



APPROVED

## Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

August 5, 2014

**5:00 pm.** – Gilmanton Academy

**Present:** Chairman Brett Currier, Selectmen Donald Guarino and Stephen McCormack, Town Administrator Arthur Capello, Administrative Assistant Stephanie Fogg. Also present Cindy Bedford, Staci Ricks, Annette Andreozzi, Moira Campbell and Steven Mazzaschi (Metrocast Representatives), Carl L. Braun III, Jayme Braun, Mickey Daigle and Tom Smithers.

**5:00 pm** Chairman Currier opened the meeting, took attendance of those present and voting and led the Pledge of Allegiance.

**Selectmen's Office Staff Meeting** - Cindy Bedford (Assessing), Annette Andreozzi (Zoning, Building, Historic District Commission, Trustees of the Trust Funds, Conservation Commission, and Budget Committee), Staci Ricks (Planning Board and Accounts Payable), Stephanie Fogg (Administrative Assistant to the Board of Selectmen and Town Administrator, Deputy Treasurer)

Annette Andreozzi said that we want to acknowledge that as Selectmen, we know you all have other full-time jobs and that we appreciate the time and effort that you put forward in serving the Town. We also want to be clear, that we wish to offer information on the workings in the Selectmen's Office that you may not be aware of. Since we have all been required to cover all the areas of the office, it is important to know that some areas are highly technical and most are governed by State Laws, as well as local laws. That Cindy, who's knowledge is extensive and has been here the longest, has indicated that she is retiring. People can be hired with the technical knowledge in a given area, but for knowledge that is specific to Gilmanton, they do have to take time out of their work week to learn. We feel that we have ideas about the office operation, but we know that this decision is not for us to make, we would just like your consideration.

The Selectmen and Arthur Capello were given job descriptions/responsibilities of each employee for their review, as information, as they look at how the office responsibilities are currently handled.

Selectmen McCormack said given what you have said, that is not dissimilar than any other place in public service. People retire, people move on. You could be the most technically confident person in the world, but you still have to learn the ins and outs of the place you are working. Selectman McCormack said this is an opportunity to look at the structure of the office, are we working as effectively as we can, given what we have? Is there a better way to do business and make some changes? We are going to be talking about this, and it will all come out in the budget process.

Stephanie Fogg said, I think it is important to recognize Cindy's experience and knowledge of the Town within the office structure.

Staci said that what we would like to propose, is not losing Cindy entirely, but keeping her part time, and delegating or shifting hours. Staci said she would be open to helping with more hours.

Annette said, it takes someone a long time just to assimilate, Cindy knows the people, she knows the properties, and she knows the Town.

It was brought up that we need more coverage in the office, is that attainable with more part-time people, possibly compensated more, that we are not paying benefits for? Right now we have two full-time people, we are open 9:00 – 4:30 pm and we find it difficult to “juggle” office coverage with two full-timers. It was brought up that we definitely need some better cross training for everyone.

Selectman McCormack said we heard what you have said, we need to look at this with Arthur, as the Administrator.

Staffing for the Selectmen's Office will continue to be reviewed by the Selectmen and bring a plan forward for budget season.

**Building Department** – The Office Staff and Selectmen discussed briefly the follow-up with the Building Department. Forms and requirements are still being reviewed by the Selectmen and Building Department.

Code enforcement issues were discussed. Selectmen Currier said send a stern letter and assign a fine to the issue. Do your best to address the code enforcement. Selectman Currier suggested that the Zoning Board and Planning Board get together and take another look at Zoning Rules, ie. Portable Toilets, that are part of the code enforcement issues. Arthur said that if there is a violation according to the Zoning Rules then we have to follow them. The Selectmen agreed, but would like some of the regulations to be looked at again.

Annette said that any changes would have to wait until March of 2015, for the Town to vote. Selectman Currier said if you try your best and cannot get everything done, then you do what you can. Selectman Guarino said that the non-permitted “violations” will still be taxed, and we can get them taken care of as soon as possible.

Arthur Capello said a letter could be sent explaining the code enforcement problem, set a “tickler” to check on it, then a second letter, a “tickler” again, then if no response, on to the Town Attorney.

Arthur said that if there is “extra” time needed to follow-up with redoing forms/requirements with the Building Department, there is money in the budget currently to do that. A time just needs to be set up, possibly on Tuesdays when we are not open to the public to get it reviewed and completed.

1 **Elderly Exemptions** - Cindy Bedford, Assessing Clerk, said that there are a few elderly people  
2 who have not responded to notices regarding elderly exemption renewals. They are going to get  
3 a tax bill if they do not send in the renewals. Selectman McCormack suggested having Chief  
4 Collins check on the elderly on Cindy's list, check on them and remind them to send in the  
5 paperwork.

6  
7 **6:00 pm Public Hearing – Metrocast Franchise Agreement –**  
8

9 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
10 voted unanimously to open the Public Hearing at 6:00 pm (3-0, Voice Vote, Chairman Currier –  
11 yes, Selectman Guarino – yes, Selectman McCormack – yes).  
12

13 Arthur Capello said after months of negotiations, Gilmanton is one of the last Towns to hold a  
14 Public Hearing regarding the Franchise Agreement. Arthur said that this is a 10 year agreement  
15 and following the presentation by Metrocast, I know the Board will have some questions.  
16

17 Moria Campbell, representing Metrocast spoke. She said the renewal will be for 10 years.  
18 Because it is a renewal, there is not a lot of change to the document. There is a change in the line  
19 extensions, it is 5 lines for half mile. (It was 10 extensions for 1 mile before). There is language  
20 in there to provide for the INet (Institutional Network) typically it is a direct fiber that links  
21 municipality buildings together, (or between Town Buildings). Language in there for origination  
22 points, PEG access, Government Channel if we want one. (ie. an educational channel at our  
23 elementary school could be provided). Selectman Guarino said there are no fees for these  
24 channels? Ms. Campbell said there is funding for it, 75 cents per user (it is funded by the users).  
25 We do have a franchise fee currently, Ms. Campbell said that this is influenced by the  
26 Communication Act, one of which is the Franchise Fee. Any Town can elect anywhere from one  
27 to five percent and it is based on the video portion of the subscribers bill. Currently Gilmanton  
28 collects 3%, it yielded \$52,000.00 this year.  
29

30 Selectman Currier said you collect \$52,000 and give it back to the Town of Gilmanton. Who  
31 collects the interest on the \$52,000.00?  
32

33 Ms. Campbell was not sure, but where they collect the money, it would be held with them. The  
34 amount is based on gross revenues. It is put on a subscriber's bill, it does not cover all of the  
35 gross revenues, each subscriber would pay slightly more.  
36

37 Selectman Currier said we want to eliminate this fee, it is not fair to the tax payers. If I pay a  
38 Franchise Fee and you have Direct TV, I am paying money to offset your tax bill. Ms. Campbell  
39 said a lot of Towns use it to help offset PEG (Public, Educational and Governmental) access  
40 cost, and other Towns it goes into a general fund.  
41

42 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
43 voted unanimously to drop the Franchise Fee for Metrocast to zero at 6:07 pm (3-0, Voice Vote,  
44 Chairman Currier – yes, Selectman Guarino – yes, Selectman McCormack – yes).  
45

46 Selectman McCormack was discussing accessibility for people in the outer areas.  
47

1 Ms. Campbell said in the current agreement there is a cost sharing, so if it does not fit the ten  
2 homes per mile, there is a cost share involved. Selectman McCormack said this was not  
3 discussed during the original agreements.

4  
5 Ms. Campbell said if a customer lives 500 feet off the road it will cost more. Over 300' we are  
6 not talking a cable drop, we are talking hard line cable. It is not just an installer with a standard  
7 drop. Ms. Campbell said obviously this is an informative session with the Towns, you may like  
8 the document, you may not like it, but franchise agreements are governed by the FCC and  
9 Communications Act. If you read through this, we must have not fulfilled the document. We  
10 have to be in gross negligence, which we have not. This is not an exclusive contract, so any one  
11 could come in.

12  
13 Selectman McCormack asked about back up batteries, etc. to ensure coverage in the event of  
14 electricity going out. Ms. Campbell said that we have standby power, our network operations  
15 center is notified and kicked over to standby generators.

16  
17 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
18 voted unanimously to close the Public Hearing at 6:24 pm (3-0, Voice Vote, Chairman Currier –  
19 yes, Selectman Guarino – yes, Selectman McCormack – yes).

20  
21 If Metrocast is not in violation of the original contract (which they are not), the Town would  
22 normally just sign the contract again. Arthur Capello will look into the legalities of signing/not  
23 signing the Franchise Agreement and report back to the Board.

24  
25 **Highway Department** – Mr. Braun had concerns regarding Stone Road near his property, and  
26 an existing swale that runs onto his property about 75'. Mr. Braun is concerned that the swale  
27 has helped to create standing water on his property. Chairman Currier said the Road Agent is  
28 elected, we can only make recommendations. Selectman Guarino said that they will have the  
29 Road Agent and the Road Committee look at Stone Road near Mr. Braun's property. (Mr. Braun  
30 brought pictures for the Selectmen to see. The pictures will be passed onto the Road Committee  
31 for their review). Selectman Guarino said the Selectmen would suggest a ditch with erosion  
32 stone and cleaning the culvert.

33  
34 **7:00 pm Chairman Currier opened Public-Input**

35  
36 **Lease Agreement on Fire Truck -**

37 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
38 voted to authorized Chairman Currier to sign the agreement/lease for the Fire Truck at 7:15 pm.  
39 (2-0-1, Chairman Currier abstained, Selectman Guarino – yes, Selectman McCormack – yes).

40  
41 **Roads Committee** – After discussion by Mickey Daigle, Road Committee Chairman,  
42 Committee Member, Thomas Smithers and the Selectmen the following motion was made by the  
43 Selectmen.

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45 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
46 voted unanimously to accept the Road Committee's recommendations in terms of the width of  
47 the pavement on Loon Pond Road/Griffin Road intersection from 75' to 37' wide at 7:43 pm. (3-  
48 0).

1 Mr. Smithers said that we are here to help the tax payers. He hopes the Selectmen will bring  
2 these concerns about the roads to the Town. He believes the Town needs to put a Warrant  
3 Article for ditching the roads. Mr. Smithers said “no ditch, no road”, there are miles and miles of  
4 roads. Selectman Currier said that this Board should create a Road Committee that has authority.  
5 Selectman McCormack said that it should be a Committee that is willing to explain the  
6 recommendations during budget season to the Budget Committee.

7  
8 Arthur Capello said that the Selectmen, by motions and accepting recommendations from the  
9 Roads Committee, does give the Committee authority.

10  
11 Roads Committee Chairman Daigle said that the Town is behind 4-5 years with ditching. The  
12 Roads Committee would like to speak to Paul Perkins, Road Agent, regarding his budget for  
13 gravel and ditching to come up with a plan.

14  
15 Chairman Daigle said that the grader should be out there every day. Chairman Currier asked if  
16 there was \$50,000 to \$75,000 that could be allocated from the budget to ditching and a Warrant  
17 Article for another \$75,000 for ditching? That would be a start.

18  
19 Selectman Guarino asked for the Roads Committee to make a recommendation for Allen’s Mill  
20 Road.

21  
22 **Safety Building Parking Lot** – The Safety Building parking lot was originally going to have  
23 finish pavement this year. After looking at the parking lot, Chairman Daigle said that there were  
24 big boulders that should not be left in the lot. Chairman Daigle suggested that the boulders  
25 should be dug out, stabilization fabric used and drainage to 5 ½ feet deep, stone top to bottom for  
26 repair. The Selectmen authorized the boulders to be removed. Arthur Capello suggested  
27 encumbering the original funds to pave the parking lot so we will have it to for paving in 2015.

28  
29 Stephen McCormack said he will call someone in District III about patching the parking lot.

30  
31 Arthur Capello is going to call LGC about making the Roads Committee more than an advisory  
32 board.

33  
34 The Selectmen said they appreciated the Roads Committee’s update and the work they are doing  
35 for the Town.

36  
37 **2015 Budget** – Arthur Capello would like to set up meetings with Department Heads regarding  
38 their 2015 Budgets. It was suggested that the Selectmen, Budget Committee have a planning  
39 session. Possibly an 8 hour day and work it all out.

40  
41 **Back Door to the Academy Building** - Selectman Guarino asked about the back door being  
42 unlocked? Arthur will look into the making the back door easily accessible to handicap, without  
43 hindering security in the building.

44  
45 **Academy Building** - Selectman Guarino said that after the last heavy rainstorm, the perimeter  
46 drain was not working at all. Rowell came out to clean the pipe and use a camera to see if there  
47 is a crack or blockage. The camera was not able to reach after the “Y” in the drain. Drain to be  
48 discussed further at a later date.

1  
2 **(A)Non-Public Session per RSA 91-A:3, II (b):**

3 **MOTION:** On a Motion by Selectman Guarino, and seconded by Selectman McCormack, it was  
4 voted unanimously to go into Non-Public Session per RSA 91-A:3, II (b) at 8:50 pm. (3-0 Voice  
5 Vote – Chairman Currier-yes, Selectman Guarino– yes, Selectman McCormack– yes).  
6

7 The meeting room was closed to the public. Present during the Non-Public Session were  
8 Chairman Currier, Selectmen Guarino and McCormack. Town Administrator Arthur Capello,  
9 Administrative Assistant Stephanie Fogg.  
10

11 The Selectmen discussed staffing in the Selectmen’s Office.  
12

13 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
14 voted unanimously to come out of Non-Public Session at 9:55 pm. (3-0 Voice Vote – Chairman  
15 Currier -yes, Selectman Guarino – yes, Selectman McCormack – yes).  
16

17 The meeting room was opened to the public. The Board noted the Non-Public Session minutes  
18 were sealed.  
19

20 **(B) Non-Public Session per RSA 91-A:3, II (c):**

21 **MOTION:** On a Motion by Selectman Guarino, and seconded by Selectman McCormack, it was  
22 voted unanimously to go into Non-Public Session per RSA 91-A:3, II (c) at 9:56 pm. (3-0 Voice  
23 Vote – Chairman Currier-yes, Selectman Guarino– yes, Selectman McCormack– yes).  
24

25 The meeting room was closed to the public. Present during the Non-Public Session were  
26 Chairman Currier, Selectmen Guarino and McCormack. Town Administrator Arthur Capello,  
27 Administrative Assistant Stephanie Fogg.  
28

29 The Selectmen discussed a letter regarding health insurance.  
30

31 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
32 voted unanimously to come out of Non-Public Session at 10:00 pm. (3-0 Voice Vote – Chairman  
33 Currier -yes, Selectman Guarino – yes, Selectman McCormack – yes).  
34

35 The meeting room was opened to the public. The Board noted the Non-Public Session minutes  
36 were sealed.  
37

38 **(C) Non-Public Session per RSA 91-A:3, II (c):**

39 **MOTION:** On a Motion by Selectman Guarino, and seconded by Selectman McCormack, it was  
40 voted unanimously to go into Non-Public Session per RSA 91-A:3, II (c) at 10:00 pm. (3-0  
41 Voice Vote – Chairman Currier-yes, Selectman Guarino– yes, Selectman McCormack– yes).  
42

43 The meeting room was closed to the public. Present during the Non-Public Session were  
44 Chairman Currier, Selectmen Guarino and McCormack. Town Administrator Arthur Capello,  
45 Administrative Assistant Stephanie Fogg.  
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47  
48 The Selectmen discussed an employee issue with the Fire Department.



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2 **MOTION:** On a Motion by Selectman Guarino and seconded by Selectman McCormack it was  
3 voted unanimously to come out of Non-Public Session at 10:19 pm. (3-0 Voice Vote – Chairman  
4 Currier -yes, Selectman Guarino – yes, Selectman McCormack – yes).  
5

6 The meeting room was opened to the public. The Board noted the Non-Public Session minutes  
7 were sealed.  
8

9 **Adjournment:** On a motion by Selectmen Guarino, seconded by Selectman McCormack it was  
10 voted unanimously to adjourn at 10:20 pm. (3-0)  
11

12 Respectfully Submitted,  
13  
14

15 \_\_\_\_\_  
16 Stephanie S. Fogg  
17 Administrative Assistant  
18  
19

20 **Approved by the Board of Selectmen**  
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22 \_\_\_\_\_  
23 Chairman Brett A. Currier  
24

25 \_\_\_\_\_  
26 Selectman Donald J. Guarino  
27

28 \_\_\_\_\_  
29 Selectman Stephen J. McCormack