

APPROVED

**Board of Selectmen
21 December 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.

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

The Selectmen suspended the meeting to swear in Gilmanton’s newest full-time firefighter Ossian Batchelder.

Members of the fire department including Chief Lockwood, Police Officer Cory Krochmal and members of firefighter Batchelder’s family were present for the swearing-in ceremony.

ZBA – State-Approved Septic Systems – Chairman Hatch read a letter (copy attached) into the minutes from the ZBA clerk in response to a question that had been asked during the public input session at a recent Selectmen’s meeting. The Selectmen were asked to speak with the ZBA to see if they would allow people who own large parcels of land to make an application for a variance without having to have an approved septic system before they go to ZBA. The letter from the ZBA stated that size of property does not guarantee that one will be able to get an approved septic design, and it is also to ensure that all applicants are given equal treatment.

Holiday Pay – Fire Department – Tim informed the Selectmen that he had spoken with LGC about holiday pay for the fire and police departments. He said that holiday pay is not covered under the Fair Labor Standards Act; it is up to each individual town. Our personnel policy says it will be paid on an eight-hour day. Tim said this has been the practice as long as he can remember; he has informed both the fire and police chiefs.

Legislative Bulletin – Tim distributed copies of the first legislative bulletin dated December 18th to the Selectmen. He felt they should read it when they have time because it includes changes in the right-to-know law and updates on the retirement issues.

Tim said he had also received an email regarding HB 1406, RSA 229.7 that pertains to proposed new legislation that would take the control of police detail pay away from the

town on Class IV and V highways, and put it under the purview of the NHDOT. Chief O'Brien was informed that there would be a meeting to discuss this on January 12th, if he is interested in attending.

Worker's Comp – Tim informed the Board that effective January 1, 2010, our worker's comp would be billed to a different company. We would still go through LGC; only the billing would be different.

Assessment Concern – Tim informed the Selectmen that they had received a letter from Michael & Pam LaFond questioning the increase in their assessment value. He said he had given the letter to George Hildum, our assessor, and George had responded to the LaFonds with a letter and back up information to explain the assessment.

Energy Committee – Energy Committee Chair Amy Russell and members Nate Abbott and Paul Callahan were present to report the findings of the energy evaluation done on the Academy Building.

The report offered three packages that showed our current utility expenses, recommended ways to save energy, and the estimated savings if these measures were taken. Paul felt the information provided with the report could be used for an RFP if it is voted to have the work done. Nate suggested that we get bids before Town Meeting. The Energy Committee will also continue to work on getting a grant to cover the cost of one of the packages. Amy said there are strict guidelines because this is federal money.

There were also recommendations, separate from the packages, for measures that should be taken immediately. This includes sealing top of chase and gaps around framing of chimney, and installing missing insulation in the attic above the kitchen, plus sealing and insulating the attic hatches. It was estimated the cost for this would be \$500 to \$600.

There was also a discussion of a plan through Lightec, Inc called Smart Start whereby we could upgrade the lighting in the building without having to appropriate any funds. It would be done through working with the light company. Paul will contact Kathy at Lightec, and ask her to call Tim to set up a meeting with the Selectmen to explain the plan further.

There was a brief discussion about the need for a new safety building to be energy efficient.

7:08 – Public Input

Recycling – Recycling Manager Justin Leavitt said he had received several phone calls in response to the article that had been in the Laconia Daily Sun about Gilmanton going to go to pay-as-you throw, or mandatory recycling. He said about six out of ten calls were very positive, but others were negative - one of them extremely so. Selectman

Guarino said he had heard concern about double taxation, if they have to buy bags. He said this is not the case because we have to set an account up for the bags, and it is the intention to reduce the expenditure in the budget. Justin agreed with Don, and stated that his goal is to ultimately make the facility self reliant, and remove it from the tax burden completely. Justin was asked to send a follow-up article to the newspaper.

There was discussion of how other towns had a reduction of as much as up to 75% in their tipping fees when they went to pay-per-throw.

Justin informed the Selectmen that he had sent out another load of recyclables today.

Recycling Contracts – Tim had copies of proposed contracts from Waste Management and Best Way. The Selectmen will review the terms of the proposals, will have them reviewed by town counsel, and will then make a decision.

7:25 p.m. – Break

7:30 p.m. – Back in Session

Paul Darbyshire – Life/Safety Building – Paul Darbyshire was present to review the site plan for the life/safety building. He had a copy of the old site plan which he reviewed and explained the proposed changes for the proposed new building.

Paul wanted the Selectmen to be sure the contractors bidding on the project were aware of the high water table on the property when proposing the foundation for the building.

Selectman Guarino stated that the planning board had suggested using porous pavement. Chief Lockwood said you couldn't put down sand if you used porous pavement, and there was also concern about how it would hold up under the weight of the fire trucks, and if it would be suitable with the high water table.

There were also questions about how much of the site plan Paul Darbyshire was to do, or if some of it was to be done by the contractors. The Selectmen will discuss it further. Paul will come up with more specific plans for the site, and meet with the selectmen again in two weeks.

8:25 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.

8:30 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.

Site Plan – Safety Building – The Selectmen discussed the site plan for the safety building. Chairman Guarino explained that the RFP was to make an allowance for a site plan, but he felt Paul Darbyshire should continue to be the one to update the site plan, and they (selectmen) need to incorporate the fee for Paul to do this into the budget.

Light – Iron Works – There has been discussion at several meetings of lights that had been removed from the intersection of Crystal Lake Road and Mountain Road and at Crystal Lake Road and Rte 140. There had also been discussion about lights on Rte 140 from Crystal Lake Road to Elm Street. Tim said these lights had been turned off when they had gotten rid of the Iron Works Precinct, but had been turned back on when we had inventoried the lights last spring. Tim said Mr. Brown doesn't want the lights on Rte 140 on because they shine in his windows. Chief O'Brien felt the lights should be left on for safety issues. Don said when he speaks with the Co-Op about the lights on Crystal Lake Road, he would ask if they could shield the lights on Rte 140 so the light shines straight down.

Mold Removal – Tim informed the Selectmen that he had received a quote from the Scott Larson Group to remove the mold in the Academy Building. There was a brief discussion of the quote, and the question was asked if we needed to put the project out to bid. Tim didn't think we did because it was a specialized item, and there aren't many people who do it. After a brief discussion, Don said he would try to get another bid from someone who specializes in the field before they award the project. Tim said there is some money in the building maintenance budget to cover much of the cost.

Patrol – Crystal Springs – Chief O'Brien said that he had a conversation with Larry Mickel, President of the Board of Directors for the Crystal Springs Condominium Association. Phil said they have never actively patrolled that area, but it has been requested that the police start to patrol the area due to vandalism and teen-age drinking. Phil said he had no problem doing that; they patrol the private roads in Shell Camp and other areas of town, and wanted the blessing of the Selectmen to start patrolling more actively. The Selectmen supported Phil's decision to patrol the area.

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

MOTION – Selectman Guarino moved to accept the minutes of December 14, 2009 as amended. Selectman Abbott seconded. Motion passed 3-0.

9:06 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 Selectman discussed a personnel issue with Chief O'Brien.

9:20 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.

9:21 p.m. – MOTION – Selectman Abbott moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk

BOARD OF ADJUSTMENT
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December 8, 2009

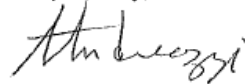
Board of Selectmen
Town of Gilmanton
503 Province Rd.
Gilmanton, NH 03237

Dear Selectmen,

The Zoning Board of Adjustment has asked me to let you know that they have considered your request to allow applicants with a large amount of land to make application to the ZBA without a state approved septic design.

Their decision is that regardless of property size a septic design approval must be with a ZBA application, because it is a requirement of the application and there have been applications before the board where that issue was enforced. This is because size of property does not guarantee that one will be able to get an approved septic design, and the insurance that all applicants are given equal treatment.

Respectfully,



Annette Andreozzi
Land Use Clerk

