

**Board of Selectmen  
23 April 2007  
Minutes**

**6:00 p.m.** - Chairman Brian Forst called the meeting to order. Present were Chairman Forst, Selectman Dave Clairmont, Administrative Assistant Tim Warren and Clerk Lois Dionne. Selectman Guarino was absent.

The Selectmen moved upstairs for the swearing in of Gilmanton's new police sergeant, Dennis Rector II.

**630 p.m.** – The meeting reconvened downstairs.

**Shellcamp Association Issues** – Shellcamp Association Members, Ted Maltzie, Howard Brown, Sue deSeve, Roy Fairbairn and Andrew Hook were present to discuss Shellcamp issues.

**Culvert on Beach** – Tim Warren had a copy of the revised plan for moving the culvert on the beach on Shellcamp Lake. This plan has been approved by DES (Department of Environmental Services). Ted Maltzie and others explained the plan to move the culvert to the Board. The reason for the change in plan was that the other plan had the culvert too close to a landowner's property line, and there was concern about runoff onto their property. The current plan has the culvert on the other side of the beach. Mr. Hook explained that the culvert will discharge the water to the side of the beach, and they want to have erosion stone put down from the pipe to the water.

A major concern was how quickly the job could get done because the beach has washed out and has been undermined around the pipes, and is very dangerous. Andrew Hook had pictures showing the damage to the beach. Another concern was that these types of jobs are supposed to be done when the water is low. It was suggested that Mr. Hook contact the State to see if they could hold off raising the level of the water in the dam until after the work can be done. Chairman Brian Forst said we should find out when Paul Perkins could do the job, or if it should be put out to bid to be able to be completed in a timely manner. He said the work needs to be completed before Memorial Day. Mr. Hook said he would contact the State and would talk to Paul to see if he can do the work, or if it has to go out to bid, and would get back to the Board; the Association would see to roping off the area of the beach. Mr. Hook added that he would like to go down there when the job is being done, so he could be sure that they knew exactly what was wanted, because the

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last time the culvert had been installed, it wasn't what they wanted, and it turned out to be a disaster.

**Davis Property** – Members of the Association were concerned about a failed septic system on the Davis property. They were concerned about it contaminating the well of a neighbor who lives downhill from the Davis property. It was suggested that the well be tested. The septic system had been damaged when a temporary trailer had been moved onto the property last year after Mr. Davis house had burned. Mr. Hook said part of the trailer is on Shellcamp property, and when they were doing the ditching on the road, the ditches had to be put around the trailer, and it isn't safe.

Bob Flanders, Code Enforcement Officer, stated he has been working with Mr. Davis for the past year, and has helped him out a great deal, with the insurance company, filling out ZBA applications, etc. but Mr. Davis has not been cooperative, and he (Bob) has been in touch with LGC (Local Government Center), but that is something that can't be discussed in public session. He added that the Town is working on the situation, and it would be discussed in a non-public session later.

### **7:00 p.m. – Public Input**

#### **Recycling Center Issues**

**Compactor Problems** -Doug Kapplain stated that he has had to shut down twice last month because of problems with the compactor; it has been shutting down. He said the compactor shut down once, and he had the maintenance company come look at it; there was an electrical problem. He said it shut down again on Wednesday, but after having been off for about twenty minutes, it came back on; an electrician is going to come look at it.

**Compactor Overflow** – Doug stated that they are still running into the problem of having the compactor overflow. He said on Wednesday they had closed at 5:00 because the compactor was full, and Sunday they had filled up at 4:30 and he had to send Ralph Goodwin home with a truck full of trash. He said this means that Ralph would have a full truckload on Monday, Tuesday and Wednesday to go into Wednesday's box. Doug said that last year Ralph was picking up his trash on Friday instead of Sunday, but has switched back to Sunday. Brian Forst said to ask Ralph to switch back to Friday pickups.

Doug said he had read the Selectmen's minutes from when Brenda McBride was in, and he felt she didn't have the correct information. He said Brenda was basically telling the Board that they have the authority, and according to the recycling ordinance, it is already mandatory recycling, but the eight years he has run the facility, it has been voluntary recycling. Doug said the Selectmen do have the authority to make it mandatory recycling. Dave Clairmont stated that at Town Meeting residents said they didn't want mandated recycling. Brian Forst said a lot of people had asked why we didn't go to

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mandatory recycling. He asked if Doug had noticed an increase in the amount of recycling since Town meeting. Doug said there had been a small increase.

Tim said he felt the point Brenda was trying to make was that the attendants, through the Selectmen, have the authority to tell the people that things have to be recycled, and direct them where to put their items. Doug said they do try to get people to recycle as much as they can.

Maurice Munsey noted that Brenda had been in the building over the compactor, and asked if she got hurt, who would be responsible for it. He didn't feel residents should be allowed up there. It is a liability issue.

Doug was looking for some guidance as to how he could address the overflow problem at the compactor. He said people voted down the pay-as-you throw program, and an additional compactor at Town meeting, so he didn't know how to rectify the problem. There was considerable discussion on the issue, and recycling. Some suggestions were to be open an additional day during the week, or adjusting the hours, and that Doug needs to talk to Ralph Goodwin about switching the day he picks up his trash. It was agreed that they need to find a way to try to make it work, and Doug would have to try different ways to see which would be most efficient and economical.

Brian Forst stated that Doug might find it necessary to close the recycling center early again, but felt that only the compactor should be closed, that the center should remain open so people could still bring in their recyclables.

### **7:30 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed a tax issue.

### **7:45 p.m. - Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **7:46 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

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The Selectmen discussed an ongoing code enforcement issue with Code Enforcement Officer Bob Flanders.

### **8:02 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **8:03 p.m. - Enter into non-public session as per RSA 91-A:3, II(e)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed a legal case.

### **8:09 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **8:10 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed an ongoing issue.

### **8:20 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **8:21 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed an ongoing code enforcement issue.

### **8:34 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

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### **8:35 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed an ongoing issue.

### **8:37 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **8:38 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed an issue brought to their attention by a resident.

### **8:43 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **8:44 p.m. – Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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 Forst seconded. Motion passed 2-0.

The Selectmen discussed tax-deeding issues.

### **9:02 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **9:03 p.m. - Enter into non-public session as per RSA 91-A:3, II(c)**

Selectman Clairmont 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

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protect a person who is a member of your Board, Committee or Subcommittee. Selectman Forst seconded. Motion passed 2-0.

The Selectmen discussed an issue brought forth by a resident.

### **9:12 p.m. – Out of non-public session**

Selectman Clairmont moved to come Out of non-public session. Selectman Forst seconded. Motion passed 2-0.

### **FYI's and Other Business**

**Term Limits** – Selectman Clairmont asked if Tim had done any more research on term limits for the land boards. Tim replied that he hasn't gotten any more information yet.

**Interviews** – Tim informed the Board that he would set up appointments for all residents who had sent a letter of interest to serve on the various land boards. Interviews will be held on Monday, April 30<sup>th</sup>.

**LRPC Meeting** – Tim informed the Board that the Lakes Region Planning Commission (LRPC) would be holding their annual meeting on June 25<sup>th</sup> from 6:00 to 9:00 p.m.

**Car Control Program** – Tim informed the Board that LGC would be holding a car-control seminar this summer. He said it is a program that teaches employees who drive City or Town vehicles how to drive defensively. Tim felt it is something town employees should probably attend. He will put information on the seminar in with the employees' paychecks.

**Storm Damages** – Tim reported that Paul Perkins had given him an estimated amount of \$152,000 for damage done to the roads during this past storm. He said that the State wants the figures to see if we qualify for help from the national FEMA program.

**Ice-Rescue Team** – Tim said there had been an article in the newspaper about the Gilmanton Fire Department's ice-rescue team. He said that Bryon McSharry had taken the training, and had then become an instructor and had trained ten of our fighter fighters. Tim said they would continue training as a team.

**Column Replacement** – Tim informed the Selectmen that, when painting the back of the Academy building, the painter had found a piece of the top of a column that had fallen out. He said a carpenter had looked at it, and had put the column back in, but couldn't put the top back on because it had rotted. Tim said all the columns are rotting, and felt money should be put in next year's budget to replace them. There was a brief discussion on the type of columns to put in.

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**Accounting Software** – Tim had made the Selectmen aware of the need to update or replace our current accounting software, as it will soon be outdated, and can't be used. He reported that he had spoken with two different people representing two different companies. There was a brief discussion on the hardware.

**Chairs** - Selectman Clairmont asked Tim if there is enough money in the budget to get ten padded steel chairs for the building, as the current chairs tend to get hard when the various board members have to set for hours during their meetings.

**10:07 p.m. - MOTION – Selectman Clairmont moved to adjourn the meeting. Selectman Forst seconded. Motion passed 2-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk