

**Board of Selectmen
19 May 2008
Minutes**

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

After attendance, everyone stood for the Pledge of Allegiance.

Proposal Opening – Septic System - Old Town Hall - The Town had placed an ad for requests for proposals to install a new septic system at the Old Town Hall. Deadline for the bids was 4:30 p.m. today. The proposals, opened tonight, were as follows:

Howard Enterprises - Gilford	10,826.00
Riordon Construction - Tilton	11,500.00
J. Parker & Daughters Const. - Pittsfield	11,500.00
D.L. Docko - Northwood	11,900.00
G.W. Brooks & Son - Freedom	12,331.00
Four Corners, LLC - Gilmanton	12,750.00
Daigle Construction - Gilmanton	12,973.00
GSF Excavation - Belmont	14,300.00
The Dorsey Company - Concord	14,900.00
Lank Excavating - Barnstead	15,700.00
Jennings Excavation - Hollis	16,900.00
Kitt Cormier Builders - Northfield	17,130.00
Israel Willard - Gilmanton	18,250.00

Workman Excavation - Gilmanton	19,500.00
Robert L. Potter & Sons - Gilmanton	19,900.00
N.E. Earth Mechanics - Pittsfield	22,000.00
Jeff Thoroughgood Exc. - Sanbornton	22,640.00
Desmarais & Sons Const. Northwood	22,651.20
MJF Excavation - Chichester	23,174.00

Brenda Currier and Daniel Lank were present for the opening of the proposals. The Selectmen will review and discuss the bids, and the project will be awarded at a later date.

There was a brief discussion that some of the contractors were surprised that the system was supposed to be able to be parked on. Tim will contact the manufacturer of the Presby System to ask whether the system can be installed so that it could be parked on.

FYI's & Other Business

Town-Wide Cleanup – Tim said Brenda McBride had called, and she had gotten the tally for the number of bags that had been picked up during the town-wide cleanup. He said the total is 671 bags along with 1 sofa, 1 dehumidifier, 1 air conditioner, 2 bicycles, 2 batteries, 12 tires, 2 stashes of beer, 2 windows, 1 bundle of composite siding and 1 bag of insulation. The school children filled 141 bags, and picked up 6 of the 12 tires. There were 141 school children; several adults were with them, and an additional 70 townspeople who filled the bags. Tim will fill out the sheet to submit to the state. Gilmanton is in hopes of receiving two elm trees for their participation in the cleanup program.

Appointments to Boards & Committees – Tim reported that two positions on the HDC had to be filled. He said Steve Latici had opted not to be reappointed, and that according to the HDC regulations, George Roberts, who has served two successive terms, could not be reappointed. Selectman Hatch asked if we had received any letters of interest in the positions. Tim replied that we hadn't, but there are two alternates, Deb Chase and George Carpenter, who could be appointed as full members. We would then have to advertise for alternates.

George Roberts entered the meeting as his position on the board was being discussed. The Selectmen explained the position they were in regarding his reappointment to the board because of the Commissions regulations, and they would be unable to reappoint him to the board.

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Shrubbery around roof of vault – George Roberts stated that when the vault had been built, the HDC had suggested that shrubbery be planted around the roof of the vault where it came out of the ground. He noted that nothing had been done yet, and wondered if the Selectmen planned to plant anything there to hide where the staircase goes out onto the roof of the vault. George said he is trying to get some lilacs, which he felt would be good there. He also felt that evergreens would look good there. Chairman Guarino stated that extra money had been spent on stone and brick to finish the roof off to blend in with the rest of the building, and asked if George was bothered by the look of the building. George stated that it was the symmetry of the building that concerned him.

There was a brief discussion about plantings, and the Selectmen moved the meeting outside to view the area, and to get a picture of just where George felt the shrubbery should be.

The Selectmen moved back inside, and during a brief follow-up discussion, Selectman Hatch asked Mr. Roberts to get a written recommendation from the HDC for plantings they felt should be put there.

Single Stream Recycling – Tim stated that during the week the Selectmen had received a copy of a letter from the Selectmen from Hopkinton and Webster to Concord Regional Solid Waste informing them that they would be asking their representatives to vote against single-stream recycling. He reminded the Board that they had to decide on how they want Doug Kapplain, Gilmanton's representative on the board, to vote at the meeting on May 20th.

There was a brief discussion of single-stream recycling, and Tim said Stan Bean had been in last week, and said that it is his feeling that single-stream recycling benefits towns that have curbside pick, but Gilmanton wouldn't benefit from it, and recommended that we vote against single-stream recycling.

MOTION – Selectman Abbott moved that we give the directive to Doug to represent our wishes to vote against single-stream recycling when he attends the meeting on May 20th. Selectman Hatch seconded. Motion passed 3-0.

Trash Pickup – Tim informed the Board that he had received a quote from Ralph Goodwin to put out and empty the trash barrels out at Crystal Lake Park, the boat ramp, and the dam on Crystal Lake Road, and at Meadow Pond. He said the quote is \$700 for Crystal Lake Park for the year, and \$400 for the other places. Tim said Ralph has done this for years; his bid is for putting the barrels out on May 1st and removing them in September. Tim said he had told Ralph to go ahead and put the barrels out, but he (Tim) had asked Ralph to give us barrels that are specifically designated for aluminum cans and plastic bottles. Selectman Hatch asked who owns the barrels. Tim replied that Ralph does. Rachel said we are getting "crappy" barrels at Crystal Lake Park; some of them are

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nice, but others are rusted, dented and horrible looking. She asked Tim to talk to Ralph about getting new barrels.

Flag Pole Dedication – Nick Cournoyer - Tim informed that Selectmen that the flagpole at the GYO Park would be dedicated to Nick Cournoyer on Flag Day, June 14th. He said GYO has asked if it would be possible, because the flag needs to be lit at night, to put a light on the back side of the Town's light pole that faces the field, and it would shine directly onto the flag pole. Tim said that there would be a cost for running the light, but didn't feel it would be very much. He added that there had been talk of shutting off every other light because it is so bright in there, and if we did that and had a light shining on the flag pole, it would be a wash, as far as cost. There was a very brief discussion, and the Selectmen had no opposition to having the light there. Tim said Representative David Russell would be presenting a proclamation signed by the Governor to Mrs. Cournoyer.

Site Walk – Crystal Lake Farms – Tim informed the Board that there was to be a site walk on Kurt Rague's property (Crystal Lake Farms) on Crystal Lake Road with DES and Lynne Brunelle of the Planning Board Tuesday Morning, May 20th at 10:00 a.m.

SAU Study Committee – Tim said he had a call from Brian Forst today. He said Brian has been appointed co-chair of the SAU Study Committee, and they would like a Selectmen's representative on that committee. There was a brief discussion as to whether it would be appropriate for the Selectmen to serve on that board. This study was recommended by the Budget Committee to discuss current configuration of the SAU. Tim thought the committee would be made up of a member of the School Board, the Budget Committee, two residents, and a member of the business community. It was determined that it would not be appropriate for a member of the Board of Selectmen to be on that committee.

Selectman Hatch recused herself from the conversation pertaining to the SAU Study Committee.

Dock – Town Property – Crystal Lake – Tim informed the Selectmen that on Crystal Lake Road between Lois's property and her neighbor's property, there is a culvert, and on the right hand side of the road looking at the lake, there is a small piece of property that does not go with the abutter's property; it is a part of the Town road right-of-way. Tim said there is a small dock on that piece of property that the tenants across the street from the lake have tied a boat up to. He said there had never been a problem until last year when the tenants tied a pontoon boat up there, which drew attention to the fact that the dock was there. Tim said the owner of the property across the street had come into the office the other day and asked if the Board of Selectmen would give permission to keep the dock there. Tim said if we do it there, people would want to put a dock on other lakefront property owned by the Town. Tim said the owner had said he would be willing to remove the dock, if that is what the Town wants.

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There was a brief discussion during which liability issues, setting a precedent and the fact that it was an unauthorized dock were addressed. The decision of the Board was that now that the existence of the dock has been brought to the Selectmen's attention, the dock would have to be removed.

Bellush Subdivision – Tim stated that he had received a call from Nanci Mitchell today regarding the Bellush Subdivision that is before the Planning Board. He said Nanci is working with them on a conservation easement for the waterfront portion of that subdivision. Tim read a letter into the minutes regarding the easement. There was also a form to be signed by the Selectmen stating that they are unaware of any hazardous waste on the property. Tim said this was a standard form that is sent to the Town for any piece of land that is considered for a conservation easement. He said the conservation commission and planning board have done a site walk of the property. The Selectmen signed the form.

Sawyer Lake Dam - Emergency Action Plan – Tim had a letter from the Sawyer Lake Village District with revisions to their Dam Emergency Action Plan to be inserted into our copy of their Emergency Action Plan. There was also an Acknowledgment Form they requested be signed and returned to the District. The Selectmen reviewed the revisions, and the Emergency Action Plan. Chairman Guarino signed the acknowledgement form.

Public Hearing – Tim had a copy of a memo he had written for the Selectmen to the ZBA reminding them of the public hearing on Thursday, May 29, 2008 at 7:00 p.m. to rescind the amendment to Article VII voted in March 2008. He asked if members of the ZBA would attend this meeting, so they could answer any questions that may arise regarding the Zoning Board. The Selectmen approved the memo.

7:44 p.m. – Break

7:47 p.m. – Back in Session

Ad for Fire Chief – Tim informed the Selectmen that an ad had been submitted to several area newspapers, and to the LGC for a new fire chief; the ads will start running this week. There was a brief discussion about an interview board to select the next chief. It was stated that we usually contact the Fire Academy, and they gather a board of fire chiefs to do the interviews; a Selectman is also on the board. There was discussion as to whether a representative from the fire department, as had been requested by the department, should sit on the board, as people don't usually get to choose their boss. Selectman Abbott felt that Joe Hempel should sit on the board. The Selectmen agreed that Selectman Abbott would represent the Selectmen on the Interview Board.

LGC Lawsuit against NH Retirement System – Tim had a letter from LGC regarding their lawsuit against the NH Retirement System. He said they were asking us to

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reconsider joining area towns in the lawsuit. We had previously decided not to join the lawsuit because we had thought it was being brought about by the Town of Meredith. He said we have since found out it was being brought about by LGC, and were informed that if they are unsuccessful in the lawsuit, the NH Retirement rates would skyrocket, and most of the increase would be born by the municipalities; it could be as much as a 25% increase. After a brief discussion, the Selectmen agreed to send a check for \$352.08, the amount LGC is requesting as Gilmanton's share of the lawsuit. Selectman Hatch stated that the school district is a participant in the lawsuit.

Fraud Seminar – Tim informed the Board that BankNorth is to put on a fraud seminar at C R Sparks in Bedford on June 13th. Tim said he would probably be attending, and would ask Deb Cornett if she would like to attend.

Fire Department Overtime – There has been discussion at several Selectmen meetings about the way full-time members of the fire department are paid overtime. They are paid differently than other Town employees in accordance with FLSA (Fair Labor Standards Act). Tim has been researching to see what the cost would be if we were to pay the fire department the same way the rest of the town employees are paid. There was discussion of the way the hours are scheduled at the fire department, and Tim will check further to see what the impact would be on the budget.

Lines in Iron Works – Selectman Abbott asked if Tim had heard anything in response to our letter to DOT regarding the painting of lines in the Iron Works. Tim replied that he had heard nothing. It was stated that we could paint the crosswalk and parking lines because they would be on a Town, not a State, road.

Clothing – Recycling Center Employees – Selectman Abbott felt they should settle the question of clothing to be worn by employees at the recycling center. After discussion, it was decided that the employees should wear either bright colored tee shirts or a safety vest at all times, steel-toed footwear, long pants and safety glasses (when working around glass etc.). Tim will send a letter informing the employees of the clothing standards.

Don felt arrangements should be made for an extra roll-off to be at the recycling center this weekend (Memorial Day) because there would be extra trash. Tim said Doug is aware that we will need an extra roll-off, but he would call and remind him.

Don asked if arrangements had been made to have the employees have their tetanus and hepatitis shots. Tim replied it hadn't been done yet. He was reminded that we are under a time constraint.

Old Town Hall Study Committee – Selectman Hatch asked when we were going to initiate the Old Town Hall study committee; money was appropriated at Town Meeting for a feasibility study. Tim was asked to put an ad in the paper requesting anyone who might be interested in being on the Committee to send a letter to the Selectmen. Israel

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Willard and Stan Bean have already expressed interest in being on the committee; Chairman Guarino said he would like to be the Selectmen's representative on the committee.

Specs – Drainage around Academy Building – Tim reminded Don that he was supposed to get specs for the drainage around the outside of the Academy Building so we could put the job out to bid. Don said he would get the specs to Tim.

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

MOTION – Selectman Abbott moved that the minutes of May 5, 2008 be accepted as amended. Selectman Hatch seconded. Motion passed 3-0.

8:46 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(e)

Selectman Abbott moved to Enter into Non-Public Session as per RSA 91-A:3, II(e) – Discussion of pending or threatened (in writing) litigation against the Town or Town Officials, Board Members or Employees. Selectman Hatch seconded. Motion passed 3-0.

The Selectmen discussed a pending litigation.

8:59 p.m. – Out of Non-Public Session

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

Work Session – The Selectmen will hold a non-public work session on Tuesday, May 27, 2008 at 4:00 p.m. to conduct employee reviews.

9:05 p.m. – MOTION – Selectman Abbott moved to adjourn the meeting. Selectman Hatch seconded. Motion passed 3-0.

Respectfully Submitted,

Lois Dionne
Recording Clerk