



APPROVED

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

November 25, 2014

6:00 pm. – Gilmanton Academy

Present: Chairman Brett Currier, Selectmen Donald Guarino, Town Administrator Arthur Capello, Administrative Assistant Stephanie Fogg. Also present Frank Gianni, Douglas Farnum, Joseph S. Haas, Joanne Gianni, Jean Henry, Anne Kirby, Lew Henry, Mickey Daigle.

6:00 pm Chairman Currier opened the meeting, took attendance of those present and voting and led the Pledge of Allegiance.

(A)Non-Public Session per RSA 91-A:3, II (a):

MOTION: On a Motion by Chairman Currier, and seconded by Selectman Guarino it was voted unanimously to go into Non-Public Session per RSA 91-A:3, II (a) at 6:00 pm. (2-0 Voice Vote – Chairman Currier-yes, Selectman Guarino– yes,).

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

The Selectmen discussed employee compensation.

MOTION: On a Motion by Selectman Guarino and seconded by Chairman Currier it was voted unanimously to come out of Non-Public Session at 6:12 pm. (2-0 Voice Vote – Chairman Currier -yes, Selectman Guarino – yes).

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

6:14 pm Meeting Room Opened to the Public

Boundary Line Issue - Mr. Farnum has a property on the old Gilman Road, along the brook to a certain point. The surveyor is unable to give a definitive written boundary agreement. The Selectmen discussed with Mr. Farnum the circumstances. They suggested speaking with LGC regarding the issue and how to proceed to achieve a written boundary for the property boundary agreement. Also to notify the Conservation Commission. Arthur Capello will call LGC and Conservation Commission(property is next to the Town Forest) and report back to Selectmen and Mr. Farnum.

Gilmanston Year Round Library --

Arthur Capello stated that there is a request to place the Gilmanston Year Round Library as a regular line item at \$46,000 for 2015 under Contributions to Agencies in the 2015 Budget.

Anne Kirby said she is not representing the GYRL Board, other than a Budget Member on the Board. Anne Kirby said the recollection of Chairman Currier's Statement that was made last year, was that if the GYRL Warrant Article passed last year, the total amount requested could be part of the operating budget each year. She feels it is time to make it part of the regular deal, as it is used by a whole lot of people in Town. Anne Kirby said the request is less than last year. \$46,000 this year, it was \$52,000 last year. The Librarian put out a non-binding petition of people who would like to support and encourage the Selectmen in supporting the GYRL over a two week period and there are quite a few signatures. There are no irresponsible people at the helm. She asks that the Selectmen support this service for the Community. There is not one bad thing about this Library.

Selectman Guarino said that vote was very close and it is only fair again to have it voted on.

If the Warrant Article were to be put on the ballot as part of the operating budget, it would have to be put there by the Selectmen for the next year. Arthur Capello said it would have to be spent as part of the current years' budget to become part of the default budget.

Chairman Currier said what is wrong with it going before the voter in a Warrant Article again?

Anne Kirby said that she thinks it is a step closer to the politics of the Town, saying you know what, this is not an issue and we support it. I see it as the Town leaders saying this is a good thing for our Town and we support it for our Town. That is a step better than you are out there on your own, see if you can get the money. What is wrong with the Selectmen recognizing that this is a good thing for our Community. There is nothing negative about the Library. It has not increased taxes in 5 years, this would be 6 years, without an increase.

Chairman Currier said that nothing against the Library, it only passed by 17 votes last year, that is not a landslide. We are trying to be fiscally responsible. Chairman Currier said he is afraid that the number of \$46,000 could get out of control if it goes to an operating budget. It becomes an automatic amount of money and when there is money available, things don't happen the same way.

Anne Kirby said I understand what you are saying and there are no guarantees on anything, but if you look at our track record, we requested less this year. Our budget is actually up by \$4,000 this year and we did not come to the Town asking for an increase. We are asking for \$6,000 less than we asked for last year. It can be based on how fiscally conservative we have been for the last five years. Knowing that we have to continue with a lot of fundraising.

Anne Kirby said that you have to decide what you believe is the best for the Town, that is your job. It is in your court to decide, the library is not going away. Chairman Currier said I'm not saying the Town's people do not want to fund it. Anne Kirby said I know you are not saying that.

Anne Kirby said the Library wanted to address this matter in a timely manner, so they still have time to go before the Budget Committee.

1
2 Selectman Guarino said the GYRL should go to the voter in a Petition Warrant Article again.

3
4 Chairman Currier said the Selectmen will not support the Year Round Library as a regular line
5 item as part of the Budget until there is a larger majority approving it in a Warrant Article.

6
7 **MOTION;** On a Motion by Selectman Guarino and seconded by Chairman Currier it was voted
8 not to place the Gilmanston Year Round Library at \$46,000, as part of the operating budget on a
9 Warrant Article from the Selectmen. (2-0)

10
11 **6:42 pm Chairman Currier opened Public Input –**

12
13 **Anne Kirby – Whole Crystal Lake Road** from Rte. 140 – the Dam. There is a wash out near
14 the dam, dirt has washed out and a really deep wash out right near the river. Anne Kirby said it
15 could be that there was a lot of vegetation cut away last year by the DOT, on the State portion.
16 Arthur said he will e-mail the District Supervisor tomorrow.

17
18 **Joe Haas –** Asked for a copy of the Tax Warrant. He was speaking again about the school issue
19 and the unconstitutionality of the taxes.

20
21 Joe Haas said referring to Article V says “upon advice and consent”, so it is not an implied
22 consent only. The founders put both words so there would be approval, before these tax bills
23 could be sent out. Mr. Haas said here is my request to you, would you please have one of the
24 three new State Legislators, hoping they will be representatives, as I present to you, you present
25 to them and they re-present to the court). Article 74 question to them from the Supreme Court
26 saying, Can the people of NH put that in their abatement forms, the unconstitutionality by the
27 March 1st deadlines on those forms? It says for any good cause. Not only are abatements for
28 poverty or over appraised value, but any good cause. Well what does the word any mean? RSA
29 21-II said you are supposed to go by common definition of words. Any, means anything. I am
30 saying the constitutionality is a good cause.

31
32 Selectman Guarino asked Mr. Haas to write the request and the Board will forward it to the
33 proper representatives.

34
35 Mr. Haas said, How much money does the Town receive in civil penalties when there is a crime?
36 Arthur Capello said when his computer is up again, he will forward that information to Mr. Haas.
37 Mr. Haas asked, Is there an adopted local ordinance that allows a civil fine to come to the Town?
38 Arthur Capello said we do receive civil penalties for drunk driving etc.

39
40 Mr. Haas asked, RSA 651:IV, Out of the annual report last year there was 132 civil crimes, out
41 of the 132 how much money did the Town receive? Arthur will get back to Mr. Haas with that
42 answer as well. Mr. Haas quoted Proverbs 6:30-31, “charge the thief 7 fold.” Mr. Haas said this
43 could be an opportunity to put in a local ordinance.

44
45 **Solicitation Ordinance -** Arthur Capello heard from the Police Chief and Lawyer in Clairmont,
46 New Hampshire, after the article was in the paper, citing the State Statute RSA 265-40:1, “No
47 person shall stand in the travel portion of the right of way for the purposes of soliciting a ride,
48 employment, business or contributions from the occupant of any vehicle.”

Chairman Currier said that there are two pieces of information, Arthur contacted the DOT, Mark Morill, inquiring about Boot Drive Permits. Mr. Morrill's answer was that there is no permit due to safety issues. Arthur said he has checked this with our Police Chief and he is in full agreement. The other piece of information is the State Statute noted.

Ann Kirby asked for a translation please. Chairman Currier said there is no need for an ordinance. A letter needs to be sent to the Fireman's Association stating the law, and therefore we need the soliciting to stop. Arthur Capello said now that we are aware of it, we have to follow the law.

Selectman Guarino gave direction to Arthur Capello to send a letter to the Fireman's Association. By consensus of the Selectmen a letter will be sent.

Auction Update – Arthur Capello said there will be three closings in the next few days, may be a delay by a day because of the weather.

7:00 pm - Joint Meeting with the Budget Committee. See Budget Committee Meeting Minutes for November 25, 2014.

Chairman Currier reconvenes the Board of Selectmen's Meeting 8:53 pm.

Computer Policy – Discussion on the computer policy will be held off until Selectman McCormack is present. Arthur Capello has highlighted the areas of the policy that were corrected from the meeting with Department Heads.

Warrant Articles – see attached proposed warrant articles.

The Selectmen discussed the Warrant Articles. Several articles need clarification on details. Arthur Capello will follow through with getting more information.

Upcoming Meeting Schedule –

December 2, 2014 Board of Selectmen's Meeting

December 4, 2014 Interviews for Assessing Clerk's Position

December 9, 2014 Board of Selectmen's Meeting

December 16, 2014 Board of Selectmen's Meeting and Joint Meeting with Budget Committee

Town Administrator -

Arthur Capello asked to carry over hours of vacation time, as we are getting close to the end of the year. Chairman Currier and Selectman Guarino, by consensus did not approve the carry over of time. Arthur Capello will take the vacation time before the end of the year.

Arthur Capello asked about a stipend for a cell phone, as some of the other Department Heads have a phone stipend.

MOTION: On a Motion by Chairman Currier and seconded by Selectman Guarino it was voted unanimously to give the Town Administrator, Arthur Capello a \$500/year stipend for his cell phone.

1
2 **Assessing Clerk** – Interviews will take place next week for the replacement of the Assessing
3 Clerk's position. George Hildum, Town Assessor, will be present for the interviews.
4

5 **Accounting Technician Position** – The job description was reviewed for the paper. The hours
6 per week will state 21-28 hours/week, \$19.00 per hour, with Holiday, Vacation and Sick Time as
7 benefits.
8

9 **Supplemental Tax Warrant** – Arthur will draft a supplemental Tax Warrant for those
10 properties sold at auction.
11
12
13
14
15

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

17 **MOTION:** On a Motion by Selectman Guarino, and seconded by Chairman Currier it was voted
18 unanimously to go into Non-Public Session per RSA 91-A:3, II (c) at 10:00 pm. (2-0 Voice Vote
19 – Chairman Currier-yes, Selectman Guarino– yes)
20

21 The meeting room was closed to the public. Present during the Non-Public Session were
22 Chairman Currier, Selectmen Guarino. Town Administrator Arthur Capello, Administrative
23 Assistant Stephanie Fogg.
24

25 A letter of complaint was brought forward to the Selectmen.
26

27 **MOTION:** On a Motion by Selectman Guarino and seconded by Chairman Currier it was voted
28 unanimously to come out of Non-Public Session at 10:34 pm. (2-0 Voice Vote – Chairman
29 Currier -yes, Selectman Guarino – yes).
30

31 The meeting room was opened to the public. The Board noted the Non-Public Session minutes
32 were sealed.
33
34
35
36
37
38
39

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

41 **MOTION:** On a Motion by Selectman Guarino, and seconded by Chairman Currier it was voted
42 unanimously to go into Non-Public Session per RSA 91-A:3, II (c) at 10:35pm. (2-0 Voice Vote
43 – Chairman Currier-yes, Selectman Guarino– yes).
44
45
46
47
48

The meeting room was closed to the public. Present during the Non-Public Session were Chairman Currier, Selectman Guarino. Town Administrator Arthur Capello, Administrative Assistant Stephanie Fogg.

The Selectmen discussed an employee review.

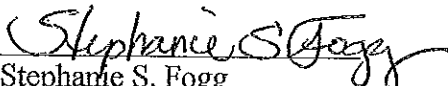
MOTION: On a Motion by Selectman Guarino and seconded by Chairman Currier it was voted unanimously to seal the minutes of the Non-Public Session at 10:40 pm. (2-0 Voice Vote – Chairman Currier -yes, Selectman Guarino – yes).

MOTION: On a Motion by Selectman Guarino and seconded by Chairman Currier it was voted unanimously to come out of Non-Public Session at 10:45 pm. (2-0 Voice Vote – Chairman Currier -yes, Selectman Guarino – yes).

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

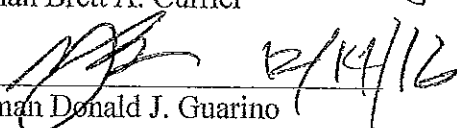
Adjournment: On a motion by Selectmen Guarino, seconded by Chairman Currier it was voted unanimously to adjourn at 10:46 pm. (2-0)

Respectfully Submitted,


Stephanie S. Fogg
Administrative Assistant

Approved by the Board of Selectmen


Chairman Brett A. Currier

 12/14/16
Selectman Donald J. Guarino

Selectman Stephen J. McCormack

BOARD OF SELECTMEN
TOWN OF GILMANTON
503 PROVINCE ROAD
P.O. BOX 550
GILMANTON NEW HAMPSHIRE 03237
(603) 267-6700 PHONE
(603) 267-6701 FAX

11/25/2014

Print

FRANK GIANNI

DOUGLAS FARNUM

Joseph St Haas@hotmail.com

JOANNE GIANNI

Jean Henry

Anne Kirby

Lew Henry

Mickie Paige

Sign In Book.

Signature

Frank Gianni

Douglas Farnum

Joe Haas

Joanne Giannini

Jean M. Henry

Anne Kirby

Article #XX: "Shall the Town of Gilmanton raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with in the warrant or as amended by vote of the first session, for the purpose set forth therein totaling Three Million Three Hundred Eleven Thousand Nine Hundred Fifty Eight Dollars (\$3,311,958)? Should this article be defeated, the default budget shall be Three Million Three Hundred Twenty One Thousand Six Hundred Thirty Thousand (\$3,321,630), which is the same as last year, with certain adjustments required by previous action of the (Town) or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."

Tax Impact about:

Article #XX: To see if the Town to establish a non-capital reserve fund called Fire Portable Radio Replacement Non-Capital Reserve Fund and to appoint the Board of Selectman as agents to expend and to further see if the town will vote to raise and appropriate the sum of Fourteen Thousand Five Hundred (\$14,500) from general taxation to fund the Fire Portable Radio Replacement Non-Capital Reserve Fund.
Current balance: \$0.00 Tax Impact about: .03

~~**Article #XX:** To see if the Town will vote to raise and appropriate the sum of Forty Seven Thousand (\$47,000) to replace the corners Forestry/utility truck. And to further fund this appropriation the withdrawal of Forty Seven Thousand (\$47,000) from the Capital Reserve Forestry Vehicle Fund.
Current balance: \$47,541.15 Tax Impact about: none~~

Article #XX: To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) for the 2019 Statistical Update all properties to be deposited into the Revaluation Assessment Updated Capital Reserve. And to further fund this appropriation by general taxation.
Current balance: \$47,909.34 Tax impact about: 0.04

Article #XX: To see if the Town will vote to raise and appropriate the sum of fifty thousand (\$50,000) for the purpose of contracting out ditching of roads. And to further fund this appropriation by general taxation. **Tax impact about: 0.12**

Article #XX: To see if the Town will vote to raise and appropriate the sum of Twenty Five Thousand (\$25,000) for the purpose of repairing the parking lot at the Public Safety Building. And to further fund this appropriation by general taxation. **Tax impact about: 0.05**

Article #XX: To see if the Town will vote to raise and appropriate the sum of Fifty One Thousand Nine Hundred Sixty Four Dollars (\$51,964) to be deposited in the Capital Reserve Bridge Fund. And to further fund this appropriation by general taxation.
Current balance: \$202,368.69 Tax Impact about: .11

Balance as of 9-30-14

Article #XX: To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Five Hundred Dollars (\$17,500) to be deposited in the Capital Reserve Self Contained Breathing Apparatus Fund. And to further fund this appropriation by general taxation.

Current balance: \$56,101.42 \$Tax Impact about: 0.05

Article #XX: To see if the Town will vote to raise and appropriate the sum of Thirty Five Thousand (\$35,000) to purchase and equip and new police cruiser. And to further fund this appropriation by withdrawing Two Thousand Three Hundred Eight nine dollars (\$2,389) from the previously established Police Cruiser Replacement Capital Reserve Fund and further to raise and appropriate Thirty Two Thousand Six Hundred eleven dollars (\$32,611) by general taxation.

Current Balance: \$2,393.46 \$Tax impact about: 0.09

Article #XX: To see it the Town will vote to close the previously established Police Cruiser Replacement Capital Reserve Fund and to withdraw any remaining balance and deposit it into the general fund.

Article #XX: To see it the Town will vote to close the previously established Document Restoration Capital Reserve Fund and to withdraw any remaining balance and deposit it into the general fund.

Article #XX: To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for DWI Enforcement, said sum to be funded by New Hampshire Highway Safety grants for salaries and associated taxes and will not be expended unless the grants are received.

Tax Impact about: .00

Article #XX: To see if the Town will vote to raise and appropriate the sum Four Thousand Five Hundred (\$4,500) for Speed Enforcement, said sum to be funded by New Hampshire Highway Safety grants for salaries and associated taxes and will not be expended unless the grants are received.

Tax Impact about: .00

Article #XX: To see if the Town will vote to raise and appropriate the Three Thousand (\$3,000) to be deposited in the Health and Dental Cost Non Capital Reserve Fund. And to further fund this appropriation by general taxation.

Current Balance: \$7,000 Tax Impact about .02

Article #XX: To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000) to fund milfoil treatment for the lakes if Gilmanton.

Tax Impact about: .01

Article #XX: To see if the Town will vote to raise and appropriate the sum of Two Thousand Eight Hundred Dollars (\$2,800) to be deposited in the Non-Capital Reserve Computer Replacement or Repairs for Town Clerk/Tax Collector Fund.

Current balance: \$2,520.00 Tax Impact about: 0.01

Balance as of 9-30-14

Article #XX: To see if the town will authorize the Selectmen to appoint the Road Agent, instead of the present method of filling that position by election. If approved, this article will be effective as of the date of the 2016 Town Meeting.

Article #XX: To see if the Town will vote to raise and appropriate the sum of One Hundred Fifty Thousand dollars (\$150,000) to replace the blah blah blah. And to further fund this appropriation the withdrawal of One Hundred Fifty Thousand dollars (\$150,000) from the Capital Reserve Highway Equipment Fund.

Current balance: \$457,599.13 Tax Impact about: 0.00

Article #XX: To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Five Hundred Dollars (\$17,500) to fund cost of living increase and town associated cost of 1.5% for all Part time and Full time staff including the elected Road Agent and Town Clerk/Tax Collector staff. This does not include call fire fighters or elected officials except in named in this article. This will then become part of the default budget as of 2016.

Tax Impact about: .05