



**SELECTMEN'S OFFICE
TOWN OF GILMANTON**

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**Board of Selectmen Meeting Packet-
May 17, 2021 - Academy Building - 6:00 P.M.**

APPROVED

Present- Chairman Mark Warren, Vice Chairman Baiocchetti, Selectman Collins, TA- Carpenter, and Town Clerk/Tax Collector- Maura Thomas

Other Present: Joe Haas, Sarah Thorne, Paula Gilman, Patrick Hackley, Dick de Seve, Sue Hale de-Seve, and Nate Abbott

Zoom- *The zoom portion of the meeting was turned off at the beginning stages of the meeting due to a misuse of the virtual meeting by disruptors.*

PUBLIC MEETING MINUTES APPROVAL

- 04-19-2021- **MOTION:** On a motion by Chairman Warren and seconded by Vice Chair Baiocchetti it was voted to approve the minutes of 04-19-2021 (3-0).
- 04-28-2021- **MOTION:** On a motion by Chairman Warren and seconded by Vice Chair Baiocchetti it was voted to approve the minutes of 04-28-2021 (2-1 Abstain-Selectman Collins).
- 05-03-2021- **MOTION:** On a motion by Vice Chair Baiocchetti and seconded by Selectman Collins it was voted to approve the minutes of 05-03-2021 (2-1 Abstain-Chairman Warren).

Board consensus to have the Town Clerk/ Tax Collector move ahead within the agenda to discuss deeding. (3-0)

Town Clerk/Tax Collector- Lien and Deeding Process

Lien Notice has been sent on Thursday of last week, lien date of June 18th and we have already received a few payments.

Deed notice will be sent this Friday, the deed date is set for June 21st. At this point, the Selectmen should determine their stance on how they choose to move forward with contracting or waivers before the deed date of June 21st.

Attached is a short write-up, a listing of properties up for deeding (*NOT FINALIZED*) with previous contractual owners highlighted, this is every parcel set to be deeded for this year, everything older than April 26th, 2019, which was the date of the perfection of the most recent lien. We are looking at 2019 tax lien or older. Additional information was given as an example of an expedited process for selling tax deed parcels. However, more research would have to be done. If the Board desired to go in that direction and depending on the RSA that the Town has voted in through past votes, it may need to be approved via a vote by the town. *An example of the Town of Pittsfield letter was given to the Board.*

The highlighted portions are individuals who have historically had tax contracts with the Town. Based on this list, the Selectmen need to determine if they are moving forward with contracts or the deeding process. It the recommendation that they move forward in the deeding process. If the Board reviews the list and the Board chooses to move forward with a waiver for environmental reasons or another reason it is the Board's purview.

At the next meeting on June 07th, there will be an updated list brought forward to the Board with finalized parcels. Generally, once the certified notices are sent owners generally pay off, so they do not go to tax deed.

Vice-Chair: Is this when we can offer contracts?

TC/TX- Historically, this is when the Selectmen would review the information, the TA would reach out to the property owner to go over that they have received notices at this time to let them know that the deeding process is in motion.

If the Select board chooses to move forward with the contract process, they would sit with the resident, the TA, and the Town Clerk/Tax Collector would be present with a statement of their account. The Board would review the information to determine whether a contract is suitable for the situation. If a contract is set up, it would come into play before tax

deeding. The tax deeding would be executed like last time, the waivers, and either you chose to deed or chose to waive. Once deeding has been chosen, the information will be recorded at the Registry of Deeds and the Town would take the property.

Pittsfield's process for the prior owner to re-purchase a property they lost to deed is a 90-day timeframe as opposed to what Gilmanton currently does, which is waiting for the three years and one-day period.

Chairman- There is terminology on the example letter that I am not clear about, it says, "along with the principal interest and fees there is a penalty of 10% of the equalized assessed value at the time of the deed." So, what is that equalized assessed value?

TX/TC- I will reach out for clarification to give solid information so I do not speak on behalf of their town and why that penalty is used.

Selectman Collins- You stated there is an extra 30-day grace period after the 30 days, in essence, there are 60 days.

TC/TX- The letter is sent within the first 30 days the owner must inform the Select board, then they have an additional 30 to get the payment to them, and then the Selectmen can lapse the payment for another 30 days for a grace period.

Further discussion of when a property is taken by deed, the ownership effectively changes. During a period, the prior property owner can re-purchase the property for the amount owed with the addition of any fees that the Town incurred from deeding the parcel. The understanding that most parcels on the list have residents living there and the eviction process would need to be undertaken by moving forward with the deeding.

CONSENT AGENDA

1. P.O.-R.S. Audley- Construction Phase Crystal Lake Bridge over Nelson Brook- \$999,654.00. This is the total bid price that the Board had accepted, the additional invoice that comes in will work against this purchase order. We are waiting for the reimbursement check from the state to come in, it has been approved they are just waiting for the Commissioner's signature.
2. P.O.-Lakes Region Fire Apparatus Inc. Engine 1 Emergency Repairs- \$6,059.73- The recommendation from Fire Chief is to take the money from the Non-Cap fund- Fire Dept. Vehicle Maintenance was created for unanticipated expenses.
3. Acknowledge and determination of Primex check for the 2016 Ford Expedition; to be used for the repairs through Stephen's Collision damage:

TA Recommendation: The check should be acknowledged and a motion for the money to be used for the repairs. Once the invoice comes in the PO will be placed in the yellow folder for signature.

MOTION: On a motion made by Selectman Collins and seconded by Chairman Warren it was voted to accept the Primex check in the amount of \$5,358.80 and to use those funds for the repair of the 2016 Ford Expedition. (3-0)

4. Deputy Warden Appointment as prepared by Fire the Chief
5. New Hampshire Electrical Coop & Union Telephone Company-Petition and Pole License No. 3756 – Crystal Lake Bridge Project
6. Event- Crystal Lake Park- Wedding, insurance certificate pending
7. Event - Crystal Lake Park-8th Grade Field Day-School
8. Farmers Market- Wildbloom Beer, LLC- Request for approval for retail at Gilmanton's Farmer's Market.; Board Consensus is to allow the Chairman to be the sole signature approving the retail of their product at the Farmers Market. The petition request is submitted through the State of NH Liquor Commission Division of Enforcement and Licensing. Bre in Planning is double-checking to make sure that the Market is still in compliance with the number of vendors they are allowed. The Board approves unless other information is found.
9. Assessing Item:
 - Valuation of Solar Installation- Recommended approving the change in the base assessment rates of solar electric systems; reduced from \$3,500.00 to \$2,000.00 per kw.

Chairman notes- It is his understanding that the Assessor is recommending this to come in line with the current value of the solar installation. Additionally, it does not affect the resident's taxation. Further discussion on the calculation and the reason for the recommendation.

MOTION: On a motion by Chairman Warren and seconded by Selectman Collins it was voted to approve the recommendation from the Assessor to change the valuation of our solar electric systems from \$3,500.00 to \$2,000.00 per kw in accordance with RSA 75:8. (3-0)

- Elderly Exemptions -419-081- Deny based on assets limits greater than town minimum
- Solar Exemption-128-021- Grant
- Yield Tax & Warrant-135-001- \$1,219.23

MOTION: On a motion by Vice-Chairman Baiocchetti and seconded by Chairman Warren it was voted to accept the assessment recommendations as presented. (3-0)

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

COMMITTEE UPDATE

Energy Committee- Sarah Thorne presenting-Member of the Energy Committee: Final Proposal for Energy Audit: The Energy Committee is recommending that the town engage the Resilient Buildings Group to conduct the audit for us. You may recall that they were the group with the most complete proposal and a competitive price. They come well recommended and could begin the work in June if you approve their proposal in May. They would present their complete report and energy improvement recommendations by Sept. 15. Their fee for the work is \$13,650 and would be due upon their completion of the work. If there are extra trips or tasks beyond the scope of work in the proposal, they would bill extra for these. I spoke with Steve Bedard about the Old Town Hall and he agreed that it would be beneficial to the town to include the Old Town Hall in the audit.

Attached is their proposal that describes the audit process and also a draft contract for Gilmanton. Our Chair, Nate Abbott and I will be attending the meeting and would be glad to answer any questions that you have. It would be helpful to know who you would like to attend the site visits with the auditor. It would be good to have at least one knowledgeable person involved in the maintenance and us each building. After the audit contract is complete, the town will have the information it needs to implement specific recommendations. RBG can oversee these improvements, or the town could hire another firm at that point.

Other updates- Sponsoring an NH Saves Button Up virtual workshop on June 08th at 7:00 p.m.- See attached flyer Solarize Gilmanton Campaign is off to a good start, 20 people signed up for site visits & two so far have signed up for installations through Sunflower Power LLC.

MOTION: On a motion by Chairman and seconded by Vice-Chairman Baiocchetti it was voted to proceed with the proposal from Resilient Buildings not to exceed \$14,000.00 and for the Chairman to be the sole signature on the contract. (3-0)

- € **Action Item:** PO for the approved amount will be placed in the yellow folder for signature later in the week. Dept. Heads should be present for the building audit done for their department. Steve Bedard will be present for the Old Town Hall.

Conservation Commission -Patrick Hackley, Paula Gilman, and Dick de Seve-

The big item the Commission is still working on is the Natural Resources and Inventory list which includes resources such as air, water, land, and wildlife. The inventory once complete will come with recommendations on how to protect those things in the future. Knowledge like that only helps to enhance the beauty of our community, enhances the value of the properties, and has great benefit to the wildlife.

We are in the process of discussing a piece of property with Mr. Allen, who is willing to donate a property that is approximately 118 ac. off Middle Rte. and connects to the Betty Smithers Forest. Those connections are important because it creates wildlife corridors to move between areas and is a great benefit.

Speaking to Loon preservation we found out that Shell Camp was the first pond to have Loons return this year.

There is an understanding of conservation and development, those two things work hand in hand and are not mutually exclusive.

The other item is the Meeting House Road property that has the barn and trails. One of the things the Commission is doing is working with the Gilmanton Land Trust, we want to name that property after our good friend Tom Howe, who did so much work for the Town. Another gentleman named Joe Urner and as a part of the easement on the property, we want to name the trailhead after Joe. The overall property will be named after Tom and the trails after Joe. The event to celebrate the renaming will be held sometime in August.

Further discussion on monitoring easements to make sure they are following the requirements and the property is being used as it was agreed upon.

More members are needed, we just added an alternate member, but we are looking to add more members through the warrant article because originally when the Commission was formed it was to include six members and four alternates.

Further discussion on the benefit of a Conservation Commission being prepared for purchase, there was a recent purchase of a property in Londonderry in the amount 1.3 million that had great natural features and for their community, it is vital because their area is progressively being developed. That Commission receives 100% of the Land Use Change Tax and they were able to purchase and preserve the land. Being prepared to preserve land, working in conjunction with Gilmanton Land Trust and Five Rivers Conservation to maximize our assets to protect special places. Vice-Chairman- Is that purchase off Middle Rte., is that going to increase the size of the Betty Smithers forest?

A: That is the hope, the Betty Smithers Forest is approximately 300 ac with the addition it should bring it just under 500 ac.

Further discussion on the location of Reading Pond and the flax on the property.

Selectman Collins- Is there a place online where people can go to see the easements?

A: Yes, on the Town website under Conservation there is a map showing the easements. Easements are permanent and run with the land, but the owner still owns the land.

Patrick Hackley- LUCT

The Commission desires to increase the Land Use Change Tax from the current amount of the first \$2500.00 plus 10% goes to Conservation to 50% going to the Commission. It has been 11 years since the change in that rate has taken place.

The 50% request is a fair compromise to create a conservation fund that has a meaningful balance in it. With the purchase of Frisky Hill, we depleted roughly around 75% of the fund to preserve that iconic property. There is a difference in protection and conservation. Conservation is wise to use, protection and preservation mean no use. Conservation lands are open to the public and open for hunting, recreation, and park where you may.

Further discussion on the differences and uniqueness of conservation easements and why no two are alike.

Chairman- How many properties in the last three years have come out of current use?

Patrick Hackley- Between 2016 -2018 Gilmanton was one of the fastest in Belknap County for properties being pulled out of current use.

Chairman- It would be helpful to provide goals, objectives, and strategy going forward to understand the plan. Our residents are willing to get behind things if they understand the strategy and helps us get somewhere and is a benefit.

Vice-Chairman- Why did the LUCT use to be the first 5,000.00 and 10% compared to what the current percentage is? The change happened in 2007.

The compromise came out of the effort to greatly reduce the portion that Conservation Commission received, Brian Forst came up with a compromise. That year was a very tight budget year.

Further discussion on the formula for the LUCT and the importance of conservation, soils of statewide importance, and preserving those soils which equate to food, no farms no food.

PUBLIC INPUT – 7:37 p.m. Public input is set at 5 minutes per person.

Joe Haas-

First Item: LUCT Tax compared to the Gas tax and the use of that tax to be put towards upgrading roads not just maintained. The LUCT suggestion is to split it in 1/3 increments between, the Town, Conservation, and the use of Upgrading abutting roads to those properties.

Second item: The Tax Warrant, should not be signed due to Constitution Article 5 part 2.

Further statements by Mr. Haas on the litigation with the Town, no response from the Town was provided.

OLD BUSINESS

- Swim Instructor- Request from Kathleen Morrill;

At the last meeting I stated to the Board that Cathy Lines was willing to run the swim lesson, it has been brought to my attention after that discussion that Kathleen Morrill is interested, and Cathy is happy that she is willing to come back on board. However, this was her request; to be paid the full amount even if the water contamination happens again this season or if the program gets rained out. She stated that she sets the time aside for the program and those are both circumstances out of her control and she would like to be paid. She cannot make up any canceled dates as she has scheduled vacation time already set up. I did relay to Ms. Morrill that because the Town is taking her on as a seasonal part-time employee to cover the position for liability reasons, per the personnel policy seasonal employees are hourly and only paid for the hours worked. I did let her know I would relay the information to the Board for clarification.

There is \$3,200.00 in the budget, \$2,000.00 is allocated to the instructor, and the \$1200.00 is allocated for assistance that she brings on, in the past, they have been local high school students and they also get brought on as seasonal employees. Past programs only received Board approval, but no offer of employment letter was given out for any of these positions but as this is a new board, I am requesting clarification on how you would like to proceed.

TA Recommendation: As a sub-contractor with her insurance I could understand Kathleen's request, however, as a seasonal employee she would receive pay for hours worked. Temp Seasonal employees get paid based on time worked.

Board Consensus: To pay for hours worked.

€ **Action Item:** TA will write up a letter of employment with the three steps similar to the Park Attendant.

- Legal Review – Case No. 2020-0325 & Joint Representation with cable television franchise *see attached
 - Intermunicipal Agreement & Terms of Representation-This is the agreement for the cable consortium

Board Consensus: To have the Chairman be the sole signature on the inter-municipal agreement.

NEW BUSINESS

- Employment Offer- Selectmen's Office and Park;

Amanda Davis and Krista Nielsen; Background checks have been submitted but have not been received at this point.

TA Recommendation: I am recommending that the board approve both, starting immediately for the Park Attendant and a June 01st start for the Clerk. Continued employment will be contingent on a successful background check.

MOTION: On a motion by Vice-Chairman Baiocchetti and seconded by Chairman Warren it was voted to hire Amanda Davis as the Research and Information Clerk with a pay rate of \$18.25 for no more than 30 hrs. per week, the position has a 6-month probationary period with a review, and continued employment is contingent on a successful background check.

MOTION: On a motion by Selectman Collins and seconded by Chairman Warren it was voted to hire Krista Nielsen as the Temporary Seasonal PT Park Attendant with an hourly rate of 16.24 for a 15 hour per week basis and continued employment is contingent on a successful background check.

American Rescue Plan Act- *See attached fact sheet and culvert report

This fact sheet outlines what the funds can be used on. The allocation amount for Gilmanton is \$370,000.00. This funding will come in two installments as mentioned on pg. 2. The item of particular interest on the list of uses is #6- Water and Sewer infrastructure. Under this item stormwater infrastructure- which can include ditching and culverts.

Board Consensus: To bid out the ditching and culvert cleaning and replacement, see what LRPC can assist us with.

- € **Action Item:** TA will reach out to LRPC for standards of a bid project, to see if they could create a scope of work/ RFP for a large-scale project for ditching and culverts, potential to include engineering, that would help us pull it together to put it out to bid.

Monies could potentially take a year to come in, so there is additional time for planning.

- Complaint submission-Shell Camp Association *see attached

The Board acknowledges the complaint and will be addressing it with the Road Agent

- € **Action Item:** TA will reach out to the Road Agent to get further understanding on the complaint and encourage the Road Agent to communicate with the TA to field some of the complaints and give a rough timeline of work to be done.
- € Dept. Head Meeting- Goals and Objectives find out where they are at with those
- € The review process, workshop with the Dept. Heads and Personnel Policy
- € Cash Policy and Personnel Policy after this week the TA will be able to focus on the draft changes
- € TA will place comments into the Personnel Policy after this week

SELECTBOARD ITEMS

Vice-Chairman- SB 96- The Vice-Chairman has requested that a letter be written by the Board opposing the amendment SB 96. Further discussion about the problem with the amendment, immunity that public sector has currently vs private sector accountability.

On a motion by Vice Chairman to oppose the non-germane amendment on SB 96.

There was no second, motion did not move forward.

Chairman Warren is not moving forward with supporting the opposition as he does not fully understand the amendment.

Conclusion of the discussion: Board members that oppose the amendment can voice their opinion individually.

Tax Contract Process for 2021-

- € **Action Item:** Reach out to legal regarding deeding and eviction process and what does that look like.

Board Consensus: The board is interested in moving forward with the deeding process on properties that have had contracts and are currently defaulted.

NON-PUBLIC Pursuant to RSA 91-A:3, II (a)- Employee Review-Compensation- This item has been brought forward to discuss an issue that has been discovered as an error in pay in the Selectmen's Office

ADJOURNMENT


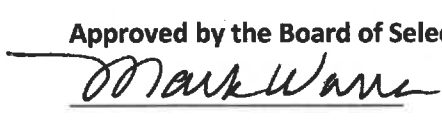
MOTION: On a motion by Chairman Warren and seconded by Selectman Collins it was voted to adjourn the meeting at 10:46 p.m. (3-0 Voice Vote – Chairman Warren, Vice-Chairman Baiocchetti-yes and Selectman Collins -yes).

Respectfully Submitted,



Heather Carpenter
Town Administrator

Approved by the Board of Selectmen



Chairman Mark E. Warren

Vice-Chair Vincent A. Baiocchetti



Selectman Evan Collins