased popularity of the Herman Mudgett story and the possibility of a movie, anything relating to the Mudgett family is of interest. Herman Mudgett is not buried in the cemetery, but his parents are. The Cemetery trustees received a request from the Granite State Paranormal Society to conduct a nighttime investigation into paranormal activity at the Mudgett graves. The trustees denied the request due to their regulations that prohibit access to all cemeteries at night. The trustees asked that any proposals that might be brought to the Board of Selectmen be directed to the cemetery trustees for review. The police department has also been notified of the request so they can be aware if any unauthorized activity occurs at the cemetery.

### **Personnel Policy**

**Service Animals** - Tim noted that a section had been added to the personnel policy regarding service animals in the work place.

**Children in Workplace** - Chairman Hatch noted that the Department of Labor strongly recommends that children should not be allowed in the workplace, and we need to address that in our personnel policy.

**Upkeep – Old Town Hall** – Tim informed the board that the Gilmanton Women’s Club had cleaned the Old Town Hall and discovered there are bats in the building again; they found carcasses on the stairs to the second floor. He said the tank in the toilet in the ladies room, which is now a handicap bathroom, had been overflowing, but was fixed. The area was wet and there is the possibility of mold. Tim said he would ask Chief Robarge for the dehumidifier that had been in the old police department. The Women’s Club has a list of things they would like to do at the Old Town Hall; Tim suggested they meet with the Selectmen for approval.

**Perkins Road Property** – Selectman Lavin reported that he had looked at a property on Perkins Road he had been asked to look at for possible violations. He said it was a very well kept place, there was a big fence and a “No Trespassing” sign, so didn’t go on the

property. He said he had identified himself to an abutter and asked if they knew anything about the property, but hadn't received any further information about the property.

**Zoning Board** – Selectman Lavin asked what the point is of the Zoning Board; does it just police the rules the Planning Board makes?

Selectman Currier said you have to go to the Zoning Board if you can't meet any of the regulations in place that were set by the Planning Board. Tim said the Zoning Board provides relief of regulations by issuing variances or special exceptions.

Selectman Lavin said it was discussed at the Planning Board meeting. He said the planning board is going to put out a survey asking about development in town. Selectman Lavin suggested the planning board meet with the Selectmen to discuss development because surveys can be "stacked".

**Chief Hempel - Boot Drive** – Chairman Hatch said they had asked Chief Hempel to meet with them tonight to discuss the "potential" upcoming boot drive. She said she has been getting concerns about the boot drive; people feel they are being accosted, they feel uncomfortable and it is a liability on major roads. Chairman Hatch said the Selectmen have talked about eliminating the boot drive. She said she understands it is not a fire department event but is put on by the Fireman's Association.

Chief Hempel distributed copies of a letter he wrote to the Selectmen after hearing that they wanted to discuss the boot drive. He said the boot drive is a fundraiser targeting the NASCAR traffic. He said they meet many of the same people each year and receive coffee and donuts from some of the regulars. Chief Hempel added that they see very little resident traffic during the hours of the boot drive. He said the boot drive is much more profitable than the lobster bake and Labor Day carnivals they used to hold, and it doesn't burden the residents. Chief Hempel noted that the proceeds have funded projects such as the rescue boat, mortgage payments for the IW station, disability and life insurance for Call Staff and various firefighting tools and equipment. He said a boot drive doesn't cost the town anything.

Chief Hempel said they have never received any complaints, and added that he thought the Selectmen acted only on written complaints. Chairman Hatch said residents are afraid to complain to the fire department because they might not get service from the fire department if they do.

Selectman Currier said he is not a fan of the boot drive. He said fundraisers are usually for a specific purpose, but the fireman's association receives the money and they spend it any way they choose; it is not all spent for tools and equipment for the fire department. Selectman Currier disputed what Chief Hempel said about it not costing the town anything. He said when you use the fire truck and ambulance on the road, it costs money; if the total amount of money they raise went for purchasing things that the

taxpayers didn't have to pay for, it would be different, but they buy things such as big screen TVs, etc for the Association. Selectman Currier said he had heard from many residents that they have a problem with the boot drive, and agreed with Chairman Hatch that residents don't dare complain to the fire department.

Selectman Lavin asked if there had been any accidents because of the boot drive. Chief Hempel said there hadn't been. Selectman Lavin said residents he had been talking to were split 50/50 about the boot drive, but if no town equipment were used, he wouldn't be opposed to it.

Chief Hempel asked how they would feel if they didn't have any town equipment there. Selectman Currier said that would be better, but he would rather the department interact with residents. He said the clam bake was too labor intensive and expensive, but they had a successful chicken barbeque; the money was mishandled, but something like that is more receptive to residents. Selectman Currier also asked if they could have a specific goal for the money, and make the residents aware of what the money would be going towards.

Chief Hempel asked if they would give the July boot drive a chance, and go from there.

Chairman Hatch asked if Chief Hempel could wait while they had a scheduled non-public session, and then they would continue the conversation of the boot drive.

**8:08 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. – Chairman Hatch-Yes, Selectman Lavin-Yes, Selectman Currier-Yes.

The Selectmen discussed a personnel issue.

**8:53 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch-Yes, Selectman Lavin-Yes, Selectman Currier-Yes.

**MOTION – Selectman Lavin moved to permanently seal the minutes of the above nonpublic session. Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.**

**Old Corner's Fire Station** – Selectman Currier stated that the Selectmen had heard that the Association had wanted to keep the old Corners Fire Station, and he speaking not as a Selectman, felt it should be sold back to the Owens for \$75 as had been stipulated in the deed.

Chief Hempel said the Association had discussed the merits of keeping the building for a training facility. Chairman Hatch stated that the Selectmen had told residents that once the new safety building was built, the old station would not be used for anything connected to the fire department. Dennis Comeau said he felt the association wants to get rid of the building.

**Boot Drive** – Selectman Currier said he would be okay with having the boot drive in July, but not to use any fire apparatus, and make the public more aware, then come back to the Selectmen after and talk further. Selectman Lavin said he sees nothing wrong with the boot drive. He agreed with Selectman Currier that they shouldn't use any fire apparatus. Chairman Hatch said they should do more "PR" to make the residents aware, but they could go forward with the July boot drive with no fire apparatus.

**New Fire Engine** – Chief Hempel informed the Board that he would be asking for their support for a new fire engine next year to replace Engine I. He said they had their annual pump test last week, and although it passed, the tester said it would need major pump work in the future.

**Roads Committee** – Selectman Currier stated that the Roads Committee had met; it went well. Mickey Daigle is Chair and Bill Smith will take minutes. Other members are Jimmy Hurst, Paul Perkins and Buzzy French, who doesn't feel he has the time to be a member, but is going to speak to Roy Buttrick about taking his place. He said they basically are trying to find out how much money Paul has in his budget for doing some of the things (money that he would have spent anyway), and asked what Paul had scheduled to do. They are going to look at the drainage on Loon Pond and putting fabric and pipe in; it is better to do it during the dry period. They want to help the road agent, and have jobs go out to regular contractors; no member of the committee would do any of the projects with the exception of Jimmy Hurst because Wolcott does all the paving for the Town. They also want to come up with a plan for next year's budget. The committee will meet on June 20<sup>th</sup> at 6:00 pm on Loon Pond Road.

**HDC Meeting** – Selectman Currier, HDC Representative stated that at the last HDC meeting they had discussed Allen Everett's request to pave a portion of his driveway. Selectman Currier asked if HDC should relax their rules and let residents pave if they want to; the roads are all paved. He said he was told no one was ever refused, but they want some control to make recommendations to prevent big paved areas like parking lots.

Selectman Currier said there had been a complaint about the A-Frame sign at the Corner Store, and it was asked what the HDC should do about the sign. He said the chairman said it is not their issue; it is a BOS issue. Selectman Currier said the Selectmen would need a letter of complaint from a resident.

Selectman Currier said, on his own, he had looked, and the Corner Store did have a sign, but so does the Brick House and the Academy Building. He said he would like to recommend that the Selectmen get together with the planner, and see if we could relax

the sign ordinance so a business trying to make a living can have some kind of signage for a store or business.

Selectman Currier said he would like to save the Town money and aggravation. He asked why our setbacks for septic systems are so much more restrictive than the State. He felt we should go with State regulations; they know what is safe. He asked Selectman Lavin, representative to the planning board, if he could bring it up at a planning board meeting.

**9:41 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. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

The Selectmen discussed a code issue

**10:00 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

**10:00 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. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

The Selectmen discussed a code issue.

**10:15 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

**10:15 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. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

The Selectmen discussed a code issue.

**10:20 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

**10:20 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. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

The Selectmen discussed a personnel issue.

**10:22 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

**Police Chief** – Tim reported that we had received fifteen resumes for the position of police chief. The review board will meet Wednesday afternoon to review the resumes.

**10:24 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. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

The Selectmen discussed a personnel issue.

**10:45 pm – Selectman Lavin moved to come out of Non-Public Session.** Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.

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

**Public Input** – Chairman Hatch stated that she had attended a work session at LGC, and learned that once the Chair of a board opens a meeting to public comment, you had to be careful not to violate their first amendment rights, but they should be made aware that if residents talk about people, they are opening themselves up to be cited for defamation of character. She said she also found out that when a Selectmen's meeting is taped, the Selectmen have the right to redact the tape before it is aired.



**06-18-12 BOS**

**APPROVED**

Chairman Hatch asked Tim to inform the planning and zoning clerks that when they correspond with their board members and hit “reply all” it constitutes a meeting, and they would need to do a set of minutes and attach the emails.

**Approval of Minutes**

**MOTION – Selectman Lavin moved to accept the minutes of June 4, 2012 as drafted. Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.**

**10:57 pm – MOTION – Selectman Currier moved to adjourn the meeting. Selectman Lavin seconded. Motion passed 3-0. – Chairman Hatch – Yes, Selectman Lavin – Yes, Selectman Currier – Yes.**

Respectfully submitted,

Lois Dionne  
Recording Clerk