



**SELECTMEN'S OFFICE
TOWN OF GILMANTON**

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Approved

Board of Selectmen Meeting

January 03, 2023 - Academy Building – 4:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

Present: Chairman Mark Warren, Vice-Chairman Vincent Baiocchetti, Selectmen Evan Collins, Town Administrator Heather Carpenter, Chief Matt Currier

Public: Dick DeSeve, Sue Hale DeSeve, Patrick Hackley, Paula Gilman, Thom Dombrowski, Lori Baldwin, Joe Haas, Nick Peterson, Brian Vaillancourt

Motion: On a motion by Chairman Warren and seconded by Selectmen Collins it was voted to move into Non-Public RSA 91-A:3 (a). (3-0)

NON-PUBLIC 91-A:3 (a) – Police Department, Employee Complaint

Motion: On a motion by Chairman Warren and seconded by Selectmen Collins it was voted to come out of Non-Public RSA 91 A:3 (a). (3-0)

Motion: On a motion by Vice Chairman Baiocchetti and seconded by Chairman Warren it was voted to seal the Non-Public minutes. (3-0)

PUBLIC HEARING at 5:00 p.m. – Appropriation of Unanticipated Funds – Public hearing held in accordance with RSA 31:95-b to accept the funds received from the State of New Hampshire through the approval of HB 1221. Local Employer Contributions Reimbursements from NHRS for the following categories:

- Police \$8,576.23
- Fire \$6,596.00

Motion: On a motion by Vice Chairman Baiocchetti and seconded by Chairman Warren it was voted to accept the funds received from the State of New Hampshire from HB 1221 Employer Contribution Reimbursements from NHRS, Police Department \$8,576.23, and Fire Department \$6,596.00 for a total of \$15,172.23. (3-0)

Public Comment regarding Public Hearing – Joseph S. Haas, wanted to know how the State of NH was going to pay the Town of Gilmanton and wondered if it was going to be a check or direct deposit.

TA Carpenter clarified that it is a check, directly deposited in the bank account. Chairman Warren ensured the level of safety and security with advanced electronic deposits between the State of New Hampshire and the Town of Gilmanton. This money is returned to the General Fund.

Joe Haas suggested that this funding get distributed between recycling and affordable housing.

TA Carpenter clarified that the Public Hearing is only for the Selectboard to accept funds and there is no plan to expend the funds at this time. If there is an intention to expend, there will be another Public Hearing.

MEETING MINUTES APPROVAL

1. 12-19-2022 – Public and non-public minutes.

Motion: On a motion by Vice Chairman Baiocchetti and seconded by Selectmen Collins it was voted to approve the minutes from 12-19-2022. (3-0)

€ **Action Item:** TA Carpenter to create a memo to the Road Agent on behalf of the Selectboard

CONSENT AGENDA

2. Highway Department – PO \$5,746.00, Morton Salt

Motion: On a motion by Vice Chairman Baiocchetti and seconded by Selectmen Collins it was voted to approve the consent agenda as presented. (3-0)

47
48 **OLD BUSINESS**

- 49 3. Conservation Warrant Articles: Dick de Seve, Patrick Hackley, Paula Gilman, Lori Baldwin, Chair of the
50 Trails Subcommittee. They have compiled numbers to see if they can establish a Town Forest
51 Maintenance Fund and authorize any proceeds that are accrued from Town Forest Management into
52 that separate Forest Maintenance Fund. This is required by RSA 31:113. The Belknap County
53 Conservation District received a grant earlier in 2022. They help all of the Conservation Commissions in
54 Belknap County. A portion of that money will go to them to establish a Forest Management Plan for the
55 Betty Smithers Town Forest. This will be in the amount of around \$10,000. They are looking for a
56 budget of around \$10,000 to implement the Forest Management Plan. Dick de Seve wrote an
57 explanation to describe the difference between a Conservation Fund and the Town Forest Management
58 Fund. These are two different accounts that would need to be kept separate because they get used for
59 different things. Chairman Warren requested the amount of the grant they received from Belknap
60 County. Dick clarified that Belknap County has it, and they are going to pay for the Forest Management
61 Plan for the Betty Smithers Town Forest. \$10,000 is the average cost for a Management Plan. Currently,
62 there are 9 Town Forests. If the Warrant Article for the Welsch Family Forest for 189.036 acres and
63 abuts the Betty Smithers Town Forest, then there will be 10 Town Forests. Including the Welsch Family
64 Forest, there will be 741 acres of Town Forests.
- 65 Lori Baldwin discussed the third paragraph of the proposal. Since the fall of 2021, they have received
66 \$10,500 in funding for projects specific to Conservation projects. They want to be sure that any funding
67 coming in from Conservation is kept separate from Forest Management. There is a number of
68 volunteers that could be brought onto the Town Forests if there was an interest in developing
69 recreational trails. Lori presented what they were going to be doing in 2023, and they have the funding
70 and are only short \$20. Their committee has clocked hundreds of hours and put in a tremendous
71 amount of work on the Cogswell Trail system. Their mission is to create community well-being through
72 the development of recreation trails on conservation properties.
- 73 Paula Gilman reiterated that the RSA is clear, that they cannot take money from the Conservation Fund
74 to give to the trails committee. They require a Forest Maintenance Fund, should they have a timber
75 harvest, which they intend to do as soon as they have a Forest Management Plan.
- 76 Chairman Warren asked for clarification on the RSA where it states they can expend funds for trails.
77 Paula clarified that sometimes in order to have a good harvest you have to do maintenance and cull
78 dead wood. This is something the trails committee has been doing, but there is a distinction between
79 establishing trails and doing Forest Maintenance. Vice Chairman Baiocchi stated it's RSA 36-A:4
80 which establishes Conservation Commissions and 36-A:5 discusses establishing a Conservation Fund.
81 Vice Chairman Baiocchi stated 36-A:5 (I) states that they can authorize and appropriate money as
82 deemed necessary for the purpose. For clarification, TA Carpenter stated that volunteerism wasn't
83 being taken away but the donation from Rich Maher was specific for the maintenance of trails. The
84 previously voted warrant from 1954 would have to be repealed. Currently, when funds are established,
85 they have to be mentioned in a Warrant Article, but she would like to have clarification done by legal
86 counsel. Paula Gilman noted that the Forest Maintenance Fund has no impact on taxes. Article 17
87 discusses Town machinery and voting to set aside the money from the sale of lumber from Town
88 Forests, also all timber and yield money to General Reserve Fund. This is to be used for improvements
89 to Town property and for the purchase of Town machinery at the discretion of the Selectmen.
90 The Selectboard had a concern about the money yielded from a harvest and sitting in a Forest
91 Maintenance Fund for an undisclosed duration of time. Dick stated this was discussed at the last
92 meeting and reiterated that these cuts do not generate large amounts of money. If the voters were
93 uncomfortable, they have the authority under RSA 31-113 to vote to take some of that money back

from the Town Maintenance Fund and put it in the General Fund. The timber funds all depends on the price of lumber at the time.

Patrick Hackley, Conservation Commission and forester stated agreed that you will not what timber value to expect until you have a management plan. The timber is marked and you know what the current markets are for the timber. There is no management plan or timber harvest planned, yet. He does not believe they are set on the wording for the Forest Maintenance Fund. They could split it with the town and a portion go to the General Fund and a portion to the Maintenance fund. He consulted with another forester and he said that the Conservation Commission could submit a budget specific to a timber harvest, which will detail how much is spent on a management plan, about job layout, and any other costs that go into it. And that would be the cost of the budget, cost of the timber management plan, and expected proceeds they would know because the forester would have marked it and laid it out. He agreed the Conservation Commission would submit a budget for and post timber harvest as part of approving the forest maintenance funds so that the Selectboard knows what the costs are and what the revenue is going to be for the specific job. There doesn't need to be a large amount of money in the fund, but just enough to cover the cost of projects. Vice Chairman Baiocchi recommends them submitting it this way for approval by the Selectboard. The proceeds shall be placed in and separate account towards maintenance fund shall be allowed to accumulate from year to year unless otherwise voted by the legislative body.

Selectmen Collins would like the warrant article to be clearer how the funds can be used. He was thinking more along the lines of a LUCT with a 50/50 split. Dick de Seve stated that has to be determined by the legislative body. Paula Gilman also stated that when they do a cut, they are also planning and forecasting financially for the next cut. Lori Baldwin also stated that there are different types of Forest Management Plans that are not for a timber cut, it could also be for wildlife habitats.

(5:42 Vice Chairman Baiocchi, excused)

- € **Action Item:** TA Carpenter to call Legal on 1/4 to discuss Warrant Article for Conservation Commission Forest Management Plan.

NEW BUSINESS

- 4. Invasive Water Milfoil-Public Shellcamp Launch** – Nic Peterson, 108 Vallely Shore Dr., Brain Vaillancourt 107 Lakeshore Dr. There are many residents in town and around town enjoy Shellcamp Lake because it has a boat ramp. Many residents around Shellcamp donated for a survey and Milfoil was discovered in the survey. The largest area of Milfoil was near the public boat launch. According to the State it was not present as of two years ago. Jet Skis are almost not functional and motor boats pick up a lot of debris which will only proliferate it further. They have been quoted approximately \$20,000 to start the mitigation process. The treatment of the 11.5 acres of Milfoil found in the lake will see a total treatment includes permitting, notifying abutters, actual treatment, residue sampling, and post treatment surveys, and then a year-end report to make sure that it goes through. It is very hard to eradicate, and is more of a management. They would like to move forward with a Warrant Article. They feel it's reasonable to ask the Town to support it. After the initial \$20,000 to begin the process, the cost is significantly less in the years following and should be approximately \$4,000 to \$8,000. Jason Fontana, a resident, is looking at creating one association for the whole lake or a Non-Profit so they can collect funds. Right now, the Valley Corporation is the one that has collected the \$4,000 for the survey, and they are actively trying to recruit more residents. TA Carpenter discussed Rocky Pond Association Warrant Article for Milfoil. Originally this was meant for all water bodies in town. It only specified Rocky Pond over the years because they were the only association that came forward to request funds. This is always been very minimal. But the Town has always been very supportive because we have a small number of lakes that are used regularly. Nic asked if the Rocky Pond Warrant Article could be rewritten to not just specify one body of water. TA Carpenter confirmed it can be changed, however it is specific to Rocky Pond

because that is the Association that comes forward with it. She feels they should do a separate Warrant Article this year for support, but is not against having a combined solution. The current request from Rocky Pond Association is \$1,000 for their Warrant Article. They also work in conjunction with the other towns surrounding that body of water as well. TA Carpenter suggests a Petition Warrant Article, which requires 25 signatures, a legal Warrant Article would be written out and then they are requesting those funds. The Petition Warrant Article would need to be submitted by January 10th to the Town Clerk/Tax Collector and the signatures are vetted by the Supervisors of the Checklist. This would be voted on in March 2023. Nic asked if they were able to regulate the boats going in and out and whether they had any patrolling capabilities and whether they should notify the State, because anyone taking the boat in and out could be contaminating other lakes.

SELECTBOARD ITEMS, FYO, & OTHER TOPICS

5. Police Department – Monthly update – Acknowledgement.

PUBLIC COMMENT

Joe Haas, 67 Mountain Rd. – He mentioned he knew there was a dam association and that since New Hampshire had constructed dams to prevent flooding in Massachusetts who was supposed to pay New Hampshire a certain amount of money and he believes they are in default. He suggested the Selectboard write to the State and discuss the problems with the milfoil. He believes this will end up in Massachusetts and if they want to prevent it, they should give New Hampshire the money. He will send some information. He sent the Selectboard an email right to know request and wants to know if Gilmanton has a civil leave for employees to serve on jury duty and be paid. TA Carpenter stated that the Town does not have a policy that states that. There is a reference to Jury Duty in the policy, this is being updated in 2023.

Chairman Warren brought forward for further discussion of Establishing a Town Forest Maintenance Fund. Lori Baldwin stated they would keep funds based on funds that were necessary or they are approved by current budget. He does not want to see money accumulating in a fund that is not allowed to be productive for the Town. He is in favor of funding being there for them to do projects. Selectmen Collins is concerned that none of the money will go back to the tax payer. TA Carpenter stated this would be a question for legal. Currently, it does sound like whatever money comes in from the forest remains in the General account and is non lapsing, because this was voted in from the legislative body in 1954. How TA Carpenter understands the RSA for the Forest Management Fund, it has to be voted specifically. It is on the books that it goes to the General Fund, therefore, it could not go into the Conservation Fund. She understood the proceeds that they get from LUCT could be used separately from Conservation. She believes that if they are able to use LUCT that those proceeds could be used towards a Forest Management Plan. Chairman Warren stated they just received a \$10,000 grant and now need somewhere to put the proceeds once they do a harvest. TA Carpenter stated, that is if the Town intends to make that money functional for Forest Management, currently it's for General purpose. Chairman Warren would like to see it say if there is anything that is raised or produced above and beyond their approved budget goes back to the General Fund. Selectmen Collins agrees. Chairman Warren suggests they keep from a harvest what they are going to need based on a budgeted plan and the remainder goes back to the General Fund.

€ **Action Item:** - TA Carpenter to find out if the proceeds from a harvest can be split between the Town Forest Maintenance Fund and the unused proceeds to go to the General Fund.

Update – TA Carpenter stated there were no additional non-publics, but that they will be having one the following meeting with input for the Dedication and In Memorium for the Town Report. Public Hearing will be held for Budget Committee on 1/4. Cemeteries did not request a Warrant Article for \$5,000, so TA Carpenter

189 has removed that. TA Carpenter will be recommending in February to the Selectboard what she had previously
190 recommended in regard to the Facilities Coordinator position.

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192 Motion: On a motion by Chairman Warren and seconded by Selectmen It was voted to adjourn. (2-0)

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194 **Adjourned 8:28 p.m.**

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197 Respectfully Submitted,

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199 Amanda Davis, Administrative Assistant

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201 **Approved by the Board of Selectmen**

202 

203 Chairman Mark E. Warren



Vice-Chair Vincent A. Baiocchetti



Selectmen Evan Collins



ATTENDANCE SIGN-IN

PRINT NAME

SIGNATURE & DATE

Alan Banks
Zaneh Richards

2/16/23
Zaneh Richards