

**Town of Gilmanton  
Town Meeting Minutes  
March 20, 2007**

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

**You are hereby notified to meet at the Gilmanton Academy in said Gilmanton on Tuesday, the Thirteenth day of March 2007, next at 7:00 of the clock in the forenoon, to act upon the following subjects:**

**ARTICLE #1:** To choose all necessary Town Officers for the year ensuing. Polls are open from 7 a.m. to 7 p.m. (*See Results of Annual Town Election*)

**ARTICLE #2:** Are you in favor of the adoption of Amendment #1 as proposed by the Gilmanton Planning Board for the town Building Codes as follows: To bring the Codes up to date in order to maintain a favorable insurance rating by adopting the 2005 National Electric Code, as amended; the 2006 International Building Code w/Appendices, as amended; the 2006 International Residential Code w/Appendices, as amended; and all other Codes as adopted by reference by the State of New Hampshire?

**Yes – 383\*    No – 280**

**ARTICLE #3:** 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 Zoning Ordinance Article II, “Districts” and Article III, “General Provisions Applicable to All Districts” to establish a Floodplain Management Ordinance that will qualify the town for enrollment in the National Flood Insurance Program?

**Yes – 450\*    No – 213**

**ARTICLE #4:** Are you in favor of the adoption of Amendment #3 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows: To amend Article II.C. of the Zoning Ordinance, “Zoning Boundary Districts” to clarify that the frontage or point of access of a lot shall determine the applicable Zoning District?

**Yes – 364\*    No – 281**

**ARTICLE #5:** Are you in favor of the adoption of Amendment #4 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows: To amend Article III.A. of the Zoning Ordinance, “Sanitary Protection” to protect surface and groundwater by requiring that an existing septic system be evaluated whenever a structure is being improved by adding a bathroom where none exists, adding a bedroom, or installing a foundation under the structure; or whenever a structure is being converted from a seasonal to a permanent use?

**Yes – 366\*    No – 304**

Action will be taken on the remaining articles at the Business Meeting at 10:00 a.m. on Saturday, March 17, 2007 at the Gilmanton School, 1386 NH Route 140.

*Due to inclement weather, the Moderator, Mark Sisti, postponed the Town Meeting until, Tuesday, March 20, 2007 at 6:00 p.m. at the Gilmanton School, 1386 NH Route 140.*

Prior to the Meeting, Selectman David P. Clairmont took the oath of office on Monday, March 19, 2007 at 5:45 P.M.

Mark Sisti was sworn in as School Moderator on March 20, 2007 at 5:45 P.M.

Moderator Sisti called the Annual Town Meeting to order at 6:00 p.m. on March 20, 2007. Selectman, Ella Jo Regan was asked to lead the Pledge of Allegiance. Mr. Sisti asked everyone to remain standing for a moment of silence to remember those who have passed in the last year. Moderator Sisti read the results of Article #1, those who were elected to office. The oath of office was administered to the newly elected officials. Present were: Frank Bosiak, Bob Potter, Alice Bean, Jeanine Moorehead, Harold McArdle, Rachel Hatch and Adrienne Dugal.

Mr. Sisti stated that the rules would be to make any amendments one at a time. Amendments would be moved, seconded and then moved up or down one at a time. There will be no mixed or multiple amendments at once so that it remains clear what is being voted on.

The Moderator announced that he had received a petitioned request by five legal voters for a secret ballot vote on Article #6.

**ARTICLE #6:** To see if the Town will vote to authorize the Selectmen to establish, implement and administer a mandatory Pay-by-Bag (Pay-as-You-Throw) system for the disposal of trash with the revenue generated used to offset the cost of solid waste disposal and reduce the tax rate accordingly. Material recycled will not be subject to the Pay-by-Bag fee.

Brenda McBride **moved** Article #6; **seconded** by Nancy Girard.

**BALLOT VOTE – YES: 111      NO: 145\***

**ARTICLE #6 DEFEATED BY BALLOT VOTE.**

*While the body voted on Article #6, Moderator Sisti gave the Oath of Office to Robert Richards and Zannah Richards. At 7:55 p.m. the Moderator called the meeting to order and stated that while waiting for the results of the ballots being hand counted for a total*

on Article #6, the body will move through other articles. He stated that there was a request from Selectman Regan to move forward Article #21 and Article #22; since Article #7 was relative to the results of Article #6, he would allow both Articles to be moved forward. (See Articles #21 and #22 for results). The Moderator read the results of Article #6 at 8:50 p.m.

**ARTICLE #7:** To see if the Town will vote to raise and appropriate the sum of Forty One Thousand Dollars (\$41,000.00) for the purchase of a second compactor, site preparation, two roll-off containers, two rotor-phase converters and the connection of this unit at the Solid Waste Recycling Facility. (Recommended by Budget Committee \$00.00, Recommended by Selectmen \$41,000.00)

Frank Bosiak **moved** the Budget Committee Recommended amount of \$0.00 for Article #7; **seconded** by Mark Sawyer.

**ARTICLE #7 PASSES AS MOVED (\$0.00)** BY VOICE VOTE.

**ARTICLE #8:** To see if the municipality will vote to raise and appropriate the sum of Two Million Eight Hundred Forty Four Thousand Three Hundred Seventy One Dollars (\$2,844,371.00) for the support of Town Government and for the payment of statutory obligations of the Town for the 2007 fiscal year, as stated below, exclusive of all other warrant articles.

	<b>BUDGET COMMITTEE</b>	<b>SELECTMEN</b>
Selectmen	\$835,098.00	\$838,406.00
Police Dept.	423,271.00	415,820.00
Fire Dept.	440,143.00	438,689.00
Highway Dept.	852,848.00	852,848.00
Solid Waste	240,371.00	240,371.00
Building Dept.	52,640.00	52,640.00
<b>TOTAL</b>	<b><u>\$2,844,371.00</u></b>	<b><u>\$2,838,774.00</u></b>

(Recommended by Budget Committee \$2,844,371.00, Recommended by the Selectmen \$2,838,774.00).

Stan Bean **moved** Article #8; **seconded** by Frank Bosiak.

**Amendment #1:** Brett Carrier **moved** to amend to increase the Highway Dept. line by \$3,900.00 and to increase the Solid Waste line by \$5,766.00; **seconded** by Michael Teunessen.

**AMENDMENT #1 DEFEATED BY VOICE VOTE.**

**Amendment #2:** Randy Perkins **moved** to amend to increase the Police Department line by \$5,000.00 to purchase five Tasers; **seconded** by Brett Currier.

**AMENDMENT #2 DEFEATED BY VOICE VOTE.**

**Amendment #3:** Stephen Owens **moved** to amend to increase line item 01-45200-800-00 by \$2,200.00 to restore the donation amount to Seasonal Events – Fireworks; **seconded** by Brett Currier.

**AMENDMENT #3 TOO CLOSE TO CALL BY VOICE VOTE; MODERATOR CALLS FOR A HAND COUNT.**

**AMENDMENT #3 PASSES AS AMENDED BY HAND COUNT:**

**YES: 125\* NO: 56**

*The bottom line figure now being voted on is \$2,846,571.00.*

**Amendment #4:** Brett Currier **moved** to amend to increase the Highway Department line by \$3,900; **seconded** by Matthew Currier.

**AMENDMENT #4 DEFEATED BY VOICE VOTE.**

*After asking if there were any further questions or discussion and there being none, the Moderator called for a vote on Article #8 as amended in the amount of \$2,846,571.00.*

**ARTICLE #8 PASSES AS AMENDED BY VOICE VOTE.**

**ARTICLE #9:** To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Sixty-Eight Dollars (\$2,568.00) for the annual salary increase for the elected position of Town Clerk/Tax Collector for the Town of Gilmanton. If this article is passed, this amount will be added to the funds in the operating budget for the Town Clerk/Tax Collector. (Recommended by Budget Committee \$2,568.00, Recommended by the Selectmen \$2,568.00).

Michael Teunessen **moved** Article #9; **seconded** by Randy Perkins.

**ARTICLE #9 PASSES BY VOICE VOTE.**

**ARTICLE #10:** To see if the Municipality will vote to establish a New Public Safety Building Construction Capital Reserve Fund and to raise and appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) to be placed in such fund. (Recommended by Budget Committee \$250,000.00, Recommended by the Selectmen \$250,000.00).

Stan Bean **moved** Article #10; **seconded** by Mark Sawyer.

**ARTICLE #10 TOO CLOSE TO CALL BY VOICE VOTE; MODERATOR CALLS FOR A HAND COUNT.**

**ARTICLE #10 PASSES** BY HAND COUNT:

**YES – 88\*    NO - 64**

**ARTICLE #11:** To see if the Town will vote to raise and appropriate the sum of Two Hundred Fifty Seven Thousand Three Hundred Fifty Four Dollars (\$257,354.00) to be deposited in the following Capital Reserve Accounts.

	<b>BUDGET COMMITTEE</b>	<b>SELECTMEN</b>
Cap. Res. Bridges	\$ 2,500.00	\$ 2,500.00
Cap. Res. Highway Equip.	57,833.00	57,833.00
Cap. Res. Amb. Replacement	26,667.00	26,667.00
Cap. Res. Fire Eng Replacement	72,570.00	72,570.00
Cap. Res. Hwy Salt/Sand Shed	50,000.00	50,000.00
Cap. Res. Replace Forestry 1	4,167.00	4,167.00
Cap. Res. Reval/Assess. Update	24,000.00	24,000.00
Cap. Res. Town Septic Systems	2,000.00	2,000.00
Cap. Res. Town Parking Lots/Drives	2,750.00	2,750.00
Cap. Res. Town Roofs	4,000.00	4,000.00

Cap. Res. Salt/Sand Covers	1,000.00	1,000.00
Cap. Res. Recycling Equip.	5,867.00	5,867.00
Cap. Res. Fire Command Veh.	<u>4,000.00</u>	<u>4,000.00</u>
<b>TOTAL</b>	<b>\$257,354.00</b>	<b>\$ 257,354.00</b>

(Recommended by Budget Committee \$257,354.00, Recommended by Selectmen \$257,354.00).

Frank Bosiak **moved** Article #11; **seconded** by Stan Bean.

**ARTICLE #11 PASSES** BY VOICE VOTE.

**ARTICLE #12:** To see if the Town will vote to raise and appropriate the sum of Ninety One Thousand Five Hundred Dollars (\$91,500.00) to be deposited into the following Non-Capital Reserve Accounts.

	<b>BUDGET COMMITTEE</b>	<b>SELECTMEN</b>
Non Cap Res. Title/Survey Fees	\$ 3,000.00	\$ 3,000.00
Non Cap Res. Court Cases	25,000.00	25,000.00
Non Cap Res. Hydrants	2,500.00	2,500.00
Non Cap Res. Welfare/ Gen Aide	40,000.00	40,000.00
Non Cap Res. Doc Restoration	5,000.00	5,000.00
Non Cap Reserve PD Overtime	8,000.00	8,000.00
Non Cap Reserve FD Call Pay	<u>8,000.00</u>	<u>8,000.00</u>
<b>TOTAL</b>	<b>\$91,500.00</b>	<b>\$91,500.00</b>

(Recommended by Budget Committee \$91,500.00, Recommended by Selectmen \$91,500.00).

Frank Bosiak **moved** Article #12; **seconded** by Mark Sawyer.

**ARTICLE #12 PASSES** BY VOICE VOTE.

**ARTICLE #13:** To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) for the replacement of three (3) overhead garage doors, entry doors and fire escapes on the Gilmanton Iron Works Fire Station. This will reduce heating costs as well as make the station more secure. (Recommended by Budget Committee \$15,000.00, Recommended by Selectmen \$15,000.00).

Frank Bosiak **moved** Article #13; **seconded** by Mark Sawyer.

**ARTICLE #13 PASSES** BY VOICE VOTE.

**ARTICLE #14:** To see if the Town will vote to raise and appropriate the sum of Sixty Five Thousand Dollars (\$65,000.00) to refurbish Engine 2. This will extend the life of this vehicle to 2012. (Recommended by Budget Committee \$65,000.00, Recommended by Selectmen \$65,000.00).

Frank Bosiak **moved** Article #14; **seconded** by Mark Sawyer.

**Amendment:** Michael Teunessen **moved** to amend to take \$65,000 from undesignated fund so that there would be a \$0.00 tax dollar impact to the taxpayers; **seconded** by Cindy Houghton.

*Discussion of the amendment began; the legality of the amendment was questioned. It was not recommended.*

**AMENDMENT WAS WITHDRAWN** by Michael Teunessen.

**ARTICLE #14 PASSES AS MOVED** BY VOICE VOTE.

**ARTICLE #15:** To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) for Highway Safety Grants listed below. These grants are for salaries for the following details and will be reimbursed at 100% from the State of New Hampshire. These funds will not be expended unless the grants are received.

Speed Detail	\$1,500.00
DWI Detail	<u>1,500.00</u>
<b>TOTAL</b>	<b>\$3,000.00</b>

(Recommended by Budget Committee \$3,000.00, Recommended by Selectmen \$3,000.00).

Frank Bosiak **moved** Article #15; **seconded** by Mark Sawyer.

**ARTICLE #15 PASSES** BY VOICE VOTE.

**ARTICLE #16:** To see if the Town will vote to raise and appropriate the sum of Two Thousand Two Hundred Fifty Dollars (\$2,250.00) for ATV enforcement Grant. These grants are for salaries for officers doing ATV enforcement and will be reimbursed at 100% from the State of New Hampshire. These funds will not be expended unless the grants are received. (Recommended by Budget Committee \$2,250.00, Recommended by the Selectmen \$2,250.00).

Cindy Houghton **moved** Article #16; **seconded** by Frank Bosiak.

**ARTICLE #16 PASSES** BY VOICE VOTE.

**ARTICLE #17:** To see if the Town will vote to raise and appropriate the sum of Twenty Nine Thousand Dollars (\$29,000.00) for the purchase of a new four wheel drive police cruiser. This would replace the Ford Expedition and is in the normal rotation of replacement of police vehicles. (Recommended by Budget Committee \$29,000.00, Recommended by Selectmen \$29,000.00).

Brett Currier **moved** Article #17; **seconded** by Michael Teunessen.

**ARTICLE #17 PASSES** BY VOICE VOTE.

**ARTICLE #18:** To see if the Town will vote to raise and appropriate the sum of Eighteen Hundred Dollars (\$1,800.00) for the purchase of 3 new rifles for the police department. (Recommended by Budget Committee \$1,800.00, Recommended by the Selectmen \$1,800.00).

Brett Currier **moved** Article #18; **seconded** by David Sykie

**ARTICLE #18 PASSES** BY VOICE VOTE.

**ARTICLE #19:** To see if the Town will vote to raise and appropriate the sum of Thirty Thousand dollars (\$30,000.00) for the purchase of a 4x4 Pickup w/plow for the Town Road Agent. (Recommended by Budget Committee \$24,000.00, Recommended by Selectmen \$24,000.00).

Frank Bosiak **moved** Article #19; **seconded** by Mark Sawyer.

**Amendment:** Richard DeSeve **moved** to amend Article #19 to the \$24,000 recommended by both the Budget Committee and the Board of Selectmen; **seconded** by Brett Currier.

**AMENDMENT PASSES** BY VOICE VOTE.

**ARTICLE #19 PASSES AS AMENDED** BY VOICE VOTE.

**ARTICLE #20:** To see if the Town will vote to deposit the first Two Thousand Five Hundred Dollars (\$2,500.00) plus 10% of any amount collected for each parcel removed from current use pursuant to RSA 79-A (the Land Use Change Tax provision of the Current Use Assessment statute) in the Town's Conservation Fund in accordance with RSA 36-A: 5 III (Conservation Commission Statute) as authorized by RSA 79-A: 25 II for the purpose of evaluating, acquiring and /or managing conservation land, conservation easements or trail easement. This article only changes the amount of monies to be deposited in this fund that was originally adopted in 1996. (Currently this amount is the first \$5,000.00 dollars plus 10% of any amount thereafter of the total annual revenues collected.) (Recommended by Budget Committee, Recommended by Selectmen).

Brett Currier **moved** Article #20; **seconded** by Joseph Hempel.

**ARTICLE #20 PASSES** BY VOICE VOTE.

*The Moderator allowed Articles #21 & #22 addressing Class VI road issues, to be moved forward. Selectman Regan explains to the body that Article #21 the owner of the property owns on both sides of the property and asks for the Article to be passed. The abutters in Article #22 ask that the road not be discontinued as it is used by both abutters to access the church and land for upkeep and requests the Article to be defeated.*

**ARTICLE #21:** To see if the Town will vote to discontinue as a public road Badger Brook Rd. from Province Rd. aka NH Route 107 to the home of Patricia Bradley for a distance of approximately four hundred feet.

Richard DeSeve **moved** Article #21; **seconded** by Frank Bosiak.

**ARTICLE #21 PASSES** BY VOICE VOTE.

**ARTICLE #22:** To see if the Town will vote to discontinue as a public road Brick School House Road from Stage Road to Province Road aka NH Route 107.

Brett Currier **moved** Article #22; **seconded** by Fred McVey.

**ARTICLE #22 DEFEATED** BY VOICE VOTE.

*Being that the hand count for Article #6 was still being tallied, Moderator Sisti addressed Article #8.*

**ARTICLE #23:** To see if the Town will vote to sell the 0.15-acre Schoolhouse Town Forest (Tax Map 63 Lot 26) to Daniel Webster, the owner of abutting land (Tax Map 63 Lot 24), for the sum of One Dollar (\$1.00) and for a conservation easement to be conveyed by Mr. Webster to the Gilmanton Conservation Commission protecting from further development the former Schoolhouse Town Forest and approximately 9.2 acres of Tax Map 63 Lot 24. Approximately two acres (2.0) of Tax Map 63 Lot 24, containing an existing house and barn, will be excluded from the conservation easement. Tax Map 63 Lot 26 will be merged with Tax Map 63 Lot 24, with no later subdivision possible. Further, said conservation easement will guarantee public pedestrian access. (Recommended by Budget Committee \$1.00, Recommended by Selectmen \$1.00).

Nathaniel Abbott **moved** Article #23; **seconded** by Nanci Mitchell.

**ARTICLE #23 PASSES** BY VOICE VOTE.

**ARTICLE #24:** To see if the Town will go on record in support of effective actions by the President and the Congress to address the issue of climate change, which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Gilmanton.

These actions include;

- 1) Establishment of a national program requiring reductions of the U.S. greenhouse gas emissions while protecting the U.S. economy.
- 2) Creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment.

In addition, the Town of Gilmanton encourages New Hampshire citizens to work for emission reductions within their communities, and to ask our Selectmen to consider the appointment of a voluntary energy committee to recommend local steps to save energy and reduce emissions.

The record of the vote on this article shall be transmitted to the New Hampshire Congressional Delegation, to the President of the United States, and to declared candidates for those offices. (By Petition).

Richard DeSeve **moved** Article #24; **seconded** by Paula Hatem.

**ARTICLE #24 PASSES** BY VOICE VOTE.

**ARTICLE #25:** To hear the reports of any Committees chosen and pass any votes relative thereto.

Brian Forst **moved** Article #25; **seconded** by Paula Farley.

Brian Forst took a moment to recognize and thank outgoing Selectman Ella Jo Regan for her time and service she dedicated to the Town of Gilmanton and its' residents. The residents gave Ella Jo Regan a well-deserved standing ovation.

The remaining residents unanimously voted to adjourn the meeting at 11:05 p.m.

Respectfully Submitted,

Debra A. Cornett  
Town Clerk/Tax Collector