



**SELECTMEN'S OFFICE  
TOWN OF GILMANTON**

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**Board of Selectmen Meeting**

**Approved**

**May 15, 2023 - Academy Building – 5:00 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, Fire Chief Hempel

**Public:** Barbara Swanson, Stephanie Verdile, Kristen Laurendeau, Joseph Haas

**MEETING MINUTES APPROVAL**

1. 04-17-2023 Public Minutes

2. 04-26-2023 Public Minutes

3. 05-01-2023 Public Minutes

**Motion:** On a motion by Vice Chairman Baiocchetti and seconded by Chairman Warren it was voted to approve the public minutes of 04-17-23. (3-0)

**Motion:** On a motion by Vice Chairman Baiocchetti and seconded by Selectman Collins it was voted to approve the public minutes of 04-26-2023. (2-0) *Chairman Warren, abstained*

**Motion:** On a motion by Selectman Collins and seconded by Vice Chairman Baiocchetti it was voted to approve the public minutes of 05-01-2023. (3-0)

**CONSENT AGENDA**

4. **Oath – New appointment:** Lucille Cook, Alternate Trustee for the Gilmanton Corner Public Library

5. **Oath – Appointment Renewal:** Travis Mitchell, LRPC Transportation Advisory Committee (TAC)

6. **Let's Join the Lake – Clean up** scheduled May 20<sup>th</sup>, 2023 at 9:00 a.m.

7. **Community Development –**

- **First Half of the Tax Warrant - \$6,790,427.00**

- **Exemptions & Credits**

- 409-068

- 133-045

- 128-014

- **Timber Bill & Warrant**

- 413-017 & 413-018

- 412-006

8. **PO – Police Cruiser** from the approved Warrant Article: \$41,115.35

**Motion:** On a motion by Chairman Warren seconded by Vice Chairman Baiocchetti it was voted to accept the consent agenda as amended.

Chairman Warren stated that Mr. Joe Haas asked the Selectboard to pose the question to consider whether they wanted to put any language in the Tax Warrant for the first half of 2023 if there is a court ruling that part of that warrant may be prorated. Selectman Collins stated he would not be in favor of doing this until there has been a ruling. He does not want to react prior to a ruling. Vice Chairman Baiocchetti stated that it could get appealed to the Supreme Court and he doesn't believe they should do something based on a Superior Court order.

**Board Consensus – No**, on the request of Mr. Joe Haas.

**NEW BUSINESS**

9. **Lower Gilmanton Community Club – Application** for Moose Plate Grant, letter of support request. TA Carpenter stated this is the same letter of support they requested in 2021 and 2022.

**Board Consensus:** The Selectboard is in favor of supporting the Lower Gilmanton Community Club application for Moose Plate Grant.  
TA Carpenter stated that Paula Gilman needs this letter by June 20<sup>th</sup> and she will put it in the folder downstairs.

## **OLD BUSINESS**

10. **Transfer Station Update** – TA Carpenter stated that progress is being made at the Transfer Station. Additional information was put out to the public in regard to what could be thrown away. It is household trash only, with no batteries, no metal, no demo, and no vinyl flooring. The fencing has been installed. The small single-stream container is in place, Waste Management has not got the larger container yet. Recycling is going to be opening this weekend now that the fencing is in place. Jon from Pittsfield was able to come out on Sunday and gather all the scrap metal. Within the next week, the remainder should be able to be picked up. Peter will be working on what is in the building and putting it with the main pile. So, the entire area should be able to be cleaned out along with the refrigerators, A/C units, and everything else. Pete has worked hard on the front of the building and the clutter has been moved out. The area that he is working on is where the free room was and where the C&D is. Brock Mitchell from Wakefield is going to get a schedule over this week and he and his Transfer Station manager are willing to come out and help. Brock is volunteering his time, and the manager will be paid. Vice Chairman Baiocchi asked if the lines were going to be painted for the traffic pattern so individuals know where they are going for recyclables. TA Carpenter stated that it hasn't yet, but can be done. The lane will be marked and the Highway Department employees will be directing traffic. TA Carpenter stated that until a larger container is dropped off that they will not be able to accept cardboard because it will fill up too fast.
- Chairman Warren reiterated for the residents that currently household trash is accepted. Single stream recycling, with the exception of cardboard for now. The area has been fenced off and demo and scrap metal are not accepted. He asked once the Transfer Station was compliant and fully staffed, is it anticipated that those areas would be opened again. Selectman Collins stated that it's really dependent on staffing. TA Carpenter stated that space is also a factor and would not be recommended.
- Chief Hempel – He stated that the way the lower yard footprint is, and the compost and brush piles are so close they've seen one migrate to the other. But if it was managed on a regular basis, but it takes staffing and a lot of work.
- Selectman Collins wanted to know when the lower yard was going to be taken care of or whether it was scheduled yet. TA Carpenter stated it is not scheduled yet, because the scrap metal needs to be removed. The scrap needs to be pulled away from the fence before the vendor can grab it all. The trailers just need to be loaded and once there is staff to load the bales, they can be closed up and taken away.
- Vice Chairman Baiocchi asked if the DES report has come yet. TA Carpenter confirmed, yes it has and the report is 88 pages. There are only about 5 or 6 pages that explain the deficiencies and the rest are photos. There was not a date listed on the report, but generally there's about a 5 day timeframe to take care of those deficiencies. DES is currently waiting on another update which TA Carpenter wanted to wait until Clean Harbors came in to test the barrels. They did not test any of the barrels so they will need to come out again. The issues with vendors are if you are not present and able to guide them to the materials or there seems to be communication errors on their part. TA Carpenter would like to be there when the vendors arrive so they can be shown exactly what they will be picking up.

- ☐ **Action Item** – TA Carpenter will ask Highway Department to paint the traffic pattern at the Transfer Station so the residents will know where to go for recycling.

## **PUBLIC COMMENT -**

- Kristi Laurendeau – She asked about the trailers that are holding the bales, and wanted to know if those were going to be shipped out. TA Carpenter stated that the bales are cardboard, mixed paper, and plastics. Kristi asked if the Town was looking to get rid of the trailers. TA Carpenter confirmed and stated that they were in poor condition. Kristi wanted to know if there was potential to go back to the single windows again for recycling. TA Carpenter stated that would be a Selectboard decision at that time. Selectman Collins stated that there is sufficient space on the property to be able to store the recyclables on the property and not in trailers if the space was properly used. Kristi addressed Non-Public and personnel issues, and at the last meeting there were questions pertaining to what happened and what led to the firings, and no details were given, and it was referred to as a personnel issue, reputation, and she agreed there were concerning issues. She asked what the difference was between not disclosing in the meeting and then they go to the Laconia Daily Sun the following Saturday and the whole report is out there. There were very few things redacted and wanted to know how that was okay. Chairman Warren spoke as a board member, but not for the board and spoke individually. He stated that he wished that report didn't get put out, but the newspaper has the right to the information. In his point of view, we've all done things we would all be ashamed of. He takes no joy in other people's information being made public, especially for anyone in the community. Kristi expressed concern over the Non-Public information that was personnel related and why the newspaper was able to say they wanted the information and the Town had to supply it to them. Vice Chairman Baiocchi stated that it was a 91-A request. There is a certain amount of information that is allowed to give about public employees as opposed to private employees. The redactions were from the Town's legal attorney. Because Town employees are paid for from public funds there is less privacy than if you worked for a private organization. The Selectboard stated it was a personnel matter before that report was approved would have been improper for them to speak on. The Town has an Employee Complaint Policy that dictates what they will do if a complaint is received on an employee. There is a process for this. At the same time, they need to protect the rights of the town but also the rights of the employees. Once the attorney approved the report the Town Administrator had to send that report to the newspaper. It was not something that was posted on the website. He stated he was the last one to read the report and like Chairman Warren, also takes no joy in seeing that information posted anywhere. But there is a legal obligation to the Town to do what they are supposed to do legally. Kristi asked if it was typical to have lie detector tests for this type of administrative investigation versus a criminal investigation. Vice Chairman Baiocchi stated that a polygraph is used more administratively. It is not admissible in court in a criminal case. The Town has the option for administrative investigations to conduct polygraphs, drug testing, credit things, and control a wide net for information. It's not uncommon and it's perfectly legal. The Employee Complaint Policy was also approved by Town's legal counsel. Kristi asked if the tipping point for the termination was the drug usage or the employees being caught lying. Vice Chairman Baiocchi stated he could not speak to that. Chairman Warren stated that Vice Chairman Baiocchi recused himself from the process. Selectman Collins stated for himself, it was a combination of everything. There were multiple issues. Kristi asked why there were no remedial steps, for example clean drug testing and there was no way to correct any of the issues with the employees. Selectman Collins stated with the combination of violations, no, but that was his opinion. Vice Chairman Baiocchi stated there is a problem with the drug use. If one of the residents were at the facility and there was an accident, their standard would be to run a drug test. If the Town knew they were positive for drugs and allowed them to continue to be employed that would be negligent on the Town's side and the Town could be liable. Kristi asked if random drug testing when driving equipment standard as part of the process. Vice Chairman

Baiocchetti speaking for himself, policies and procedures usually come from bad decisions or problems that have occurred. Currently there is not a post-employment drug program for employees. Kristi stated that it seems like it might be a good idea to implement one. Vice Chairman Baiocchetti agreed, but that is something the Selectboard needs to look at and implement a policy for that. They need to maintain the rights of the employees but the interests of the Town as well.

- Stephanie Verdile – Stated back in the day there were not medical marijuana cards, and obviously there has to be some kind of policy for employees that can produce a medical marijuana card. The Selectboard has made tough decisions, there are a lot of employees and she commended the Selectboard for handling as well as they have. It was a terrible situation and she stated they were all doing very well.
- Barbara Swanson – She asked if there was going to be something about Lucille Cook. Chairman Warren stated that it already took place in the Consent Agenda. She thought she was going to be there and was there to support her. She stated she has been a volunteer for a long time and they are happy to have her as a volunteer for the Corner Library.

Selectman Collins stated that he appreciates the residents coming out to the meeting and asking questions. Many residents do not want to come to a meeting and ask a lot of face-to-face questions and it's really appreciated.

Chairman Warren stated that he also appreciates the residents coming out. The Selectboard is working hard to do what is best for the residents and he appreciates that about this board. He has never seen either of the board members have any agenda other than how to best care for the community. He also extended appreciation to TA Carpenter. She works very hard for the Town and it can be somewhat thankless. She tends to deal with a lot of the hard issues but deals with them with integrity, transparency and an excellence of character and work ethic. The Selectboard and community is very fortunate to have her and they appreciate all she does for them as a board. She puts a lot of work and time into the community.

- Kristin Lanrendeau – Wanted to know if the free room would come back once the staffing is increased. Chairman Warren stated he didn't have that answer at this time. They are going to stage this to see staffing, safety, and if there was an opportunity to open the free room and it made sense then it would be considered. Vice Chairman Baiocchetti stated it would be up to the Foreman that is hired as well, and what they recommend. TA Carpenter stated it's the condition of the overall facility as well. Currently, mismanagement of waste is being dealt with and this includes the free room. Anything coming in that area is considered waste even if it's in the free room. Selectman Collins stated it is not their intention to close it.

#### SELECTBOARD ITEMS, FYIs, AND OTHER TOPICS

11. **Planning Board Update** – R&N Abbott Properties, Discussion. Selectman Collins updated that there was a business that went in Allens Mill Rd. across from Wolcott and they agreed to some stipulations with wetlands and planting certain plants, berms, and different items. They have not met those stipulations so they are sending them a letter and it is something that they may have to address as a Board at some point.

Vice Chairman Baiocchetti asked for an update and if the Planning Board had started on CIP. Selectman Collins stated yes, they have met with the Fire Department and Police Chief.

Vice Chairman Baiocchetti stated that they will be holding a Tricentennial meeting next week. They are taking a trip to the State archivist and there may be some records they are able to obtain.

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

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

TA Carpenter stated that Department Head reviews need a date. The regular meeting dates in June are the 5<sup>th</sup> and 19<sup>th</sup>, so they will have to pick another meeting date. Discussed was availability for each Selectman and dates. Chairman Warren suggested at their next meeting that they spend time reviewing the draft documents and at that time they will set the time that will work for Selectboard and Department Heads to do the presentations.

TA Carpenter stated that a while back the Historical Society stated they wanted to redo the sign at the Old Town Hall. TA Carpenter stated that they could move forward with the concept of the sign with the understanding it would be in the same footprint so it wouldn't need approval. She would like the Selectboard to review it. Chairman Warren stated that it would make sense to have a sign that collectively states what the building is. TA Carpenter stated that the Historical Society is located downstairs at the Old Town Hall. The whole building is not the Historical Society. Chairman Warren stated that he believes the name of the building should be the big part and the use of the building would be listed on the sections beneath the name. The new sign will be purchased by the Historical Society. TA Carpenter wants to be sure that the Old Town Hall is presented as they want it to be presented. What was presented to LCHIP was that the Old Town Hall was going to be used for community purposes. Vice Chairman Baiocchetti stated he could see it being the Gilmanton Community Center, Historical Society sign beneath, and Old Town Hall sign over the door. TA Carpenter stated there is confusion over the Old Town Hall, Academy Offices and doesn't want to cause more confusion.

Vice Chairman Baiocchetti stated that it's now official that from the Belmont line to 140/107 is renamed for Pfc. Nicholas Cournoyer and discussion was held whether to put a sign up. He thinks there should be a celebration and invite the community and Cournoyer family. He would like to put a sign coming West and one coming East marking if Pfc. Nicholas Cournoyer Memorial Highway at the Belmont Town line. The statute states that the State is not putting up signage and he suggested designing a sign or putting out to the community as a contest to design one. Vice Chairman Baiocchetti will take lead on this project to get a design approved and have it installed.

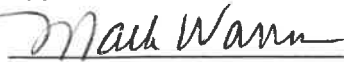
**Motion:** On a motion by Chairman Warren and seconded by *(not captured)* it was voted to adjourn the meeting.

**Adjourned 6:20 p.m.**

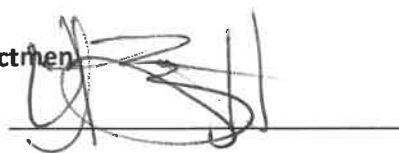
Respectfully Submitted,

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Amanda Davis, Administrative Assistant

**Approved by the Board of Selectmen**



Chairman Mark E. Warren



Vice-Chair Vincent A. Baiocchetti



Selectmen Evan Collins

