

**Board of Selectmen
21 April 2008
Minutes**

6:04 p.m. - Chairman Don Guarino called the meeting to order. Present were Chairman Guarino, Selectman Betty Ann Abbott, Town Administrator Tim Warren and Clerk Lois Dionne. Selectman Hatch was not in attendance.

After attendance, everyone stood for the Pledge of Allegiance.

6:07 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. Chairman Guarino seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

6:30 p.m. - Out of Non-Public Session

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

MOTION – Selectman Abbott moved to seal the minutes of the above non-public session. Chairman Guarino seconded. Motion passed 2-0.

6:31 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Abbot 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 Guarino seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

6:45 p.m. Out of Non-Public Session

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

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6:46 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(c)

Chairman Guarino 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 2-0.

The Selectmen discussed a code enforcement issue.

6:48 p.m. - Out of Non-Public Session

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

6:49 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. Chairman Guarino seconded. Motion passed 2-0.

The Selectmen discussed a personnel issue.

6:54 p.m. - Out of Non-Public Session

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

6:55 p.m. Chairman Guarino opened the public input session.

Present for the public input session were Bob Richards, Douglas Kaplain, Fred Zajchowski, Wayne Gray, Carolyn Baldwin and Bob Flanders.

Recycling Center Concerns – Robert Richards addressed issues he feels are areas of concern at the Recycling Center. Mr. Richards stated that there are certain periods that the dump has more material being disposed of, such as Memorial Day, Labor Day, Thanksgiving, Christmas, etc., and added to the fact that some people don't recycle, the compactor fills up faster. He felt it is a problem because some people become irate and "go off the wall" because they can't get their own way. He felt this is a problem that needs to be addressed. Mr. Richards said people become irate and take it out on the dump employees, and this isn't fair to them. Mr. Richards added that we need to come up with a way to know when these heavy dump days will be, and have an extra dumpster at the center; this would help defuse the situation. Mr. Richards stated that the recycling center is a resource-generating facility, and if used effectively, we could help solve some of our budgetary issues, but we aren't thinking properly; we need to think about how to use the facility correctly and defuse some of the problems. He was glad that the center is

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finally going to get paved, but was concerned about the way the roof was set up, so rain drips on the employees, or they could get hit with snow falling off the roof in the winter.

Selectman Abbott asked Doug Kaplain if we could get an extra dumpster on heavy dump weekends. Doug replied that we could, but it would cost the Town a lot of money. Mr. Richards asked what the solution is for the situation. Doug stated that they had requested money for a second compactor at Town Meeting last year, and it was voted in, but for zero dollars. Doug felt a way to solve the problem is by either having mandatory recycling or institute the pay-as-you-throw program. Doug said they had to close the compactor at 4:30 on Sunday; they remained open so people could get rid of their recyclables.

Mr. Richards asked what authority the Board of Selectmen have to just implement a directive to implement something that would direct the income from the aluminum cans or something to go back into the recycling center. He said it should be handled as a business, and the Town having the money go back into the general fund has hindered the development of the recycling center. Mr. Richards felt the Selectmen have to be assertive, and take ardent strides to make it work. Bob Flanders stated that the RSAs require that the money has to go into the general fund.

Wayne Gray said the Recycling Center has a negative flow in their income, so technically the money is already in that fund. He asked why we couldn't have a piece of equipment at the center that can swap the dumpster ourselves. Doug said they had looked into that, but people were against keeping an empty truck at the facility.

Chairman Guarino said the Selectmen have been discussing this for several weeks, and are trying to come up with answers. He said the recycling committee is working on some of the issues, and they (Selectmen) have met with the recycling manager and attendants to address the issue.

Doug informed the Selectmen that the recycling center had sent out 31 bales of paper and 33 bales of cardboard, and will be sending 18 bales of tin and steel cans on Wednesday, and will have ten bales of aluminum. He wasn't sure of the price on the paper and steel cans, but said the going price for aluminum is .91 cents a pound. Doug said they had also taken the steel pile, and all these things are a source of income to the Town.

Safety Issues – Doug stated that he had heard that the employees at the recycling center are going to be forced to wear long pants this summer. He said this creates a hardship for the employees to have to pay for their pants because they are part-time employees, who don't make much money. Selectman Abbott said it is a safety measure. Doug replied that they have never had a problem; no cuts, bruises or anything. He said neither the Loss Management nor the Town personnel policy says they have to wear long pants. Tim Warren asked if the personnel policy states that they need to wear "appropriate" attire? Doug replied that it did, but did not specifically state long pants. Doug felt he has,

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through the State, more accreditations than the Joint Loss Management Committee has. He said the Committee had walked, unannounced, through the facility and had pointed out things that basically didn't have anything to do with safety, i.e. painting the building, covering sewer grates, etc. Doug said there are no real safety problems at the dump. Selectman Abbott asked about wearing safety goggles. She asked Doug, as someone who had gone through courses on safety, didn't he believe the men should wear goggles? Doug said they have goggles there, and if the men need to wear them, they could put them on, but he couldn't see anything where they need to wear them. Betty Ann asked if they should be worn when crushing glass. Doug replied that he is the only one who crushes the glass, and he is in a bobcat away from the machine when he does it. Doug said his prescription glasses are safety glasses. He said there has been only one instance, when Justin was cutting a piece of wood, and got sawdust in his eye; the safety glasses were there, and Justin admits he should have had them on.

Fred stated that he felt long pants could be a safety issue in the summer because of heat prostration. He said they have to work out in the hot sun all day, and have no place to go to cool off. Fred added that there have been some heat-related issues at the recycling center.

There was discussion that because there haven't been problems at the center, it didn't mean there wouldn't be in the future, and long pants would protect the legs against cuts and possible infections. Wearing of safety vests was also discussed. Doug felt the plastic vests retain heat. Fred felt the employees need to take personal responsibility for their safety.

Zoning Ordinance Change – Wayne Gray said he and Carolyn Baldwin were here tonight because they heard the Selectmen would be discussing the change in the zoning ordinance.

Carolyn stated that Betty Hackett, Zoning Board Chair, was unable to make the meeting tonight. Carolyn explained that the purpose of the ordinance change was to have clarified the ordinance, but what happened was it changed the ordinance in a way that would allow many nonconforming lots in the Sawyer Lake and Shellcamp areas, which should not be allowed to be developed, to be built on. She said the only thing the ZBA had been concerned with was the height allowance for a building, and that wasn't clarified at all. Carolyn added that the change has put them in an awkward position when trying to issue a variance or special exception.

There was considerable discussion of the change and the way it is affecting the issuance of building permits, special exceptions, variances, etc. and it was felt the best thing, for the time being, would be to put the wording back to the way it was, have a special election, and then an ordinance could be worked on for future consideration. Everyone agreed on the need for a special election to change the ordinance, and Carolyn will speak with Nancy Girard about the Selectmen chairing a meeting with the Zoning Board,

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Planning Board and Selectmen to address the issue. A tentative date for the meeting has been set for Thursday, May 1st at 7:00 p.m.

Private Roads – Code Enforcement Officer Bob Flanders and Selectman Betty Ann Abbott had gone out last week to review some of the private roads in town. Bob had pictures tonight of some of the roads, which in some cases are not much more than paths. In one case, saplings had been cut, and placed in the ruts for the cars to drive on. Some of these roads have houses on them that were built years ago as summer places, but now are being occupied year round.

Steepness of hills, width and conditions of the roads were of a great concern in the event of emergency vehicles requiring access to homes on the road. Some of the roads don't have a private road sign at the beginning of the road. Bob stated the need for road standards to be established, and stick to the standards. Tim Warren stated that we do have a private road standard, but many of these were old roads established before we had the standard.

Fireman's Association Lease - Tim mentioned that the Selectmen had signed a one-year lease with the Firemen's Association for both the fire stations. He noted that he had found a draft of an old lease that was for ten years that included both stations on one lease. He felt this was something the Selectmen might want to consider in the future.

McDonough Property – Tim informed the Selectmen that he had received a letter from Mrs. McDonough of Wells, Maine who owns land on Flintlock Circle that was purchased in 1962 for \$500. He said Mrs. McDonough could no longer afford to keep the land, and would like to give it to the town as a gift. Tim said the Town Clerk said we can't accept it, but could give her the name of her abutters, so she could try to sell it to one of them. Mrs. McDonough wrote to her abutters, but had no luck. He added that the land abuts a piece of Town Conservation land, and wondered if the Conservation Commission could accept the land. Tim said we couldn't accept the land because it takes it off the tax role, and also because of the possibility that there could be hazardous waste materials on the property. After a brief discussion, Tim was asked to contact LGC to see if the Conservation Commission could accept the land.

Paving Recycling Center – Tim said he had spoken with Bill Hurst last weekend, and asked if he could get together with Doug Kaplain about prepping the recycling center for pavement, so the job can be sent out to bid. Fred Zajchowski informed Tim that the cover for the septic tank is in front of the building, so they would have to be careful not to pave over that.

Septic Design – Old Town Hall- Tim reported that the design for the septic system at the Old Town Hall has been sent to the State.

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Drainage – Academy Building – Tim informed the Selectmen that we need to get specs for the drainage outside the Academy Building so we can send that out to bid. Chairman Guarino said he would work on writing the specs this week.

Selectmen's Summer Schedule – Tim said that Selectman Hatch had asked him to address the Selectmen's summer schedule of meeting every other week with the Selectmen. She had asked if they could start meeting every other week the beginning of May, rather than waiting until after Memorial Day. There was a brief discussion, and it was agreed to start the summer schedule the beginning of May. A meeting has already been scheduled for May 5th, so meetings will be held May 5th and 19th, then every other week for the summer.

Extra Trailer - Recycling Center – There was a brief discussion on the need for an extra trailer at the recycling center. It was felt we should keep track for the next few weekends, to see if we have to close the center early. It was stated that we already get extra trailers on holiday weekends.

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

MOTION – Chairman Guarino moved to accept the minutes of April 14, 2008 as amended. Selectman Abbott seconded. Motion passed 2-0.

Respectfully Submitted,

Lois Dionne
Recording Clerk