

**Board of Selectmen  
14 November 3011  
Minutes**

**6:00 pm** - Chairman Don Guarino called the meeting to order. Present were Chairman Guarino, Selectman Rachel Hatch, Town Administrator Tim Warren and Clerk Lois Dionne. Selectman Lavin was not in attendance.

Also in attendance were Roger and Elena Ball, Brett Currier and Road Agent Paul Perkins.

**Highway Dept. Budget** – The Selectmen reviewed the highway department budget with the road agent. There were no major changes in the budget request for 2012. Paul said his plans for next year are to continue working on Loon Pond Road, pave Shannon Road and portions of Middle Route, as well as do culvert work and regular maintenance.

Fire Chief Hempel and Cindy Houghton joined the meeting.

**Clarification – Fire Dept. Courses** – Chief Hempel wanted to clarify a discussion he had with the Selectmen last week. He requested compensation for the time he had spent taking some Incident Command System 300 and 400 courses. He explained that the fire chief is required to take these courses in order for the department to be eligible to receive Federal and State grant monies. Chief Hempel said he has applied for grant monies for a new engine to replace Engine 1 and for an exhaust system for the Iron Works Station.

Joanne Stendor joined the meeting.

After a brief discussion, the Selectmen approved compensating Chief Hempel for his time to take the courses.

**Selectmen's Budget** – The Selectmen reviewed the Selectmen's budget, the Elections budget and Town Clerk/Tax Collector's budgets. There was a large increase (\$16,000.00) in the Elections budget over which the Town has no control. The increase is due to there being four elections next year.

Israel Willard joined the meeting during the budget discussion.

**7:00 pm – Public Input** - Chairman Guarino read “Public input is reserved to allow residents, without prior notice, to bring forward new information on matters of interest to the Town. Existing cases or applications shall not be heard. Residents with existing cases or applications shall use the channels established for appeal or submission of new information in their cases. The Selectmen reserve the right to place time limits on public input. No vote will be taken on any matter brought in through public input unless a dire emergency requires such action.”

**Old Police Vehicles** – Brett Currier asked why we have a number of old police cruisers hanging around rather than being taken to the State auction like we used to do. The Selectmen were unaware that there were any unused vehicles, and will check into it.

**Answers to Mr. Willard’s Questions** – Israel Willard stated that he had not received answers to questions he had asked at previous Selectmen’s meetings.

**Firewall** -Chairman Guarino stated that the firewall that is needed to be installed at the Iron Works fire station is costly, so would have to be put in next year’s budget. Mr. Willard was concerned about the safety of the students at the station. Chairman Guarino said Chief Hempel had told him the students were moved to a safe area. There was a brief discussion.

**Planning Clerk at ZBA Meetings** – Mr. Willard had asked why the planning clerk had attended a ZBA meeting with an applicant, and if she had been paid for attending the meeting. Selectman Hatch stated that she had reported that information the following week. She reiterated what she said at that meeting, which was that the Planning Board had directed the clerk to attend the ZBA meeting in case there were any questions pertaining to the planning board, and she was compensated for attending.

Mr. Willard said this went on for three months. Selectman Hatch said the clerk had been directed to go to the meeting if any of the applicants had already applied to the planning board, and had to go before the ZBA to see if she could assist with any questions. Mr. Willard asked if she had been directed by the planning board to go to the Local Government Center and ask questions about septic for the ZBA; whether they (ZBA) have the right to have it on their application. Rachel stated that this is something new that Mr. Willard hadn’t addressed before, and she didn’t have the answer. Mr. Willard said the planning clerk had put it on their (ZBA) last agenda, and asked how the planning clerk had the right to put something on the ZBA Agenda. Selectman Hatch will follow up on the issue.

**Use of Town Equipment** – Mr. Willard asked if he could borrow Town equipment such as the fire truck and ambulance for next Veterans Day, so he could do a boot drive for the veterans. He stated that the Fireman’s Association uses the Town equipment for a boot drive that has nothing to do with the fire department; the money goes to the fireman’s association, and it is a private organization.

Mr. Willard felt the boot drive creates a traffic hazard, and wants the practice stopped unless he can use the equipment for a boot drive for Veterans Day.

**Conflict of Interest?** – Cindy Houghton prefaced her concern by stating that what she was saying was not to imply that there was inappropriate action or illegal action or personal action on anyone's part, but she had a concern of conflict of interest. She said she knows we don't have enough people in Town who stand up and take the positions, but she felt there is too much involvement by Selectman Hatch across functional areas of Town; the school board, the budget committee, and the Board of Selectmen and works for the school department. Cindy said it is not personal, she had felt the same when Stan Bean had been involved in so many areas.

Roger Ball stated that it is the mere appearance of conflict of interest when Rachel sits at the right hand of her husband, who is school board chairman, and the left hand of the school superintendant, and her eight hour day is with the superintendent of schools, and then she is on the governing body of the Town; it is close, which is the mere appearance, and that is the government standard.

Selectman Hatch asked if Cindy and Mr. Ball felt that her being a recording clerk on the budget committee and the school board was a detriment to both boards. Mr. Ball felt it was a detriment to the school board because she sits beside her husband, and they talk with each other. He didn't feel the recording clerk should be seated by the chairman of the board, and it is a detriment because of mere appearance of conflict of interest. He felt that sitting on the Board of Selectmen and working for the school, matters are discussed that are across the board. He cited the recent issue of the tax payment schedule between the town and the school administration. Mr. Ball said there are many people who feel the same as he does.

Brett Currier agreed with Mr. Ball, and added that residents are concerned that town employees, such as the police chief and recycling manager go to the school district office to discuss town business with Rachel while she is getting paid by the school.

Selectman Hatch asked if Brett was saying she should either resign as Selectmen or resign her job. Brett said he felt she should do one or the other for her own sake. He didn't feel what she is doing could be legal. Selectman Hatch replied that she had asked counsel, and was told it would be legal for her to work for the school district and be a selectman at the same time. Brett said he wasn't questioning that, but that she couldn't talk town business at the school district office with the chief or recycling manager while getting paid by the school department.

**Phone Service** – Elena Ball stated that while the highway budget had been being discussed, the cost of phone service was brought up. She stated that TDS has a plan with unlimited local and long distance call for \$45.00 per month. Selectman Hatch asked Tim to have the road agent check to see what price he could get.

**MetroCast Funds** – Cindy Houghton asked what is done with the money that the town receives from MetroCast Cable. It goes into the general fund.

**Public Input** – Mr. Willard asked if allowing only fifteen minutes for public input was to be a permanent change to the selectmen's agenda. Chairman Guarino said it is not permanent. He explained that many times there is no one here for public input, and because the selectmen have been so busy with the budgets and trying to update the personnel policy that if there is a busy agenda, they might limit public input to fifteen minutes.

**7:20 pm – Recess**

**7:26 pm – Back in Session**

**Health Insurance** – Tim presented the Selectmen with rates for different health insurance programs. The Selectmen reviewed the options trying to find a plan that would enable them to keep the employee share close to what they currently pay.

An appointment has been made to have a representative from LGC meet with the employees next Tuesday morning to explain the plans and the options available to them.

**Budget Review** – The Selectmen continued review of department budgets. These budgets included the treasurer, budget committee, assessing, planning, ZBA and HDC. There was an increase in the assessing budget due to the cost for appraisal of the utility poles. We can now tax telephone poles, which we have never been able to do before. There was a slight increase (\$500) for planning and a slight decrease (\$300) in the zoning budget request.

The welfare budget was decreased. We had a request for funds from the Greater Lakes Child Advocacy Center for \$1,000. They provide help to children ages two to eighteen years that are victims of sexual or other types of abuse. Eight child victims from Gilmanton were helped by this agency last year.

**Bids** – The town had requested RFPs for several projects. Bids were due today.

**Plowing and shoveling at Safety Building** – Bids were as follows:

Drake Brothers Land Care LLC	\$6,525.00
Bryon McSharry	8,499.00
Four Corners	4,150.00
Bill Booth	4,000.00

These bids are for the 2011-2012 winter season.

No decision was made. Chairman Guarino will review the above bids before awarding the project.

**Painting Academy Building** – Bids were as follows:

Classic Painting Services	\$4,400.00
Andrews Painting LLC	10,500.00
Hodgkins Painting & Maintenance	5,062.00

**Painting at Recycling Center** – Bids were as follows:

Classic Painting Services	\$5,600.00
Andrews Painting LLC	5,500.00
Hodgkins Painting & Maintenance	3,100.00

**Painting at Old Town Hall** – Bids were as follows:

Andrews Painting LLC	\$18,800.00
Hodgkins Painting & Maintenance	8,090.00

No decision was made on the painting bids. The bids will be reviewed and awarded at a later date.

**Shoveling Walks – Academy Building & Old Town Hall** – Only one bid was received.

Bill Booth	\$60.00 per storm – Academy
	40.00 per storm – Old Town Hall

**MOTION – Selectman Hatch moved to award the contract to Bill Booth for snow removal on the walkways at the Academy Building and Old Town Hall for a total of \$100.00 per storm. Chairman Guarino seconded. Motion passed 2-0.**

**Letter Recommendation – Chief O’Brien** - Tim had a letter from a resident commending Chief O’Brien for his professionalism and kindness. Chief O’Brien helped the resident who had a flat tire. He stayed with her until the car was fixed and he was sure she was able to safely travel home.

**Email** – Tim received a copy of an email that John Dickey had sent to Betty Arms telling her that the trees at the Old Town Hall were going to be taken down and replaced next year. Ms. Arms indicated that the Gilmanton Garden Club would like to make a donation toward the new trees.

**11-14-11 BOS**

**APPROVED**

**Tax Rate Setting** – Chairman Guarino stated that a resident had said the minutes never reflected how the selectmen set the tax rate. The tax rate is set by the State, not the Town. It is based on the revenue received compared to the projected budget. In past years the Selectmen have been able to use funds from the undesignated fund balance to offset an increase in the taxes, but due to the mandate by the state that requires the Town to keep a certain amount of money in the balance to apply against unpaid taxes, the money was not there this year to use to offset the taxes.

**8:45 pm - MOTION – Selectman Hatch moved to adjourn the meeting. Chairman Guarino seconded. Motion passed 2-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk