

**Board of Selectmen
4 May 2009
Minutes**

6:00 p.m. - Chairman Rachel Hatch called the meeting to order. Present were Chairman Hatch, Selectmen Betty Ann Abbott and Don Guarino, Town Administrator Tim Warren and Clerk Lois Dionne. Chairman Hatch welcomed back Timothy Warren who had been out on an extended medical leave.

After attendance, everyone stood for the Pledge of Allegiance.

LRPC (Lakes Region Planning Commission) – Chairman Hatch wanted to address what had happened with the LRPC Survey, and the oversight of including the Conservation Commission's input. She said that from the email Nanci Mitchell had sent, the Commission had asked them for their input, but that information never got passed on to the Selectmen. Selectman Abbott stated that Stan Bean, LRPC Commissioner, had sent an email to the Selectmen, through Tim, explaining what the survey was, and the importance of having input from the various boards. She said the survey had not been addressed until the planning board took it up; Stan came to the Selectmen's meeting last week to get the survey finalized with the Selectmen. Selectman Abbott said, according to Stan, that Nanci and the Conservation Commission spent a good deal of time going over and responding to the survey, but somehow it never got included in the survey. She had a copy of the Conservation Commission's recommendations for the survey, and a copy of what had been decided at the Selectmen's meeting last Monday. Selectman Abbott added that Stan had said we could reconsider, and if we wanted to change the response to the survey, he would put it through as an update.

There was a general consensus that, although it is ultimately the Selectmen's decision, the Conservation's Commission's input should be reviewed and considered. The Selectmen reviewed both the completed survey and the Conservation Commission's survey. Many of the items on the Conservation Commission's survey were the same as what had been agreed upon last week by the Selectmen. There were a couple of items that were replaced with the Conservation Commission's suggestion, the main one being the need for a new police and fire facility. Selectman Abbott will follow up with Stan Bean tomorrow, and will also notify Nanci Mitchell.

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6:30 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 Guarino seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue with Justin Leavitt.

6:32 p.m. – Out of Non-Public Session

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

Chief Lockwood – Follow up – Accident at Fire Station – Chief Lockwood said that LGC (Local Government Center) had taken the claim for the damage to Engine 1 and to the Iron Works fire station, and has done a very good job with it. He said he was getting estimates from different vendors because he felt we needed three, but the insurance adjuster came and started working with the LGC representative, and they just accepted their claim. The LGC rep will take care of the whole thing, and it won't cost us any money for them to do that. They will keep Chief Lockwood updated.

Stimulus Money – Selectman Guarino stated that he had been in contact with the NH office for stimulus, and had found the means to find out if any funds have been released to Homeland Security concerning fire stations. He said he had passed the information on to Chief Lockwood so he could keep track of it. Selectman Guarino asked Chief Lockwood if it was as easy to find out the information as they had told him it would be. Chief Lockwood replied that it was, but nothing has come through yet; they are supposed to announce on May 20th.

Gilmanton Average Income – Selectman Abbott asked where the State had gotten the information on Gilmanton's average income. Chief Lockwood explained to Tim that he had attended a meeting with Carol Shea Porter, and found out that a lot of grants are prioritized by the size of the community and the income per capita. He said Gilmanton wasn't eligible for a lot of the grants because our per capita income is too high. We are listed as being higher than the state average by about \$1,000; our average is listed as \$52,000.

Selectman Abbott asked Tim to try to find out where they had gotten those numbers. Chief Lockwood is also going to see what he can find out, because if the numbers are wrong, they are standing in the way of our receiving grants.

Driveway Permit Recycling Center – Tim informed the Selectmen that the Town had been denied the driveway permit to have a third driveway at the recycling center. Tim felt the Town should appeal the decision. There are supposed to be no more than two

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driveways to a single parcel of land, and there was also the question about the amount of frontage. Tim felt that if Chief Lockwood appealed the decision because it is to be an emergency access, it might make a difference to DOT (Department of Transportation), and we would never utilize more than two driveways at the same time. Chief Lockwood will see what he can do.

To-Do List – Recycling Center – A few weeks ago Justin had presented the Selectmen with a list of things he hoped to accomplish at the recycling center. Tonight he had an updated list, which showed that a number of projects on the list have been taken care of. He will continue working on the others.

Recycling Center – Haul Prices – Justin informed the Selectmen that Waste Management had raised the hauling fee for household items from \$135 to \$200 per load, and the C&D from \$135 to \$250 per load. The prices were effective as of March 1st.

Justin said he has contacted other companies for prices, and a couple of them were as high and higher than Waste Management. He said Casella Waste is putting together a proposal for him for the Selectmen to review. He said Casella's haul fees and their disposal fees are both cheaper than Waste Management's. Justin said Casella would want a 3-year contract if we go with them. Justin had a list of some of their haul fees. The Selectmen told Justin to get the proposal, and then they would review and discuss it with him.

Mandatory Recycling – Chairman Hatch said she had been thinking about Justin's request for the Selectmen to institute mandatory recycling for Gilmanton. Since Chief O'Brien was present, and she felt it would affect the police department, she asked how he felt about it. Phil felt it could cause a lot of illegal dumping. The Selectmen felt a police officer would have to be at the recycling center for a couple of months at the beginning. Chairman Hatch was also concerned about the traffic flow at the center.

There was a brief discussion about the traffic issue, the possibility of expanded hours on the weekend, and the fact that the center isn't big enough to add parking spaces to allow for more parking or to ease the traffic flow. It was the consensus that we are not ready to try to institute mandatory recycling at this time.

7:00 p.m. – The Selectmen suspended their regular meeting while Town Clerk Debra Cornett swore in Cory Krochmal as Gilmanton's newest police officer.

Public Input – After the swearing in of Officer Krochmal, Chairman Hatch opened public input. There was no one present for public input.

Library Internet – Chairman Hatch said that Diane Nyren had come to see her today; Lynne Brunelle had referred her to her. Rachel said Diane said the Corner's Library is looking to hook up to MetroCast Cablevision, and wanted to know if they could hook up

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on the Town's MetroCast. Tim said it is his understanding that MetroCast would hook them up for nothing because it is a library. He suggested that Diane speak with Alice Bean, Iron Works Library Trustee. Rachel will inform Diane.

Letter – Wilkens – Last week the Selectmen received a letter from Claire & John Wilkens, which they briefly reviewed, but because it was a lengthy letter, felt they wanted to take time to read it thoroughly, then address it. The Selectmen felt, after reading the letter, it was something that should be handled by the Code Enforcement Officer, not the Selectmen. Code Enforcement Officer Bob Flanders has a copy of the letter.

Morrills – Upgrade Donovan Road - Don reminded the Selectmen that Mrs. Morrill had asked that the Selectmen meet her at her property to discuss the specifications for the upgrade to Donovan Road. Don said he met with her on Saturday after the Selectmen's site walk to review properties scheduled to go to tax deed.

Don said they had walked Donovan Road from the Morrills' home to where Donovan Road intersects with Gale Road. He said one of the questions concerned the 16' width of the road, and the culvert that would have to be widened or put guardrails on both sides. This would be on the condition that the Fire Chief and the Engineer approve the culvert for width and the ability to handle the weight of emergency vehicles. Don said the Morrills felt they might expand the culvert, but the problem was with a utility pole.

Selectman Abbott stated that in the mediation it was stated if the culvert wasn't expanded, the Morrills might not have to move the pole, as long as the pole is not in the right-of-way of the road. Don said they can't get the width, so asked if the Board of Selectmen had the right to authorize cutting trees on the Donovan's side of the road. He said he had told Mrs. Morrill that he didn't think the Selectmen had that authority. Selectman Abbott felt unless they could get an agreement with the Donovan's to cut the trees; they would have to move the pole. Don also confirmed that the limit of work would start at the intersection of Donovan and Gale Road. He said Mrs. Morrill felt the contractor would be coming on Tuesday or Wednesday and would be working on the section of road from the Donovan's driveway to the Morrills' property. Selectman Abbott reminded Don that the Board of Selectmen had to preapprove the engineer that the Morrills hire.

NH Elec.- Unbilled Lights – Last week Selectman Guarino reported that he had found the location of the poles for the lights that the NH Electric Co-op had said we weren't being billed for, and asked if we wanted to keep them, or have them disconnected. There was a question about the light on Shannon Road, and whether there would be a liability to have that one disconnected because it was on a curve. Don said he had called LGC (Local Government Center), and had left a message. They are to get back to him. After a brief discussion, the Selectmen agreed that if LGC says there wouldn't be a liability, we would have the light disconnected.

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Sand – Meadow Pond Road – Selectman Guarino said he had received a call from Graham Wilson who lives at the intersection of Meadow Pond and Loon Pond Roads. Mr. Wilson was concerned about the amount of sand that the highway department puts on the hill. Don said a lot of sand gets washed down the hill and ends up in his field. He said Mr. Wilson had spent a lot of time trying to clean it up, and wanted compensation for having to clean it. Don said he had spoken with Paul Perkins, who said the highway crew had worked there last Friday, and had taken three loads of sand off the road. It was stated that the sand on the road is part of road maintenance; this is done on the State roads too. The decision was that it is up to residents to fix; the Town doesn't compensate for damage done by road maintenance.

7:30 p.m. – The Selectmen suspended their regular meeting to confer with Town Counsel.

7:58 p.m. – The Selectmen resumed their regular meeting.

Agenda – Chairman Hatch informed Tim Warren that at last week's meeting, she had requested that the Selectmen's Agenda be finalized by Thursday noon, to be posted on Friday. She doesn't want anyone added to the agenda once it has been finalized and posted. If someone wants to come in to discuss something other than public input, they will have to be put on a future agenda.

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

MOTION – Selectman Abbott moved to accept the minutes of April 27, 2009 as drafted. Selectman Guarino seconded. Motion passed 3-0.

Bids – Tim reminded the Selectmen that we had to get the bids out for painting the Academy Building and for the grounds maintenance at the Old Town Hall.

There was a brief discussion during which it was stated that Don would write the specs for the painting, and he would discuss the specs with Tim for the maintenance at the Old Town Hall. After receiving the specs, we will put an ad in the paper requesting bids.

Vacancies – Conservation Commission – Tim informed the Selectmen that he had been told Ferenc Nagy would be stepping down as a member of the Conservation Commission. He said that Alternate Member Sue Hale-deSeve had sent a letter requesting to be moved up to the permanent position. He also had a letter from another gentleman who would like to serve on the commission.

Usually a new member starts as an alternate, but there was discussion of the fact that Dick deSeve is a full member on the board, and it is not a practice to have a husband and wife serve as full members on the same board. Tim also stated it is a State law that we have to do a record check and fingerprint any new employees and volunteers. In further

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discussion, it was not certain if this had to be done on all volunteers, or only those dealing with children and/or handling money. Tim will check to ascertain whether it includes all volunteers or just those dealing with children or handling money. The Selectmen would also like to speak with Conservation Chair Nanci Mitchell.

Tax Deed Properties – Selectman Abbott stated that she and Don had viewed the fifteen properties that are scheduled to go for tax deeding. She said that since that time, some of the property owners had paid their taxes, and Tax Collector Deb Cornett is hopeful that by tax-deeding date, there will be only five or six properties to go to tax deed.

Health Officer's Conference – Tim said Code Enforcement/Health Officer Bob Flanders informed him that the NH Health Officers Conference is to be held on May 19th, which is not on one of his regularly scheduled work days, and had asked if he should go. Tim said he had asked if it was really important for Bob to attend, and Bob felt it was; there is going to be information he should be updated on.

After a brief discussion, the Selectmen felt Bob should switch days he works on that week so he could attend the conference. Tim will notify Bob of their decision.

Contract – Tri-State Fire – Contract Sprinkler System – Tim said he had been asked if we had a contract with Tri-State Fire for the sprinkler system. He had a copy of the signed contract, but he said there are three things the company is supposed to do, and it is his understanding that they had done only one of them so far. He said they had taken out the 3" pipe and put a new one in, but hadn't installed the sprinkler heads. Lois stated that they had called to set up an appointment to do that while Tim was out, but because of the problems we were having with the leaking and trying to get the pump fixed, she wasn't sure we were ready for that so had referred them to Chief Lockwood who is coordinating that project. Tim will follow up with Chief Lockwood.

Hauling Contracts - Selectman Guarino said he had been looking over the haul prices from Cassella, and felt the prices weren't that far from Waste Management's. He said there were two different options, and the prices for the same size containers that we are using now are comparable to what we are paying now. Don said the cheaper price was for smaller containers, which would require more hauls, so would not be cheaper in the long run. Tim stated that Waste Management does three hauls a week, and Cassella would only do two, unless called to request the third. The Selectmen felt they should look at the proposal closely when it is presented.

It was also reiterated that the Selectmen do not feel that mandatory recycling is viable at this time. Selectman Guarino felt we need to do something to make residents more aware of the need to recycle, and utilize the recycling center on Wednesday when possible.

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8:31 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 Guarino seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

8:47 p.m. – Out of Non-Public Session

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

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

8:48 p.m. - 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. Selectman Abbott seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue.

8:55 p.m. – Out of Non-Public Session

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

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

9:00 p.m. – MOTION – Selectman Abbott moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk

