



APPROVED

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

March 7, 2016

6:00 pm. – Gilmanton Academy

Present: Selectman Donald Guarino, Selectman Michael Jean, Town Administrator Paul Branscombe and Administrative Assistant Stephanie Fogg. Also present, please see attached sign in sheet.

6:00 pm Selectman Guarino opened the meeting, took attendance of those present and voting (Selectman Jean, Selectman Guarino) and led the Pledge of Allegiance.

Town Pound – Paul Branscombe said that Candace Daigle is here because Walter Mitchell has sent the deed. Candace has seen the deed and said that the Trustees of the Cemeteries are very pleased. Attorney Boldt said that the deed will be signed on Thursday and recorded by the Planning Board.

MOTION: On a Motion by Michael Jean and seconded by Selectman Guarino it was voted to accept the Deed for the Town Pound as submitted and approved. (2-0)

Attorney Boldt had prepared the Deed and submitted it to Attorney Mitchell and Candace Daigle of the Cemetery Trustees for approval.

Candace Daigle said that the Trustees greatly appreciate everyone's cooperation and their willingness to go the extra, it is a great gift for the Town.

Plans have been delivered to Louise Knee, Planning Administrator. The Deed will be signed and notarized at tonight's meeting. Paul Branscombe said they can sign the Deed and the Plan on Thursday. The Plans may be signed right before Thursday's meeting, it is not a line item on the Agenda. The Deed was signed and notarized tonight so they will not have to return before the meeting on Thursday.

TDS Franchise Agreement – Mr. Troyer is here as a representative of TDS to answer any questions that may be asked. Selectman Guarino said we understood the original proposal would not be any cost to the taxpayer, Selectmen Jean agreed. Not realizing that TDS would have to make an agreement with Metrocast to provide the service, and knowing that TDS already has the phone service in the Iron Works. We now realize that to enter into an agreement could cost attorney fees. Selectman Guarino said why would we take taxpayers dollars to negotiate a franchise agreement with TDS which is only going to provide service to a number of people in Town. Selectman Guarino said that Paul Branscombe had estimated the attorney's fees at \$3,000

1 - \$7,000 to complete the franchise agreement, not being certain how many people will be
2 serviced in the Iron Works, whereas the entire Town can be serviced by Metrocast. Selectman
3 Guarino said he didn't believe we should be spending money on this because it does not benefit
4 the entire Town of Gilmanton.

5
6 Mr. Troyer said he is not the regulatory or the legal person involved, but I am sure when Scott
7 spoke to you, I'm sure he felt there is no cost to you regarding construction of the product. TDS
8 is building the new fiber optic network through the Iron Works. The only cost would be any
9 legal fees that the Town chooses to engage in, or not. You could simply sign the Franchise
10 Agreement and it would be done. If you do nothing, after 90 days, we are presumptive approved
11 and we would have permission from the SEC to come in and start anyway. So really there is not
12 a lot of burden for the Town, you could really do nothing and we could just come in and provide
13 that service in the Iron Works. Paul Branscombe said we have to have a public hearing. Mr.
14 Troyer said that truthfully after the 90 days, TDS has the approval to come in and do it
15 regardless, and actually I think you are at 120 days. We wanted to provide the Town and
16 extension, because we wanted to work in good faith with the Town. If you want to relieve the
17 Town of the Burden, there is nothing you really need to do. Your Town buildings are not within
18 our footprints, so we really cannot provide some of the extra services in negotiations to the Town
19 as part of an agreement.

20
21 Selectman Jean asked about the Old Town Hall and the Fire Station in the Iron Works. Mr.
22 Troyer said those buildings are within the parameter and possibly services there could be part of
23 a negotiation with TDS. (video service at those locations at no cost). Selectman Jean asked
24 about the school system? Mr. Troyer said typically it is just municipal buildings, not the schools,
25 but again that could be negotiated.

26
27 Selectman Jean asked how many customers do you have in the Iron Works? Mr. Troyer said he
28 would say 1200 homes. TDS could later supply video and data services to the entire town if they
29 expand and an agreement is already in place. Mr. Troyer is the local manager for TDS, he said
30 they have rolled this product out in all of their NH towns now, with the exception of Barnstead,
31 Center Barnstead and New Durham, it has been very popular. Alton has already gone through all
32 of this with Metrocast and has used this same agreement.

33
34 Paul Branscombe said that we have the updated agreement that your attorney's have looked at,
35 and that Metrocast attorney's have looked at, we do have a final product. Mr. Troyer believes
36 that Kate Miller is representing all of those towns as well.

37
38 Paul Branscombe said that at this time we do not need to have legal counsel, we can move
39 forward with a Public Hearing for the People who are going to be the subscribers and move
40 forward on March 21, 2016 have the Board, if they agree sign the agreement with TD, and we
41 are done.

42
43 Selectman Guarino said is that the normal process, is to have a Public Hearing. Mr. Troyer said
44 Alton had a meeting that was open to the public, but not a Public Hearing. Selectman Guarino
45 and Selectman Jean thought it would be a good idea to have a Public Hearing the night of the
46 next Selectmen's Meeting. Selectman Jean said he would like to see the Town Buildings
47 serviced by the Agreement.

1 By consensus the Board of Selectmen will have a Public Hearing on March 21, 2016 at 6:00 pm
2 regarding TDS Product. Selectman Guarino and Selectman Jean would like to see if service
3 (video, not usually data) for municipal buildings could be negotiated with no cost to the Town, in
4 terms of legal fees.

5
6 Mr. Troyer said if there are any questions regarding the product you can google for information,
7 it is a far superior product. (fiber optic directly to your home).
8

9 **Academy Building** – Water in basement after heavy rain. Mickey Daigle found that there was
10 water in the boiler room. He suggested we complete the second phase of drainage along the
11 wall, and wait to be certain the basement will stay dry, seal the crack in the basement floor and
12 then tile. There was also some question as to whether the chimney might need to be sprayed and
13 or repointed, because some of the water may have come from the chimney.
14

15 **Planning Board Applications** - Paul Branscombe said that Louise Knee has stayed this evening
16 to present two Planning Applications to the Board, it gives those Departments involved a chance
17 to comment on the applications. That is how we are doing this now so the Board is aware of the
18 Planning Applications. There is a walkthrough at the Corner Slice at 6:00 pm on Thursday this
19 week. Selectman Guarino asked Selectman Jean if he could attend the Planning Board Meeting
20 on Thursday in his stead. Selectman Jean agreed. Selectman Jean asked Louise Knee, Planning
21 Administrator if she could have the drawings updated for Thursday regarding the handicap.
22 Selectman Jean asked if all the permits were in. Louise Knee said that he has the building
23 permit, copies of the electrical and plumbing licenses. He still does not have a copy of the septic
24 system and without that documentation the State is not issuing his restaurant license. He will not
25 be able to open that portion of the business, the food, until he gets State approval. Thursday
26 there is a joint meeting with the Planning Board and the Zoning Board. They need to go before
27 the Zoning Board for a special exception to have a restaurant in the Village District. As I
28 explained before the business has just evolved over the years. Selectman Guarino said that it had
29 come up before regarding the possibility of using the salt shed parking lot, the concern would be
30 the liability to the Town. Selectman Guarino said that he did not see as the Board of Selectmen
31 that there is an issue with this application. Selectman Jean said he did not think so either.
32

33 **Jones Bones** – Steve Smith Associates made a presentation to the Planning Board. It has been in
34 full discussion since December. Selectman Guarino and Selectman Jean both agreed that it
35 would be a good addition for the Town. Only up to six employees, it will be a dog bone/biscuit
36 business.
37

38 Louise Knee said that a few other lots have been subdivided, so it may draw more business to
39 this area of Town. Louise said thank you for taking time to look at these Planning Board
40 applications.
41

42 6:40 pm we will wait on Public Input until 7:00 pm.
43
44

45 **(A) Non-Public Session per RSA 91-A:3, II (b)**

46 **MOTION:** On a Motion by Selectman Guarino, and seconded by Selectmen it was voted
47 unanimously to go into Non-Public Session per RSA 91-A:3, II (b). (2-0 Voice Vote, Selectman
48 Guarino– yes, Selectman Jean– yes).

The meeting room was closed to the public. Present during the Non-Public Session were Selectman Guarino, Selectman Jean. Town Administrator Paul Branscombe, Administrative Assistant Stephanie Fogg, Police Chief Matthew Carrier.

The Selectmen discussed hiring a part-time patrolman.

MOTION: On a Motion by Selectman Guarino and seconded by Selectman Jean it was voted unanimously to come out of Non-Public Session. (2-0 Voice Vote – Selectman Guarino -yes, Selectman Jean – yes).

The meeting room was opened to the public. The Board noted the Non-Public Session minutes were not sealed.

(B) Non-Public Session per RSA 91-A:3, II (b)

MOTION: On a Motion by Selectman Guarino, and seconded by Selectmen Jean it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (b). (2-0 Voice Vote, Selectman Guarino– yes, Selectman Jean– yes).

The meeting room was closed to the public. Present during the Non-Public Session were Selectman Guarino, Selectman Jean. Town Administrator Paul Branscombe, Administrative Assistant Stephanie Fogg, Police Chief Matthew Carrier.

The Selectmen discussed a promotion.

MOTION: On a Motion by Selectman Guarino and seconded by Selectman Jean it was voted unanimously to come out of Non-Public Session. (2-0 Voice Vote – Selectman Guarino -yes, Selectman Jean – yes).

The meeting room was opened to the public. The Board noted the Non-Public Session minutes were not sealed.

7:00 pm Selectman Guarino opened Public Input

Road Posting -

Cindy Juneau said she wanted to come to see what a Selectmen's Meeting was like. She also had a concern regarding posting of the roads and heavy equipment still traveling on a posted road and spreading mud/bio-solids possibly in the roadway. She did speak with Paul Perkins regarding the situation. She submitted several pictures to pass along to Mr. Perkins.

Selectman Guarino said that the roads are posted to protect the roads. The Town does still allow heating fuel to be delivered after roads are posted.

Laconia Citizen – Mr. Jim Clark from the Laconia Citizen is our new reporter. He had several questions for the Board.

Approval of Minutes –

MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to approve the minutes of February 1, 2016 as amended. (2-0 Voice Vote – Selectman Guarino-yes, Selectman Jean– yes).

Approval of Minutes –

MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to approve the minutes of February 16, 2016 as amended. (2-0 Voice Vote – Selectman Guarino-yes, Selectman Jean– yes).

Approval of Minutes –

MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to approve the minutes of February 22, 2016. (2-0 Voice Vote – Selectman Guarino-yes, Selectman Jean– yes).

Adjournment: On a Motion by Selectman Guarino and seconded by Selectman Jean it was voted unanimously to adjourn at 7:42 pm (2-0).

Respectfully Submitted,

Stephanie S. Fogg
Administrative Assistant

Approved by the Board of Selectmen

Chairman Rachel M. Frechette Hatch

Selectman Donald J. Guarino

Selectman Michael J. Jean