



Board of Selectmen
Town of Gilmanton, New Hampshire

Board of Selectmen Meeting
December 21, 2020 - Academy Building - 6:05 P.M.

APPROVED AT 01-04-2021

Present: Chairman Warren, V Chair- V Baiocchetti, Selectman Collins & Acting Town Administrator- Heather Carpenter
Also Present- Chief Matthew Currier, Sarah Baldwin Welcome, Stephen Bedard, & Town Clerk/ Tax Collector-Maura Thomas

PUBLIC MEETING MINUTES APPROVAL

12-07-2020 B.O.S. Meeting Minutes-**MOTION:** On a motion by Vice-Chairman Baiocchetti and seconded by Selectman Collins, it was unanimously voted to approve the 12-07-2020 minutes (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

NEW BUSINESS- Part I

Gilmanton's Own Update- Sarah Baldwin-Welcome

Mrs. Baldwin- Welcome is updating the Board members on the 501c3 local business happenings, activities, volume of customers, future needs, and what is in store for them shortly as the Brick House is being sold and they are unable to remain to rent space there.

- Requested that the Board consider the Old Town Hall auditorium as an option to house Gilmanton's Own.

OLD BUSINESS

Old Town Hall/ LCHIP update Stephen Bedard- Mr. Bedard is going to share with Board how to better our chances for next year's approval process for LCHIP with the information he obtained at the Zoom meeting he and John Dickey attended on the 14th.

The Old Town Hall was on the cusp of approval with a 3.8 score. LCHIP has made some recommendations to improve the approval chances in the future. Mr. Bedard recommends the Board should consider not addressing the windows currently but focus on the heating system as LCHIP is moving away from those requests. The application will present stronger next time if the Town handles the heating system needs. Mr. Bedard has requested that his donation be used to help take care of the cost of the heating system replacement and not on the windows.

Board Consensus: Is to move forward with the change in taking care of the heating system first.

- Mr. Bedard's donation of \$ 9,900 will go towards the heating system and not the windows
- \$10,000 Match from the Town
- Mr. Bedard requests that a second quote be given for heating system replacement for the Old Town Hall.

TC/TX deeding discussion & update on taxes received- Maura Thomas- The Town Clerk/ Tax is updating the Board on the Deeding date that passed on 12-14-2020, the option below is what can be done at this point.

Recommendation & options for Deeding or Deed Waivers:

- Waive all deeds noticed for the 2017 levy with a deed date of the 14th. It is my understanding that this will not require a meeting on the deed date of the 14th. The waivers will still need to be signed by the Selectboard and notarized.

The recommendation to waive all properties up for deed because Certified notices have already been sent to the mortgage companies, owners, and linked owners at this time and the deed date of the 14th has passed.

The board can reinstitute deed proceedings at any time for these parcels, as long as the correct and lawful noticing takes place at that time (30 days noticing to all owners, linked owners, and mortgagees).

The Town Clerk/Tax Collectors suggestion is that the Board issues deed waivers due to potential liability, which will allow the board to deed these parcels again as early as 4/27/2020. This is the date that the board can begin deed proceedings on parcels for the 2018 levy (2019 lien). At that time, the Board can restart deeding proceedings for all

parcels unpaid in levies 2018 and older and will allow the Selectboard time to schedule appoints for contracted properties, as well as to reevaluate any contracts they may wish to retract.

Applicable sections of the law below:

RSA 80:76 Tax Deed

- *The collector, after 2 years from the execution of the real estate tax lien, shall execute to the lienholder a deed of the land subject to the real estate tax lien and not redeemed.*
- *Notwithstanding the provisions of paragraph I, the collector shall not execute a deed of the real estate to a municipality when the governing body of the municipality has notified the collector that it shall not accept the deed because acceptance would subject the municipality to potential liability as an owner of the property under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. section 9601 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. section 6901 et seq.; RSA 147-A and 147-B, and any other federal or state environmental statute which imposes strict liability on owners for environmental impairment of the real estate involved. RSA 80:76 Tax Deed Continued*
- *In addition to the circumstances described in paragraph II, the governing body of the municipality may refuse to accept a tax deed on behalf of the municipality, and may so notify the collector, whenever in its judgment acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest. Such a decision shall not be made solely for the benefit of a taxpayer.*
- *When a governing body has, under paragraph II or II-a, served notice upon the collector it shall not accept the deed, the tax lien shall remain in effect indefinitely, retaining its priority over other liens. The taxpayer's right of redemption as provided by RSA 80:69 shall likewise be extended indefinitely, with interest continuing to accrue as provided in that section.*
- *The tax lien may be enforced by the municipality by suit as provided under RSA 80:50 and through any remedy provided by law for the enforcement of other types of liens and attachments.*
- *If at any time, in the judgment of the municipal governing body, the reasons for refusing the tax deed no longer apply, and the tax lien has not been satisfied, the governing body may instruct the collector to issue the tax deed, and the collector shall do so after giving the notices required by RSA 80:77 and 80:77-a.*

MOTION: On a motion by Chairman Warren and seconded by Selectman Collins, it was unanimously voted to approve the deed waivers for the following parcels as listed by map and lot:

119-106	130-042	112-046
119-104	112-048	131-087
119-002	132-099	108-027
132-111	122-035	420-136
122-105	121-035	108-002
412-010	117-013	

(3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

Note: All deed waivers signed and notarized

NEW BUSINESS- Part II

Vacation time roll-over request & PO request and discussion Chief Matthew Currier-

Due to COVID and Police Academies, other types of leave 2020 has been tough for PD staff to use vacation time. Below is the time being request of "use or lose time" for each employee;

- Dept Head- 22.50 hrs.
- Officer #1- 29 hrs.,
- Officer #3-24 hrs.
- Officer #2- 24 hrs.

Acting Town Administrator requests to roll-over vacation time that has been unable to be used.

Board decision: It has been requested by the Board to have all employees who are losing time by 12-31-2020 are to submit a request in writing for a request to carry over the vacation time or employees can request a buyout of that amount of time that will be lost, the request needs to be submitted to Finance with the next payroll submission. If employees do not place a request in writing their time will be lost.

CONSENT AGENDA

- Light Commercial Haulers- Lakes Region Dumpster- New application- Approved, permit will be signed at a later date
- Rowell's- Plumbing Academy 50% deposit-\$8143.50 total purchase order written for \$16,287- Signature received
- Ossipee Mountain Electronic- PO #01120- Radar Raptor \$2,657.40
- Ossipee Mountain Electronic-PO #000997- Motorola portable radios- \$13,366.36
- Atlantic Tactical-PO #01122- Level 4 Rifle Shields with viewports- \$12,087.50

MOTION: On a motion by Chairman Warren and seconded by Vice-Chairman Baiocchetti, it was unanimously voted to approve the consent agenda as amended. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

Energy Committee Term expiration & Letter of Interest- Sarah Thorne:

Ms. Sarah Thorne is presenting a letter requesting reappointment to the Energy Committee. All of the initial terms were for one year, which expires on 12-23-2020. Other members all will be sending in our letters asking for reappointment, with suggested staggered term lengths.

MOTION: On a motion by Selectman Collins and seconded by Chairman Warren, it was unanimously voted to approve the re-appointment of Sarah Thorne, Susan Hale-de Seve, Richard de-Seve, Nate Abbott, Vincenzo Siti, and Cyndi Paulin to the Energy Committee in a three-year staggered term of 3- Member for 3 Yrs., 2 Members for 2 yrs., and 2- 1 yr. terms (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

PUBLIC INPUT-NA

WA Projects from 2020/Contracts:

- ❖ **Wolcott Paving Contract- MOTION:** On a motion by Vice-Chairman Baiocchetti and seconded by Selectman Collins it was voted to authorize the Chairman to by the sole signature for the Wolcott Paving contract for the amount of \$100,277.50 per contract for the Academy Building project. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).
- ❖ **Piper Roofing Contract- MOTION:** On a motion by Selectman Collins and seconded by Vice-Chairman Baiocchetti it was voted to authorize the Chairman to by the sole signature for the Piper Roofing contract for the amount of \$32,630.00 per contract for the Academy Building roof replacement. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

Primex- Playground/ Parking Recommendations-*Information was given to the Board based on a discussion that was had at the 12-07-2020 meeting, this information comes from our Risk Management Consultant at Primex Mr. Robert*

Barry regarding the recommendation for safety measures surrounding the playground and parking at the Academy Building.

Holiday Schedule-

Holiday pay for Transfer Station employees is one payment in Dec. similar to PD & FD and adjust the days of opening. To date, I am still talking with the manager and I am waiting for confirmation. This item was not addressed at this meeting and will need to be addressed at the following meeting.

SELECTBOARD ITEMS

Vice-Chairman Baiocchetti- Adam Mini on the School Board reached out to see if there was interest in assembling a conference call for a subset of each board and town officials to start a dialog about how our series of meetings such as Deliberative Session, Public Hearings, etc. will be held in consideration of the pandemic. Committee will consist of the following individuals; Mark Sisti – Moderator, Maura Thomas - Town Clerk/Elections, Brian Forst - Budget Committee, Adam Mini - School Board, and Vinnie Baiocchetti – BOS Rep. Is there interest from the Board to participate and if so, approval from the Board is needed to approve a representative on their behalf to participate?

Board Consensus: The Board is interested and approves the Vice-Chairman to be the representative.

2021 BUDGET DISCUSSION

Updated budgets warrant articles, and encumbrances, the only discussion of changes to the budget will be discussed
- Operating Budget, Warrant articles & Encumbrances- The budget is being presented by the ATA Carpenter & Finance- Brenda Paquette. The Operating budget & Warrant Articles have been updated and will be highlighted to reflect changes. This is the first time Encumbrances have been brought forward for this year's budget.


Encumbrances:

- \$100,000.00- Legal; to help cover outstanding items and items yet to come such as PSNH, FairPoint, Cell Tower, bills, and settlements.
- \$16,095.00- Repair and maintenance Academy- Paving difference in the contract vs the warrant article amount, and remaining amount to cover the plumbing project. *Total projects to be completed are; Emergency door- roughly \$7,000.00 and carpentry need for the project, \$ 16,000.00 for plumbing, \$22,050 left in Municipal Aid monies.*

Items that still need to be covered;

- PO for a sander that was covered via the 2020 warrant article
- \$15,500 – Remaining amount needed for Fire Dept. Roof a deposit has been paid at this point.
- Warrant Article Road Assessment and Culvert Assessment
- Loon Pond Dam Repair; Project #1 had been completed, the \$5,912.00 reflects the warrant article, remaining money to go towards the second part of the project next year. - This is reflected in the budget under the Government Building line.
- Crystal Lake Bridge- \$26,901 from 2019 remaining balance, \$3,478.75 is from a 2016 warrant article, non-lapsing.
- From the 2020 budget, we will be returning \$158,000.00+ from the encumbrances for the Stage Rd. bridge due to the project coming in under budget. This will be returned in 2021 to the General Fund.

MOTION: On a motion by Selectman Collins and seconded by Vice-Chairman Baiocchetti it was voted to accept the 2020 encumbered funds to 2021 for \$296,492.00. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

 ***Projects that no movement has been made in 2019/2020- Academy Building: Brickwork, sidewalks, auditorium ceiling repair, decking repair from rot.***

Include encumbrance spreadsheet with the minutes

- Warrant Article -There are a total of 26 Warrant Articles being submitted, the highlighted portions are changes and the ones in red have not been received.
- CASA was added, they had submitted a request in September but the warrant article had been missed.
- Crystal Lake Bridge-amount changed
- Milfoil Request- \$1,000
- 4th of July Association- \$4,500
- Snowmobile Association- \$2,500.00
- Warrant Article #3-F.D.-Updated proposed funding from Chief Hempel- \$100,000/ 50,000

Discussion on the 2020 Warrant Article #28 Est. EMS Revolving Fund established from the ambulance fund and how the language is interpreted for the 50% of all revenue, up to a yearly maximum of \$50,000.00. Due to the Emergency Orders in 2020, the Board only placed \$50,000.00 instead of the \$100,000 this year.

- WA #4- No tax impact because the intension is to close accounts and place them back in the General Fund
- One-ton Dump Truck- The overall number is correct; language is still being determined to see how we can reflect the trade possibility. The tax impact is through Gross appropriation to raise and appropriate.
- WA #6- Crystal Lake Park Well-\$5,100.00 to be moved into the budget- Wash Well Company, documentation under Parks and Rec.
- Modify Elderly Tax Exceptions-The first year was the lowest hit and will continue to grow every year. Waiting to receive confirmation from legal if the Budget Committee can give a recommendation.
- The average difference between a non-cap vs a capital account is if the Board are agents to expend or not. Expendable Trust Funds are funds that the Board are agents to expend.

MOTION: On a motion by Chairman Warren and seconded by Selectman Collins to approve the warrant articles as indicated in draft 12-01-2020 with the modification to remove article # 6 Repair Replace Crystal Lake Well and place it into the proposed 2021 budget. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

The Board had originally reviewed the budget overall and under Board consensus moved it forward to the budget committee with the understanding the numbers would be honed at a later date. Changes discussed within this meeting have changed the operating budget and changes will be given to the Budget Committee.

MOTION: On a motion by Vice-Chairman Baiocchetti and seconded by Chairman Warren it was voted to approve the changes in the operating and default budget to reflect the total amount of \$4,229,736 for the Operating budget and \$4,191,286 for the Default Budget. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchetti-yes, Selectman Collins-yes).

Side note: The difference between the Operating and the Default are \$38,450.00, the operating budget was increased within the Welfare budget due to an influx of use during COVID-19 towards the end of the year. Per RSA the welfare need has to be covered and if another influx can not be covered by the capital account will need to be covered by the budget.

NON-PUBLIC Pursuant to RSA 91-A:3, II (b)-Hiring

MOTION: On a motion by Vice-Chairman Baiocchi and seconded by Chairman Warren, it was unanimously voted to go into non-public session per RSA 91-A:3, II (b). (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchi-yes, Selectman Collins-yes).

This meeting was held to discuss the response timeline for candidate #1 for the vacant Town Administrator role. It is by Board consensus that Vice Chairman Baiocchi be allowed to negotiate up to \$85,000.00 with candidate #1.

MOTION: On a Motion by Chairman Warren, and seconded by Vice-Chairman Baiocchi it was voted unanimously to come out of Non-Public Session. (3-0 Voice Vote – Chairman Warren -yes, and Selectman Wilson-yes and Vice-Chairman Baiocchi-yes).

Conclusion: Next BOS meeting is set for 01-04-2020- Revenues will be reviewed before the Budget Committee meeting on 01-06-2020. The entire budget must be publicly heard before by Jan. 19th, 2020.

MOTION: On a motion by Vice-Chairman Baiocchi and seconded by Chairman Warren, it was unanimously voted to adjourn at 10:24 p.m. (3-0 Voice Vote, Chairman Warren-yes, Vice-Chairman Baiocchi-yes, Selectman Collins-yes).

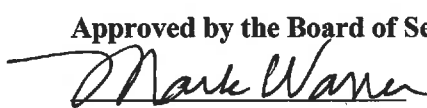
Respectfully Submitted,



Heather Carpenter

Acting Town Administrator

Approved by the Board of Selectmen



Chairman Mark E. Warren



Vice-Chair Vincent A. Baiocchi



Selectman Evan Collins

01-2440-010

OR/ Minutes Dec 21, 2020

General Operating Budget

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