

**Board of Selectmen
19 January 2009
Minutes**

6:04 p.m. - Chairman Don Guarino called the meeting to order. Present were Chairman Guarino, Selectmen Rachel Hatch and Betty Ann Abbott, Town Administrator Tim Warren and Clerk Lois Dionne.

After attendance, everyone stood for the Pledge of Allegiance.

Draft Warrant Articles – Tim presented the Selectmen with a draft copy of the warrant articles for the 2009 town meeting. Tim explained that under article 2, the difference between this year's total and last year's total is \$55,545. Increase in welfare accounts for \$50,000 of that increase; the remainder is increased worker's comp insurance and unemployment.

The Selectmen reviewed and discussed each of the articles.

The Selectmen wanted to add an article to vote to change the name of the Capital Reserve Account Public Safety Building, in order to allow the possible purchase of a piece of land for a new police station. There were two articles the Selectmen didn't wish to bring forward; one was for the purchase of a new police cruiser, and the other was to rewire the pole barn and kitchen at Crystal Lake Park.

Cruiser -Selectman Hatch stated that Chief O'Brien had stated that he has very low mileage on his cruiser, and asked why, because of the low mileage, Chief O'Brien couldn't swap cruisers with Sgt. Rector, and we could go a year without buying a new cruiser. The reason being that Sgt. Rector puts more mileage on his cruiser than Chief O'Brien. It was felt that if we could go another year before buying a new cruiser, and continue to add to the capital reserve account for a new cruiser, there would be enough money in the capital reserve cruiser account in the future to pay for new cruisers as they are needed without having to appropriate additional funds at the time of purchase. The Selectmen felt this was a good idea.

Pole Barn – The Selectmen felt the amount being asked to appropriate to rewire the pole barn and kitchen at Crystal Lake Park was exorbitant. Selectman Hatch said she didn't want to bring the article forward. Selectman Abbott felt they needed to know if there is a safety issue, and if so, what it would cost to repair that. She said she would like to be able to put in a reasonable amount for wiring work to be done at the park if it needs

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to be done, but maybe it could come out of the operating budget. She asked Tim to get hold of Gary Lines before Thursday night's budget meeting to find out.

Police Dept. Articles – Selectman Abbott asked Tim what had happened to the two warrant articles they had discussed with the police chief regarding telephones for the Academy Building and LED Lights for the cruisers in preparation for the budget.

Tim Warren said when the Selectmen were discussing it with the Chief, it was his (Tim's) feeling that they were unsure if they wanted to fund the phone or the lights, and thought that maybe the Chief could find it somewhere else in his budget. Selectman Hatch stated that the Selectmen did not know he was thinking this. Tim replied that was correct, but Don had said he was going to talk to Phil about seeing what he could do about finding it in his budget. Don said he had spoken with Phil, and had then called Tim. Don said he knew that last year the Selectmen had funded some equipment off a salary line item, and were told it was all right as long as it came from within that department. Don said he had spoken with Phil about doing that because Evan was no longer with the department, and we hadn't replaced him, so if an officer could be placed in February instead of January, perhaps we could pay for the lights that way. Rachel reiterated that the other two selectmen were not aware of this. Don said he didn't know if Phil was going to consider doing this; it had only been a suggestion. Tim said Phil had talked with him after speaking with Don, and Tim and Phil had gone over the numbers. Don said this was supposed to have been for 2009. Rachel stated that it had come out of 2008. Tim said it hasn't come out of 2008. He said the question Selectman Abbott had asked him was if we were funding it out of 2008 or 2009, and he had answered it could possibly be both. Selectman Hatch said when it had been brought up at the budget committee, Tim had said, before the budget committee, that he had found the funds in 2008. Tim replied that he had said possibly out of 2008 and 2009, and Betty Ann had said "what?", and he had replied that it should be discussed at the Selectmen's meeting. Don wanted it known that when he had been speaking with Phil about it, he was only talking about the 2009 budget. He said when Phil had been talking about separate warrant articles for lights, phones and computers, he (Don) felt it would be better if Phil didn't have a lot of small warrant articles, and he should try to find the money in his operating budget. Don said he was only talking about the 2009 budget.

Tim said after Don had talked with Phil, Phil had come in and told Tim that there was no way he could squeeze the phone system into his budget. Tim said he had a couple of ideas, one being that the town had gone for an over expenditure of \$50,000, and we hadn't spent quite all of it, so that might be an option, and if not, we might be able to add it to the Old Town Hall repairs and maintenance, because once the new phone system is installed in the police station, it would also affect the Town Hall because it is all tied together.

Tim said Phil had talked with Don about taking the light out of the vacant position for an officer, but Phil said Jen didn't like to switch lines in the budget. Tim said Phil could

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over expend his repair line. Tim said Phil had suggested they just buy the battery, and they could do the wiring themselves, but Tim didn't think that was a good idea, because if the wiring was done wrong, it could burn out all the wiring in the cruiser. Tim felt it would be better to buy just one light out of Phil's repair and maintenance budget this year to see how it works, and go forward from there, so they had left it at that, and didn't add the extra money for the lighting. Selectman Hatch asked why the Selectmen didn't know this. Tim said it was because he was not at last Monday's meeting because of illness. Rachel asked if he couldn't have emailed them.

Chairman Guarino said the whole object of this was that they hadn't wanted the police department to have six warrant articles, which they don't, so the discussion between the Town Administrator and Police Chief is what they were hopeful for, although the Selectmen were not aware that the articles weren't there before they got to the budget meeting. Selectman Abbott stated that they had reached a reasonable resolution, but what she would have strongly objected to is the kind of "loose spending" at the end of the year that they had specifically talked about in one of the Selectmen's meetings, and that is just what this looked like, plus the Town had gone to the DRA to get money because we were over expended in 2008. She added that the fact that we didn't need that whole \$50,000 does not give us license to "go shopping". Tim agreed. Don said he had thought that the \$50,000 was the amount of money the town had needed.

7:05 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Abbott 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 Hatch seconded. Motion passed 3-0.

The selectmen discussed a personnel issue.

7:20 p.m. - Out of Non-Public Session

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

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

After the non-public session, the Selectmen continued the review of the warrant articles.

FYIs & Other business

Deadline- Annual Report - Selectman Abbott asked what the deadline was for the annual report information, and who collects it. Tim said he had sent a memo last week

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reminding all the departments of the last budget meeting on Thursday night, and also reminded them to get their information for the town report to Cindy by January 30th.

Dedication of Town Report – The Selectmen discussed the dedication of the Town report.

Mediation – Selectman Hatch informed the Selectmen that there would be a mediation hearing on a pending legal case on Thursday at the Superior Court, and at least two of the Selectmen are supposed to be there. After a brief discussion, it was decided that all three of the Selectmen would attend.

Budget Review – Tim had an updated copy of the budget report, which he reviewed with the Selectmen, pointing out changes that had been made since the last budget meeting. One change was to continue to fund the Lakes Region Planning Commission for at least another year. There was also a discussion about the need to look at the fees associated with a ZBA application. The Selectmen felt the applicant should pay to have the decision recorded. Applicants pay to have planning board decisions recorded, and the Selectmen felt this is something that should be looked into.

Damage – Hammond Brown Property – Ruts had been made on Mr. Brown's lawn by a contractor's machine when he was sealing the Old Town Hall against bats. Although some repair was done to the lawn, Mr. Brown was not satisfied. The Selectmen held \$1,000 of the contractor's money until the situation was satisfactorily settled. Tim informed the Selectmen that the matter has been settled. A check for \$500 is to be sent to Mr. Brown, and the remaining \$500 will be forwarded to the contractor.

Recycling Attendant – There was a brief discussion about the need to hire another employee at the recycling center. Tim was asked to advertise for a recycling attendant.

Appointment – Treasurer – The Selectmen were reminded that they had agreed that Glen Waring should replace Harold McArdle as treasurer until the March election, but he had not been formally appointed.

MOTION – Selectman Hatch moved to appoint Glen Waring as treasurer for the Town of Gilmanton until the March election. Selectman Abbott seconded. Motion passed 3-0.

Approval of Minutes – The Selectmen reviewed the minutes of last week's meeting.

MOTION – Selectman Abbott moved to accept the minutes of January 12, 2009 as amended. Motion passed 2-0. Selectman Hatch did not vote, as she was not present at that meeting.

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Recycling Center Issues - Tim informed the Selectmen that he had spoken with Chief O'Brien about getting names from license plate numbers of residents who violate the rules at the recycling center, and was told Phil could not furnish the people's names to the Selectmen from their license plate numbers. After a brief discussion, it was decided that the recycling center employees should get the number of the town recycling stickers of the violators because we can track them by the sticker numbers. Tim and Lois will see if we can get this information from the database that we have.

8:43 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(e)

Selectman Abbott moved to Enter into Non-Public Session as per RSA 91-A:3, II(d) - Discussion of pending or threatened (in writing) litigation against the Town or Town Officials, Board Members or Employees. Selectman Hatch seconded. Motion passed 3-0.

The Selectmen discussed a legal issue.

8:50 p.m. – Out of Non-Public Session

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

8:51 p.m. – MOTION- Selectman Hatch moved to adjourn the meeting. Selectman Abbott seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk