

**APPROVED**

**Board of Selectmen  
27 August 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 present was Joe Haas.

After attendance, everyone stood for the "Pledge of Allegiance".

**6:04 pm** – Police Chief Joe Collins and Bill Robarge joined the meeting.

**6:05 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.

**6:55 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.

**6:56 pm** – Recess

**7:05 pm** – Back in Session

**Public Input** – Present for public input were Joe Haas, Lani Rosato and Mr. & Mrs. Millette.

**Recycling Concerns** – Ms. Rosato expressed concern about residents' unwillingness to recycle. She cited a couple of instances where she has confronted people at the recycling center when she has seen them dumping cans and bottles and other recyclables in the compactor. She said she is surprised at people's attitude, and asked how we could get them to change. The selectmen had no solution, however, when Ms. Rosato said she

would continue confronting people, Selectman Currier advised her to be careful because we can't violate people's rights.

**Tax Appeal** – Mr. Haas had requested a copy of the Selectmen's oath of office. He was told they don't have a signed one; the moderator swears them in after Town Meeting along with the other elected officials. Mr. Haas was unhappy with the Selectmen because he said they don't respond to his emails.

Mr. Haas plans to appeal his denial by the Town to have the school tax portion of his tax bill abated to the BTLA (Board of Tax and Land Appeals). He said if the Selectmen would get back to him with something of substance it would be helpful to the Town, as well as him, when he goes before the BTLA.

**Noise Complaint** – Mike Millette stated that he had filed a complaint on August 25<sup>th</sup> against his neighbor who is operating rock or wet saws. The noise in his back yard is uncomfortably noisy; the high-pitched noise hurts his ears.

Chairman Hatch noted that the planning board administrator received the complaint. She asked if the gentleman operating the saws had gone to the planning board. Tim said the gentleman has been into the office to pick up an application and get the information needed to go before the planning board.

Mr. Millette said he filed the complaint because he hadn't gotten anywhere speaking with his neighbor, who is now operating on Saturdays and Sundays. Selectman Currier stated that Mr. Millette lives in a light business district, and the man is trying to make a living. Mr. Millette responded that he is not trying to stop the man from operating his business, but when he is operating all three saws at once, the noise is unbelievable. Selectman Lavin said when he went before the planning board for his business his machines that make noise were required to be used in an enclosure, and his hours of operation were limited. Mr. Millette said that prior to this summer the saws were operated in an enclosure, so the noise was not prudent.

Chairman Hatch felt the planning board would address the issue, and Mr. Millette should be notified as an abutter. Selectman Lavin, who is the selectman rep on the planning board, will follow up on the matter.

**Recycling Revenue** – Tim received an email from the recycling manager informing him that prices we receive for recyclables has dropped. Price for mixed paper has gone down \$50 per ton, cardboard down \$45 per ton, tin down \$160 per ton, aluminum down \$280 per ton, #1 thru #7 plastics down \$120 per ton and rigid plastic down \$40 per ton.

Selectman Lavin asked if we could stockpile any of the recyclables until market prices go back up. We do have some storage trailers.

**Fire MSW** - Tim read a note from the Recycling Manager dated August 25, 2012 at 11:00 am that read as follows:

“At 9:30 am we noticed smoke coming from the MSW can, upon inspection we found that someone had tossed in a lit cigarette. We then filled the bobcat bucket with water and dumped it into the MSA can and had the residents put their trash bags on the side of the wall until we felt that it was out, we also notified the pd & fd letting them know what had happened as well as what we had done to ensure that it was out. As of this report we have added more water just to be on the safe side and everything is back to normal.”

Chairman Hatch asked Tim to have Justin check the surveillance camera.

**Vocational Internship** – Bethany Bilodeau of C.O.R.E. Vocational Services Inc stated that they serve students from Gilmanton through the school, and they have one who is interested in doing an internship at the transfer station. She asked if the Selectmen thought there was a possibility of doing that, and offered to answer any questions or concerns they might have. She said the school district would cover the liability insurance for the student to be there, as they have to for any student doing an internship anywhere. They would have staff there providing support for him, and making sure he is doing things that are safe, and that things around him are safe.

Chairman Hatch recused herself from the discussion because she works for the SAU office; she turned the meeting over to Selectman Lavin. Selectman Lavin said he liked the idea, and asked what the dates would be. Ms. Bilodeau said the recycling manager had also liked the idea. She didn't know what the date would be; it would depend on when the Town could make it work. She said she could usually complete the DOL (Dept. of Labor) paperwork within twenty-four hours. When asked how long the internship would be for, Ms. Bilodeau replied that the law is that it could take place for only up to 180 hours and within a six-month time period.

A brief discussion ensued.

**MOTION – Selectman Currier moved to allow the individual discussed to do an internship at the recycling center. Details to be worked out between C.O.R.E. and Recycling Manager Justin Leavitt. Selectman Lavin seconded. Motion passed 2-0. – Selectman Lavin-yes, Selectman Currier-yes. Chairman Hatch had recused herself from the discussions and voting.**

The meeting was turned back over to Chairman Hatch.

**Approval of Minutes – MOTION- Selectman Lavin moved to approve the minutes of August 20, 2012 as written. Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch-yes, Selectman Lavin-yes, Selectman Currier-yes.**

**Relaxed Ordinances** -Selectman Currier asked if Selectman Lavin had asked the planning board if they would be willing to relax their regulations on septic setbacks from water bodies and relax some signage ordinances. Selectman Lavin replied that he had forgotten.

This would have to go on a warrant article, and Selectman Currier wanted to know if the planning board would be willing to support such an article. Selectman Currier said if they relaxed the septic issue, the Town would not have to spend money for the code enforcement officer to look at septic designs, and the state would look at the plans as they do for most towns. Chairman Hatch asked if he wanted our setbacks to be the same as the State's. He replied that he did. Selectman Lavin will bring it up at the planning board meeting.

Selectman Lavin said he would like to initiate some kind of an advertisement that any business that opens up on Rte 106 would be tax exempt for the first five years they are in business. He felt the planning board would support it. Chairman Hatch noted that Mr. Bishop, who opened the Gilmanton Winery, had come in and asked if the Selectmen would be willing to waive a portion of his tax bill for the first five years, and it was determined that, as a Board, they couldn't do that. Selectman Currier stated that he didn't think they could do it as a board; they could support it, and put it before the people. He felt five year's exempt is a little radical, but he would support something that would get a better tax base going. Chairman Hatch agreed five years is too long, but she would support some sort of a tax break, but it should go on the ballot for residents to decide. They will discuss it further when they begin budget and warrant article discussions.

**Term Limits** – Selectman Lavin stated that some planning board members have been on the board eighteen and twenty-one years. He had expressed concern that with members being on the board for such a long period that we won't have diversified opinions. Chairman Hatch said she had thought about that, and felt it would be prudent for Tim to get opinion from legal counsel; she thought it might have to be a warrant to implement term limits.

Tim said that counsel said the best way to handle the situation is for the Selectmen to not reappoint someone who has been on the board for a long period of time if you want fresh faces and ideas.

Selectman Currier felt term limits are fairer, and term limits would be good on all boards, including the board of selectmen. Tim said the Board of Selectmen could institute a policy to limit the number of years a board member could serve. Selectman Lavin said he liked the idea of serving two terms, take a break, then you could go back on the board. The Selectmen will discuss the matter in more detail at a later date.

**Land-Use Change Tax** – Selectman Currier asked how much money the conservation commission gets from the land-use change tax and from the timber harvest. Tim replied

that they get \$2,500 plus 5% of the land-use tax from each parcel of land; they get nothing from the timber harvest.

Tim was asked to find out how much money the conservation commission has gotten from the land-use change tax for the past three years.

**Liquor License** – Tim informed the board that the town clerk had received a letter from the State Liquor Commission informing her that Harvest Enterprises LLC had applied for a combination beverage/wine/tobacco liquor license for the establishment at 518 Province Road. The state notifies the Town any time anyone from the Town applies for a license to give them an opportunity to comment on the application before approving or denying the application.

**Governor's Commission on Disability** sent a letter to the Town Clerk informing her that the state has adopted the 2010 Americans with Disabilities Act Standards (ADA). The Town Clerk spoke with John Richards from the state who told her as far as he knows Gilmanton is ADA compliant with our buildings, so it doesn't affect us.

**Grape Ave** – Tim said he had told the Selectmen that when looking at the pictures he had the contract building inspector take at 8 Grape Ave, while they were in the camera didn't look like there was trash around. When he printed the pictures out, the pictures show some trash, they also show that the building is on cinder blocks, and is open underneath. Tim thought if we had the inspector go back, he might be able to look under the building and ascertain if there is a pipe for a septic system; that is one of the neighbor's concerns. Chairman Hatch asked to have the inspector revisit the property when he- gets back from vacation.

**Political Signs** – Tim had an email from Roger and Elena Ball with a copy of a letter they are sending to the local newspapers regarding the shredding and stealing of political signs from personal property and along the roads. The email requested the issue be brought before the Selectmen for conversation and any solutions they may have.

Chairman Hatch said she emphasizes with the Balls; her signs were destroyed when she was running for selectman. Selectman Lavin said he had a sign taken from his property about a week ago. There was a brief discussion of the issue, but it was the consensus that there is nothing the Selectmen could do about the matter.

**Joint Loss Management Meeting** – Tim reported that the Joint Loss Management Committee had visited and viewed the interior of the highway garage and the sand shed in the Iron Works. They also visited the highway storage shed at 19 Church St. At the highway garage, the committee found the interior of the doors covered with soot from welding inside, one of the garage doors doesn't stop when you push the stop button, and another door comes out of the track when being raised. Recommendations were made to correct these issue. They also need placards over the fire extinguishers and the risers on

the stairs to the mezzanine need to be updated to code (railings and riser height). At the storage shed the committee recommended that the entry steps be replaced, the exterior be painted, get an estimate for updating the wiring, install racks for signposts and get an estimate to repair broken roof joists.

Tim said estimates for the exhaust fan that had been recommended for the fumes when welding was between \$4,000 and \$5,000. Selectman Currier felt the exhaust fan for the welding fumes was a waste of money; they should just move the welder outside when they weld.

The Selectmen asked Tim to arrange to have the road agent meet with them to discuss the issues.

**Boot Drive** – Tim reminded the Selectmen that the next NASCAR race would be on September 23<sup>rd</sup>. He asked if they were going to allow the firemen's association to hold their boot drive with the same regulations they had imposed in July. The Selectmen agreed to the request. Selectman Currier wanted to thank the firemen's association for the defibrillators that were purchased with the money from the July boot drive.

**Health Insurance** – Selectman Currier said he had talked with Tim about looking into different health insurance. He felt the Town should be able to get cheaper rates if the Town opted for a deductible for the employees, but not make the employee pay the deductible. He said the Town could set aside a certain amount for each employee insured, and if an employee goes to the doctor, the deductible would be paid out of that money. Selectman Currier felt that since not everybody goes to the doctor during the course of a year that would be cheaper than paying higher premiums and not having a deductible.

Tim has the name of someone who will be willing to come in to discuss it with them.

Selectman Currier said if that should happen he wanted to have the employees invited to sit in on some of the meetings.

Chairman Hatch said they would have to come up with a new line item for the money to cover the deductible.

The issue will be discussed further at a later date.

**8:23 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.

**8:45 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 Currier moved to seal the minutes of the above non-public session. Selectman Lavin seconded. Motion passed 3-0. – Chairman Hatch-yes, Selectman Lavin-yes, Selectman Currier-yes.**

**RFPs – Reval** – Tim reported that George Hildum, contract assessor had reviewed the bids for the data collection on all the properties in Gilmanton for the 2014 reval. We had five bids; the prices ranged from \$17.50 to \$25.00 per parcel. George has recommended we award the contract to MRI because they have an assessing division; they were also the lowest bidder.

**MOTION – Selectman Currier moved to hire MRI to do the data collection for the 2014 reval. Selectman Lavin seconded. Motion passed 3-0. – Chairman Hatch-yes, Selectman Lavin-yes, Selectman Currier-yes.**

**SB2 Schedule** – Tim distributed draft copies of the calendar schedule for the SB2 budget meetings. He still has to have it approved by the budget chair.

**Inspections** - Tim informed the board that Mr. Tobin, who has been doing our inspections, is on vacation. We have a foundation inspection that needs to be done, who should do it? After discussion it was agreed that Selectman Currier would ask Mickey Daigle to do the inspection.

**8:52 pm – MOTION – Selectman Lavin moved to adjourn the meeting. Selectman Currier seconded. Motion passed 3-0. – Chairman Hatch-yes, Selectman Lavin-yes, Selectman Currier-yes.**

Respectfully submitted,

Lois Dionne  
Recording Clerk

