



**SELECTMEN'S OFFICE  
TOWN OF GILMANTON**

PO Box 550, Gilmanton, NH 03237

Ph: (603) 267-6700

Fax: (603) 267-6701

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

**APPROVED AS AMENDED**

**Board of Selectmen Meeting**

**May 16, 2022 - Academy Building – 5:00 P.M.**

**CALL TO ORDER – ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**Present:** Chairman Warren, Vice-Chairman Vincent Baiocchi, Selectmen Evan Collins, Town Administrator Heather Carpenter

**Public:** Kris and Meredith Kelley, Joe Haas

**MEETING MINUTES APPROVAL**

**1. 05-02-2022 Public & Non-public RSA 91-A:3, II (a) Employee – HWY**

**Motion:** On a motion by Chairman Warren and seconded by Vice-Chairman Baiocchi it was voted to approve the minutes as amended to include line 34, to change the wording to “attended a meeting” not “held a meeting”, and to line 105 add the words “overtime for regular employees as needed per Town Policy”. (3-0)

**Motion:** On a motion by Vice-Chairman Baiocchi and seconded by Chairman Warren it was voted to approve the Non-public. (3-0)

**CONSENT AGENDA**

**2. PO: Wolcott Construction –** Paving a portion of Crystal Lake Rd - \$37,674.00. TA Carpenter clarified that Audley was going to come back and complete the bridge paving in the spring and stated they would pave the portion of the roadway approach coming up to the bridge, however, they reneged on that statement. and would not be completing the project. The Road Agent stated it needed to be done and that the roadway was rough. This will be taken out of Road Betterment.

**3. Acknowledgment –** Recognize the 2021 Revenue from Primex funds that were received for reimbursement for the credit balance for the following items & amounts;

Worker's Compensation \$13,998.22

Property & Liability \$15,122.36

Unemployment Comp. \$24,302.49

**4. Acknowledgment: Highway Block Grant FY22 Qtr4: \$26,632.14**

**5. Acknowledgment: Primex Payment for claim/water damage at the Academy Building - \$3,414.90**

**6. Assessing Items:**

**Current Use Application** 414-049, 412-029

**Yield Abatement** 414-106

**Yield Tax** 408-01-00, 01, 02, 03

**Exemptions & Credits** 131-041

**Motion:** On a motion by Selectmen Collins and seconded by Chairman Warren it was voted to acknowledge the workman's comp property and liability, and unemployment comp. as presented. (3-0)

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

**OLD BUSINESS**

**7. Park Signage –** No dogs allowed signage discussion. There was a situation with a dog, off-leash. It was confirmed with Chief Currier that service animals do not have to be leashed, dogs, in general, do not have to be leashed as long as the owner is present and the animal is not being a nuisance, growling, biting, or chasing people. Currently, there is “no dogs allowed” signage hung at the park. There is nothing through DES or Fish and Game that states dogs cannot swim on the beach. State beaches do not allow dogs. The town does not have a policy or an ordinance. TA Carpenter requested clarification on how the Board



would like to proceed with the signage. Vice-Chairman Baiocchi stated it would have to be an ordinance, not a policy and this is something that Chief Currier is working on now. Discussion held on how the community feels about dogs at the park, whether unleashed dogs affect insurance, cleaning up their waste, and being on the beach area.

**Board Consensus** – Remove signs until an ordinance is made.

8. **Energy Committee** – Clerk of the works, RFP, list of lighting upgrades – They would like to post the Clerk of the Works position for the lighting project and figure out who would be a good fit and present it at the next meeting on June 6th. Discussion held on the timeline, completion date, and authority on decision making for the Energy Committee. The concern is the June 15<sup>th</sup> date listed and approval of the contractor is unable to happen until July 18<sup>th</sup> which would be the next Selectboard meeting after June 20<sup>th</sup>.

**Board Recommendation** – Energy Committee to possibly consider pushing out their dates and recommend having at least one meeting cycle to review the proposal.

## NEW BUSINESS

9. **Request: Historical Society** – Use of the Old Town Hall – John Dickey is requesting the dates to utilize the building. He does not believe that it's going to affect the work schedule that is happening due to the delay in some of the contractors. There has not been an update from Steve Bedard on that schedule yet.

**Board Consensus** – Gilmanton Historical Society can use the Old Town Hall and Tom Howe Barn on the dates requested.

10. **Request: Gilmanton's Own** – Placement into the annual report – They requested to be put on the website under organizations as a valid 501(c) 3, and be placed in the town report. Historical Society and the Lower Gilmanton Club have been added over the last three years because they overlap in services and benefit the community. Gilmanton's Own is solely to benefit their purpose. Discussion held on other 501(c) 3 organizations in the community as a comparison and whether they are listed on the website and/or town report.

**Board Consensus** – To list Gilmanton's Own on the website under organizations but at this point, it does not need to go into the town report.

11. **Personnel Action Form** – Fire Department – Completion of the probationary period for Brandon Wood, request has been budgeted for and the request is per the chief's recommendation.

**Motion:** On a motion by Vice-Chairman Baiocchi and seconded by Selectmen Collins it was voted to approve the promotion to Step 2. (3-0)

12. **CC Trails Subcommittee appointment** – Frank Allen, the recommendation was provided to the Board.

**Motion:** On a motion by Selectmen Collins and seconded by Chairman Warren it was voted to appoint Frank Allen to the Conservation Trails Subcommittee for a term of one year. (3-0)

## PRESENTATION & DISCUSSION – 6:00 p.m.

13. **4<sup>th</sup> of July Association – Adam Mini** – Request: A signature of approval is required to obtain a permit for the parade through DOT. The Police Chief has reviewed the request and signed off on it and made some edits.

**Motion:** On a motion by Selectmen Collins and seconded by Chairman Warren it was voted to approve Chairman Warren to sign the parade form on behalf of the Board. (3-0)

14. **Gates and Bars Request – Meredith & Kris Kelley presenting as the new property owners and abutter of the roadway.** Request to install bars at the areas as follows; Upper City Rd by the Bosiak property per the 1972 Article 49 approval. Since they've owned the property things have changed because of the towers being installed. Now that the tower has been put in, people are using the roadway out of curiosity or riding recreation vehicles down it. Their intent is not to prevent the public's access but to just prevent them from driving through the side of their fields. TA Carpenter clarified that this road subject to gates and bars was approved in 1972. You are allowed to put a gate or a bar that extends past the width of the



roadway on either side, however, it cannot be locked. This would still allow the public to have access. This road was mandated to be upgraded for the purpose of the cell phone towers. The Kelley's are proposing a gate to be at the beginning of Sanborn Rd as you enter onto Upper City Rd. The road is only passable up to the cell tower and then it is overgrown. Everyone who goes down has nowhere to turn, so they turn into their field and drive through. The snowmobile trail runs up to their property and up behind. The gate would slow the traffic and deter people from going up to the cell tower. This is a Class VI road and it is not town maintained. The cell tower company would pay for the gate to be installed. Chairman Warren read RSA 231:21-A, which required gates or bars by private landowners to be erected so as not to interfere with public use on a Class VI road. Such gates or bars must be capable of being opened and to be closed by highway users. Municipalities are authorized to regulate these structures to be sure of public use, they have the authority to have gates or bars removed if they have fallen into disrepair or if they interfere with public use of the Class VI Road. Mr. Kelley questioned whether the Board has the authority to make it so this particular piece of roadway is not opened for public access? If they have an issue with people moving the gate and continuing to use the roadway then they can revisit at a later time, but they believe that putting the gate up would eliminate curiosity. The entryway is about 41 feet. Selectmen Collins requested something in writing that other property owners are okay with the gate being constructed.

**Motion:** On a motion by Vice-Chairman Baiocchetti and seconded by Selectmen Collins it was voted to allow the Kelley's to put up a gate, that is not locked, and provide a letter from the abutters that they agree to the gate. This is a conditional requirement. (3-0)

☐ **Action Item:** TA Carpenter to research if the board can give authority to block this particular roadway from public access.

☐ **Action Item:** TA Carpenter/Selectboard to come up with a minimum standard regarding gates and bars at a later date for any future requests.

#### **SELECTBOARD ITEMS, FYI, & OTHER TOPICS**

**15. Highway Update** – 2022 Crack Sealing and RFPs have come in for the road bid project. The Board has requested an update on seasonal projects. If the Board approves the bid request that is being presented, it will be posted this week. The is working on additional project information and will be submitted as he works on it.

**Board Consensus:** To have the Crack Sealing RFP posted.

**Motion:** On a motion by Vice-Chairman Baiocchetti and seconded by Selectmen Collins it was voted to have the Crack Sealing RFP posted. (3-0)

Selectmen Collins questioned if a Crack Sealing line item should be created for future use since this is done every year. TA Carpenter agreed Highway Department and Transfer Station have some work that needs to be done on the itemization of their budgets.

**Culverts** – Detailed information was given on how much is kept in storage and which lines they would come out of. Discussion held on ditching and which roads are done by the Highway Department and which are included in the future road projects.

**Sealed Bids** – Two bids received. First, Busby Construction, out of Atkinson, NH. Second, EARTH, Northeast EARTH Mechanics, out of Pittsfield, NH. The Board would like to review the bids submitted. Motion to be made at next Selectboard meeting on June 6<sup>th</sup>.

**Grant update** – Chief Hempel and TA Carpenter had a meeting regarding the grant and moving on to the next step in applying for the grant if the Board wants to move forward. The total being requested is \$1.6 million. There is information regarding the best grant for the town to apply for, one being hazardous mitigation with a 75 percent match and it needs to be applied for no later than July 2<sup>nd</sup>. ARPA funds would need to be utilized for this match but we are waiting to hear if that is possible. If the grant is awarded, the funds would need to be used within 36 months.



**Board Consensus:** Approves applying for the Grant.

- 16. Fire Dept. Update:** A bid has been awarded to Brindle Mountain for the 2004 HME Fire Truck – The amount to be received is \$75,000. Selectmen Baiocchi asked if the revenue from the sale of the firetruck could be placed in the ambulance account for the future purchase of an ambulance. Selectmen Collins disagrees with moving the funds to this account. There would need to be a strong proposal and information presented on using the funds for the ambulance because there is already a current CIP account and the funds from the newly established revolving fund that can be used for that purpose.

**Chairman Warren** – At the last Planning Board meeting it was determined that the RSA is correct, it is the landowner's responsibility to replace their culverts and to maintain them on either side of it. The Planning Board has acknowledged it. This will need to be communicated on the website and be established with the Road Agent. The Planning Board is going to follow the RSA, which is culverts are the responsibility of the landowner to maintain and replace as necessary.

**Chairman Warren** – Questioned if there is a policy for employees that remove items that have been donated from the Transfer Station. TA Carpenter clarified there is a policy about the free room. Discussion on the specificity of the policy March 3<sup>rd</sup>, 2014.

**PUBLIC COMMENT – 7:00 p.m.**

- **Joe Haas** – Question on the culverts, was it on a subdivision or private road where the landowner has a responsibility. Chairman Warren clarified that it is anybody's driveway that has a culvert off of any public roadway. He discussed making a culvert and fixing the damage on Parsonage Hill Rd. This is a Class VI Rd and owners are responsible to maintain the road.  
He attended the School Board meeting and is requesting that all the state reps be invited to discuss the funding of education.  
He requested Jeanne Shaheen or her rep be invited to talk about constituent services.  
Discussion on grant process – TA Carpenter clarified the process of applying for federal grants.

**Motion:** On a motion by Chairman Warren and seconded by Selectmen Collins it was voted to move into non-public RSA 91-A:3, II (I). (3-0)

- 17. NON-PUBLIC Pursuant to RSA 91-A:3, II (I)** – Legal for the following matters; 323 NH RTE 140, Raze and Remove order, Varney Rd., South Rd., revision of Employee Complaint Policy – Recommendations per legal counsel, Harassment issue, and recommendation and updates on all matters.

**Motion:** On a motion by Chairman Warren and seconded by it was voted to come out of non-public RSA 91-A:3, II (I). (3-0)

**Adjourned 8:17 P.M.**

Respectfully Submitted,

**Approved by the Board of Selectmen**

Chairman Mark E. Warren

Vice-Chair Vincent A. Baiocchi

Selectman Evan Collins