



**SELECTMEN'S OFFICE  
TOWN OF GILMANTON**

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**Approved**

**Board of Selectmen Meeting**

**March 03-04-2024- 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

**Public:** Darrell Elliott, Brett Currier, David Clairmont

**MEETING MINUTES APPROVAL**

1. **02-19-2024 – Meeting Minutes – In progress**

**CONSENT AGENDA**

2. **PO – Brian Forst Transportation – Winter sand, \$30,000**
3. **LRPC – HHW Letter of Commitment for 2024**
4. **State of NH Forest Protection Bureau – Candidate information and municipal recommendation**
5. **Community Development – Timber Tax; 423-30 - \$2,407.02; 403-20 - \$1,653.18; LUCT 414-07 - \$14,120; 410-41 - \$9,500.**

**Motion:** On a motion by Chairman Warren and seconded by Selectman Collins it was voted to approve the consent agenda. (3-0)

Chairman Warren asked for clarification regarding the PO for the winter sand, noting last he had heard, there was plenty of sand on-site.

TA Carpenter clarified that it was full, but it has been used. She believes this portion should go behind GYO.

Further discussed was the lighting project and the need for more sand.

TA Carpenter noted that Brian Forst would be present at the meeting so the Selectboard agreed to table the discussion until he arrived.

**Motion:** On a motion by Vice Chairman Baiocchetti and seconded by Selectman Collins it was voted to authorize the Chairman to sign the letter of commitment to the Household Hazardous Waste Product Collection for 2024. (3-0)

**NEW BUSINESS**

6. **Governor's Road Subdivision Discussion – Darrel Elliott on behalf of HDC – Darrel Elliott will be present later in the meeting.**

7. **Oaths – Moderator Pro-Tem, Selectman Pro-Tem, Ballot Clerks**

**Motion:** On a motion by Chairman Warren and seconded by it was voted to approve the Oath of Office for Drew Taylor, Trevor Munroe, Richard Lucas, and Angela Canezin as ballot clerks. The Selectmen Pro-Tem and Moderator to be determined. (3-0)

8. **Perkins Painting, LLC – Academy Building interior painting and first floor discussion.**

TA Carpenter stated that the basement painting is almost complete. The painter does not have time to do the main floor until fall. The office is trying to coordinate the paint, the carpeting, and the furniture moving at one time, to be done in a week. Employees will still be present, payroll still needs to be completed, and work stations can be placed in the meeting space. There are some projects within the building that require completion. The office will be closed to the public because both sides of the office are being worked on, as well as the main corridor. The goal is for the painting and carpeting to be done in a week, but there is a lot of space to cover. The office will work on minimizing the closure time.

47 **9. Plan to perform 2024 Full Statistical Reval – Update**

48 TA Carpenter noted that she touched base with each of the Selectmen separately so they would  
49 understand where the office was with the reval information. She received a letter produced by the  
50 Assessor that she would like the Selectboard to review. A full reval is not taking place, it is a Statistical  
51 only. The letter to the Director at DRA explains that. If you are not giving a full reval every ten years  
52 there needs to be a reason why. It was not a monetary issue, but a timing, and staffing issue. TA  
53 Carpenter stated there has not been a full reval with a measure and list in 20 years, since 2004. The last  
54 statistical reval was done in 2014. There is no penalty for not doing a full reval instead of a statistical.  
55 Statistical are very good, but it's not what the Town requested more money for from the public.  
56 Selectman Collins asked if this was something they could schedule and do.

57 TA Carpenter stated if the Selectboard wanted to do a full reval in the next two years we could  
58 determine what that cost would be and see what the Town fund is and if it was sufficient or not or it  
59 could be scheduled out 5 years.

60 Chairman Warren stated he believes it's wise to find out the cost and determine base on the cost for a  
61 statistical and see what the cost benefit and the full reval will do for the Town versus a statistical.

62 TA Carpenter stated if they were interested, they could start getting costs, because it was most likely  
63 going to increase over the next two years.

64 Chairman Warren stated it would be good to get a cost and scope of work, maybe there's some  
65 duplication of effort that could be shared to reduce some cost.

66 **Motion:** On a motion by Chairman Warren and seconded by Selectman Collins it was voted to submit a letter to  
67 Mr. Sam Greene, Director of DRA with the evidence why the Town of Gilmanton is choosing to do a statistical  
68 reevaluation as letter date March 1<sup>st</sup>, 2024.

69 **10. 2023 Landfill Post Closure Report and Cost Estimate**

70 TA Carpenter stated this is a report that comes out every year from NorthPoint. This is the post closure  
71 report for the landfill that is required by DES. This process will continue for years. The cost analysis is  
72 for auditing purposes. It gives a picture of a 30-year post closure cost. The cost does look like it's more  
73 than in previous years. It was \$130,000 versus the \$230,000 that has been presented. This is a 30-year  
74 proposed cost. The auditors require the Town to present a cost for the testing. The report is submitted  
75 to DES yearly.

76  
77 **SELECTBOARD ITEMS, FYIs, AND OTHER TOPICS**

78 **11. Superior Fire – Report of Inspection/Test.**

79 TA Carpenter stated that there has been a lot of issues and troubleshooting the sprinkler system. This is  
80 the annual inspection report. There have been no problems recently since the last fix.

81 Chairman Warren asked if this is in the CIP.

82 TA Carpenter stated the value of the fire pump does, but not the cost of the system as it ages. The main  
83 line cost \$40,000 and that was just one, versus all the smaller pipes. This is a project that the  
84 Selectboard should start thinking about.

85 **12. DPW Letter – Fact sheet discussion.** Chairman Warren stated it is the Selectboards interest to put a  
86 letter together continuing to inform the residents regarding the request to move forward with a DPW  
87 Director. He believes they have a letter. The Selectboard will review this after the Governor's Road  
88 Subdivision Discussion.

89  
90 **NEW BUSINESS (cont.)**

91 **6. Governor's Road Subdivision Discussion – Darrel Elliott on behalf of HDC as a board member and also as**  
92 **a resident.** Darrell stated that he was there regarding the retention ponds and he went to the Planning  
93 Board with some concerns about the esthetic nature of them. He is asking on behalf of HDC to see how  
94 the Selectboard would feel about HDC being given the opportunity to review since they are so close to

95 Meeting House. He has built hundreds of these and they are not pretty, nor are they designed to be  
96 esthetically pleasing. They are designed to irrigate water and getting overrun with cattails, invasive  
97 species, and things of that nature. There are concerns since the AOT permit is already over there to be  
98 reviewed and 6 structures are not within the public right of way, they are on private property and  
99 subject to HDC approval. He feels that a step was missed and that it should have gone to HDC for  
100 approval first and then it could have been moved forward to the Selectboard.

101 Chairman Warren stated he had a conversation with the Community Development Director in regards to  
102 how that step got missed and what recourse do they have now. Chairman Warren stated that he and  
103 Selectman Collins were present at that meeting, however Vice Chairman Baiocchetti was not there. He  
104 did state that any foot of change needs to go before HDC. He would like to learn how it was missed and  
105 what can they do now.

106 Darrell stated he doesn't know how they go backwards. He understands there are lawyers involved and  
107 doesn't know how they would feel about it. He stated there are ways to treat storm water through the  
108 AOT permit from swales, infiltration basins, extended wetlands basins which could be more in tune with  
109 what they are looking for. If it were him, he would have asked for the pond to be built further down the  
110 road on the corner with a swale going to it. Since the structure is so close to the road there is usually a  
111 clear zone requirement for distance and separation, possibly fencing, and the fencing would also require  
112 HDC approval. The stone walls on Governor's Road would also need approval from HDC. He stated  
113 there are elements of the Subdivision that probably should have been approved by HDC.

114 Chairman Warren stated that Darrell works for the State, do you believe there's opportunity to go back  
115 and say, is there a possibility for a redesign with the main one being the one that is planned to be on the  
116 sharp corner.

117 Darrel stated that generally the Town would accept the subdivision with certain requirements such as  
118 the resident treating their water on their property. If they can't, then they'll give an easement to do it  
119 on Town property. It appears that the Town took ownership and is applying for the permit as an owner.  
120 He stated the Town could say, stop reviewing application. The Town did sign some paperwork that  
121 accepted responsibility stating the Town would maintain those facilities in perpetuity.

122 TA Carpenter stated that in the packet there was language that was consistent what Darrel has stated.  
123 She does not recall the Selectboard signing that at their last meeting, so she is going to look into this.

124 Vice Chairman Baiocchetti addressed Selectman Collins, and asked if this was the plan he voted no on as  
125 a Selectboard representative for the Planning Board.

126 Selectman Collins confirmed.

127 Vice Chairman Baiocchetti stated that the Selectboard was in agreement that they were going to follow  
128 the staff recommendations.

129 Chairman Warren stated that he knows that Selectman Collins was not in favor and the question was, do  
130 you have an independent engineer review it. He stated that he was not in favor of doing that and felt  
131 that the State had the ability to look this over, but Selectman Collins had a different point of view on  
132 that. Chairman Warren stated he moved in favor of moving the project forward.

133 Selectman Collins stated that they would be hiring a Clerk of the Works with an engineering background.

134 Vice Chairman Baiocchetti asked if they would be hiring a third party and it would not be reviewed by  
135 just the State.

136 Chairman Warren stated that there will be a hire of a person to review and ensure that it's being built  
137 properly. He felt like the State would do that, so having another engineer would be redundant.

138 Darrell stated that DES doesn't care who the applicant is, they just have a set of rules and regulations  
139 they have to adhere to. The State is not looking at whether the Town can afford the upkeep, is it  
140 designed properly, and just look for minimum criteria. They just basically give the Town a permit to  
141 build. If the structures do not work as designed, then the Town is required to make them work as

designed. He stated that the Town is looking at getting someone on the DPW certified and provide reports monthly, quarterly, weekly.

Chairman Warren stated that he felt like they needed to go back and do a little more research, what has been signed, what has not been signed in the process, and take Darrell's expertise, to help with their understanding. From his point of view and he also had an engineer review this, but what he doesn't know, he does not know and the design was good.

Vice Chairman Baiocchetti stated that they hadn't accepted the road yet.

Darrell stated that was the tricky part. The manual states that the owner will maintain the road, and he offered to go through all that with the Selectboard at a later time. There was also language that was signed in that AoT permit which looked like convenience for the new parcels to give permission to the Town to enter onto private property to maintain these structures. The problem is going to be that there is going to be a mosquito pond, the homeowners are not going to want it and will fill it in. The Town will have to address it and will have to dig it back out. The ownership of the maintenance is on the Town. He stated that depending on what the conditions are, when the permit is issued, it then becomes the Town's. Darrell explained that whoever accepts maintenance of these facilities by permit will be the ones that will be responsible in perpetuity.

Chairman Warren stated that ownership is where the Town attorney's may need to get involved so the Selectboard understands the language that is being brought forward.

Darrell stated he had the application and would go over it with the Selectboard and explain to them what it all means.

Vice Chairman Baiocchetti asked how are they able to expend public monies on private properties and do they have the authority to enter into an agreement that sets them up for perpetuity.

Darrell stated he was unsure and further explained the process and other options, such as designating one of the lots for storm water treatment. He stated he is not an engineer, but he reviews engineering plans. When he reviewed the area the high point was in the middle of the road, half the water goes towards Meetinghouse Rd and the rest goes towards the backside of a residents property. The pond at the back of their property made sense, that's on private property and on that lot. The other ones in the front, usually what they would have done is they would have collected the water just prior to the Meetinghouse entrance. He stated the field area would be the most conducive and dump the water into a portion of the parcel, and treat the water there. However, that would leave roughly 100 feet of the road area untreated, but a ditch line and cross pipe could be installed. Darrell does believe that the plans were well done but that it was drawn up the way it was because of the guidance given to the design team.

Chairman Warren believes this needs to go to someone other than the Selectboard to guide them on what the Town's legal responsibility is. He does not believe they have the ability to make those types of agreements to expend public funds in that way.

TA Carpenter stated she has not seen a completed and signed document by the Selectboard. She acknowledges that authorization was given to Chairman Warren to sign at document at the previous meeting, and she is focusing on the language in that document currently. She has reached out to legal counsel to review the document.

Chairman Warren addressed the Selectboard to see if they wanted to hear Darrell Elliott's concerns regarding this matter.

Darrell stated that regarding the AoT property permits, in order to inspect the property, there needs to be an authorized individual. It needs to be someone with specific certifications. Then the property has to be maintained within specific schedule. He further discussed a document that was included in the package and if the permit is granted, it would need to be adhered to. The Town of Gilmanton is listed as the responsible party. Darrell listed the items the Town of Gilmanton would be responsible for. He also discussed the inspections that are required while building and his concern is, if the Town is indeed

responsible, it is responsible for litter and trash pickup weekly, inspecting the site for loam or loose litter, it needs to be inspected once, but preferably twice a year, and it is mandatory the parking area is swept. He stated that is only be something required in an association. He stated the requirements are not typical for a Town and likely would not get done due to lack of personnel. He stated the portion that is interesting is section 3.5, discussing inground infiltration of retention basins. The inspection maintenance for those is to inspect those. But there is another inspection requirement that says inspect infiltration survey after any rainfall event of 2.5 inches in a 24-hour period or greater. He stated someone would have to be sent out there every time it rains to see how these facilities are holding up. Section 3.5 B, stating if the infiltration system does not drain within 72 hours following a rain event, a qualified professional, engineer, or scientist should assess the condition of the facility to determine the measures required.

Chairman Warren stated he worked on a project, installed a catch basin, and the Town adopted the road and it's now the Town maintaining it. As the developer, he would not have wanted the responsibility in perpetuity when he is not the one maintaining the road.

Darrell Elliott explained that the Town can refuse.

Vice Chairman Baiocchetti clarified the Town would vote on it.

Darrell Elliott stated yes, if the Town accepts the responsibility then the Town would accept liability in perpetuity for all the infrastructure. He stated that has not happened yet, so he was confused why the Town is the owner of the permit application. He feels that a step is being skipped by telling the contractor that the Town is accepting responsibility for the road.

Chairman Warren stated that legally they can't take responsibility and there is a process for that responsibility to be taken over in a Town vote.

Darrell Elliott stated that it's typical for the road to be built first and then the Town would have the opportunity to accept it as a Town road and maintain it.

Chairman Warren stated that it's his understanding that the Town has not taken on any responsibility to maintain it at this point.

Darrell Elliott stated there are two retention ponds and a swale in the right of way, the other rain gardens are on private property.

TA Carpenter stated the office is working on getting clarification and coming forward with the information and his concerns. The office is working on formulating processes and they will be brought forward to the Selectboard and to Planning Board.

Vice Chairman Baiocchetti asked if HDC was going to have a say in this matter.

TA Carpenter stated that prior to Darrell's inclusion in HDC, it was brought forward. Unfortunately, he was not a part of HDC at that time. TA Carpenter explained the buck slip process and discussing the project with departments and boards.

Darrell Elliott stated that he had been unable to attend the Selectboard meeting, but did attend the Planning Board meeting and stated as an FYI, HDC needs to approve of any changes and left it at that.

## **SELECTBOARD ITEMS, FTIs, AND OTHER TOPICS (cont.)**

12. **DPW Letter** – Fact sheet discussion. Chairman Warren stated at the last meeting, they discussed creating a letter to inform the residents of the direction they are moving forward with a DPW Director to eliminate any misunderstanding with regards to the process and what work has been done, or not done. A letter has been established and the Selectboard will review the letter and determine where it will be published. He addressed the members of the board and asked whether they had time to review it. The members of the board confirmed they reviewed the letter. Selectman Collins stated the portion of the letter he would not be in favor would be suggesting one way or the other on what way to vote. When it was originally brought forward, he did not support or oppose

the original. He prefers to allow the residents to decide. Overall, he stated it was an informational letter.

Vice Chairman Baiocchi stated the Selectboard has already taken a position.

TA Carpenter stated the ballot is clear. That was also the decision through the budgetary process and they moved in one direction to support the staff that is already in place. The petition warrant article last year was as soon as the vote went through in 2024 to move forward with the DPW position. Even though there was not a monetary base for the position, everything had to be put into place to prepare for it. The ballot went through on a no support on #19 because it will be a significant impact monetarily. Vice Chairman Baiocchi stated again, the Selectboard already took a stance on it publicly. They took a stance against it, and that is why it's on the ballot as a no.

Selectman Collins did not recall that as his personal vote.

Chairman Warren clarified it may have been a majority vote and not Selectman Collins's personal vote.

Vice Chairman Baiocchi stated the fact sheet should go on the website with the job description, and be put on the Facebook page.

Chairman Warren asked if the members of the board felt it should go into the newspaper. He wants to ensure the correct information is getting out to the residents so they understand what they are voting for.

Chairman Warren addressed the Selectboard and asked if they were in favor of publishing the letter as it is stated with no changes. The Selectboard voted (2-1), *Selectman Collins opposed, as objected on line 235.*

Chairman Warren stated the letter will be published as stated, along with the DPW job description, on the Town website, Town Facebook page.

**Motion:** On a motion by Chairman Warren and seconded by Vice Chairman Baiocchi it was voted to publish the letter and DPW job description to the Town Website and the Town's Facebook page. (2-0), *Selectman Collins opposed.*

David Clairmont – Wanted to know where in the process the Town was in replacing Paul Perkins, Road Agent, as of election day.

Vice Chairman Baiocchi stated because of the warrant article, there was not one. He stated it was going to cost the Town a lot of money because they will have to hire an interim and discuss what they are going to do based on the vote.

David Clairmont – Asked if there were candidates for the interim position.

Vice Chairman Baiocchi stated not at this time, because they did not know what was going to happen with the warrant articles. He stated they had an idea what they were looking at for an interim.

Chairman Warren stated there has been some input out to the residents, but the Selectboard has not interviewed anyone, they have not seen an application, and the Selectboard was waiting until they knew the direction to take after the town voted.

David Clairmont – Asked if the job description had been written yet for the DPW Director.

The Selectboard confirmed that it had.

Vice Chairman Baiocchi stated they started the process in April last year and didn't finish it until October so they could have a good working DPW Job description that would benefit the town. When the new petition came through they stopped the work they were doing on this.

Chairman Warren stated that up until the new petition came through they had already done extensive work in preparation for the DPW Director position. They realigned the departments to have the Highway employees cross trained, and it was established when the hired for the Transfer Station that it was at a foreman level in preparation for a DPW Director to be the Department Head supervising the foreman.

- ☐ **Action Item** – TA Carpenter to post letter and DPW Director job description to website and Facebook tomorrow.

285  
286 **13. Board of Selectmen Operational Guidelines** – TA Carpenter noted these were items that were  
287 reviewed in 2023, changes had been agreed to, but she realized that the document hadn't been  
288 updated. This document needs to be signed so it can be updated on the website.  
289 Discussed were some of the changes and whether there was a separate ethics policy. TA Carpenter  
290 clarified there is not a standalone policy on ethics. There is mention of ethics in the personnel policy,  
291 but elected officials are not subject to personnel policies, so each new board would have to create a  
292 standalone policy for ethics.  
293 Vice Chairman Baiocchi asked if the operational guidelines matched the Complaint Policy.  
294 TA Carpenter stated that was not part of the original discussion.  
295 Vice Chairman Baiocchi stated that under personnel hearing, he wanted to be sure it matched the  
296 current policy and what they should or should not be doing when it comes to personnel disciplinary  
297 issues or complaint issues.  
298 TA Carpenter did not relate the operational guidelines to the personnel complaint policy in this process.  
299 Vice Chairman Baiocchi stated that they could eliminate H, under personnel hearings because this is  
300 already outlined in the Complaint Policy.  
301 Chairman Warren suggested that it could state something like, Please see Complaint Policy Guidelines.  
302 Vice Chairman Baiocchi stated, Will follow guidelines under the Town of Gilmanton Complaint Policy.  
303 Chief Currier stated that the last portion follows their existing policy.  
304 TA Carpenter stated the objective to the Operational Guidelines were the changes they had discussed  
305 and made. She is not in favor of taking "H" out. It describes what they do and the Complaint Policy can  
306 be mentioned. She suggested, For details, please follow the Complaint Policy.  
307 Vice Chairman Baiocchi stated the policy should supersede these guidelines.  
308 TA Carpenter stated the Complaint Policy would not supersede these guidelines because this would be  
309 the newest document.  
310 Vice Chairman Baiocchi stated the policy explains the procedure for a hearing. He is having a  
311 problem with H, section 2. The part he has a problem with is, the Selectmen are not required to comply  
312 with or establish any for set of evidentiary rules under RSA 41:16-c and believes this should be  
313 established before the hearing takes place.  
314 TA Carpenter stated if the preference is how it's laid out in the Complaint Policy versus the summarized  
315 version, they could tailor that.  
316 Chairman Warren stated that one should reference the other.  
317 Vice Chairman Baiocchi stated under H, 2, if there is documentation or there are witnesses and he  
318 feels that section contradicts itself. The procedure used for personnel hearings should be similar to the  
319 process for any public hearing, except the Selectboard has no obligation to answer any questions by the  
320 participants, which he stated they shouldn't be answering the questions anyway. In addition, either  
321 party may call witnesses or submit evidence. But the Selectboard are not required to comply or  
322 establish any set of evidentiary rules.  
323 TA Carpenter stated it is up to the Selectboard's discretion to say that their determination is to move  
324 forward in one direction or another and it is discretionary to a point.  
325 Vice Chairman Baiocchi stated procedural things should not be discretionary.  
326 TA Carpenter stated those are laid out in the Complaint Policy.  
327 Vice Chairman Baiocchi stated they are not the Operational Guidelines. He would like it to just say,  
328 "In addition, either party may call witnesses or submit evidence to support his/her viewpoint."  
329 Chairman Warren stated, and provisions of RSA 43 are not applicable except for removal proceedings.  
330 Vice Chairman Baiocchi stated 41:16 is removal of the Town Clerk. He stated he doesn't believe the  
331 RSA's listed belong in their Operational Guidelines because those are elected positions. He stated these  
332 are under statute. He stated the provisions are not applicable except for removal.

Selectman Collins stated he would not know the RSAs offhand and would like them to remain in the guidelines.

Chairman Warren addressed the Selectboard members and asked if they wanted to table the Guidelines for now until they get further clarification.

TA Carpenter stated that she would prefer the clarification through legal counsel regarding RSA 43 and then this can be reviewed again.

Vice Chairman Baiocchi believes that RSA 41:48 should also be included as well which pertains to Police.

- **Action Item:** TA Carpenter to have the Employee Complaint Policy and BOS Operational Guidelines reviewed by legal regarding Section H, 2 to ensure they do not contradict one another.

**14. Old Home Day – Request Board of Selectmen volunteers.**

Vice Chairman Baiocchi stated he received an email about them doing Old Home Day and cooking the hamburgers, hot dogs, and sausages for the event again.

Chairman Warren asked Vice Chairman Baiocchi to reach out and let them know that he may have a conflict on August 17<sup>th</sup>.

Selectman Collins has no conflicts.

**15. Department Head Updates – Executive, Highway, Police Department, Transfer Station, Fire Department.** Chairman Warren extended gratitude to the Department Heads and Foremen for their updates.

**16. Goal Presentation – Samples of publicized goals.**

TA Carpenter stated that the goal presentation was based on the Selectboard's last discussion of their 2024 goals and what their possible expectation was of each Department Head. She researched what other towns present and sometimes it's easier to communicate to residents when it's in writing. Not all residents pay attention to the audio or the minutes, so presenting goals on each Department's website and what the goals are for 2024 can be a good way to communicate what the Town does. This can detail what is done with the funds provided every year, and what the intentions are for the upcoming year so that the residents can understand the goals for each department.

Chairman Warren asked if this has been presented to the Department Heads yet.

TA Carpenter stated she had not yet, because she will not present anything to the Department Heads that is not from the Selectboard. If the Selectboard likes the concept, she can move it forward.

Chairman Warren discussed the importance of goals and keeping the organization moving forward, but is concerned about Departments not meeting goals due to unforeseen circumstances and how they would navigate that.

TA Carpenter stated that sometimes day to day operations are the goal and it doesn't have to be something unobtainable. She further discussed the samples provided and some of the concepts she liked.

Vice Chairman Baiocchi stated when the Departments do goals, it's good for evaluations, but if the Departments are having issues meeting goals, then that is something that needs to be communicated with the Selectboard.

Chairman Warren stated he is not opposed to the goals, but wasn't sure if they should be posted publicly and wants to be sure it's not going to be something that will cause conflict.

TA Carpenter stated that she has heard numerous times from residents that the Town does not communicate what is done with the budget, and they don't responses from individual departments.

Chairman Warren stated he is good with creating goals and discussed what would be helpful to the residents understanding.

Selectman Collins stated that should collaborate with the Department Heads so their goals match up with the Selectboard's goals.

TA Carpenter stated that they did not need to make a decision and she knew the Selectboard wanted to meet with the Department Heads. This could be discussed with each individual. She believes that



communication has to be consistent with all departments and they should all be utilizing the website. The Town website is where they should be communicating information first. Chairman Warren agreed that they should meet with the Department heads and they could discuss the concept. Selectman Collins stated that each Department Head needs to collaborate with the Selectboard so that budgetarily their goals will align. TA Carpenter stated the Department Heads have been working on communication and that's what the monthly reports are for and the quarterly Department Head meetings.

Selectman Collins stated there was an individual and the other Selectboard members may have also received an email, with a road concern on Middle Rte. He stated Belmont was working on the section at the Town line. He drove up there but couldn't find the exact location the resident was referencing as an issue.

Vice Chairman Baiocchetti stated that he reached out to TA Carpenter to have the Road Agent contact the resident.

TA Carpenter also stated she could not find the area the resident was referencing. She also had not heard back from the Road Agent at this time.

**PUBLIC COMMENT – 7:00 p.m.**

- Brett Currier – He stated he wanted to poll the Selectboard and see who thinks it's a good idea to cross-train the Highway Department to work at the Transfer Station. The Selectboard consensus was that they believed it was a good idea. Brett Currier asked if they believed they had enough personnel to be able to do what they are supposed to be doing and should be doing what they should on the roads and forget about the Transfer Station. Vice Chairman Baiocchetti stated that they are cross-trained for both jobs. Brett Currier asked why they would ever work at the Transfer Station. Vice Chairman Baiocchetti stated what if someone was out sick, or they need help. Brett Currier stated they never need help on the roads, correct? And stated they do not have enough employee to work on the roads. So, the Selectboard should not be taking them to manage the Transfer Station. He believes the Transfer Station needs their own employees. He stated that the Town wouldn't take PD or Fire to go to the Transfer Station, why would the Selectboard take the Highway Department and they were very important. He stated the Highway Department is unable to do their job if they're at the Transfer Station. Brett Currier stated that this is one reason the Petition Warrant Article is coming forward and not moving to a DPW Director. He stated that January 9<sup>th</sup> was the deadline for the Warrant Article. He asked where the Selectboard would be if there was a storm and the Road Agent knew he was not going to be employed after the March election, and if there was an interim planned? He stated there was a rumor that a guy from Alton was going to cover after the Road Agent was gone. Chairman Warren stated he would speak to that directly. He stated he has no information of that at all. He stated currently the Road Agent has been out and the Foreman has been taking the lead on the work that needs to be done. Brett Currier stated if the Selectboard had the DPW Director position as of last March, and it has not even been posted for applications as of January 9<sup>th</sup>, and doesn't understand why they haven't done interviews. He doesn't understand why they were so late in posting an application process for that position. He stated that now, Vice Chairman Baiocchetti is blaming the petition warrant article. Vice Chairman Baiocchetti stated he was not blaming anything. He stated it stopped the work they had been doing. Brett Currier stated the public couldn't see any progress.

Vice Chairman Baiocchi clarified that the Selectboard has been working on this since April. He asked where Brett Currier was this entire time. They had this process in place and timelines, and it was going to be posted after the first of the year.

Brett Currier asked if it was reflected in any of the Meeting Minutes because he's not going to come to every meeting to see what they're discussing. He stated he should know as a tax payer what the Selectboard is discussing and it should be reflected in the Board of Selectmen minutes. He stated he didn't see it, so if he doesn't see it, it didn't happen.

Chairman Warren stated to Brett Currier that he could have called the Chairman at any time and had a conversation.

Brett Currier stated what about the rest of the residents. The residents need to know what the Selectboard is talking about. Other than what is placed in the minutes, they only hear rumors. That's why residents get mad because they don't know what the Selectboard is doing.

Chairman Warren stated if Brett Currier was hearing rumors, that he should have approached them and stated that they need to do a better job for the residents and this is a big deal for the community, and get the correct information out there, the Selectboard would do what they could to get it out there to the public.

Brett Currier stated that they're saying they're communicating to the residents, but if it's not reflected in the minutes, the residents are not getting it. He stated that there are eight days until elections and there is no Town Report out and the residents are complaining.

TA Carpenter stated she wanted to make some clarifications. The Transfer Station versus the DPW, there are not enough employees for either department. The reason the Highway Department was certified to handle the Transfer Station, is because when the Transfer Station went through its transition no one could handle the waste, unless they were certified. Other DPW's have a level of cross-trainings that occur.

Regarding the timeline for the DPW issue, they could have posted one for what they thought they would be able to do. She believes there were three different sets of minutes that reflected a process. She doesn't disagree that they could have put out a timeline and have it more clearly reflected. She is trying to get good communication out to the residents so they can clearly see and understand. If they do not have a budget for Highway, it limits how much they would be able to say they are able to do. And not having a salary makes a difference in the information being put out and say this is what the Selectboard is moving forward with. There are surrounding communities also looking for a DPW Director, without a salary, it limits the Town to what they would be able to support by 2024.

Brett Currier stated that Gilmanton cannot be compared to Tilton and Alton.

TA Carpenter stated Brett Currier can say they can't compare, but that's who they are competing with for the same pool of potential employees.

Brett Currier stated that was true, because the Town is going for a DPW Director instead of a Road Agent.

The Selectboard clarified they are not going for anything. The residents wanted this.

Brett Currier stated when the Selectboard posts the letter they are putting forward, the Selectboard is saying they want a DPW.

Vice Chairman Baiocchi stated they already said no, it's on the warrant.

Brett Currier stated it was Vice Chairman Baiocchi's opinion.

Vice Chairman Baiocchi stated it was not his opinion. Personally, he does not care. The Selectboard has made all these decisions and done all this work based on the directive of the residents. In the best interest of the Town, that is the way that the Selectboard decided they were going to go. The residents said they wanted a DPW Director.

- David Clairmont stated that it was not given to them as an option.

Vice Chairman Baiocchi stated it was brought to the Selectboard, they did not go out and solicit it.

David Clairmont stated he agrees with Brett Currier, it's not like they can say they have a great highway department and can give employees over to the Transfer Station to help. If the roads need work, they don't want their Highway Department employees at the Transfer Station pushing a button. The Highway Department needs to be making sure first and foremost that the roadways are safe.

Chairman Warren stated he agrees 100%. He stated the reality is there is not enough employees to keep up with the work, this is why they are actively doing this. What they are trying to accomplish is better management, and with better management, hopefully will produce better results and cost the Town less long term. He agrees with Vice Chairman Baiocchi and stated they are there to support the people of the Town. It would be unfortunate to not move forward with a DPW Director because they have put a lot of work in moving towards that, but if the residents want a Road Agent they will support that. He does believe it to be a management issue and he does believe that the Highway Department is underfunded, but he understands it is a conservative Town. The reality is the roads are going to require more money, better management, and the Selectboard has asked the Department to create a plan based on the LRPC assessment to keep things moving forward.

David Clairmont stated that they need to fix the Road Agent piece, and if the Transfer Station doesn't have enough employees, it's unfortunate, and the dump closes. What is more unfortunate is watching a road wash out because the Highway Department employees are not out working on the roads, because that costs the Town a lot more than a day without the dump.

Vice Chairman Baiocchi stated they are not going to be at the Transfer Station all the time. They didn't have anyone else certified, aside from one employee. Now they have a few more people certified so if there is a problem they can work on it. The DPW Director can also supervise that.

David Clairmont asked if the Transfer Station is short an employee, and the Highway Department has worked his 40 hours, but is called to fill in at the dump, they're available but it's going to cost a lot of money to have them there.

TA Carpenter stated, no. The Town has not, aside from the cleanup process and utilizing equipment operators to clean certain areas, they have not pulled the Highway employees off the roads to work the Transfer Station. There is a Foreman that was taken from the Highway Department because there was a job opening, and he decided he wanted to take it for the promotion. He understood that he was still going to be an equipment operator in inclement weather. He was doing double duty, cleaning up the Transfer Station and when the facility is not open and there is inclement weather, he will go provide extra hours to the Highway Department. When the Transfer Station was sick, they were close to closing, but they didn't consider taking any employees from the Highway Department to cover for that. She stated there is a management issue that needs to be addressed at the Highway Department. There was a management issue that needed to be addressed at the Transfer Station and unfortunately, there is not a large pool of people to draw from. She would like to have one additional Transfer Station employee and they would be set, but they do not even have individuals applying.

David Clairmont stated the DPW Director is not expected to be in a plow truck.

TA Carpenter stated, yes, he is.

Vice Chairman Baiocchi also stated, yes, he is.

David Clairmont questioned he is going to be a working and on the ground?

Vice Chairman Baiocchi stated all Department Heads are the same, and none are strictly administrative.

David Clairmont asked how the DPW Director is going to manage Parks & Rec, Highway, and Transfer Station?

TA Carpenter stated that Park & Rec is normal, and she is the one that currently runs it. Parks does not have the equipment to take care of the beach or the ball field. Seasonally, the Highway Department is asked to help with the Park. Anytime they have requested equipment for the Park, the residents state

that the Highway Department has equipment. So, in order to save money, they utilize Highway equipment.

David Clairmont asked if the money would be better spent and asked subcontractors to take care of the Park instead of ignoring the state of the roads.

TA Carpenter stated this is something that has been historically done and it was understood that the residents didn't want additional money spent at the park. So, they use the resources that the Town has.

David Clairmont stated that the Town was taking them from working on the road issues and that's where they should have been. He stated that the DPW Director the Town is proposing is going to have to be a wizard, because he's going to have to manage all this and make it all happen.

TA Carpenter stated that there needs to be more staff.

David Clairmont stated the Town should allow the DPW Director to get their feet on the ground with the Highway Department and then add to their duties. He stated it would be like telling Chief Currier they want him to run the Fire House, Police, and when he's done, send someone over to pick up the trash.

TA Carpenter stated that is what's expected of the Town Administrator. You're saying you run the Park, run Town Hall, then because there is no management at the Transfer Station the Town Administrator will manage them, so it's already being done to a Department Head.

David Clairmont asked then why isn't the Selectboard giving options requesting more money.

Vice Chairman Baiocchi asked if he went to any of the Budget Committee meetings.

David Clairmont stated he did not.

Vice Chairman Baiocchi stated they did that already. They cannot find employees.

David Clairmont stated that they have to do what they people want and respects the job that the Selectboard has been tasked with. The Town needs a highway person by election day.

Vice Chairman Baiocchi stated they were told to scale back. They would discuss at interviews for the DPW Director what is needed, what they see, and where the work needs to be concentrated.

- Brett Currier stated let's discuss the Transfer Station and asked why the Selectboard hadn't noticed that it was a mess for years.

Vice Chairman Baiocchi stated he remembers when Brett Currier was a Selectman and it was a mess then too.

Brett Currier stated that it was not like when the current Selectboard took over. He stated that the current Transfer Station employees are not paid enough money.

Chairman Warren stated he understands that Brett Currier has a different opinion. Despite the opinions that any of them may have, the Selectboard has to follow through with what the residents have requested. He believes that moving to a DPW Director is a good move. This is something that has not been brought forward before and it may work, or it may not.

Vice Chairman Baiocchi stated that they had an appointed Road Agent before and it went back to being elected.

Chairman Warren believes if they have someone that has great management skills, who knows how to operate, and knows about roads, and also had administrative skills as well, and can also work on grants there is a possibility they will start moving in the right direction.

TA Carpenter explained that they would have to set a priority level and the Selectboard already has been discussing the plans. They are looking for an educated individual to come in and say, this is how it's going to get turned around, these are the priorities.

Brett Currier stated that he wanted the Selectboard to say that it is only a theory. They cannot tell the Town of Gilmanton that a DPW Director is going to save the Town money. That's their theory, the Selectboard only thinks it will. Brett stated he believes it's going to blow up and be a bunch of trucks, and cost a bunch of money.

Vice Chairman Baiocchi stated how is all that going to get past the Selectboard and past the Budget Committee.

Brett Currier stated that he didn't know, that a lot of things have got past them. There is a lot of money spent in this town.

Chairman Warren stated that the Selectboard just tried to share the information they have with the residents. He addressed David Clairmont and asked if he had anything additional to share.

- David Clairmont stated that he signed the petition that is out, because he believes that the Selectboard is going to overwhelm the individual with what the Selectboard is requiring of them.

TA Carpenter stated that Brett Currier and David Clairmont said it was going to cost a lot of money for the DPW versus the Road Agent. It requires staff and a qualified individual no matter the title. It is going to require more funding. There currently is not enough staff and it's going to cost more regardless. The reason it wasn't requested additional positions, plus a DPW is because of the cost. They did not want to see more positions added without a plan. If there is not the correct management at the top, how do you come up with a plan? With the appropriate management, you get a plan, and then you figure it out from there. She has been working with the Transfer Station and Highway Department, on what employees want, and what the residents want, but get only complaints, and no solutions.

David Clairmont stated that they need to figure out how to solve that. He understands how much it costs. He would like someone to build a good Highway Department. He does not know what happened at the Transfer Station to cause the employees to be removed. He feels the problem was self-induced and that they should have had a replacement before they got rid of them.

TA Carpenter stated that they could not. And based on the allegations that were brought forward, investigations were done, and then a decision was made. If a predetermination is made as a municipality, they can be sued for that. They couldn't preemptively have their Highway Department certified, just in case. So, they waited for the determination and then the Selectboard made their decision. Unfortunately, it resulted in 3 employees being removed. It was impactful because they were only a department of 4 employees. She addressed Brett Currier's statement of where was the Selectboard, and in the last 4 years this board has been trying to get the Transfer Station cleaned up through HR processes, cooperation, and unfortunately there was no cooperation.

David Clairmont stated that he is worried about election day and essentially there will not be any lead at all.

- Brett Currier stated there is a foreman who can take over.  
Vice Chairman Baiocchetti stated they will be discussing that later.  
Chairman Warren thanked them for coming in and discussing their difference of opinions but the petition warrant article that was brought forward has put them in a holding pattern. They will work through as they always do and the conversations face to face is helpful so they understand where everyone is coming from.

Vice Chairman Baiocchetti stated they could not go into Non-Public for a public official, however, the reason they are going into Non-Public is to talk about other non-elected officials.

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

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

This Non-Public was to discuss employee hours and transition with employees.

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

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

This Non-Public was held to discuss the conditional letters of employment for the Police Department.

619 **Motion:** On a motion by Chairman Warren and seconded by Selectman Collins it was voted to move into Non-  
620 Public 91-A:3 (a). (3-0)  
621 **Motion:** On a motion by Chairman Warren and seconded by Selectman Collins it was voted to come out of Non-  
622 Public 91-A:3 (a). (3-0)  
623 This was held to take a vote on the conditional offers for the Police Department.  
624 **Motion:** On a motion by Vice Chairman Baiocchetti and seconded by Selectman Collins it was voted to seal the  
625 Non-Public Minutes for a period of 6 months. (3-0)  
626  
627 **Motion:** On a motion by Selectman Collins and seconded by Chairman Warren it was voted to adjourn. (3-0)  
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629 **Adjourned – Time not captured**

630  
631  
632 Respectfully Submitted,

633  \_\_\_\_\_

634 Amanda Davis, Administrative Assistant

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636 **Approved by the Board of Selectmen**

637  \_\_\_\_\_

638 Chairman Mark E. Warren

 \_\_\_\_\_

Vice-Chair Vincent A. Baiocchetti

 \_\_\_\_\_

Selectmen Evan Collins



## ATTENDANCE SIGN-IN

PRINT NAME

SIGNATURE & DATE

Brett Carrier  
David Clairmont  
Darral Elliott

Brett Carrier 3/4  
David Clairmont  
Darral Elliott

