

**Board of Selectmen
3 March 2008
Minutes**

6:07 p.m. - Chairman Brian Forst called the meeting to order. Present were Chairman Forst, Selectman Rachel Hatch, Town Administrator Tim Warren and Clerk Lois Dionne. Selectman Guarino was not in attendance.

Swearing-in of Police Officer – Police Chief Phil O’Brien introduced his new part-time police officer. In the absence of Town Clerk Deb Cornett, Selectman Rachel Hatch swore in Sean McCarty as a part-time police officer for the Town of Gilmanton.

Approval of Minutes – The Selectmen reviewed the minutes of their last meeting.

MOTION – Selectman Hatch moved to accept the minutes of February 11, 2008 as amended. Chairman Forst seconded. Motion passed 2-0.

New Firefighters – Fire Chief Tim Robbins introduced one of the two new firefighters he has hired to the Selectmen. Tim Baldassare will begin employment as a firefighter for Gilmanton within the next two weeks. Firefighter Raymond (Trey) Bushey, III started work this week and was at an Intermediate meeting tonight so was not in attendance. Chief Robbins noted that Mr. Baldassare has already completed his Intermediates, and will begin EMTI School in April. He said the addition of these two men would mean his department is fully staffed.

7:00 p.m. – Public Input – No one was present for public input.

7:01 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Hatch 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. Chairman Forst seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue in the Selectmen’s Office.

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7:30 p.m. – Out of Non-Public Session

Selectman Hatch moved to come Out of Non-Public Session. Chairman Forst seconded. Motion passed 2-0.

Sale of Lots – Berry Ave – James Boudreau, Robert Harding and Rick Acquilano were present to bring closure to the issue of property lines on Berry Ave. in the Sawyer Lake area. When preparing for the last auction of town-owned properties, it was discovered that the Town did not own the lot we thought we owned on Berry Ave., so we were unable to auction that piece of property. The Selectmen have spent a good deal of time in the past three years trying to get this matter straightened out. There have been numerous meetings between the Selectmen and the three parties involved in the situation. The Selectmen all visited, and measured the lots according to maps and deeds, and the Town lot was surveyed. After consultations with town legal counsel, LGC (Local Government Center), and DRA, it was determined that RSA 41:14-c voted at the 2002 Town Meeting gave the Selectmen permission to buy/sell real estate.

The Selectmen agreed to sell two lots on Berry Ave. to abutters only. Mr. Boudreau, Mr. Harding and Mr. Acquilano are the only abutters.

MOTION – Selectman Hatch moved that the Town sell lot # 163-X to James Boudreau to be merged with lot# 161-X and lot # 162-X.

Chairman Forst seconded the motion, but wanted a dollar amount to be included in the motion. There was a brief deliberation.

MOTION was amended to read that the Town sells lot #163-X to James Boudreau for \$1 (One Dollar). Lot #163-X is to be merged with Lot #161-X and Lot #162-X. Motion passed 2-0.

MOTION – Selectman Hatch moved that the Town sell Lot #164-X to Rick Acquilano, James Boudreau and Robert Harding for \$600 (Six Hundred Dollars) as joint tenants in common. Chairman Forst seconded. Motion passed 2-0.

MOTION – Selectman Hatch moved that Robert Harding deed lot 164-X to the Town of Gilmanton, and, in turn, the Town of Gilmanton deed lot 166-X to Robert Harding. Chairman Forst seconded. Motion passed 2-0.

All deeds will be recorded with the Belknap County Registry of Deeds in Laconia.

FYI's & Other Business

Culverts – High Street – Tim informed the Selectmen that he had received a phone call from Justin Caldon regarding two culverts on High St. Tim said the culverts sink about

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8" every winter, and Justin had offered to dig them out and install new culverts in the spring; the Town would provide the pipes, and then patch the pavement afterwards.

During discussion it was decided that this is something that should be discussed with the Road Agent, as the road is the Town's responsibility.

Road Shimming – Tim informed the Selectmen that he had a notice from DOT that in 2008 the State would be paver shimming Route 107 from Barnstead to Gilmanton, and Route 140 for 12.28 miles from Route 107 east to Route 111.

Road Engineer – Crystal Farms – Tim said that he had received a quote from Kurt Rague's engineering firm to oversee the building of the road into Crystal Farms development.

Tim reported that Mr. Rague had also been issued a cease and desist order by DES for work done without permits. He said Mr. Rague is supposed to submit new plans for a terrain alteration permit to the Town. Tim said Mr. Rague had told DES that had already been done, but we haven't received it.

After a brief discussion of the quote, Tim recommended that the Town should stay with Hoyle-Tanner as the engineering firm for the project.

Litigation against NH Retirement System – The Selectmen had been asked, but had decided not to join Meredith and other towns in a lawsuit against the NH Retirement System that the selectmen thought had been brought about by the Town of Meredith. Tim said he had reread the letter, and it is the LGC (Local Government Center) that is spearheading the litigation; Meredith and other towns had put money toward the litigation. They are looking for \$352 from Gilmanton toward the litigation.

There was a discussion of the lawsuit during which it was explained that the retirement system is short of money to fund the system, and public employers would have to come up with the unfunded accrued actuaries. If the lawsuit is unsuccessful, it would cause the retirement rates to go up, and the towns would have to pick up a larger share of the cost. Selectman Hatch asked who the actual plaintiff was in the lawsuit. Tim thought it was the LGC. Rachel thought the lawsuit had been initiated by some other entity. Rachel said she had some information on this that wasn't put out by LCG; she will try to find the information before the Selectmen make a decision.

NH Public Radio – Tim informed the Selectmen that NH Public Radio is developing an interactive map showing where town meetings are. Tim and the Selectmen filled out the form so that Gilmanton could be included on the map.

Belknap Economic Development Council – Tim informed the Board that George Twigg has been our representative on the Belknap County Economic Development

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Council. George's term is expiring, and they will have to find someone to replace him. He said there is a meeting on March 20th that will require a vote, so they should have someone in place by then.

9:25 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Hatch 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. Chairman Forst seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue in the Selectmen's office.

9:40 p.m. - Out of Non-Public Session

Selectman Hatch moved to come Out of Non-Public Session. Chairman Forst seconded. Motion passed 2-0.

9:41 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Selectman Hatch moved to Enter into Non-Public Session as per RSA 91-A:3, II(c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person unless such person requests an open meeting; however, this cannot be used to protect a person who is a member of your Board, Committee or Subcommittee. Chairman Forst seconded. Motion passed 2-0.

The Selectmen discussed a code enforcement issue.

9:50 p.m. - Out of Non-Public Session

Selectman Hatch moved to come Out of Non-Public Session.

9:51 p.m. - MOTION - Selectman Hatch moved to adjourn the meeting. Chairman Forst seconded. Motion passed 2-0.

Respectfully submitted,

Lois Dionne
Recording Clerk

