

Board of Selectmen  
17 March 2008  
Minutes

**6:00 p.m.** – Selectman Don Guarino called the meeting to order. Present were Selectmen Don Guarino, Rachel Hatch and Elizabeth (Betty Ann) Abbott, Town Administrator Tim Warren and Clerk Lois Dionne.

Newly elected Selectmen Rachel Hatch and Betty Ann Abbott were welcomed to the Board. The first order of business was to elect a chairman, and to appoint Selectmen to serve on the various boards and committees.

Appointments were as follows:

BCEDC (Belknap County Economic Development Council)	Betty Ann Abbott
LRPC – TAC	Betty Ann Abbott
Historic District Comm.	Rachel Hatch
Planning Board	Don Guarino
Planning Board (Alt)	Rachel Hatch
Budget Committee	Betty Ann Abbott
Recycling Committee	Selectman will serve according to availability

Selectman Guarino stated that historically the member who had been on the board longest served as Chairman of the Board of Selectmen, and said he would like to serve in that position. Selectman Abbott agreed that traditionally that was the way it was done, but she was concerned because she said people had seemed to be frustrated with Don's attendance and tardiness record at meetings. Don was surprised at the statement, and felt he had attended as many, if not more meetings than Selectman Forst had attended. Betty Ann asked about his tardiness; as chairman Don would have to be here on time and get the meeting started on time. There was considerable discussion on Don's tardiness and attendance record, not only at the weekly meetings, but also at other events that require the selectmen's presence. Betty Ann stated that if Don would pledge to try to be at meetings, and be on time she would support him as chairman. Don agreed that he would make his best effort.

**MOTION – Selectman Abbott moved to nominate Don Guarino as chairman for the Board of Selectmen. Selectman Hatch seconded. Motion passed 2-0.**

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The Selectmen also discussed approaching Brenda McBride to see if she would be willing to serve on the Household Hazardous Waste Day Committee, and if she would spearhead the Earth-Day cleanup in the spring.

**Selectmen Workshops** - Selectman Hatch informed the Board that she had called LGC (Local Government Center) today, and they are scheduling several two-part workshops for new selectmen.

Selectmen Hatch and Abbott will attend one of the workshops.

**6:37 p.m.** – There was no public input scheduled for tonight, but Chairman Guarino agreed to hear Israel Willard before the Selectmen entered a non-public session with Chief Phil O'Brien. Israel had a couple of questions about discussions at Town Meeting last Saturday.

**Septic System – Old Town Hall** – Israel asked Don Guarino if he was a licensed septic installer. Don replied that he had been, but his license had expired. Israel felt that even though Brian Forst kept saying that nothing was going to be changed, things would be changed, and he felt somebody should look at the septic plan to see what is in there. Israel stated that he is a licensed septic installer, and would like the opportunity to look at the plan we have for the system. Tim Warren will get a copy of the plan tomorrow for Mr. Willard.

**Feasibility Committee** – Mr. Willard also stated that when a committee was formed to do the feasibility study of the Old Town Hall, he would like to be a member of that committee.

The Board thanked Mr. Willard for volunteering for both projects.

#### **6:43 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. Selectman Abbott seconded. Motion passed 3-0.

The Selectmen discussed a personnel issue with Police Chief Phil O'Brien.

**7:15 p.m.** – Chief O'Brien left the meeting.

#### **7:20 p.m. – Out of Non-Public Session**

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

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**MOTION – Selectman Hatch moved to seal the minutes of the Non-Public meeting with Chief O’Brien. Selectman Abbott seconded. Motion passed 3-0.**

**7:21 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. Selectman Abbott seconded. Motion passed 3-0.

The Selectmen discussed a Selectmen’s Office personnel issue.

**7:35 p.m. – Out of Non-Public Session**

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

**FYI’s & Other Business**

**B.C.E.D.C. -** Tim informed Betty Ann that there would be a meeting of the Belknap County Economic Development Council (B.C.E.D.C.) Thursday, March 27<sup>th</sup> at 4:15 p.m. at Church Landing in Meredith.

**Budget –** Tim distributed copies of the budget as approved at Town Meeting on Saturday. There was a very brief discussion of the budget.

**Road Posting –** Chairman Guarino asked when the roads would be posted. Tim said the road agent had indicated that they would start posting the roads tomorrow. Don noted that if anybody sees anyone not heeding the posted signs, they should contact the police department.

**Testing at Recycling Center –** Chairman Guarino said he had helped plow out a resident who is an environmental engineer, and the resident had told him that since we are not seeing toxins in our test wells, we could request our engineering firm to request the State of New Hampshire to test our wells at the recycling center once a year rather than the twice a year we are currently doing. Don said this would be a substantial savings to the town, and felt that if, when we get done with our testing this year, and the tests show no problems with toxins, we should request our engineering firm to request a once a year testing from the State.

**Tonnesen vs. Town of Gilmanton –** Tim said a pending ZBA case had come to a close, and the court had upheld the ZBA decision. It was explained to Selectman Abbott that this was a case where the ZBA had denied the applicant the right to put in a helicopter-landing pad. The decision had been appealed to the local court, which upheld the ZBA; the applicant then appealed to a higher court, and they upheld the ZBA decision.

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**Metrocast Franchise** – Tim informed the Board that we had received a check in the amount of \$42,018 from Metrocast for our franchise fees for 2007. He said in the past the fees for public access television had come out of the check amount before we received the check, but because of a change in the law they can no longer do that. Tim said this is how we found out that it was costing us approximately \$6,500 a year to air the Selectmen's meetings. He said that is when we decided to create a new website, so all town board minutes, agendas and other activities will be posted on the web.

**Selectmen Minutes** – Selectman Guarino said Carolyn Baldwin, who had been doing a synopsis of the Selectmen's minutes for Suncook Sun, had asked him after town meeting if one of the Selectmen would be willing to review the minutes each month, and submit a letter to the Sun summarizing the meetings.

**DES Meeting** - Tim informed the Board that DES would hold a public meeting tomorrow, March 18<sup>th</sup>, to discuss an independent evaluation of recent flooding problems in New Hampshire, and measures for how we might be able to prevent it in the future.

**CRSW/RRC** (Concord Resource Solid Waste Resource Recovery Cooperative) – Tim stated that the next meeting of the CRSW/RRC would take place Thursday, March 20<sup>th</sup>. He said they are looking to go to a single stream recycling system. Tim explained that if that happens, the Town would lose recycling income. Tim said Liz Bedard works for CRSW/RRC, and she is getting numbers together to show the Town if single stream recycling would benefit the Town. He said it has been found that towns could save money because they could work with less personnel and cut expenses at the facility. Tim said the information has been passed on to Doug Kapplain, the Town's representative on the committee; Doug is not in favor of the single-stream recycling.

**Note – Art Brown** – Tim had a note from Art Brown of Allens Mill Road with two items of comment.

**Allens Mill Road** - Mr. Brown commended the Clairmont Boys for the job they are doing caring for the hill on Allen's Mill Road this winter.

**Tree Outside Academy Building** – Mr. Brown also noted that the tree outside the academy building had been snapped. Mr. Brown stated that he is a certified tree farmer, and, when appropriate, probably fall, he would like to uproot the remains and donate a maple tree in replacement, at no cost to the town. The Selectmen approved the idea, and Tim will contact Mr. Brown.

**Fire Dept. Overtime** – Tim explained to Selectman Abbott that a couple of weeks ago he had been asked why the fire department gets paid overtime after 53 hours when the police department gets paid overtime after 40 hours. He said it is the Fair Labor Standards Act, and he had information on it for the Selectmen to read. Tim said the policy had come about when James Clough was fire chief, and Mr. Clough had been the

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one to implement the policy. He said this could be done when the fire department has less than five full-time firefighters (The Town currently has four full-time firefighters). The Selectmen will read the information, and discuss the matter at a future meeting.

**Boston Post Cane** – Tim stated that Deb Cornett had informed them at last week's meeting that the death of Ellen Cunliffe meant the Boston Post Cane would have to be presented to Gilmanton's eldest resident. He said Deb had researched the records, and James Pennock should be the next recipient of the cane.

**MOTION – Selectman Hatch moved that the Board of Selectmen award the Boston Post Cane to James G. Pennock. Selectman Abbott seconded. Motion passed 3-0.**

A cane has already been made, and Tim will see about getting the plaque made for the cane.

**Library Trustee** – Tim informed the Selectmen that the Town needs to advertise for a library trustee in Lower Gilmanton. He said that at the election there were so many people who had one write-in vote, no one was elected.

**Board Appointments** – Tim said we would also need to advertise for other boards and committees, because many members' terms are expiring.

Applicants for any of the positions would need to submit a letter of interest, and would be interviewed by the Selectmen before appointments are made.

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

**MOTION – Selectman Hatch moved to accept the minutes of March 10, 2007 as drafted. Chairman Guarino seconded. Motion passed 2-0. Selectman Abbott did not vote, as she had not been a Selectman at the last meeting.**

#### **8:40 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. Selectman Abbott seconded. Motion passed 3-0.

The Selectmen discussed a bid for asphalt paving.

#### **9:00 p.m. – Out of Non-Public Session**

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

Tim Warren was asked to research the pricing of asphalt.

**MOTION – Selectman Hatch moved to adjourn the meeting. Selectman Abbott seconded. Motion passed 3-0.**

Respectfully Submitted,

Lois Dionne  
Recording Clerk