

**APPROVED**

**Board of Selectmen  
19 December 2011  
Minutes**

**6:00 pm** – Selectman Rachel Hatch called the meeting to order. Present were Selectmen Hatch and Ralph Lavin, Town Administrator Tim Warren and Clerk Lois Dionne. Also in attendance were John Dickey, Steve Bedard, Roger and Elena Ball, Cindy Houghton and Bernadette Gallant. Chairman Guarino joined the meeting at 6:35.

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

**LCHIP GRANT** – John Dickey reported that the LCHIP grant that he and Steve Bedard had applied for that would allow the complete restoration of all the windows in the Academy Building had been approved. We will be receiving \$42,750 from LCHIP, and combined with the money appropriated at Town meeting allows for insulating and sealing the building, which has been done, and complete restoration of all the windows in the Academy Building.

John said he had contacted Andy Roper of Winn Mountain Restorations, LLC, to make sure the quote in his proposal was still valid; it is, and Mr. Roper could start the project the end of January. John stated that the grant included a 4% contingency amount.

The contract with Winn Mountain has to be signed before work can begin. John said we should be getting the paperwork, with instructions from LCHIP shortly. Mr. Dickey and Mr. Bedard will act as the go between for the Town and Contractor during the course of the project, as they did on the cupola project.

Selectman Hatch thanked Mr. Dickey and Mr. Bedard for all their work in obtaining the grant, and said she would like to defer further action until Chairman Guarino arrives.

**Recycling Center Closure** - Tim asked if the recycling center would be closed on Sunday, December 25<sup>th</sup>, Christmas Day. It will be closed.

**Merry Christmas** – Tim said a complaint had been received because the whiteboard at the recycling center says “Merry Christmas”; it was felt it should be changed or add Happy Holidays. The Selectmen opted to leave the sign as it is.

**Invitation** – The Selectmen received an invitation to attend the Lakes Region Chamber of Commerce's 93<sup>rd</sup> Annual Membership Meeting to be held on January 19, 2012 at Church Landing in Meredith.

**Christmas – 2012** – Selectman Hatch stated that she had thought about the request Tim had brought forth last week about doing away with one holiday during the year and having the day before Christmas off instead, as Christmas falls on a Tuesday next year. There was a brief discussion; Selectmen Hatch and Lavin agreed to leave the holidays as they are, and if an employee wishes to take that day off they could take a vacation day, or take the day off without pay.

**Budget Committee FYIs** – Selectman Lavin brought to the attention of the board issues that had been raised at the Budget Committee meeting.

**Selectmen Salaries** - The Selectmen receive \$9.50 an hour for the hours they work on election days; Israel Willard felt they should not receive compensation, as it is part of their duties as elected officials.

**Code Enforcement Salary** – There was concern expressed regarding the salary of the code enforcement salary, especially since he is a part-time employee.

**Maintenance – Safety Building** – There was a discussion regarding the amount of maintenance at the safety building.

**Contribution – Snowmobile Club** – There was concern about the \$2,000 donation to the snowmobile club; how does the club help the Town?

**Boy Scouts – Sell Popcorn – Election Day** – Tim said he had received a call from Betty Hughes asking permission for the Boy Scouts to sell popcorn in the hallway at the Academy Building on Election Day from 4:30 pm to 7:00 pm. The issue will be discussed when the full board is present.

**Carpets in Hallway** - Tim said we had a company come in who is willing to put carpets in the hallway at the Academy Building at half the price of the company we currently use. The carpets would be the same as we are getting now; they are replaced once a month. Rachel felt we should try the new company. Selectman Lavin felt we should try them, but on a month-to-month basis.

**Bottled Water** – Tim reported that we had talked earlier about switching bottled-water companies. He said the State bid has changed as of the first of the year, and we have a better price with the new state contract than our current one. The new company is Crystal Rock out of Bow, NH. Our current supplier is aware that we are looking for a new supplier.

**Fallen Trash** – A gentleman complained that trash had fallen from Ralph Goodwin's truck on Route 107, and Ralph had not stopped and picked it up. The gentleman said he has picked it up at least three times. Tim will speak with Ralph.

**6:35 pm – LCHIP Grant** – Chairman Guarino arrived at the meeting. Selectman Hatch briefed him on the LCHIP Grant. After ascertaining that restoration of the windows would not require any more Town funds than were appropriated at town meeting, Chairman Guarino agreed we should accept the grant and Winn Mountain's proposal to restore the windows.

**MOTION – Selectman Hatch moved to accept the bid of Winn Mountain Restorations, LLC in the amount of \$75,524 to restore the windows in the Academy Building. Selectman Lavin seconded. Motion passed 3-0.**

Chairman Guarino signed the contract with Winn Mountain.

**Update** – Chairman Guarino was updated on issues discussed before his arrival.

**2012 Holiday** – There was a brief discussion of switching holidays to have the day before Christmas off next year. It was agreed to leave it as it stands and employees will have to use a vacation day or take an unpaid day off if they want the day off.

**Carpet and Water Changes** – Chairman Guarino was in agreement with changing carpet and water companies.

**Budget FYIs** – Don felt the Budget Committee FYIs Selectman Lavin apprised them of required some response. He will respond regarding the Snowmobile club, whom he feels does a lot to help the town by the work they do on the Class VI roads to maintain their trails.

**Popcorn** – There was a brief discussion of the request for the Boy Scouts to sell popcorn on Election Day. Selectman Hatch felt it might take away from the elections. Selectman Lavin felt if it is legal and they place restrictions it would be okay. The discussion was tabled until after Public Input.

**7:00 pm - Public Input** - Chairman Don 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.

**Popcorn** – Cindy Houghton felt if the Selectmen allow the Boy Scouts to sell popcorn on election day, it might cause people to congregate in the hallway. She agreed with Selectman Hatch that the day should be about the elections, and if you allow the Boy Scouts to sell popcorn, that would set precedence and you would have to allow other groups the same privilege. The Selectmen agreed that it would be better to deny the request.

**LCHIP Grant** – Cindy asked if Mr. Dickey and Mr. Bedard receive any compensation for being project managers for the window restoration project and for obtaining the LCHIP Grant. They receive no compensation; it is all strictly volunteer work. Cindy felt they deserve thanks and recognition for their time and effort.

**Grant Writer** – Elena Ball asked if we had hired the grant writer. We have, but there is no expense unless she gets a grant. She has been asked to include compensation for her time into the amount of the grant request.

**Recycling Center Closure** – Elena asked if it would be noticed that the recycling center would be closed on Christmas. There will be a notice in the paper, at both post offices and at the recycling center.

**Christmas** – Brett Currier gave Selectman Hatch an “Atta Girl” for sticking up and allowing the sign at the Recycling Center to say “Merry Christmas”.

**Two Dwellings – One Lot** – Selectman Hatch asked if Tim had followed up on the questions Brett Currier had bought up last week on the issue of building permits being issued for two dwellings on one lot of land. He felt it went against the ordinance, and that the building inspector had misinterpreted the change in the ordinance.

Tim said he had spoken with Bob and told him he was not to issue two permits for one lot until further notice. Bob was concerned and wants to get an opinion from Town Counsel regarding the definition in the ordinance; he doesn’t feel it is clear.

Chairman Guarino said he had spoken with the planning board chair, and she felt Bob’s interpretation of the change is incorrect. Don said the chair would be willing to put her interpretation in writing if needed.

There was a brief discussion of the issue during which Brett expressed concern that one resident is going to be affected because of the change, and the way Bob had interpreted it.

There was no more public input at this time, but Chairman Guarino said he would leave it open until 7:30.

**Other Business**

**Old Police Vehicle** – Selectman Hatch asked Chief O’Brien about the 2004 Crown Victoria that had been mentioned at last week’s meeting as a possible vehicle for employee use rather than pay mileage.

Chief O’Brien said the car is in good shape, but he would have to have the police equipment stripped from the car; it should be available for employee use in January.

**Alcohol Use – Crystal Lake Park** – Selectman Hatch asked if Tim had set up a meeting yet for Chief O’Brien and Gary Lines of Parks & Recreation to meet with the Selectmen. It has not been done yet, but is on his list.

**Ambulance Purchase vs. Lease** – Tim reported that to lease an ambulance like we were anticipating purchasing would be \$63,544 per year for a three-year lease, and \$39,408 per year for a five-year lease. We could do monthly or yearly payments.

**Fire Department Letters** – Tim presented copies of letters the fire chief drafted for their approval. One letter is an opinion survey on service received that he would like to give people who have been transported by ambulance. The other is a performance evaluation for call personnel. The Selectmen approved the letters.

**Tree – Thompson Town Forest** – Last week it had been reported that a tree was down across the path in the Thompson Town Forest. A resident had wanted to cut it up and remove it and keep the wood; his request had been denied because of liability issues. Tim said some members of the conservation have tools and said they would take care of it. They would cut it up and donate the wood to residents who might need the wood for fuel. It was suggested they contact Jane Sisti, as she would probably know who might be able to use the wood.

Before anyone cuts the wood, Chairman Guarino said he wanted to call LGC to find out what the liability would be to the Town.

**Trash Pick Up** – Tim said Ralph Goodwin currently picks up the trash at the Academy building. He felt we could save money by having one of the attendants at the recycling facility pick up the trash on their way to the facility. There was a brief discussion. Tim will discuss it with Justin Leavitt, Facility Manager.

**TD Bank** – Selectman Hatch was concerned about an email from TD Bank that Jen Correia had forwarded her. The bank moved money from an interest bearing account to a non-interest bearing account without the Town’s knowledge and we are being charged fees. Tim said this is because we are closing our accounts with TD Bank, but after Jen contacted them, they did agree to hold off on any fees until December 15<sup>th</sup>.

**Noise Ordinance** – Selectman Hatch stated that at the last planning board meeting, she had been asked to bring forward the issue of a noise ordinance.

There was a brief discussion during which Chairman Guarino and Selectman Lavin expressed their opposition to a noise ordinance. Police Chief O'Brien also expressed his concern about establishing a noise ordinance; he felt it would result in having to add an extra officer to the force to handle complaints.

**7:30 pm** – Chairman Guarino closed public input.

**Gifts** – Throughout the year the town receives gifts from Staples after purchases reach a certain amount. The gifts are saved and given to employees at Christmas. The Selectmen took a few minutes to draw names to receive the gifts.

**Approval of Minutes – MOTION – Selectman Lavin moved to approve the minutes as written. Selectman Hatch seconded. Motion passed 3-0.**

**Personnel Policy** – The Selectmen have been in the process of updating the personnel policy. We have received guidelines from LGC to help in the process.

The Selectmen agreed to follow the recommendation of LGC regarding the Sexual Harassment Policy, and that all department policies are to be consistent with the one in the personnel policy.

There was considerable discussion on the part of the policy regarding vacation. The issues were the way vacation time is earned, whether any unused vacation time can be carried over to the following year, and buying back one week of unused vacation time at the end of the year.

Discussion was tabled until after meeting with the Conservation Commission.

**8:00 – Recess**

**8:06 – Back in Session**

**Conservation Commission – Bartlett Easement** – Conservation Chair Tracy Tarr, former Chair Nanci Mitchell and Andy and Ann Bartlett were in attendance to have the Selectmen accept a gift of a conservation easement on the Bartlett's land. The Town had previously agreed to accept the gift of a conservation easement on two parcels of land owned by Ann and Andy Bartlett. One of the parcels had no conditions, but the other had the condition that the Bartlett's have a bank subordination mortgage on the property.

The Mortgage subordination was received, and a couple of minor changes were made to the easement, which were approved by both Town Counsel and the Bartlett's Attorney. The changes were explained to the Selectmen. There will need to be a title update done

at the time of recording the easement. Conservation Clerk Des Tumas will take care of that when she records the easement.

**MOTION – Selectman Hatch moved that the Gilmanton Board of Selectmen accept the gift of the Conservation Easement Deed for approximately 39 acres, situated on Lougee Road, an unmaintained town roadway, and Thistle Road, a discontinued roadway, in the Town of Gilmanton, County of Belknap, State of New Hampshire, shown as “P/O MAP 423, Lot 47 Easement Area” on sheet 3 of 3 of a plan prepared by Bryan L. Bailey Associates, Inc., Turning Point Land Surveyors & Land Planners, and titled “Conservation Easement Plan, Land on Griffin Road & Thistle Road & Pancake Hill Road, Gilmanton, NH;”, dated October 15, 2009 subject to a satisfactory update of the title opinion. Selectman Lavin Seconded. Motion passed 3-0.**

**MOTION – Selectman Hatch moved that the Gilmanton Board of Selectmen accept the gift of a Conservation Easement Deed for approximately 116.2 acres, situated on Griffin Road, a maintained town roadway in the Town of Gilmanton, County of Belknap, State of New Hampshire, shown as “Easement Area, P/O MAP 423, Lot 50” on sheet 2 of 3 of a plan prepared by Bryan L. Bailey Associates, Inc., Turning Point Land Surveyors & Land Planners, and titled “Conservation Easement Plan, Land on Griffin Road & Thistle Road & Pancake Hill Road, Gilmanton, NH”, dated October 15, 2009, subject to a satisfactory update of the title opinion. Selectman Lavin seconded. Motion passed 3-0.**

The easements were signed and notarized. Desiree Tumas will record them at the Registry of Deeds.

**Tree – Thompson Town Forest** – Tracy Tarr addressed the issue of the fallen tree in the Thompson Town Forest. She said they have a licensed forester on the conservation commission who would be willing cut the fallen tree up, and she asked about donating the wood to a needy family.

Chairman Guarino said the Selectmen were in favor of donating the wood, but he would like to check with LGC regarding the liability to the town before anyone cuts the tree.

**Pond Dredging – No Permit** – Chairman Guarino asked if Tracy had heard about a bill that passed in the House that allows a farmer to dredge their pond to maintain it without getting a wetlands permit. Tracy said it needs to be a maintained farm property, but you have to be careful if there are ponds that are a part of natural wetlands, but there are some exclusions to make it more streamlined.

**Update of Personnel Policy Continued** – The Selectmen continued working on the personnel policy. Prior to meeting with the Conservation Commission, they were

discussing the vacation policy. After more discussion, it was decided to keep the vacation portion of the policy as it is in the current policy.

**9:00 pm – Selectman Hatch 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.

The Selectmen discussed a personnel issue.

**9:08 pm – Selectman Hatch moved to come out of Non-Public Session.** Selectman Lain seconded. Motion passed 3-0.

**9:09 pm – Selectman Hatch 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.

The Selectmen discussed a personnel issue.

**9:47 pm – Selectman Hatch moved to come out of Non-Public Session.** Selectman Lavin seconded. Motion passed 3-0.

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

**9:48 pm – MOTION – Selectman Hatch moved to adjourn the meeting. Selectman Lavin seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk



