

**APPROVED**

**Board of Selectmen  
14 December 2009  
Minutes**

**6:05 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.

**Swearing-in Ceremony** - The regular meeting was suspended to swear in Gilmanton's newest full-time firefighter Donald Pickowicz.

Members of the fire department including Chief Lockwood, Police Chief O'Brien, and members of firefighter Pickowicz's family were here to attend the swearing-in ceremony.

**6:20 p.m.** – Regular meeting resumed.

**Warrant Article Workshop** – Tim informed the Selectmen that Department of Revenue Administration (DRA) would be holding a workshop to help municipalities prepare warrants and budget forms for their annual meeting. The meeting the Selectmen would attend is to be held Wednesday, January 13, 2010 at DRA in Concord. Inclement weather backup date is Thursday, January 21, 2010.

**GAT** – Tim reported that the tonnage sent to Penacook in November was 107.67 tons, which is up slightly from 107.19 sent in November of 2008. He said we are down year-to-date; 2008 year-to-date was 1,379.54 tons - 2009 year-to-date is 1,292.43 tons.

Tim also had a letter informing the Town that it had been agreed at the November 12, 2009 joint board meeting that future invoicing is going to be on an actual tonnage delivery basis, so we would not receive an invoice until the first part of January for December 2009. The amount billed will be the tonnage at the tipping fee of \$62.10.

**Hauling Fees** – Tim said he had received nothing in writing yet from Best Way regarding their hauling fees. Don asked if we had received anything from Waste Management. Tim replied that we had.

**Shoveling** – Chairman Hatch and Selectman Abbott were concerned about the condition of the sidewalk at the rear of the Academy Building. Tim said that Bill Booth had been

sick all weekend, but he had been here this morning, and put salt down, and said he would be back during the day to scrape. Tim said Bill was here twice today.

**Roads** – Chairman Hatch said she had received a complaint from a resident who lives on Meadow Pond Road about the condition of the road. Rachel said she (Rachel) had called the road agent, and he said he was going to get on it tomorrow. There was a brief discussion during which it was stated that complaints about the road conditions should be referred directly to the road agent; that is the first step a resident should take.

**Library Trustees** – Chairman Hatch informed the board that she had received an email from Stan Bean regarding the library trustees. She said one of the things he had broached in his email was that the State Library Representative had recommended that all three library trustee positions be put back on the ballot in March; one for a 1-year term, one for a 2-year term, and one for a 3-year term. She said this would negate the fact that each trustee had a library name behind their name. Selectman Abbott said she had spoken with Town Clerk Deb Cornett about it, and Deb had felt it made sense. Deb was going to follow up with the Secretary of State to see if we could do that. Selectman Guarino stated that two of the Trustees' terms would be coming up for vote, but that Phyllis had been elected as trustee of the town library last year for a three-year term, and unless the LGC said it was illegal, he felt she should be allowed to serve the remainder of her term. He felt it would be different if Phyllis had been elected for the Iron Works Library, but she was elected for the Corners, which has been determined to be the only "town" library, which is the library the trustees are elected to oversee.

The Selectmen tabled the discussion until later in the meeting to meet with Mike Amaral who was scheduled for 6:30.

**Mike Amaral – Petition Warrant Article** – Mr. Amaral explained that he and his brother are interested in purchasing some property that abuts theirs that has been taken for tax deed, and he had thought would become available for purchase in 2010. He had been into the Selectmen's office making inquiries about the property, and had asked if the Town would hold an auction to offer the land to sale to abutters only. He was told the only way this could be done was through a warrant article.

Mr. Amaral stated that he has since learned that the property could not be offered for auction until 2011, but he wanted the Selectmen to know where the property was, and showed on a map how it abutted his and his brother's land, along with another abutter. He gave a brief history of the ownership of the property. Mr. Amaral stated that his main purpose tonight was to talk to the Selectmen about the proper wording for a petition warrant article and the best way to present it for consideration for the 2011 town meeting. He had a couple of sample warrant articles that he had prepared that he reviewed with the Selectmen.

There was a brief discussion on the property and the warrant articles he had drafted.

**7:00 – Public Input**

**Deed Questions** – Mr. Amaral had a copy of the deed to the land that he and his brother were interested in buying. He was concerned because he said all the letters he had seen regarding the property had been address to a male, but the name on the deed was a woman’s name. He was concerned that this might present problems if he had the opportunity to buy the property.

There was a very brief discussion during which it was stated that it could possibly present problems, but the Selectmen weren’t sure, and felt this was something Mr. Amaral would have to discuss with an attorney.

**Library Trustees (cont’d.)**

The Selectmen continued discussion of the email Chairman Hatch had received from Stan Bean regarding the library trustees. There had also been a question as to whether we should research to find out if, and when, the Corners Library had been accepted as a town library. After discussion, and careful consideration, the Selectmen agreed that there should be a one-year and a three-year term on the ballot for library trustees, but as Phyllis was elected to the “town library”, she should complete her term. It was also agreed that they were not interested in spending the time and efforts to try to research the corners library because it has been accepted as the town library for as long as they could remember.

There was also a brief discussion regarding the funding of the libraries. The Corners Library is a “town” library, so it can submit a budget as has been the practice, but, because it has a board of directors who oversees its management, the Iron Works Library will have to be treated as an outside agency, and will have to request funds.

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

**MOTION – Selectman Abbott moved to accept the minutes of December 7, 2009 as drafted. Selectman Guarino seconded. Motion passed 3-0.**

**Lights on Crystal Lake Rd** – Selectman Abbott said she had verified that the light fixtures had been removed at the corner of Crystal Lake Rd and Mt. Road, and Crystal Lake Rd and Rte 140. She asked if Don had found out anything about it. Don replied that he and Paul Perkins have to get together to discuss the lights, and then Don would speak with the Co-Op. There was also a brief discussion of the lights on Rte 140 in the Iron Works between Crystal Lake Road and Elm Street.

**7:34 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 Recycling Manager Justin Leavitt.

**7:45 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 Guarino moved to seal the minutes of the above non-public session. Selectman Abbott seconded. Motion passed 3-0.**

**Warrant Articles** – Tim informed the Selectmen that he had started getting the warrant articles ready, but hadn't printed them out. He said there would be two for the recycling center, one for a concrete pad and one for a compactor container. There would also be one for the repair of the cupola, one for document restoration, one for electrical work at Crystal Lake Park and one for a safety building.

Tim said Mark Forge, Contract Planner, had informed him that there would be four zoning amendments to be put on the ballot in March.

**Health Insurance** – Selectman Abbott had asked Tim to find out what percentage the health insurance would be costing taxpayers. Tim did not have the information. Betty Ann noted that although there was to be a 16% increase in health insurance, that did not mean a 16% increase in the budget, only the health insurance line. She said we were also making a change in the insurance, so there would be a lesser percentage increase. She asked Tim to see if he could get the numbers.

**Pre-Bid Meeting** – The Selectmen and Fire Chief Lockwood spent a considerable amount of time reviewing the pre-bid meeting that had been held with interested bidders for the life safety building this morning. Don said that Paul Darbyshire is to email the site plan we have to Deb Cornett so she can put it on the Town website. The contractors did go to the site, but didn't walk the area because of the snow. It was felt that they had received enough information to be able to submit a proposal.

**Mold Issue** - Selectman Abbot asked if Tim had received any information from The Scott Larson Group about the mold in the basement of the Academy Building. Tim responded that Mr. McPherson had come on Friday and had taken some samples to see if there is any asbestos, and as soon as he gets the results, he will get us a price for the removal. Tim added that things weren't as bad as had been anticipated.

**Holiday Pay – Fire Department** – Selectman Abbot asked if Tim had called LGC to find out how the fire department should be paid for holiday pay. Tim replied that he has not gotten the information yet.

**12-14-09 BOS**

**APPROVED**

**9:18 p.m. – Break**

**9:21 p.m. – Back in Session**

**Budget Discussion** – The Selectmen reviewed and updated any changes to the budget in preparation of presenting it to the Budget Committee on Thursday.

**Driveway – Recycling Center** – Chief Lockwood and Justin Leavitt updated the Selectmen on their meeting with DOT regarding the third driveway at the recycling center. KG said the State goes by the number of curb cuts on a property, and you aren't allowed more than two curb cuts. He said a cut could be up to 100' wide, so it was figured that the current entrance could be moved to the left, and reconfigured to combine that curb cut with the exit, which would allow us to have the other driveway. KG showed how they figured that could be done. It would mean moving the entrance gate to the left, and getting rid of the current entrance.

After seeing and hearing the explanations, the Selectmen approved KG's request to pursue pricing for the suggested changes.

**9:40 p.m. – MOTION – Selectman Abbott moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk