

Town of Gilmanton
Minutes of the 2015 Deliberative Session
Saturday, January 31, 2015

FIRST SESSION: *(89 of 2,424 Voters = 4% Voter Turnout)*

To the Inhabitants of the Town of Gilmanton in the County of Belknap, in said State, qualified to vote on Town Affairs:

You are hereby notified to meet at the Gilmanton School Gymnasium in the said Gilmanton, on Saturday, the 31st day of January 2015, at 10:00 a.m. This session shall consist of explanation, discussion and deliberation of the Warrant Articles numbered Seven (7) through Twenty Six (26).

The Warrant Articles may be amended subject to the following limitations:

- (a) Warrant Articles whose wording is prescribed by law shall not be amended, and
- (b) Warrant Articles that are amended shall be placed on the official ballot for a final vote on the main motion as amended.

SECOND SESSION:

To the Inhabitants of the Town of Gilmanton, in the County of Belknap, in said State, qualified to vote on Town Affairs:

You are hereby notified to meet at Gilmanton School Gymnasium in said Gilmanton on Tuesday, the 10th of March, 2015; polling hours will be open from 7:00 a.m. until 7:00 p.m. This session shall be the Voting Session to act on all Warrant Articles numbered One (1) through Twenty Six (26), as amended, including the proposed budget, as a result of the action of the “First Session”.

ARTICLE #1: To choose all necessary Town Officers for the year ensuing.
(The election of the Town Officers will be on the ballot for the March 10, 2015 Election.)

ARTICLE #2: “Shall we rescind the provisions of RSA 40:13 (known as SB2), as adopted by the Town of Gilmanton on March 13, 2012, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by law?” (By Petition)

Articles #3 - #6: (*Zoning Articles are not amendable at the First Session; Articles three through six will be on the ballot for a vote at the March 10, 2015 Election*).

ARTICLE #3: Are you in favor of the adoption of Amendment #1 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

To amend Article III General Provisions Applicable To All Districts, Section A. Sanitary Protection by deleting the following: Any structure that is being improved by adding a bathroom where none exists, a bedroom, ~~installing a foundation under the structure~~, or is otherwise....

ARTICLE #4: Are you in favor of the adoption of Amendment #2 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

To amend Article III, General Provisions Applicable To All Districts, Section F. Signs, 15 as follows: "A retail business in the Light Business District *and Village District* may place on portable "sandwich style" sign on the premise of the business, advertising"

ARTICLE #5: Are you in favor of the adoption of Amendment #3 as proposed by petition of the voters of this town to amend the Town of Gilmanton Historic District Ordinance as follows:

"Are you in favor of the petitioned Historic District ordinance amendment as follows? Amend the Official Historic District Map of the Town of Gilmanton by removing land known as Tax Map/Lot 000414-055000-000000 (f.k.a. 49-22), located at 485 Meeting House Road and 000414-056000-000000 (f.k.a. 49-23), located at 493 Meeting House Road from being designated as being part of the Gilmanton Historic District. Said parcels are located near the intersection of Meeting House Road and Governors Road."

The Planning Board does not support this amendment.

ARTICLE #6: Are you in favor of the adoption of Amendment #4 as proposed by petition of the voters of this town to amend the Town of Gilmanton Historic District Ordinance as follows:

“Are you in favor of the petitioned Historic District ordinance amendment as follows? Amend the Official Historic District Map of the Town of Gilmanton by removing land known as Tax Map/Lot 000414-060 located at 533 Meeting House Road from being designated as being part of the Gilmanton Historic District”.

The Planning Board does not support this amendment.

Moderator Sisti opened the meeting at 10:02 a.m. welcoming those that were present.

Mr. Sisti asked Brian Forst to lead the Pledge of Allegiance, followed by asking all to remain standing for a moment of silence while he cited those who passed in 2014 and recently. Mr. Sisti then let all present know of a terrible tragedy the Bosiak family had suffered over the past week with their home being destroyed by a fire that burned the house to the ground. He asked that we keep that family in our thoughts as well. He stated that there had been no official request by the Bosiak's for anything at this time, but if they do ask for any help, we should really keep our hearts and our minds open to help out.

Moderator Sisti then stated it was time to get on with the meeting. He stated, “The rules are the same as always, this is the Deliberative Session and for those present who have never been through this before, this is not your standard Town Meeting. What we will be doing during the Deliberative Session is making appropriate amendments within the confines of the law. We are restricted from making certain amendments at this particular type of a session. We will also be able to debate and discuss the different articles as is desired. This is more of an educational situation than anything else.”

Moderator Sisti then read the warrant warning those of today's Deliberative Session. Mr. Sisti let everyone know that although there are twenty-six articles, we are basically dealing with articles seven through twenty-six, “...but everyone should feel free to discuss any of the articles as we can do that openly, but there can't be any amendments on articles one through six. All articles will appear on the ballot on March 10th.”

*It was noted that the **location for voting** has been changed to the **Gilmanton School Gymnasium on March 10th** due to the flooding at the Academy Building.*

Mr. Sisti began by reading the official list of candidates that filed and will appear in Article One of the ballot on March 10th. He went on to Article Two, brought by petition to rescind SB2 which must pass by a 3/5's majority vote. There was no discussion, other than the Town Administrator giving the date of February 19, 2015 for the Public Hearing of Article Two. Mr. Sisti continued with Articles Three through Six.

Sarah Thorne asks for someone to explain Article Six as to why this lot is being proposed for removal from the historical district.

Craig Gardner, originator of Article Six by petition, stated that he lives at 533 Meeting House Road and continues with a light history of his house. “It was built in the 1970's, it is a ranch-style house and it's got a 1980's addition and a 2000's barn. It is a very non-period house...historically; it has no contribution to the historic district other than the placement. The

first thing I want to say to this group here is I'm new here, I don't want to step on toes...the reason why we did this petition is that we feel that we've run out of negotiations; we tried going to the Historic Commission (HDC) to talk about regulations, to talk about how they interpret their regulations, to talk to the HDC in regard to the process to change regulations with the Historic District Commission...basically without satisfaction... it's not in my nature to run from a fight...found it didn't work through the system...left us frustrated with the process...case and point...I had a request to the HDC to be placed on the agenda to talk about regulations and they didn't find it important enough to place me on at their next meeting...placed the request twenty-four days in advance prior to when they were going to have their next meeting...frustrating...did we know it was under historic regulations? Yes... but we also expect them to be fair, concise and easy to interpret and that's where our frustration is...I am standing here today over a fence that I built that is now in violation...but that's really not why I'm here, there's a much bigger picture...comes down to how regulations are created, how we interpret them... there's fine language in these regulations that gives plenty to protect people with non-period houses, in-period houses and period houses...I'm not seeing regulations being imposed as written... the way regulations state for non-period houses is any changes have to be first and foremost in harmony within the period of the house that was built...but that doesn't seem to be the case...I researched minutes[HDC]back ten years...during the last three regulatory changes zero, zero and only one person was present to give comment when regulations were being made...taken directly from their minutes...HDC can make their own rules, regardless of town ordinances...that's scary... ”

Ernie Hudziec, Vice Chair of the HDC stated, “...Articles five and six are basically the same...these residents don't like the regulations of the HD and want to be removed from the District...this is not unlike someone not liking the driveway regulations...and wanting to succeed from the town...the town voted to establish the historic district...voted to set parameters...better if these petitioners requested HDC change in regulations rather than succeeding from the District ...

George Roberts, 455 Meeting House Road, stated, “...subsequent to moving here, Mr. George Page had put together a petition to create the Smith Meetinghouse Historic District...set parameters...asked all land owners in the district to add all of their land...everyone that was asked said yes...large territory of land with a concept of a large agricultural district was that it is zoned to preserve landmarks of historical value...Smith Meetinghouse school, church, cemetery as well as some historic homes scattered within that district...historic boundary went with deed...every real estate agent knows that because it's a Class B felony not to divulge that to a buyer...up to the individual to check on the regulations and ordinances...everyone that buys in that district knows there are ordinances different from the rest of the town...petitioners built without permission...without a permit first...if you do that in any other part of town without a permit you either get fined or told to stop and if you don't stop, there are consequences later...you go to the HDC and ask permission first...two non-compliant properties asking to be removed from the district so they don't have to get permit for a structure or changing a house ...Gilmanton created the historic district when you couldn't get out...the law changed so that there was a process to get out by petition on a town warrant...what's going on is that when you look at [Smith] Meeting House before you drive up [Smith] Meeting House Road, you won't have a ten acre lot, you won't have a twenty acre lot, you won't have a two acre lot in the historic district anymore...anyone who lives outside the district can do anything they want...they won't be in compliance with the Gilmanton HDC regulations and that defeats the purpose

...can't have a few in and a few out...one having architectural regulations and the other building steel huts...everyone who bought into the historic district knows the regulations, if you allow this you knock out the front teeth of the historic district and defeat its purpose; then others will ask why they have to get a permit for a granite post and gate and another doesn't have to...one person will be subject to regulations and next door could build anything they want that complies with town regulations and ordinances...both did not come before the Commission stating that, 'this is my problem, this is my concern, how can I fix it and be in compliance'...One is not in compliance for fencing...there are specific requirements for fencing...sometimes you can solve the problem by approaching it in a different way. First he was given a period of time to take the fence down, he didn't do it, he asked for a permit and was told it didn't meet the requirements...the other was for some siding on a house that someone else owns, there's no permit there...thinks there was some administrative delay, but you have to take the initiative to ask for permits...you can't break the law and then ask to be removed from the district....

Rachel Hatch directs a question to the HDC: "If both of these petitions are defeated, what procedures will be in place to impose the property regulations to these owners?"

Ernie Hudziec responded, "...a resident within the historic district that wants to change the exterior, applies to the HDC...pulls a building permit and discusses the changes to the structure...HDC works with the applicant...makes sure the applicant understands the regulations...if it's approved and the applicant decides not go with the approved application, then the course of appeal would be to the Code Enforcement Officer and then eventually to the Board of Selectmen who would enforce the regulations of the Commission, so there is a process...if there's no application made, then the HDC reports the violation to the Code Enforcement Officer and then eventually to the Board of Selectmen to enforce...there's a course for an appeal process..."

Craig Gardner, briefly states, "George Roberts hit on some of our frustrations, it wasn't so much the regulations, it's how they're being imposed...case and point...when it was called the Smith Meeting House District, stock fences were allowed and you didn't need to get a permit, that was actually in place up to 2000 then all of a sudden that regulation went away. There were regulations for people who owned bigger properties that were being farmed, they could put up a fence, and then they became more restrictive...I question why, where the intent of the district hasn't changed, why would regulations become more restrictive? The other thing is transparency...old regulations used to have a cover page that took you step by step through the process, it told you how to complete the application, the process of the application and the process of how to appeal...I've gone through ten years of meeting notes and saw once where the applicant was told they could do what they wanted to do...you have thirty days to go before the...board or you run out of time by law...I was never told that and yet they used to have it right on their cover page...I appreciate that Ernie said at their last meeting that they need to bring this back up...but, I argue that people for years have gone through this process not having a clue that they could have gone before another board..."

ARTICLE #7: "Shall the Town of Gilmanton raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted within the warrant or as amended by vote of the first session, for the purpose set forth therein totaling Three Million Four Hundred Thirty Four

Thousand Seven Hundred Ninety Seven Dollars (\$3,434,797)? Should this article be defeated, the default budget shall be Three Million Five Hundred Fifteen Thousand Two Hundred Eighty Three Thousand Dollars (\$3,515,283), which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.”

Budget Committee Recommends: Yes

Selectman Recommends: No

Brian Forst **moved** Article #7 at **\$3,434,797**; **seconded** by Brett Currier.

Dick De seve points out Scribner’s error; “Three Million Five Hundred Fifteen Thousand Two Hundred Eighty Three ~~Thousand~~ Dollars” to be corrected on the ballot.

AMENDMENT: Brett Currier **moved to amend** to increase Article #7 to **\$3,458, 130**; **seconded** by Stephen McCormack.

Brett Currier stated, “...this is to for 2% merit raise for all employees...during the budget process, the Board asked the departments not to bring forward salary raises in their budgets...the Town Clerk/Tax Collector brought forth raises for her employees...rather than have two employees of the Town Clerk/Tax Collector’s office be the only ones to have bigger raises than other employees...this is to bring the same raises for other employees and that is why I proposed the amendment.”

Moderator Sisti asks if this is a Selectmen’s request. Mr. Currier stated, “It is not.” The Moderator stated that this is Brett Currier’s request as an individual.

Betty Ann Abbott wants to know why the Selectmen do not recommend Article #7. Brett Currier responded, “...the Selectmen had a different number than the Budget Committee...I am moving this [amended] number as an individual.” Betty Ann wanted to know why they didn’t recommend the Budget Committee’s number of \$3,434,797 and asks if their number were higher or lower. Brett responded, “higher.” She then asks if the Board was going to amend to their number. Brett responded, “no.”

Tom Howe asks the Budget Committee what their stance is on the raises. Brian Forst, Chair of the Budget Committee responded, “...the Budget Committee collectively heard Department Heads present their budgets with the Board of Selectmen present so we all would hear their presentations at the same time...I made it clear at these meetings that the Budget Committee wanted to hear any request that that Department Head had...the only Department Head that came forward asking for a raise for their employees was the Town Clerk/Tax Collector...we were asked by the Selectmen not to put that in our budget...we asked for their request...it is the Department Heads that are supposed to help formulate this budget...feeling of the Budget

*Committee was that if they did not bring **their** budget forward, then we could not support that...we did support the Town Clerk/Tax Collector in her mission to give her people a raise. She felt it's not a cost of living, it's a merit raise based upon their written evaluations...it's a little surprising this morning that you would see an amendment to put a 2% raise in across for this warrant article for all the other town employees."*

Tom Howe states, "...so the Budget Committee supports 2% raises for several employees, but not the municipal staff." He asks them if they feel that is fair.

Brian Forst, "...Yes, do you understand?"

Tom responded, "yes, but what I'm understanding is that the Department Heads were under the constraints imposed on them by the Board of Selectmen...it sounds as though they were only doing what was told by their Supervisors...so I'm asking the Budget Committee if they think it's a fair proposal..."

Brian Forst, "...when you have Department Heads that are employees of the town and being asked in an open forum what they need, whether the Selectmen have put restrictions, you can't tell them they can't ask"...Betty Ann Abbott responded, "They can." Brian Forst stated, "Then I'm wrong. The feeling of the Budget Committee during our Super Saturday was that...the Town Clerk/Tax Collector brought forth raises for two employees and we supported it...we also supported COLA raises in another article for the rest of the employees..."

Tom Howe asks if someone could speak to the dollar figure to ensure a 2% raise across the board...Brett states, "it's close enough to the number, it's \$23,333.00."

Debra Cornett, Town Clerk/Tax Collector explains, "We were asked to do our budgets; if you refer to your handout, it gives three columns on your sheets. One column is the Department Heads recommendation, one column is the Selectmen's recommendation and one column is the Budget Committee's recommendation. I was not the only Department Head that put in recommendations for merit raises. However, we were told they were taken out by the Selectmen. When I went to the Budget Committee for my presentation I pointed this out to the Budget Committee. I let them know the budget I presented was different and that I had broken out, on the adjustment lines, merit raises for my employees' salaries [on page four of the handout]. The Town Administrator has the adjustment included in the salary line of this handout as if this increase were a given, they are supposed to appear separately on the adjustment lines. These are supposed to be merit raises based on the employees' written evaluation. We have not had merit raises in ten years. I have given evaluations every year, the proper way, based upon our personnel policy that allows for merit raises based upon evaluations. It's never been granted even though my recommendation on some of those evaluations was that they deserved one. I

finally had enough of this happening year after year after year. Our employees deserve to know and be rewarded when they are doing a good job. Just because I am putting an amount in the adjustment line, doesn't mean they're getting that automatically; it enables me to give them some, or that entire amount based on their evaluation.

Yes, there were other Department Heads that put in adjustments for merit raises; the Board of Selectmen took them out to match theirs. That is wrong! Department Head recommendations should be shown for transparency. It leads to conversation with the Budget Committee so that they know what questions to ask when they see that there's a difference in the Department Heads recommendation verse the Selectmen's recommendation. This enables our Budget Committee to make their own informed decisions on their budget. That is why I brought forward my recommendation when I had to do my presentation to the Budget Committee... I wanted them to be aware that Department Head recommendations had been removed and that there was a difference and I was not the only Department Head that brought raises forward, I was just the only Department Head that brought it to their attention...I just wanted all of you to know that."

Tom Morin stated, "...article doesn't make much sense...held the budget last year and now dropping it even further...you want them to get less and do more...just doesn't make sense..."

Moderator Sisti calls the **amendment** to a question in the amount of **\$3,458,130**.

By voice in the affirmative, the amendment passes in the amount of \$3,458,130.

Article #7 passes as amended and will appear on the ballot, in the amount of \$3,458,130.

ARTICLE #8: To see if the Town will vote to establish a non-Capital reserve fund called Fire Portable Radio Replacement Capital Reserve Fund and to further see if the town will vote to raise and appropriate the sum of Eight Thousand Dollars (\$8,000) from general taxation to deposit into that fund.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Moderator Sisti states, "We will move to directly to an amendment for clarification to correct the language of Article #8 that has cleared any of the legal hurdles and I would like for Mr. Bean to move forward with the amendment."

Stan Bean **moved to amend** Article # 8 to read: "To see if the Town will vote to establish a Capital Reserve Fund called Fire Portable Radio Replacement Capital Reserve Fund and further

to see if the Town will vote to raise and appropriate the sum of Eight Thousand Dollars (\$8,000) from general taxation to be deposited into that fund and further to see if the Town will vote to appoint the Selectmen as agents to expend from the Fire Portable Radio Replacement Capital Reserve Fund.”; **seconded** by Carolyn Baldwin.

Chief, Joe Hempel, asked to have the word “Portable” stricken, (~~Portable~~) as this Fund is for all radios. The Moderator, seeing no objections reads the amendment as follows:

Article # 8 to read: “To see if the Town will vote to establish a Capital Reserve Fund called Fire Radio Replacement Capital Reserve Fund and further to see if the Town will vote to raise and appropriate the sum of Eight Thousand Dollars (\$8,000) from general taxation to be deposited into that fund and further to see if the Town will vote to appoint the Selectmen as agents to expend from the Fire Radio Replacement Capital Reserve Fund.”

Moderator Sisti calls the **amended** article as read to a voice vote.

By voice vote in the affirmative the amended article passes as read.

Article #8 passes as amended and will appear on the ballot as read.

ARTICLE #9: To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the 2019 Statistical Update of all properties, said sum to be deposited into the Revaluation Assessment Updated Capital Reserve Fund.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #9 at **\$10,000**; **seconded** by Stan Bean.

Moderator Sisti seeing no discussion, states Article #9 will appear as read and moves to next article.

Article #9 will appear on the ballot as written, in the amount of \$10,000.

ARTICLE #10: To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) for the purpose of contracting out ditching of roads.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #10 at **\$50,000**; **seconded** by Mark Sawyer.

Moderator Sisti seeing no discussion, states Article #10 will appear as read and moves to next article.

Article #10 will appear on the ballot as written, in the amount of \$50,000.

ARTICLE #11: To see if the Town will vote to raise and appropriate the sum of Fifty One Thousand Nine Hundred Sixty Four Dollars (\$51,964) to be deposited in the Capital Reserve Bridge Fund.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #11 at **\$51,964**; **seconded** by Mark Sawyer.

Moderator Sisti seeing no discussion, states Article #11 will appear as read and moves to next article.

Article #11 will appear on the ballot as written, in the amount of \$51,964.

ARTICLE #12: To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Five Hundred Dollars (\$17,500) to be deposited in the Capital Reserve Self Contained Breathing Apparatus Fund.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #12 at **\$17,500**; **seconded** by Rachel Hatch.

Moderator Sisti seeing no discussion, states Article #12 will appear as read and moves to next article.

Article #12 will appear on the ballot as written, in the amount of \$17,500.

ARTICLE #13: To see if the Town will vote to raise and appropriate the sum of Thirty Seven Thousand Dollars (\$37,000) to purchase and equip a new police cruiser, and to further fund this appropriation by withdrawing Two Thousand Four Hundred Five Dollars (\$2,405) from the previously established Police Cruiser Replacement Capital Reserve Fund with the balance of Thirty Four Thousand Five Hundred Ninety Five Dollars (\$34,595) to come from general taxation.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #13 at **\$37,000**; **seconded** by Mark Sawyer.

Dick De seve asks about the \$2,405 funding being withdrawn from the Capital Reserve Fund and the rest by general taxation...the next article is to close this account...he would like to know if after withdrawing the \$2,405 if there will be more money remaining in the account...

Brian Forst replies, "Yes, \$0.73"

Dick De seve **moved to amend** the amount to be withdrawn from the Police Cruiser Replacement Capital Reserve Fund to **\$2,405.73**; **seconded** by Betty Ann Abbott.

Don Guarino, Board of Selectmen, states, "...it's impossible to know what the interest down to pennies will be at the time to close the account" and does not recommend this amendment.

Adam Mini asks why the Capital Improvement Plan is not being funded.

Brett Currier explained, "...that this particular item is going away because the amount that is being put in is being taken out that same year...if it were a higher ticket item of \$100,000 or more it would make sense..."

Dick De seve **withdraws the amendment.**

Moderator Sisti seeing no further discussion, states Article #13 will appear as read and moves to next article.

Article #13 will appear on the ballot as written, in the amount of \$37,000.

ARTICLE #14: To see if the Town will vote to close the previously established Police Cruiser Replacement Capital Reserve Fund after any action approved in Article 13 above and to withdraw any remaining balance and deposit it into the general fund.

Nate Abbott **moved** Article #14 as written; **seconded** by Betty Ann Abbott.

Brian Forst stated, for clarity, that it is his understanding that if Article #13 does not pass and Article #14 does, the funds from the Police Cruiser Replacement Capital Reserve Fund will be removed and placed into the General Fund.

Moderator Sisti stated, "That is correct."

Moderator Sisti seeing no further discussion, states Article #14 will appear as read and moves to next article.

Article #14 will appear on the ballot as written.

ARTICLE #15: To see if the Town will vote to close the previously established Document Restoration Capital Reserve Fund and to withdraw any remaining balance and deposit it into the general fund.

Nate Abbott **moved** Article #15 as written; **seconded** by Betty Ann Abbott.

*Nancy Mitchell notes a Scribner's error in Article #14 and #15, "To see it..." and recommends the correction on the ballot to say, "To see **if**..."*

Nate Abbott asks Deb to speak to how the document restoration is going.

Debra explained, "...the document restoration is going well, it is done every year with the funds available. "We've done a lot and we still have a long way to go...I'm very grateful that I have been keeping it up in light of our current situation all of our records were stored properly and were undamaged. We still have a lot of documents that need to go through the deacidification process...working currently on our older town reports...welcome anybody to come and see the vault and the undertaking of the restoring of our records...when we had a flood and water made its way into our vault, we had a very nice compliment from Ray Brewer...said it's one of the nicest and organized vaults he's seen..."

Tom Howe asks Debra if she welcomed the continuation of this fund to keep doing the good work she does. Debra responded, "...either way...because this is done on a continual annual basis, both the Budget Committee and the Selectmen thought it made sense to have it in my operating budget rather than a Capital Reserve Fund that has to be voted on by a warrant article and go

through the Trustees...it is much easier to expend the document restoration funds through my operating budget....”

Brian Forst stated, “...this is a housekeeping item, the amount is now in the Town Clerk/Tax Collector budget and will continue to be supported annually.”

Moderator Sisti seeing no further discussion, states Article #15 will appear as read and moves to next article.

Article #15 will appear on the ballot as written.

ARTICLE #16: To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for DWI Enforcement, said sum to be funded by New Hampshire Highway Safety grants for salaries and associated taxes and will not be expended unless the grants are received.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #16 at **\$5,000**; **seconded** by Rachel Hatch.

Moderator Sisti seeing no discussion, states Article #16 will appear as read and moves to next article.

Article #16 will appear on the ballot as written, in the amount of \$5,000.

ARTICLE #17: To see if the Town will vote to raise and appropriate the sum of Four Thousand Five Hundred Dollars (\$4,500) for Speed Enforcement, said sum to be funded by New Hampshire Highway Safety grants for salaries and associated taxes and will not be expended unless the grants are received.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #17 at **\$4,500**; **seconded** by Nate Abbott.

Moderator Sisti seeing no discussion, states Article #17 will appear as read and moves to next article.

Article #17 will appear on the ballot as written, in the amount of \$4,500.

ARTICLE #18: To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) to be deposited in the Health and Dental Cost Non Capital Reserve Fund.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #18 at **\$3,000**; **seconded** by Mark Sawyer.

Moderator Sisti seeing no discussion, states Article #18 will appear as read and moves to next article.

Article #18 will appear on the ballot as written, in the amount of \$3,000.

ARTICLE #19: To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000) to fund milfoil treatment for the lakes of Gilmanton.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #19 at **\$1,000**; **seconded** by Stan Bean.

Moderator Sisti seeing no discussion, states Article #19 will appear as read and moves to next article.

Article #19 will appear on the ballot as written, in the amount of \$1,000.

ARTICLE #20: To see if the Town will vote to raise and appropriate the sum of Two Thousand Eight Hundred Dollars (\$2,800) to be deposited in the Non-Capital Reserve Computer Replacement or Repairs for Town Clerk/Tax Collector Fund.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #20 at **\$2,800**; **seconded** by Mark Sawyer.

Nate Abbott asks if the Selectmen could explain the cause of the current event with the Academy and he would like to know the fiscal impacts to the 2015 budget.

Moderator Sisti stated, "Although that is a good question, we need to stick to the current article...there will be opportunity later to have that question answered..."

Nate Abbott amends his question, "Was there any damage to the computers in this line and is there any impacts to this budget item?"

Debra Cornett replied, "The only equipment in my office damaged was monitors and keyboards that had to be replaced...that was covered by insurance...this item was a scheduled change for one of the systems in my office this year..."

Moderator Sisti seeing no further discussion, states Article #20 will appear as read and moves to next article.

Article #20 will appear on the ballot as written, in the amount of \$2,800.

ARTICLE #21: To see if the town will authorize the Selectmen to appoint the Road Agent, instead of the present method of filling that position by election. If approved, this article will be effective as of the date of the 2016 Town Meeting.

Brett Currier **moved** Article #21 as read; **seconded** by Stephen McCormack.

Tom Morin asks, "What's the purpose of doing this...what's the criteria for appointing...they would be hired...what's the qualifications...can't put the cart before the horse..."

Stephen McCormack speaks on the floor as an individual taxpayer, stating, "...I have lived in Town since 1987 and all I can say it's been a real eye-opener over the past few years as to the quality of the roads and specifically to where I live on South Road...it's gone downhill..."

Mr. McCormack stated he will go back to the front of the room to speak as a Selectman. He continues, "This is my first year as a Selectman and I am amazed at the number of complaints that come into the office...even to the point at some of our meetings that some of these complainants have leaned towards hostility...the Selectmen have very little control over what the [elected] Road Agent does...by going from an elected position to an appointed position, it gives the Selectmen much more control to address the citizens of this town in overseeing their

needs...that is the basis of this article...it has become increasingly difficult to address the needs of our citizens...”

Carolyn Baldwin stated, “...we tried appointed a few years back and it was a disaster...”

Michelle Heyman would like to know the legality of this article. “If we’re voting on a Road Agent in 2015, for a three year term, yet this will be effective 2016...”

Stephen McCormack addresses Michelle’s question, “...it has been verified with the Town’s attorney and is perfectly legal...it is addressed in NH state law...”

Brian Forst states, “...in 2005 as a Selectman, we brought forth this same article that was abundantly defeated. I am in support of changing the system, but I would like to know what is different now than in 2005...I have seen it work as appointed or hired...too much of this becomes personal...it’s not saying that the Road Agent we have would not continue to be the Road Agent...it’s a matter of the way decisions are handled...It’s the second largest budget the town has...it’s a matter of \$50,000 of taxpayer money for the ditching of our roads...I understand the ‘Yankeeism’ cause we don’t want to lose our right to choose who’s in this position; I also understand the other side of the coin. We need to control the person in this position who has a salary of a substantial amount...the system is flawed, this corrects the system, I felt in 2005 that it would correct the system...there’s plenty of other towns that have made this change. I was involved as a subcontractor in another town in 1985 that made this change to an appointed position and they still have that same man in that position today...they were able to totally change the way that town’s road system was handled...if you hire a good man, you control a good man, you keep a good man with good results...I would like you to take that under consideration; you need to take the person out of the emotion equation and do what’s in the best interest of the taxpayers...”

Moderator Sisti seeing no further discussion, states Article #21 will appear as read and moves to next article.

Article #21 will appear on the ballot as written.

ARTICLE #22: To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Five Hundred Dollars (\$17,500) to fund cost of living increase and town associated costs of 1.5% for all Part time and Full time staff including the elected Road Agent and Town Clerk/Tax Collector. This does not include call fire fighters or elected officials except as named in this article. This will then become part of the default budget as of 2016.

Budget Committee Recommends: Yes

Selectman Recommends: Yes

Brian Forst **moved** Article #21 at **\$17,500**; **seconded** by Ernie Hudziec.

Rachel Hatch asks why the Selectmen didn't include a raise for the Board of Selectmen. "...it's a thankless job."

Brett Currier responded, "...we feel it wouldn't have mattered if we got a raise or not, it's not about the money that we do this..."

Rachel Hatch **moved to amend** Article #22 to **\$18,100 to include the Board of Selectmen**; **seconded** by Ernie Hudziec.

Don Guarino asks that everyone vote this down. He agrees with Selectmen Currier.

Peter Baldwin asks for point of order and states, "The whole meeting is a farce, the sound system does not work; we can't hear anything, could we see who can hear?" Moderator Sisti does a sound check with the body, the speaker is moved...the meeting continues...

Brian Forst states that 1.5% of the Selectmen's salary would be \$155.00.

Rachel Hatch **withdraws her amendment of \$18,100.**

Rachel Hatch **moved to amend** Article #22 to **\$17,655 to include the Board of Selectmen**; **seconded** by Ernie Hudziec.

Amendment fails by voice vote in the negative.

Moderator Sisti seeing no further discussion, states Article #22 will appear as read and moves to next article.

Article #22 will appear on the ballot as written, in the amount of \$17,500.

ARTICLE #23: To see if the Town will vote to establish a Revolving Fund under RSA 31:95-h called the Police Outside Detail Fund. This Fund shall be used for the purpose of paying the expenses of Police Outside Details and for the deposit of funds received from billings for that purpose. This shall be funded by users of Police Outside Detail services and not from taxes. Any surplus in said fund at the end of each year shall be deemed part of the General Fund accumulated surplus.

Michael Jean **moved** Article #23 as written; **seconded** by Frank Gianni.

Moderator Sisti seeing no discussion, states Article #21 will appear as read and moves to next article.

Article #23 will appear on the ballot as written.

ARTICLE #24: To see if the town will vote to authorize the Selectman to sell the following properties in the Town of Gilmanton to be sold at public auction:

118/023 Birch Ave
118/048 Birch Ave
118/050 Birch Ave
120/004 25 Orange Ave
122/068 Hemlock Dr.
122/112 Wood Dr.
130/063 Cedar Dr.
115/021 NH Rt. 140
410/029 Sawtooth Rd
421/012 89 South Rd
423/052 149 Griffin Rd

Nate Abbott **moved** Article #24 as written; **seconded** by Betty Ann Abbott.

George Roberts **moved to amend** language after the word “auction,” add: “**on or before September 15th and the proceeds get used for any unanticipated damages at the Academy Building Town Hall interior or exterior.**”; **seconded** by Nate Abbott.

Moderator Sisti states, “I want to make this clear, I am not going to advocate on one side or the other, that’s not my place. I want to advocate that we use the position that we use some thought and discretion before we actually insert an ‘intent’ ...I’m not making a legal opinion...this is a wonderful landed intent, but we need to be careful...”

Brian Forst states, “This is a really bad idea on a lot of bases. We’re in the midst right now with a situation at the Academy building that requires immediate attention...monies from the lots sold go into the General Fund...the Selectmen can access that money at any time to do projects or for emergency situations that they might need...”

Nate Abbott says, “Thank you, George, I appreciate the sentiment, but I hear what the Moderator is saying and agree that it could put us in jeopardy of advancing an unlawful

article...it will be deemed invalid by DRA and then there will be no properties that can be sold at auction.” “Secondly, could we please have an update of the current situation of the Academy from the Board of Selectmen?”

George Roberts withdraws his amendment.

Moderator Sisti stated that this would be a good time for the Selectmen to give an update.

Brett Currier states, “In a dry system sprinkler system, inside the Academy in the attic area, a pipe broke in the ceiling and it ultimately turned the pump on to the sprinkler system as if there was a fire in the building when there wasn’t. It’s a dry system, so it shouldn’t have water in, so if it froze like they think that it did, it’s not fact that it did, the insurance company’s thinking that it did...the water did do damage to equipment, drywall, floors, some insulation; so the insurance company is onboard, we have CCI as a contractor...all the wet areas, Service Master came in and worked with the insurance company...the town’s insurance policy has a \$1,000 deductible, so that’s what we have, the building will be restored to its pre-damaged state...walls, ceilings and floors will be replaced...with the insurance company money...we’re waiting for numbers from the contractor and the insurance company...as soon as that is haggled out, CCI will get in there...original timeframe was late March to have that building back.”

Nancy Mitchell moved to amend Article #24 to remove lots 122/68 Hemlock Dr. and 130/63 Cedar Dr.; seconded by Carolyn Baldwin.

Nancy continues, “...reason is to give the Conservation Commission and opportunity to review these lots...the Conservation Commission had been allowed to review prior to auction to conserve these small lots...”

Dick De seve speaks to support this amendment, “...these lots are in areas that have wetlands...have problems in troubled areas, not buildable...”

Brett Currier states, “...he is against removing any of these lots...these were taken for not paying taxes...rather than keep it and not generate taxes, we need to get them back on the tax role to generate income...recommend to defeat this amendment.”

Patrick Hackley speaks in support of this amendment, “...I agree with the intent of the Select board to get these back on the tax roll as soon as possible and get tax revenue for the town...I’m also on the Conservation Commission...this is a point of process...the Conservation Commission is not charged with anyone’s land. What we have been sworn to do by the Select board is to be consulted on conservation issues and in this case we weren’t given the chance, so I think this is our opportunity to some of these lots, which in some cases are already in conservation...”

Stephen McCormack states, "I hunt, I fish and I use conservation land...this town has a lot of conservation land already..."

Carolyn Baldwin states, "...the idea that those who privately own conservation land and don't pay taxes is a myth...I have 100 acres...this land has not produced one single child in the school...it requires minimal use of town services...any conservation land privately owned pays taxes on their land..."

Don Guarino speaks to the opportunity to support this. "...some of these lots are adjacent to conservation land...opportunity to enlarge a conservation piece...stops the confusion of people buying these lots thinking they're buildable...Board of Selectmen made a mistake last year when they didn't consult with the Conservation Commission on a parcel of land...small piece on Crystal Lake was saved to help protect the aquifer...this is your opportunity to save these pieces..."

George Roberts asks the Board how many acres are on Sawtooth Road, South Road and Griffin Road.

Stephen McCormack replies, "All I can reply to is South Road, which I think is between four or five acres."

George Roberts states, "...no one seems to know how much acreage each of these lots are...I agree that some of these lots should be kept for conservation...the pieces of that that are buildable, I believe that's a different idea...I recommend the main motion and the amendment should be tabled."

Moderator Sisti states he doesn't believe we can table...can defeat an amendment not table it.

Nancy Mitchell states, "Cedar is .05 acres and valued at \$7,000; Hemlock is .14 acres and valued at \$9,600."

Moderator Sisti states, "There's another problem here that has to do with the historical nature of what generally took place before these went on, as far as this article is concerned. I've been told, and I do have a recollection, that we actually had a town meeting some years ago that there was actually a process that was voted on where there would have to be preclearance on such properties that they went through Conservation and Planning and then they were placed before the body...I think it was 1986 or 1987...He asks George Roberts for his recollection"

George Roberts replied, "...we do have a process...when these properties held for non-payment of taxes owned by the town are subject to a public meeting by the Board of Selectmen and then all agencies: highway, police department, fire department, conservation were to review to see if they had any need for these parcels...once reviewed, then they would go for vote at town meeting to authorize for auction..."

Sarah Thorne stated "It was actually 1992...I sat on the committee that was charged with reviewing several potential auction properties." She stated, "the GYO park, the Betty Smithers Town Forest were all part of that...coming out of this discussion I hope that there will be the recognition of the need to go back to the process of this nature so that parcels can be looked at one by one. These two parcels that were picked out in the amendment because they are very small and both abut conservation land and need to be looked at. The vote today is not to put them in conservation; the vote today is to remove them from the list so they can be studied further."

Moderator Sisti asks the body if they are clear on the amendment to remove two lots. He also wants everyone to know he doesn't know where this article stands with the process that has been followed in the past by vote of a town meeting.

Betty Ann Abbott asks, "If you were going to allow us to make an amendment to remove two of them, then to address George's concern of not having not followed the proper process, we could remove them all, that's how you defeat this thing."

Moderator Sisti calls the **amendment** to a vote.

Amendment passes by voice vote in the affirmative to remove lots 122/68 Hemlock Dr. and 130/63 Cedar Dr.

George Roberts **moved to amend** Article #23 to **remove all remaining lots in the article;** **seconded** by Betty Ann Abbott.

George Roberts states the amendment made was due to "...procedures that were in place not being followed..."

Brett Currier replies, "...if we leave these all on and we follow the process, they go to Conservation and Planning Board to figure out if it's something we want to sell or not, that's fine, but if you just let them sit there, why would we take them from the people who are not paying the taxes...all they're going to be is a piece of land that just sits there...if we keep doing this, you're not going to be able to afford to live here...you're going to be taxed out of this town."

Nate Abbott states, "...question is do we have a jeopardy of leaving the article and following the process...or then, if it passes, it is then unlawful because the process was not being followed...but if we remove all, we cannot auction anything this year..."

Brian Forst states, "I am pretty concerned with what I'm hearing on a couple of levels that procedure wasn't followed by the Selectmen...other concern is right to vote...if we remove all the parcels, we remove them from the ballot and take everyone's right to vote away..."

Don Guarino states, "...Selectmen discussing the article...doesn't have a deadline on the parcels to be sold...just want you to know if the article passes we would follow the procedures..."

Betty Ann Abbott states, "I'm not opposed to selling our properties, I'm in favor of selling properties that don't have some infringement value...but procedures were not followed."

Moderator Sisti calls **amendment #2** to a voice vote.

Amendment #2 too close to call, Moderator asks for a hand count.

Amendment #2 fails by overwhelming show of cards in opposition.

Moderator Sisti calls Article #24 **as amended** by amendment #1 to a question.

Article #24 passes as amended and will appear on the ballot with the removal of lots 122/68 Hemlock Dr. and 130/63 Cedar Dr.

ARTICLE #25: To see if the town will vote to raise and appropriate the sum of Forty Five Thousand Nine Hundred Seventy Five Dollars (\$45,975) for the operating expenses of the Gilmanton Year-Round Library. (By Petition)

Budget Committee Recommends: No

Selectman Recommends: No

Michael Jean **moved** Article #25 at **\$45,975; seconded** by Peter Baldwin.

Christine Schlegel states, "...GYRL Board of Directors...predicted costs based on a five year study...fundraise 40% every year, that leaves 60%...this year's request is \$6,000 less than the previous year...anything less will not cover costs...we ask you to support this..."

Ernie Hudziec asks, "Was there was a line item showing how this money will be spent and was there a presentation given to the Budget Committee and Board of Selectmen of the proposed budget?"

Anne Kirby stated, "...proposed budget showing the line item was given to the Budget Committee and the Selectmen." Anne presented Mr. Hudziec a copy of the breakdown of funds handed to the Budget Committee for the public hearing.

Hammond Brown asks the Budget Committee why the majority vote failed to support this.

Brian Forst stated, "...last year the Budget Committee approved this with a four to three vote; one member was absent. This year we had a full board; it was a four to four vote. As Chairman of the Budget Committee, I had to vote to break the tie. I don't think there's anybody in this room that doesn't know where I stand...I stood where I stood...sorry, that's how I feel...it's a very personal vote..."

Jack Schaffnit states, "I am a library board member...any lesser amount will not work...we will have to close our doors...the right to vote is for all people of the town..."

Moderator Sisti seeing no further discussion, states Article #25 will appear as read and moves to next article.

Article #25 will appear on the ballot as written, by petition, in the amount of \$45,975.

ARTICLE #26: To request that the Town of Gilmanton, NH, stand with communities across the country to defend democracy from the corrupting influence of big money in our political system, by calling upon our legislators to amend the United States Constitution to establish that:

1. Only individual human beings are endowed with constitutional rights, and
2. Money is not speech, and therefore regulations political spending is not equivalent to limiting political speech.

And that the People of Gilmanton, NH hereby instruct our state and federal representatives to enact to resolutions and legislation to advance this effort, and reduce the influence of big money and increase transparency and voter participation in our electoral system.

And that the record of the vote approving this article shall be transmitted by written notice to Gilmanton's Congressional Delegation, and to Gilmanton's State Legislators, and to the Governor

of New Hampshire, and to the President of the United States, informing them of the instructions from their constituents, by the Town Administrator's office within 30 days of the vote. (By petition)

Dick De seve **moved** Article #26 as read; **seconded** by Hammond Brown.

Lew Henry asks that a Scribner's error in 2. "regulations" be corrected to "regulating" on the ballot.

Article #26 will appear on the ballot as corrected.