



**SELECTMEN'S OFFICE  
TOWN OF GILMANTON**

503 Province Rd, Gilmanton, NH 03237

Ph: (603) 267-6700 Fax: (603) 267-6701

Website: [www.gilmantonnh.org](http://www.gilmantonnh.org)

**Board of Selectmen Meeting**

**November 15, 2021 - Academy Building - 5:00 P.M.**

Zoom-For remote access options look under Upcoming Events on the Town's website at [www.gilmantonnh.org](http://www.gilmantonnh.org) listed under the calendar or Board of Selectmen -News

**Present:** Chairman Mark Warren, Vice-Chairman Vincent Baiocchetti, Selectman Collins, & Town Administrator Carpenter

**Also Present:** Road Agent Paul Perkins, Patrick Hackley-Conservation **Commission joined after 6:00 p.m.**

**AGENDA**

**CALL TO ORDER – ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**NON-PUBLIC MEETING**

**NON-PUBLIC Pursuant to RSA 91-A:3, II (I)- Legal- Review and Discuss legal opinion**

**MOTION:** On a motion by Chairman Warren and seconded by Selectman Collins is was voted to go into non-public session Pursuant to RSA 91-A:3, II (I)- Legal- Review and discuss legal opinion given.

*This meeting was held to discuss and the legal opinion regarding the authority, responsibility, and liability of the Road Agent and the Selectmen for the road system within the town.*

**MOTION:** On a motion by Chairman Warren and seconded by Selectman Collins is was voted to come out of non-public session Pursuant to RSA 91-A:3, II (I)- Legal.

**6:00 p.m.: PUBLIC HEARING: APPROPRIATION OF UNANTICIPATED FUNDS**

This public hearing is being held to appropriate the surplus funds from the Towns health insurance provider, Health Trust, for \$27,667.93. Of this amount, \$9,270.51. will be distributed to employees & retirees, and the Town will retain \$ 18,397.42 for deposit into the general fund.

**MOTION:** On a motion by Vice-Chairman Baioccehttie and seconded by Selectman Collins it was voted to accept and appropriate the total reimbursement of the \$27,667.93 from the Health Trust surplus. Of that \$9,270.51 will be distributed to employees & retirees and the Town will retain the remaining \$18,397.42 to be deposited into the general fund. (3-0)

*No public present, no comments made.*

**Close public hearing 6:04 p.m.**

*Selectmen Collins left the meeting temporarily at 6:05 p.m.*

**PUBLIC MEETING MINUTES APPROVAL:**

11-01-2021

**MOTION:** On a motion by Vice-Chairman Baiocchettie and seconded by Chairman Warren it was voted to accept the minutes of 11-01-2021 as written.

**CONSENT AGENDA**

1. PO- Brian Forst- Winter Sand Approximately 3,200 Tons- \$35,000.00-HWY
2. PO- Morton Salt-State Bid- Approximately 450 Tons- \$34,834.23-HWY
3. PO- Wolcott- Paving Stockwell Hill Rd.- \$17,402.92
4. Appoint Michelle Dougherty as an alternate to the HDC

This is a housekeeping issue, back on April 22, 2021, the HDC made a motion to appoint Michelle Dougherty but an oath and appointment were not brought forward to the Selectmen.

- 5. **Personnel Action Form- Executive Office-** This personnel action form is being presented for approval. The recommendation is to promote Bre Daigneault to the newly created position of Community Development Director at the pay rate of Grade- 15, Step 08 as reflected on the wage scale for 2022, Effective as of 11-15-2021. This new position is supervisory for two future employees, the part-time position that is within the office currently and a full-time 40 hr. position to cover the workload. This unit in the Selectmen's office will encompass, Assessing, Planning, Zoning, Conservation, HDC and will also include the Master Plan and Capital Improvement Plan upon the direction of the Planning Board. This position was internally posted per policy, there were no other interested candidates.
- 6. **Dept. of Safety & Emergency Management-EMPG amendment paperwork, signatures, and approval by the Board are required.**

**MOTION:** On a motion by Vice-Chairman Baiocchetti and seconded by Selectman Collins it was voted to accept the consent agenda as amended, to include the Wolcott Paving 17,402.92 purchase order and the EMPG Amendment Paperwork for signature. (3-0)

#### **COMMITTEE/BOARD**

- 7. **Conservation Update-** Patrick Hackley a member of the Conservation Commission will be coming in to discuss for the last time the request for the increase to 50% to the Land Use Change Tax. The official language of the warrant article has not been received or reviewed by legal counsel. The highlights of the conversation were discussed are listed below;  
The purpose of the request is to provide the ability for more land acquisitions and additional costs to offset the fragmentation and conversion that is going on in town to maintain our rural character. Any land the Town owns is open to the public.

**The current percentage for LUCT:** Since 2007 the Land Use Change Tax has been set up through a vote of the town in the following manner; The Town deposits the first \$2,500 plus 10% of the total amount of land-use change tax collected for the year.

**Warrant Article Request for 2022:** Request to reflect a 50/50 split between the Town general fund and the Conservation Fund. Language of the article to be forwarded to the Town Administrator.

**Friskey Hill-** There was forward movement on the roadside parking for Friskey Hill for a scenic area. This was approved by the majority vote by the Conservation Commission.

**Plans for Forest Management-** Smithers Town Forest A grant has been secured through Belknap County Conservation ...(inaudible)

**Land Donation-**The matter of land donation is helpful but families generally don't want to spend a lot of money for surveys when they are donating land to the town for conservation purposes. Typically, when land is being donated there is a Phase 1 environmental assessment with contingencies.

**Average gain from the LUCT:** The 5 year average for the land-use change tax has been \$20,000.00.

☐ **ACTION ITEM:** What would be the cost to the Town? *What would the cost be to the tax base?*

☐ **ACTION ITEM:** Receive and review the new language for the warrant article.

Currently, the surrounding communities that have voted for the 50% portion to be given to their Conservation Commissions are; Barnstead, Center Harbor, and New Hampton.

**Board Consensus:** The Board of Selectmen supports the request for the warrant article to increase the LUCT to increase to 50% and will review the language once it has been sent to legal.

Further discussion based on land acquisition and cost vs land management cost.

- 8. **Donation from volunteer Rich Maher for the Trails Sub-Committee- \$5,000.00**

Mr. Rich Maher a volunteer with the Trails Committee has submitted a request for the Board to approve. He has generously offered a donation of \$5,000.00 through his family trust to be accepted on behalf of the Conservation Trails Sub-Committee.

**MOTION:** On a motion by Vice-Chairman Baiocchetti and seconded by Chairman Warren it was voted to accept the donation from the Maher Charitable Foundation for \$5,000.00, to be deposited in the Gilmanton Conservation Fund for the Sub-Committee for Trails as specified in the request dated November 03, 2021, to include the following items;

- Lumber and other building materials for construction of boardwalks, bridges, kiosks, signs, trail blazes, etc.
- Costs associated with making maps, pamphlets, a trail guide, or other means of public dissemination of trail information
- Consultation fees, if necessary, for professional advice on trail lay-outs, construction, or agreements with landowners, etc.
- Costs of purchasing books, maps, or online subscriptions for obtaining data useful for the creation of trails. (3-0)

## **OLD BUSINESS**

9. 2022 Budget Discussions-Highway and Transfer Station budget approvals & Warrant Article planning- The two budgets that are left to approve are the Highway Dept. and the Transfer Station. This budget will be presented to the Budget Committee on Wednesday at 6:00 p.m. Board Members requested clarification regarding the Transfer Station information recently sent in. The process of several discussions with the manager, the information requested by the Board, the lack of information received to date, and the series of diluted requests given by the manager throughout the budget process.

TA Recommendation for Transfer Station Budget: The request for a wage increase to approximately \$17.00 for part-time staff as requested, the managers hours will be increased from 36- to 40 as requested, the additional full-time staff member requested has been reduced to 32 hrs., to adjust it back to a part-time role reduce the line to 30 hrs. and the wage will move \$17.00. The two warrant articles request \$5,000 each to stay on track with CIP. The manager should supply background information brief narrative for the warrant articles. The request for new staff would not move forward due to insufficient documentation for scheduling, showing how the staff will be utilized with a plan and job descriptions.

Additional monies will need to be budgeted in the 2022 operating budget based on the inspection reports and the project that need to be accomplished in 2022.

Further discussion will need to take place in non-public sessions.

## **WARRANT ARTICLES:**

**The rough outline of potential articles to be presented;**

1. Zoning Articles- Unknown at this time
2. Conservation- LUCT increase
3. Conservation Membership change from six members to seven- Non-monetary
4. Police Department- Crusier-\$51,000
5. Police Department- Building Security System upgrade-\$24,000
6. Academy Building Fund- To establish a building fund to repair and maintain the Academy Buidling-\$30,000.00. This would be a non-capital with the Board of Selectmen as the agents to expend.
7. Town Hall Audio System-\$23,000.00
8. Town Hall Painting- \$40,000.00- Remove article and push put to 2023.
9. Welfare- \$25,000.00
10. Cemetery- \$5,000.00
11. Fire Engine- \$800,000.00. Method of purchase to be determined
12. Public Safety Building Paving- \$158,132.00
13. Revaluation (CFR)- \$20,000.00- Check to see if this amount is still adequate
14. Refurb/Replace Fire Truck- This amount will be determined based on the warrant article to purchase the new Fire Engine.
15. Highway Equipment-

- 16. Transfer Vehicle and Equipment Repairs- \$5,000.00 requested by Dept. Head
- 17. Energy Committee- Originally requested the amount of \$60,000.00 based on the final report of the energy audit earlier this year.
- 18. All Veterans Tax Credit- \$500.00
- 19. Outside Agencies Requested Warrant Articles:
- 20. GYRL-By petition
- 21. American Red Cross- \$2,000.00
- 22. CASA- \$1,000.00

- 23. CAP-\$5,000.00
- 24. Iron Works Library- \$1,000.00
- 25. Granite State VNA- \$7,600.00
- 26. Lakes Region Mental Health Center- \$7,500.00
- 27. New Beginings- \$1,000.00
- 28. Mid- State-\$270.00
- 29. Rocky Pond Association/Milfoil-\$1,000.00
- 30. Snowmobile Association- \$2,500.00
- 31. 4<sup>th</sup> of July Association- \$5,000.00

**American Red Cross Request-** Discussion on the cost of their events and the lack of service received specific to the town.

**Conservation Commission:** The Land Use Change Tax will move forward, awaiting language as discussed earlier in the meeting.

**Energy Committee:** The Energy Committee requested \$60,000.00 for a warrant article as a result of the Energy Audit, the idea is to take care of the short-term updates in 2022 to receive benefits from energy-saving updates.

**Board Consensus:** The Board agreed to move forward a warrant article for \$40,000.00 for energy savings based on the information given in the final report of the energy audit

**LCHIP Grant-** Old Town Hall. Selectmen Baiocchetti requested an update regarding the submission and outcome of the LCHIP grant. The Town Administrator has not heard from LCHIP regarding the approval or denial of the submission but will follow up. If there is a denial of the grant for the second time, the original article will need to be reviewed to establish a path forward.

- ☐ **ACTION ITEM:** TA will reach out to George Born from LCHIP regarding the status of the grant.

**Academy Building Painting:** The painting on the Academy Building is due as it has been four years but it can wait one more year without too much issue.

**Board Consensus:** There will be no warrant article for Academy Building painting this year but will be brought forward next year.

Further discussion regarding the cruiser purchases being placed in the operating budget vs a warrant article, creating one warrant article for multiple requests, similar to last year but wouldn't include the fire engine.

- ☐ **ACTION ITEM:** Double-check if there have been monies expended out of the PD vehicle repair fund.
- ☐ **ACTION ITEM-** Double-check with all Depts. To make sure amounts are accurate
- ☐ **ACTION ITEM:** Solid number for revaluation need

#### **NEW BUSINESS:**

- 11. Policy for staff at Board/Committee meetings-The draft policy that was created was based on the consideration of reasonable workdays for staff members that attend evening meetings. Legal counsel's recommendation is to move forward with a policy that is based on the building's hours of operation with a building closure time of no later than 10 p.m.

The TA's concern with that approach is that it places the burden on the staff member to remove people from the building. Without a policy, the staff member has no backing to close the building or leave the meeting at a certain point.

Further discussion on the separation of overall Town Policies vs Town Hall Staff Policy and procedure. One of the goals is to separate the current mixture of policy and procedure for the Organization vs the Town Hall Offices.

- 1<sup>st</sup> Step- Not a written policy but a request to Boards/Committees for their understanding.; Example: "Due to the duration of meeting times we would appreciate the consideration of keeping all Board meetings to no more than 3hrs. to allow staff a responsible workday, and the ability to approve and control overtime needs. Your feedback and consideration would be appreciated. We look forward to hearing from you on this matter." This will be sent out to the Boards that we staff with the language of the policy, asking for their understanding, possibly moving into a policy set up.

□ **ACTION ITEM:** The email request via a memo will go out to all Boards and Committees that are currently provided a staff member.

#### **SELECTBOARD ITEMS & FYI:**

12. **Fire Department Monthly report-** The report was reviewed visually by Board members, no discussion took place.

13. **Lakes Region Mutual Aid discussion-** A future letter of support from the Board may be needed to support keeping the current location. The Board will wait to hear from Chief Hempel.

14. **Bridge Update-** On time and on target to finish by the target date of Dec. 11<sup>th</sup>.

*"The project is going very well and everything is going per plan with no major changes, cost increases, or unforeseen conditions. Water has also been lowered at manageable levels and I am very grateful that NHDES was able to help us. On Nov. 05th the concrete abutments will be installed over the piles and in a couple of weeks, there will be a complete bridge in place. The contractor is tentatively planning to open the bridge to traffic by end of November. I am just hoping for the weather to hold up and no snow so we can pave the road. There is a national shortage of dome head bolts for the bridge rail and we are working with the contractor to get some other types of bolts temporarily and replace them in the spring/summertime when the correct bolts are available. The snowplow operator has to be careful to not set the blade against the face of the rail as it will get caught. We can discuss this at a later date. The gabion/stone walls will be replaced with a concrete Redi rock wall, which will provide a better product but the contractor proposed this solution for no extra cost."*

15. **Vacation-** Buy out request; The Board of Selectmen will approve the request based on case by case basis. It is within his budget and is coming out of wages.

**Board Consensus:** The request to buy-out 1- week of vacation time for two employees within the Fire Dept. This will set a not precedent and will need to come from a wage line.

Further discussion on creating an accrued liability fund for buy-outs and retirees. The current discussion within the personnel policy workshops was to include an option for a 1-week buy-out option but the logistic of that create issues from a budgeting standpoint. The recommendation would be to create a max cap for vacation accrual, the employee wouldn't lose their earned time but they also would go above 200 hrs. They would gain time once the time is used. It gives the ability to have known variables in regards to budgeting.

□ **ACTION ITEM:** Look up language for creating the accrued liability fund for the warrant articles.

**Board Consensus:** This request is approved based on the following factors; Due to short staffing and the burden it would create on that department if those employees took their vacation time, this is being dealt with on a case by case basis, and if is only being supported if the Dept. has it within their budget in wage lines  
**Stipulation-** This is not setting a precedent, it will be taken into consideration only on a case-by-case basis and if the money is within the current budget. Money will not come out of the standard operating budget but out of lines that hold wages, just as the vacant position.

16. **GOFERR Grant application request-** The Fire Department would like to pursue funding of a Styker Power load system for the ambulance. The source of the funding would be provided through a GOFERR request. The amount of the grant requested would be \$32,470.54. with a 90% contribution from the State. The remaining 10% would be funded by the annual budget.

**Board Consensus:** The Board provided the approval if persuing the grant for the Styker Power load system.

TA- The Board has been made aware of the computer security increases added to the budget after the presentation took place. The situation that has been discovered within the current budget is that some of the Dept.'s including the executive office under-budgeted for the total contract for CCS. We are currently short approximately \$7,000 for the contract.

The TA requests Board direction regarding where the funds will come from.

**Board Consensus:** The funds will come from each department that was underbudgeted.

Further discussion regarding long-term leases being recognized during the budget process, approval of contracts only done at the Board of Selectmen level unless delegated through Board approval.

**NON-PUBLIC Pursuant to RSA 91-A:3, II (a)- Employee /Transfer Station**

*The non-public meeting was held to discuss the management of the facility and address deficiencies within the reports written by the Health Officer & Code Enforcement.*

**MOTION:** On a motion by Chairman Warren and seconded by Vice-Chairman Baiocchetti it was voted to go into non-public session Pursuant to RSA 91-A:3, II (a)- Employee Review

**MOTION:** On a motion by Chairman Warren and seconded by Selectman Collins it was voted to come out of non-public session Pursuant to RSA 91-A:3, II (a)- Employee.

- ☐ **ACTION ITEM:** Hold a non-public meeting to discuss information with the Transfer Station Manager. Monday, November 29<sup>th</sup> at 5:00 p.m.

**ADJOURNMENT**

**MOTION:** On a motion by Chairman Warren and seconded by Selectman Collins it was voted to adjourn the meeting at 8:35 p.m. (3-0)

Respectfully Submitted,

\_\_\_\_\_  
**Approved by the Board of Selectmen**

\_\_\_\_\_  
Chairman Mark E Warren

\_\_\_\_\_  
Vice-Chair Vincent A Baiocchetti

\_\_\_\_\_  
Selectman Evan J Collins