

APPROVED

**Board of Selectmen
21 June 2010
Minutes**

6:02 pm - Chairman Betty Ann Abbott read “This meeting of the Selectmen of the Town of Gilmanton is now open, and the matters presented and discussed here shall be for the purpose of managing the prudential affairs of the town and to perform the duties by law prescribed.”

Present were Chairman Abbott, Selectmen Don Guarino and Rachel Hatch, Town Administrator Tim Warren and Clerk Lois Dionne. Members of the public present were Tom Dalton and Mike Amaral.

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

Public Hearing – Request to build on a private road – Mike Amaral was present to represent Peter and Nancy Amaral who had requested to build a single-family residence with garage on a private road, Powder House Lane, Map/Lot 126-22.

Tim Warren stated that Mr. Amaral had been granted a variance from the Zoning Board, and the only concern was the visibility problem entering Route 107 from Powder House Lane. He stated that Police Chief O’Brien had suggested having DOT put up a mirror, and had discussed it with the Department of Transportation (DOT), but had not heard back from them. Tim said the planning administrator had also sent letters to DOT, but she hasn’t heard from them either. Mr. Amaral stated that his brother had expressed his willingness to purchase the mirror and have it put up. They would just have to get permission from the landowner on route 107 to put up the mirror.

Chief O’Brien joined the meeting, and there was a brief discussion of the visibility problem.

MOTION – Selectman Hatch moved to take a recess to visit the site, as it was only a minute’s drive from the Academy Building. Selectman Guarino seconded. Motion passed 3-0.

6:16 pm -Selectmen Guarino and Hatch, Chief O’Brien and Mike Amaral went to view the site.

6:29 pm – Meeting resumed.

Selectman Hatch stated that the only problem was the visibility issue, and encouraged Chief O'Brien to see about getting a mirror put up without waiting to hear from DOT, as Mr. Amaral was willing to pay for the mirror.

MOTION – Selectman Hatch moved that the Board of Selectmen approve the portion of Powder House Lane from NH Route 107 up to and including the frontage of Map/Lot 126-22 for the issuance of building permits.

The following conditions shall apply to this approval:

1. The Town of Gilmanton neither assumes responsibility for the maintenance of Powder House Lane, nor assumes liability for any damages resulting from the use thereof.
2. All applicants for building permits on the designated portion of Powder House Lane shall execute a notice of limits of municipal responsibility and liability, the form for which shall be provided by the Town of Gilmanton, and produce evidence that such notice has been recorded in the Belknap County Registry of Deeds prior to the issuance of any building permit.
3. The applicant (Peter & Nancy Amaral) shall fulfill all requirements of the ordinances of the Town of Gilmanton, including the completion and approval of any applications required thereby to the land-use boards of the Town.
4. If not already posted, a sign shall be clearly posted indicating "Private Way – Pass at Your own risk." The sign will be supplied by the Municipality. The applicant will reimburse the Town for the cost of the sign.
5. The Gilmanton fire chief will need to approve the emergency-vehicle turn around prior to the issuance of a Certificate of Occupancy of the single-family dwelling.

Selectman Guarino seconded the motion. Motion passed 3-0.

Building Capital Improvement Study Committee – Members of the newly formed Building Capital Improvement Study Committee met to introduce themselves to one another and the Board of Selectmen. Members are Marty Martindale, Michael Hatch, Steve Bedard, John Dickey, Tom Scribner and Tom Dalton.

After introductions, there was discussion of the purpose of the committee, which is to review all town buildings and make recommendations to the Board of Selectmen for renovations, improvements and repairs of the buildings. This information is necessary to update the capital improvement plan. Members of the committee will work in

conjunction with the Energy Committee. Some items of concern are the furnace, lighting and windows in the Academy Building. The future and potential use of the Old Town Hall is also an issue the committee was asked to address.

The first meeting of the Building Capital Improvement Study Committee will be held at the Academy Building on Wednesday, June 30th at 4:00 p.m.

Public Input – Chairman Abbott 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.”

Candidate for State Senate – George Hurt a republican candidate who is running to fill the vacancy that will be left when Kathy Sgambati’s term is up, introduced himself to the Selectmen and briefly expressed some of his concerns for the State, and passed out brochures for his campaign.

Recycling Committee News – Andrew Stockwell, chairman of the recycling committee informed the Selectmen that members of SWAT (Solid Waste Advisory Team) would be at the recycling center on Wednesday, June 23rd between 3:00 – 3:30 pm.

The committee will be doing more surveys at the center, one on Wednesday, and they hope to do a couple more this summer. They also have handouts for the fourth of July. There will be an open house at the recycling center on Sunday, July 11th from 10:00 am to noon. Andrew asked why the parade was to be held on the 3rd but the recycling center is closed on the 4th of July. He was told the Fourth of July committee sets the date for the parade, not the Selectmen, and Sunday is the day the holiday is celebrated. Andrew was concerned it would interfere with residents going to the dump. Chief O’Brien stated that the road is only closed for about forty-five minutes for the parade.

There was a brief discussion on the compost pile. Andrew felt the compost is mainly leaves and pine needles, and we should just get rid of the pile. Selectman Guarino suggested that this is something that should be discussed by the committee at their next meeting.

Library- Alternate Trustee – Tom Scribner informed the Selectmen that Deb Chase had volunteered to be alternate library trustee for the Corner Library. There was discussion that a trustee is an elected position, so no one was sure if an alternate could be appointed. Mr. Scribner felt there is an RSA that allows it, and the Selectmen appoints the alternate. Tim will check the RSA.

Christie Gift of Land – Nanci Mitchell, Nancy Christie and Tracy Tarr, new Conservation Commission Chair were present to finalize the gift of land Nancy Christie is giving the Town.

The Conservation Commission has been working with Nancy Christie for five years to present the Town a gift of two parcels of land, one parcel of 13.71 acres and the other 19.97 acres subject to conservation easements held by Five Rivers Conservation Trust. The terms of the easement have recently been completed and approved by Ms. Christie and her attorneys and the Conservation Commission and Town Counsel.

Tonight Ms. Christie presented the Warranty Deeds for a gift of land to the Town.

There was a brief discussion of the property and the conservation easements.

MOTION – Selectman Hatch moved that the Board of Selectmen accept the Warranty Deeds for a gift of land under the provisions of NH RSA 36-A:4, for approximately 13.71 acres of land situated on the north side of NH Rte 140 as depicted on a plan entitled, “Subdivision Plan, Tax Lot#1119, Route 140, Gilmanston, NH., Owner of Record Walter H & Ruth M. Steenstra”, dated December 11, 1980; and for approximately 19.97 acres of land situated off the southerly side of NH Rte 140 as depicted on a plan entitled “Boundary Survey Plan of Land of Nance E. Christie”, dated October 3, 2006. Both parcels are subject to Conservation Easements held by Five Rivers Conservation Trust. Selectman Guarino seconded. Motion passed 3-0.

All deeds were signed and notarized. Mrs. Christie stated that her taxes are paid up to date (end of June), and asked that any taxes that might be incurred before the deeds could be registered be waived, as she signed the deeds giving the land to the Town before June 30th.

MOTION – Selectman Hatch moved to abate any taxes on the above-mentioned property gifted to the Town by Mrs. Christie. Selectman Guarino seconded. Motion passed 3-0.

Committee Reports, Approval of Minutes & Other Business

GAT – Tim reported that the last GAT figures we had received from NRRA were incorrect; they were considerably lower than the actual figures. NRRA will issue new numbers.

Plaque – Red Cross - Tim had a plaque that a representative from the Red Cross had brought last week thanking Gilmanston for supporting their mission.

Property – Fox Drive – Tim informed the Selectmen that Chief Lockwood had checked out the property on Fox Drive that had been offered to the fire department to use for training exercises. He said the property is such that it could not be used.

Windows- Academy Building – Tim had a quote from Granite State Glass of \$108,000 to replace the 57 windows in the Academy Building. He said Amy Russell of the Energy Committee is looking into State Programs to help with funding.

Belknap County Commissioners – Tim informed the Selectmen that the Belknap County Commissioners had requested to meet with the Selectmen for an informational session on August 9th.

Thank You – Tim had a copy of an email thanking Justin Leavitt for all the work he is doing and for making a difference and making things better at the recycling center.

Recycling Award – Tim noted that Justin had received the Sammi Izzo award for recycler of the year at the NRRA conference.

Landfill Testing – Tim informed the Selectmen that he had received a copy of the annual report from Provan & Lorber for the landfill testing.

Spruce Tree – At a previous meeting the Selectmen had discussed a spruce tree that Terry Gagne had offered to the Town. They had discussed the possibility of using it at the safety-building site, or planting it on the front lawn at the Academy Building to replace the maple that had been damaged in a storm, or possibly cutting it down and using it as a Christmas tree at the Academy Building.

Use of the tree at the safety building-site has been ruled out. Selectman Guarino felt the tree would grow too big and block the line of sight if planted where the maple tree had been. Tim stated that Ms. Gagne had stated that she would like to have the Town dig the tree up and move it; she didn't want it cut down. When the tree had initially been offered to the Town, it was the understanding that there would be no cost to the Town. The consensus of the Selectmen was that we shouldn't use town money to pay for moving the tree.

Studley Property – Selectman Guarino and the road agent Paul Perkins checked the small parcel of land off Stage Road that Mrs. Studley had offered to give the town. Selectman Guarino stated that the road agent feels we should accept the property for possible future widening of the road.

Road Bonds – Tim asked the Selectmen if the road bond that is being required for logging operations off Town Roads was required in the summer as well as spring and fall. The Selectmen agreed that the bond was required year round.

Tim stated that there had been a consensus to require the road bond for logging operations because of potential damage to Town roads and shoulders where the trucks enter and exit the logging site, but there had never been a formal motion to require it.

MOTION – Selectman Hatch moved to require a road bond for logging operations off a Town Road. The amount of the bond is \$1,000 accessing off a dirt road, and \$2,000 off a paved road. This bond must be paid by cash or a bank check before logging operations can begin. Selectman Guarino seconded. Motion passed 3-0.

Morrill Agreement- Tim said he had spoken with Mary Ann Morrill, and the reason they hadn't signed and returned the amendment to the agreement for upgrade to Donovan Road is that they are still working with DES about the size of the culvert needed.

Personnel Policy – Tim informed the Selectmen that when Tim Robbins had been fire chief, the hours worked by firefighters had been changed, so the vacation time in the personnel policy had been changed to reflect that change. He said the firefighters hours have been changed back to the old hours, and asked if the way the vacation pay is figured should be changed back to the old way. After a brief discussion, it was agreed to change the way vacation for firefighters is figured.

CIP Spread Sheet – Tim distributed the new spreadsheets that Stan Bean had prepared for the planning board. While reviewing the spreadsheet, it was stated that these are capital reserve funds that are already in place, but there should be separate sheets for the CIP. The CIP includes these items, but there are new initiatives that have to be pursued as a capital reserve fund. Selectman Hatch stated that there had been some confusion at the planning board meeting, as to whether they should be working off the capital reserve sheets. There was a brief discussion of what was needed to be included on the various sheets.

Safety Building – Tim stated that Eastern Propane would install propane tanks at the safety building at no charge if we would agree to stay with them for at least three years. Current cost quoted for the propane is \$1.965 per gallon.

There was a brief discussion of landscaping the site.

Chairman Abbott stated that by mid July, the roofing, siding, doors, windows and paving should be done, and the building would be weatherproof.

There was more discussion of the building, and colors were selected, so the shingles and siding could be ordered.

Chairman Abbott said that the "Citizen" would like to do an update on the building next week.

There was considerable discussion on the height of the tower that will be needed at the site, and that that it should be put out to bid. Selectman Guarino was concerned about the height, but Chairman Abbott stated that emergency radio towers are exempt from height restrictions.

Cupola Committee – Selectman Hatch said she had spoken with Chief Lockwood to see if we could have a repeater for cell phones in the cupola. She said she is getting information on how to get it wired inside the roof when the roof is repaired so when the cupola is put back, the repeater would be almost invisible. Rachel said she is getting names of contacts to get information to bring to the cupola committee.

Selectman Hatch stated that we didn't receive the "moose plate" grant for the cupola, but that we had been encouraged to try again next year. She said the cupola committee had met; the HDC application has been made, and they had gone to the pre-grant writing meeting for LCHIP. The final application for the LCHIP grant will be available in July on line.

Hazardous Mitigation Plan Update – Selectman Hatch said they had their first meeting, and a representative from Lakes Region Planning Commission had come with a huge agenda. She said they only updated three pages. The plan has to be updated every five years to get funding. She explained that this enables us to get funding in case of major emergencies; ice storms, terrorist attacks, gas spills, etc.

Town Clerk's Office – Deb Cornett informed the Selectmen that she had hired Jean Munsey as a replacement for Joanne Gianni who is retiring at the end of July. Jean will start work on Wednesday so she can train with Joanne.

CPR Certification – Selectman Hatch stated that one of the workshops at the NRRA conference was on safety. She felt it would be a good idea to have employees at the recycling center be certified in CPR. Employees in the town office had been instructed in CPR and the use of the AED. Deb Cornett said she would be interested in having a refresher course. Tim will check with LGC to see if they have someone who could come teach the course.

Iron Works Fountain – Selectman Guarino stated that he had looked at the fountain at the Iron Works fire station, and the casting didn't appear to be broken, but was loose. He didn't have a shovel with him, so he and Paul Perkins are going to check it out further.

Lights – Academy Building – Chairman Abbott asked what was happening with the lights upstairs at the Academy Building. Tim said he hasn't heard from them, but would call tomorrow.

ZBA Ruling – Shooting – Chairman Abbott said it had been suggested that it had been a part of the ZBA ruling that shooting at the Boy Scout Camp must stop at 8:00 pm. She

said Tim had researched that, and could not find any mention of that in the ZBA decision, so the Selectmen would stick with their decision of no later than 8:30 pm.

Approval of Minutes – The Selectmen reviewed the minutes of their last meeting.

MOTION – Selectman Hatch moved to accept the minutes of June 7, 2010 as drafted. Selectman Guarino seconded. Motion passed 3-0.

9:22 pm - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Hatch 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. Selectman Guarino seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

9:45 pm – Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Hatch seconded. Motion passed 3-0.

9:46 pm - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Hatch 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. Selectman Guarino seconded. Motion passed 3-0.

The Selectmen discussed code enforcement issue.

9:55 pm – Out of Non-Public Session

Selectman Guarino moved to come Out of Non-Public Session. Selectman Hatch seconded. Motion passed 3-0.

9:57 pm - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Hatch 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.

The Selectmen discussed a tax issue.

06-21-10 BOS

APPROVED

10:01 pm – Out of Non-Public Session

Selectman Hatch moved to come Out of Non-Public Session. Selectman Guarino seconded. Motion passed 3-0.

Action was taken in the above non-public session.

10:02 pm – MOTION – Selectman Hatch moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk