

**APPROVED**

**Board of Selectmen  
15 March 2010  
Minutes**

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

**Deputy Clerk/Tax Collector** – Town Clerk Deb Cornett introduced and swore in her new Deputy Clerk/Tax Collector, Heidi Jackson-Rhine. Heidi will start her new position on Monday, March 22<sup>nd</sup>.

**FYIs & Other Business**

**Town Reports** – Tim read an email from Walter Mitchell who, as a resident, felt that handing out Town Reports at the Recycling Center was a great idea. Tim said it had been Justin Leavitt's idea.

**Holding Tank – Public Safety Building** – Tim informed the Selectmen that we had received a letter from DES (Dept. of Environmental Services) stating that the holding tank for the new public safety building had been registered. This tank is for the water from the floor drains.

**GAT** – Tim reported that our GAT sent to Penacook in February was 70.37 tons, which is down from 81.20 tons sent in February 2009.

**Budget Figures** – Tim said that he and Budget Chair Stan Bean had sat down today and reviewed the budget figures to be sure they agreed after the amendments at Town Meeting; it is all squared away. There was a very brief discussion on some of the items in the budget.

**Lights in Village District** – Tim stated that he and Steve Latici had both spoken with NHEC about the lights in the Village District. The lights in the district are so old that there are no parts to fix them if the lights break, and the bulbs used in the lights are no longer available. Tim said Steve had told him that when the district holds their annual meeting, he is going to ask to dissolve the district; this means if the lights are to stay on, or be replaced, the Town would have to pay for them. Currently the district pays for these lights.

Chairman Hatch asked if the dissolution of the District would require a public hearing. Tim said that he had spoken with DRA, and RSA 52-21 reads “Dissolution – Any village district and district now in existence having the rights and powers of a village district, may, at an annual meeting, by a 2/3 vote of its legal voters, terminate its existence and dispose of its corporate property.”

There was a brief discussion of the lighting issue, but the Selectmen will wait until after the District Meeting before they make any decisions on the lighting.

### **Recycling Dept. Update**

**Plastics** – Justin informed the Selectmen that the recycling center is now accepting plastics with numbers 1 thru 7 for recycling. The plastics no longer need to be separated by numbers. It is important to note that ***lids and caps cannot be accepted***; they still need to go in the compactor. A press release will be issued to inform residents of this change. Justin said he is working with another vendor trying to get him to accept “rigid” plastics, such as a TV case, the shell of a telephone, garbage cans, some children’s toys, etc.

**Compost** – Justin asked if there was anyone in town we could rent a screen from so we could do composting. He said the State allows all scraps to go into the compost pile, with the exception of bones and meat. There was a brief discussion of composting.

**Recycling Committee** – Selectman Guarino addressed the issue of resurrecting the recycling committee. Justin said he is the only active member. Don said he would like to be on the committee. Chairman Hatch felt we should advertise for members. Selectman Guarino felt the composting issue was one that should be addressed by a recycling committee.

**Metal Pile** – Justin reported that he is trying to make more room for metals. He would like to be able to separate the various types of metals, rather than have them in just one pile; separating the types of metals would bring in more revenue.

**Driveway Location** – Chairman Hatch stated that we had pursued the location of the driveway at the recycling center with the State, and asked where we stood. We were told we could have only two “curb cuts”, so we were working on altering the location of the current driveway. Justin said he and Chief Lockwood were working on a plan, and were getting rough estimates to change the current entrance. The project, when approved, would be put out to bid.

**Concrete Pad – Metal Pile** – Selectman Guarino stated that there has been concern about the location of the concrete pad that is to be put under the metal pile. The concern is in relationship to where the catch basins and drains are located. Justin replied that DES would be coming up to work with him on the placement of the pad, and when he gets a plan, he would bring it to the Selectmen.

**Pay-Per-Throw** – Chairman Hatch stated that it had been shown at Town Meeting that residents were not in favor of a pay-per-throw program, so that should be “put to bed”. She said single-stream recycling would not make any money for the town, so that left mandatory recycling. There was discussion that recycling has increased 3-½ % in the past three years, and now that the recycling center is to accept more plastics, we should see an increase in recycling, that and more education and community projects might effectively promote more voluntary recycling.

Justin reported an incident yesterday where a resident had hidden a microwave oven in a black plastic garbage bag, and had thrown it in the compactor. He was made aware of it by the noise it made when the bag was thrown into the compactor. By checking the security cameras, he was able to trace who had disposed of the microwave, and turned the issue over to the police department. Justin stated that this type of incident is why he would like to do away with accepting trash in black bags.

Steve Bedard commended Justin on the job he is doing operating the recycling center. He asked if Justin knew what percentage of the recycling income he received last year had come from the metal pile. Tim checked the Town Report. Of the \$46,819.00 brought in from recyclables, the amount brought in from scrap metal was \$6,750.00.

**Public Input** – Residents present for public input were Tom Scribner, Steve Bedard, Andrew Stockwell, Cindy Houghton and Israel Willard.

**Recycling Committee** - Andrew Stockwell stated that he would like to serve on the recycling committee.

**Waste Oil Furnace** - Andrew Stockwell stated that the road agent hadn’t been at town meeting, but Andrew had spoken with him, and Paul didn’t feel we generate enough waste oil to maintain the furnace at the highway shed and one at the recycling center. Andrew also questioned the wisdom of buying a used furnace, and felt it should be able to use other fuel, if necessary, as the one at the highway department does. Justin assured Mr. Stockwell that there would be enough waste oil, as he has an additional source for the oil; the furnace he is looking to buy would also be able to use fuel other than waste oil. Andrew asked if Justin was aware of the regulations regarding the use of waste oil, and also if he had looked into any grants.

There was a brief discussion, but Chairman Hatch felt this issue is something the Selectmen should discuss with the two department heads.

**Recycling Committee** – Israel Willard volunteered to be on the recycling committee. He felt the committee should approach the recycling issue differently than has been done in the past. It should be approached as an increase in recycling, not mandatory. We need to push recycling through education, and getting children involved. Chairman Hatch stated the need for residents to come together as a community to recycle.

We will advertise for members for the recycling committee.

**Cement Pad** – Israel Willard asked if the cement pad for the metals was going to be rebid. He was told it would be. He asked why there is to be a four-foot wall in the back. Selectman Guarino explained that DES would be coming out to look at the plan, and we would be getting new specs.

**Building Inspector** – Mr. Willard asked why the building inspector had to work Mondays, when most holidays fall on Monday; he didn't feel there was any need for him to work Mondays.

Chairman Hatch stated that they were scheduled to meet with the building inspector later this evening, and would discuss it with him.

**Town Clerk** - Mr. Willard asked if the town clerk works for the selectmen. He was told that she doesn't. She is an elected official, the same as they (selectmen) are, and therefore is accountable to the residents. Mr. Willard wondered why a police officer had delivered a letter to his house informing him of his appointment to the budget committee rather than sending him an email or something. Chairman Hatch felt it was a legal requirement, but suggested Israel ask Deb Cornett.

**Town Buildings** - Mr. Scribner said it was stated at Town Meeting that the Iron Works Town Hall was not repairable. Mr. Willard stated that it was the cost to repair the building, not that it couldn't be repaired. Mr. Scribner asked if we were having the code enforcement officer look at our town buildings so we don't have the problems that we are currently running into, such as the \$40,000.00 repair to the Academy building cupola. He stated that according to RSA, capital improvements have to be done every year. Every office has to submit their capital plan; this goes to the Selectmen, the Budget Committee and the Planning Board; that is used to plan with. Mr. Scribner felt we should use the building inspector's expertise so we could be informed of what is needed.

**LCHIP Grant** – At Town Meeting Steve Bedard had suggested applying for an LCHIP Grant to help offset the expense for the repair and replacement of the cupola on the Academy Building. Tonight he handed out and briefly reviewed information explaining what the grant could cover and volunteered to help with the grant application for the town and to be the contact person. There is a form that has to be submitted listing a contact person before we can apply for the actual grant. Steve stated that after this form is submitted he would be happy to work with a grant-writing committee. The Selectmen approved Mr. Bedard as the contact person. LCHIP grants have been awarded to several towns to help with steeple/bell tower and cupola repairs. Steve felt because the Academy Building is on the National Historic Register it would improve our chances of receiving a grant.

**Libraries** – Cindy Houghton asked what the Selectmen could do about the current configuration of the libraries in town, such as consolidating the libraries. Chairman Hatch replied that the Selectmen would want to meet with the Board of Directors from the Year-Round Library to see how the libraries could work together. Cindy expressed her belief that there is no longer any need to keep the Corners Library open. Chairman Hatch stated that the passion of the residents for the Corners and Iron Works libraries run very deep, and felt that even if the closing of those libraries were an eventuality, change comes very slow, so it wouldn't happen soon.

**Long-Range Plans** – Cindy asked if the Town had any long-range plans for Gilmanton. She was told that falls back to the Master Plan and Capital Improvement Plan that falls under the purview of the Planning Board.

**Recycling** – Israel Willard asked what Justin felt the increase in recycling would have been if the Pay-Per-Throw program had been instituted. Justin stated that based on results from other towns, he estimated it would have been between 60 – 65%. Steve Bedard said it would have been at least 40%.

**Cupola Committee** – Tom Scribner stated that he would like to see the Selectmen form a committee, with Steve Bedard as a member, to oversee the repair and replacement of the cupola.

Steve Bedard shared Mr. Scribner's concern about the need to check town buildings. He offered his expertise to check these buildings along with others.

Mr. Willard wanted to clarify that a feasibility committee had determined that the Old Town Hall was not suitable for a police station, but had not determined it to be unsafe to be used for other purposes.

### **Fire Dept. Update**

**Roof Repairs** – Chief Lockwood stated that he had gotten three bids for the repair of the roofs at the Iron Works fire station and at the recycling center. He said every contractor had said we need a new roof; it could be repaired, but would need a new roof within two years. The bids were:

Fire Station:

Budell Construction	Open-ended bid
Riess Construction	\$1,400 – 2,400
Construx Construction	\$5,900

Recycling Center:

Reiss Construction	\$1,400 – 1,800
Construx Construction	\$6,400

There was a brief discussion of the bids.

**MOTION – Selectman Guarino moved to accept the bid from Reiss Construction for the repair of the roofs at the Iron Works fire station and the recycling center. Chairman Hatch seconded. Motion passed 2-0.**

**State Radio Grants** – Chief Lockwood said there is to be another round of radio grants to reprogram radios. Chief Lockwood asked for the Selectmen to sign a form approving him as a contact person for that grant. Chairman Hatch signed the form.

**Engine 3** – Chief Lockwood informed the Selectmen that Engine 3 needed new tires. He got three prices for the replacement of the tires; they are as follows:

Stratham Tire	\$3,850.30
Tire Warehouse	4,800.00
NE Tire	3,683.88

There was a brief discussion of the tires and where the money should come from to pay for them.

**MOTION – Selectman Guarino moved to purchase new tires for Engine 3 from NE Tire in the amount of \$3,683.88 taking the money from the Fire Department Vehicle Maintenance Non-Capital Reserve Fund. Chairman Hatch seconded. Motion passed 2-0.**

**Dry Hydrant Project** – Chief Lockwood stated that he would be moving ahead with the dry hydrant project. It will cost \$11,694.78 for parts to rebuild the headers. Chief Lockwood asked permission to withdraw \$11,694.78 from the balance of \$35,728.38 that is currently in the account to pay for this project.

**MOTION – Chairman Hatch moved to approve the withdrawal of \$11,694.78 from the Non-Capital Reserve Hydrant account to purchase parts to repair the dry hydrants. Selectman Guarino seconded. Motion passed 2-0.**

**Air Pack Testing** – Chief Lockwood stated that the law mandates annual testing of their air packs. There is a liability to the men and the Town if these air packs are not updated annually. This year's tests showed that the face pieces need to be updated and repaired. He said he had gotten quotes from two places, Fire Tech & Safety out of Maine, and Industrial Protection Supply out of Massachusetts to get the parts to do this. He said the

price from Fire Tech & Safety was much lower than the one from Industrial Protection. Chief Lockwood requested permission to withdraw \$3,360.00 from the Mandated Testing Account to pay for the parts for repairs.

**MOTION – Selectman Guarino moved to withdraw from the Non-Capital Reserve Mandated Safety Testing Account the amount of \$3,360.00 for repair of the Scott Air Packs. Chairman Hatch seconded. Motion passed 2-0.**

**7:56 pm - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Guarino moved to Enter into Non-Public Session as 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. Chairman Hatch seconded. Motion passed 2-0.

The Selectmen discussed a fire department personnel issue with Chief Lockwood.

**8:02 pm – Out of Non-Public Session**

Selectman Guarino moved to come Out of Non-Public Session. Chairman Hatch seconded. Motion passed 2-0.

**MOTION – Selectman Guarino moved to seal the minutes of the above non-public session. Chairman Hatch seconded. Motion passed 2-0.**

**8:03 pm – Recess**

**8:10 pm – Back in Session**

**8:11 pm - Enter into Non-Public Session as per RSA 91-A:3, II(c)**

Selectman Guarino moved to Enter into Non-Public Session as 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. Chairman Hatch seconded. Motion passed 2-0.

The selectmen discussed code enforcement issues with Code Enforcement Officer Bob Flanders.

**8:26 pm – Out of Non-Public Session**

Selectman Guarino moved to come Out of Non-Public Session. Chairman Hatch seconded. Motion passed 2-0.

**MOTION – Selectman Guarino moved to seal the minutes of the above-non-public session. Chairman Hatch seconded. Motion passed 2-0.**

**8:27 pm – Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Guarino moved to Enter into Non-Public Session as 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. Chairman Hatch seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue with Bob Flanders.

**9:08 pm – Out of Non-Public Session**

Selectman Guarino moved to come Out of Non-Public Session. Chairman Hatch seconded. Motion passed 2-0.

**Repeater-Cell Phones** – Bob Flanders asked about getting a repeater in the Academy Building for cell phones. He said they have done it in both fire stations, and it is a great asset. This is done by installing a small box, and goes over the Internet. There is a one-time installation fee of \$249, with no monthly fees.

After a brief discussion, the Selectmen approved the purchase of a repeater for the Academy Building.

**Fuel Pumps** – Chief Lockwood stated that he and Justin Leavitt had been having problems with the forestry vehicle and the Bobcat caused by having too much water in the fuel. Chief Lockwood felt the fuel doesn't get tested, and there aren't any filters or separators on the fuel supply. The road agent is in charge of the fuel, and Chief Lockwood asked if someone would ask Paul to investigate it. Don will talk with Paul. Tim suggested that they also speak with Fred Fuller, who supplies the fuel.

**9:17 pm - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Guarino moved to Enter into Non-Public Session as 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. Chairman Hatch seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue with Justin Leavitt.

**9:29 pm – Out of Non-Public Session**

Selectman Guarino moved to come Out of Non-Public Session. Chairman Hatch seconded. Motion passed 2-0.

**9:30 pm - Enter into Non-Public Session as per RSA 91-A:3, II(a)**

Selectman Guarino moved to Enter into Non-Public Session as 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. Chairman Hatch seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

**9:35 pm – Out of Non-Public Session**

Selectman Guarino moved to come Out of Non-Public Session. Chairman Hatch seconded. Motion passed 2-0.

**MOTION – Selectman Guarino moved to seal the minutes of the above non-public session. Chairman Hatch seconded. Motion passed 2-0.**

**9:36 pm - Enter into Non-Public Session as per RSA 91-A:3, II(e)**

Selectman Guarino moved to Enter into Non-Public Session as 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.

The Selectmen discussed a pending legal issue.

**9:42 pm – Out of Non-Public Session**

Selectman Guarino moved to come Out of Non-Public Session. Chairman Hatch seconded. Motion passed 2-0.

**Meeting – Safety Building Contractor** – Tim informed the Selectmen that John Ricci would like to meet with the Safety Building Committee some time next week for four hours to finalize everything for the safety building. After a brief discussion, it was agreed to meet with Mr. Ricci on Tuesday, March 23<sup>rd</sup> from 1:00 pm to 5:00 pm.

**Approval of Minutes** – The Selectmen reviewed the minutes of March 21<sup>st</sup>.

**MOTION – Chairman Hatch moved to approve the minutes of March 1, 2010 as written. Selectman Guarino seconded. Motion passed 2-0.**

**Bond Bank** – Tim informed the Selectmen that the deadline for all applications to be returned to the Bond Bank for their June bond sale is April 16<sup>th</sup>. He said the information is being forwarded to Selectman Abbott. Tim said Selectman Abbott had already contacted Attorney Barnes at Devine, Millimet and Branch, to help us with this. Both the bond bank and Walter Mitchell recommended attorney Barnes.

**Cupola Bid** – Tim stated that Selectman Abbott had wanted him to make the Board aware that she would like to rebid the cupola. There was a brief discussion as to whether we should get a new bid. It was agreed that it should rebid. It will be advertised in the paper, and we will ask the bidders to list their experience working with historical structures. Chairman Hatch said she had informed Selectman Abbott that she (Rachel)

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would like to work with Steve Bedard on the grant for the cupola. Rachel added that she would like to keep the HDC involved in the project.

**Paving – Bingham Road** – Selectman Guarino stated that he had spoken with Paul Perkins about the topcoat on Bingham Road. He said we are holding the developer's money for the topcoat, and asked why the road isn't being paved. Tim said we have a cash bond to ensure that it will be done, but the developer needs to topcoat the road. There was a question as to whether we could take the money out of the account to have it done. Tim will speak with Town Counsel.

**9:53 pm – MOTION – Selectman Guarino moved to adjourn the meeting. Chairman Hatch seconded. Motion passed 2-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk