



APPROVED

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

February 16, 2016

5:59 p.m. – Gilmanton Academy

Present: Chairman Rachel Frechette Hatch, Selectman Donald Guarino, Selectman Michael Jean, Town Administrator Paul Branscombe and Recording Secretary Heather Carpenter. Also present please see attached sign in sheet.

6:00 p.m. Chairman Hatch opened the meeting, took attendance of those present and voting (Selectman Jean, **Chairman Hatch** and Selectman Guarino) and led the Pledge of Allegiance.

Chairman Hatch would like to state and acknowledge for the record Supreme Court Justice Scalia's passing and that he was a great Supreme Court Justice.

Public Hearing- SB2-

Chairman Hatch-The Board received a petition warrant article to rescind the provisions of RSA 40:13 known as SB2. Adopted by the Town of Gilmanton on March 13, 2012 so that the official ballot will no longer be used on voting for all questions but only for elections of officers and certain other questions for which the official ballot is required by law.

This is by petition, this is not the first year that we have received a petition warrant article to rescind SB2. Rescinding this petition warrant article, it is believed that this would need a 3/5 majority to pass. We have to have a public hearing for the record it is a legal requirement and I am going to entertain any public comments and questions.

Public Comment was called once, called twice. Selectmen Guarino would like to make a comment.

Selectmen Guarino- It seems strange that a group would petition this but then not send a representative to represent the petitioners. I just think it's odd that it's a Public Hearing, we were at a previous petition public hearings and there are people that represent their interest at those public hearings. I think it's really odd that the petitioners or someone representing the petitioners didn't come to represent their position for why they petitioned this.

Chairman Hatch- Any other comments or questions?

6:02 p.m. Closed the Public Hearing

MOTION: On a motion by **Selectmen Jean** to close the Public Hearing and seconded by Selectmen Guarino. Board unanimously to close the public hearing. (3-0 Voice Vote –

Chairman Hatch-yes, Selectman Guarino-yes, Selectman Jean– yes).

Chairman Hatch- Let it be known that the Public Hearing was a matter of three minutes long.

Call to order the meeting of February 16, 2016- This is a regular Board of Selectmen Meeting with a roll call vote of those present and voting (Selectman Jean, **Chairman Hatch** and Selectman Guarino)

Minutes –

Discussion on Hoyle Tanner and the language in the minute's vs how it had been remembered by the Select Board. The members of the Board have no recollection awarding the bridge on Crystal lake Road only the two bridges on Stage Road. The Board would like to table the minutes so that the Selectmen's Secretary can go back and review the language on page 4, Line 9 of the minutes and listen to the audio for the meeting on February 1, 2016. **Chairman Hatch** also wants in the minutes of February 1, 2016 why specifically Selectmen Guarino abstained on the vote due to the fact that he was protesting the process. She remembers stating that she wanted it on record.

MOTION: On a Motion by Selectman Guarino, and seconded by Selectman Jean it was voted unanimously to table the minutes of February 1, 2016. (3-0 Voice Vote – **Chairman Hatch**-yes, Selectman Guarino-yes, Selectman Jean– yes).

Chairman Hatch would like the Board would give her the latitude to amend the agenda and place public comment at 7:00 p.m. and she would like 25 Rainbow Lane put under non-public session due to sensitivity.

Board Consensus is to amend the agenda for tonight's meeting as follows:

Public Comment at 7:00 p.m.

Non-Public for 25 Rainbow Lane

Finance Office Position-

Paul Branscombe- Brenda Paquett has been hired for 20 hours per week. She will be starting February 29, 2016. Marie will not be leaving until March 18, 2016 there is money in the budget to be able to have Marie train her for that overlapping period of time.

Health Insurance Alternative-

Paul Branscombe-

The meeting this morning with Aflac associates Johnny Burgess and Diane Courier was extremely good. We did what they did in Freedom. Unfortunately Stephanie was out with the flu and was unable to make it. Also, Paul Perkins was unable to attend but we will talk with him at another time.

If you look at the next exhibit because of the contribution so they have coverage which is 20% with the reduction that we are going to get, there is significant, particularly where the family is concerned the family plan comes down dramatically. The presentation lasted about an hour and half, there were some good questions that came out of it and there will be more question to come. Diane Courier (make sure this is her last name, no paper work was received to back this up) prepared to come back individually. Now tonight I need your approval so I can send a letter to the Claim Linx people and then Tom Quigley who is the consultant in the Mid-West, his son is in Boston and he will come up here and he will talk individually to the fourteen people who signed up on the basis of how to use the two cards. I think that is a little confusing at first but certainly it is understood what was involved. We have a good time frame here because by law you have to give sixty days' notice to your employees of any change I coverage. The only thing is I have got retirees, although I didn't realize it at the time, Annette Andreozzi is also a retiree but she was there today which was good but many of those retirees are in Florida .I don't think

they are going to travel up here and listen to a speech about new coverage. I will have to do up a packet, with your blessing, to each of the retirees and show them that this is going to be a health change plan, within the sixty day notice.

Selectmen Guarino- I know the retirees have the availability to be a part of the plan, it is offered. There are seven on the list, I didn't realize that.

Selectmen Jean- I didn't think that there was that many.

Paul Branscombe- There are fourteen on the list but six of those are Chief Collins family members.

Selectmen Jean- The retirees it 100% at their cost, right, reimbursed?

Paul Branscombe- That's right.

Selectmen Guarino- I have a question. Where the other program was School Care and there wasn't a self-insured system. How do they handle, how does the Town with the seven retirees handle that amount of money that we are setting in that account that's for the self-insurance?

Paul Branscombe- We have to take into consideration, although we can't name names we have to ask somehow. The claimant's people will look at their past experience and put that into the MERP, which you talked about Don, which is really the Self-Insurance Fund and then if it's \$40,000 for the first year and then as we have claims then their actuaries will then will turn around and say, maybe that will be reduced to 25 in 2017. We have to contact them to find out if they have had any medical claims.

Selectmen Guarino- It is different because normally the retirees were paying School Care, they were just paying 100% but now we have this system where we have this self-insured fund sitting there. So, will they be putting money into the self-insured fund?

Paul Branscombe- I do not know how that is going to work. It is a good question.

Selectmen Guarino- It is a good question and we should know.

Chairman Hatch- Not to burst your bubble but you're going to meet with Reece's Stints from the retirees.

Paul Branscombe- Madam Chair can I just say this, you as the local government body have every right to pull the handle and not even tell the employees then we could within the sixty day notice period we are changing to save money for the Town of Gilmanton. So we have done it in a reverse way which I think is better and you endorsed it, why...

Chairman Hatch- Out of respect for our retired employees, we are going to meet with Reece's Stints, just saying.

Selectmen Jean- Is there any way of leaving the retirees on the old policy?

Paul Branscombe- No.

Selectmen Guarino- There must be some system in place, which the gentleman in the Mid-West will say that they have to contribute to the self-insurant fund. I would think.

Paul Branscombe- We aren't the only town that have retirees Don.

Chairman Hatch- I am a proponent of changing I am just giving you the rest of the story. Presentation went for roughly an hour and half.

Paul Branscombe- The estimates that Johnny Burgess gave us will now be turn into guaranteed costs.

Chairman Hatch- People don't like change and I am just forewarning you.

Paul Branscombe- The coverage Madam Chair, is a mirror image of Cigna.

Chairman Hatch- I am not disagreeing, I am just giving you a heads up as I end my term here the board will meet with Reece's Stints and the more proactive the better.

Selectmen Guarino- Since the seven retirees, can we put the retirees with the Gentleman that was representing the meeting?

Chairman Hatch- That is why I am bringing it up.

Paul Branscombe- You have to invite the retirees here first, they will decline and then we send a packet down and explains everything and this has the blessing of the local governing body.

Selectmen Jean- But the expense is still going to on the Town to cover the first \$4,000 dollars.

Paul Branscombe- That is Don's question and we don't know how we pay.

Selectmen Jean- If they have to cover the whole expense, \$4000 should be included in their payments to the Town.

Selectmen Guarino- Well that's what we are wondering.

Chairman Hatch- If there is no more conversation about let's make a motion on it.

MOTION: On a motion by **Selectmen Jean** to have the Town Administrator to pursue these questions and the amounts they would have to pay in. Seconded by Selectmen Guarino it was voted unanimously by the Board. (3-0 Voice Vote – **Chairman Hatch**-yes, Selectman Guarino-yes, Selectman Jean– yes).

Franchise Agreement-

Chairman Hatch- TDS franchise agreement. We do have correspondence from Scott Burkes from Telecom.

Paul Branscombe- Had a conversation today, Scott did call me. It seems that TDS is being very pushy because they wanted to start here in Gilmanton Iron Works on March 1st. They have had protracted discussions with the Town of Alton where Metrocast is in there as well. You cannot come into Gilmanton and undercut Metrocast. TDS has to offer the same or better they cannot undercut franchise fees or anything like that. The Board of Selectmen and Kate Miller, who he handles our Metrocast Cable franchise agreement for Gilmanton, is working with us with TDS. The Town of Alton has spent many months working with Kate Miller and Scott Brooks at TDS. They have really ironed out all of the quirks and problems with the agreement that initially came fourth here. Scott Brooks wanted to give it to us and say get it done tonight because I want to start March 1st. Kate Miller said no that's not how it works, first you must ask the Board of Selectmen if they would like to hire me as there Cable Franchise Attorney at \$195 per hour, noting that most of the leg work has already been done with the Town of Alton and this is really going to be a very quick thing for Gilmanton, where normally this would have been a very expensive exercise.

When I did my research, when we did the Metrocast agreement we didn't go through Kate Miller in the beginning, we went through the Town Attorney. The Town Attorney fees are very expensive and he isn't in the Cable Franchise field, whereas these people are. Kate Miller has been doing this for twenty-five years so she knows what she is doing. I worked with her on Time Warner when I was in Ashland. Here is the agreement.

Chairman Hatch- So let me tell you the rest of the story. I come home from work, a week and a half ago, to a gentleman at my dining room table talking to my husband, in the middle of signing an agreement. I say, "Excuse me, the Board of Selectmen have not approved this." And he says, "Sure they have." And I say, "No I don't think so." and he said "why would you think that?" and my husband's shrinking in his chair and tells him that she is on the Board of Selectmen.

So, they are trying to push this though.

Paul Branscombe- That is the agreement between Kate Miller, I would not bring the tweaked version up, it's premature and too soon. We have to have a Public Hearing on this.

Chairman Hatch- I know that. My husband, trying to save a buck and meeting with this guy, unbeknownst to me.

Selectmen Jean- So, he didn't get a contract that night?

Chairman Hatch- No, I took the contract and ripped it up and I said you need to leave and you need to go talk to your supervisor because this is not going to happen right now. He was a poor guy just trying to do his job.

Selectmen Guarino- When Scott was here it all sounded great and then I thought, is this going to cost the Town of Gilmanton anything and I am almost positive that I asked that.

Chairman Hatch- You did, we were upstairs.

Selectmen Guarino- When I asked that, he assured us that it wouldn't. Now we are going for \$195 per hour to pay for an attorney to work on an agreement that can't undercut Metrocast. So the only advantage you will have is provide more channels and I don't even know if that is true.

Paul Branscombe- They will provide a bundle. The phone, internet and TV.

Discussion of the Board continues about how the company is being too pushy, the need for the attorney is a must for contract purposes and the language of the agreement. The Chairman is all for enterprise in America and Metrocast having competition and having choices. The concern is if they are going to be able to provide a competitive service in this area due to the fact that they can only go where they are and not where Metrocast is. More specifically the concern is spending money on attorney's fees for a negotiation that will not be competitive.

Paul Branscombe- If I may make a suggestion. These documents came in pretty late, on February 12th. I think the Board should look at the documents by Kate Miller and table this until next week. It is in depth and goes on to explain the details.

Selectmen Guarino- Since Kate Miller has already worked with the Town of Alton could she say what she feels the cost would be to the Town of Gilmanton to negotiate the agreement?

Paul Branscombe- I will ask her.

Board consensus is to table the discussion until March 7th, the eve of the election and make the agenda light on that evening.

Paul Branscombe- I did want to say about the Gilmanton Bridges was that was in the file way back on February 3rd. She did put on there the three bridges and did say that in the phone conversation that you could change them in any order. If I write to her with your blessing, saying we would like to do the Stage Road first.

Selectmen Guarino- I think we need to look at happened in the meeting and still need to negotiate with Hoyle Tanner Associates over the fees. So I think we should be negotiating over the ones that we expected to be negotiating on which are the two on Stage Road bridges at this moment.

Selectmen Jean- Should we have him come in and negotiate?

Paul Branscombe- I have a concern and I think it's shared with the Board. How do we know if we don't agree with the initial cost and scope and fee for the first one and you ignore them and go on to the second one and you can't go back to the first firm. How will we know...

Selectmen Guarino- If they are being fair?

Paul Branscombe- Yes. How will we know?

Selectmen Guarino- I don't know, you would know. What you would need to do is take the bridges that were provided that other firms submitted and you need to call the towns and ask them what their total engineering fees on comparable bridges. So if the bridge over the brook on

Beauty Hill Road is a \$500,000 bridge when you call the, I am making this up, Town of Hancock, you say what was the total fee for that bridge. Then you will know because Hoyle Tanner said they had a split fee schedule. They had a fee for managing the project, plus a fee for actually the design. Without calling, I have no idea if that is normal. I was more hopeful that the engineering fees would totally encompass the design and overseeing the project. So for instance, let's just say that it was 10% and it was \$500,000 and the actual fee for the design the bridge over near Beauty Hill Road was \$50,000. That's what I was hopeful for. So I just think we need to do a little research so then in advance of the meeting we have a feel for. I shared with Paul that the bridges in Massachusetts, which are state aid, are coming in quite reasonable because they have a bid process. So the bridge over at Night Hawk Hollow, if that was a bridge for the state of Massachusetts they would have listed the engineering. They would have listed it as a request for proposals for the engineering and the management of that bridge to engineering firms in the state of Massachusetts and they would have bid on what the engineering would be for that bridge. I am really surprised about this whole thing, especially the fact, let's just make a number up, let's say if it was 30% of the project and we rejected it. The bridge is estimated on Night Hawk Hollow is over a million dollars, if the engineering is \$300,000 we would say no, we can't accept that it's too much money. We then go to the number two firm and they say we do 33% of the any bridge over a million dollars then we can't go back to the number one firm. It is really very strange.

Paul Branscombe- Nancy did say that she had to approve it also. So isn't she going to be our safety net? If we don't agree or we do agree and then she might come in and say this is too high. The numbers for the bridges that were put on the list four or five years ago have not been altered to present day inflation and trends.

Selectmen Guarino- I know that she said any expensive bridge design would be rejected by the State. So, in terms of the fact that they have an interest in the bridge coming in reasonably. Let's say they expand it, we have causeways on Night Hawk Hollow going towards Elm Street. Going up towards the market is actually almost like a causeway and the brook is actually right against the side of it. Let's say that the bridge firm decided that they were going to do a hundred feet of steel that is an expensive bridge.

Chairman Hatch- Wouldn't it behoove the State to monitor that?

Selectmen Guarino- She said they monitor the engineering design to protect us from having an over engineered project.

Chairman Hatch- And protect them from paying more then they wanted to pay.

Selectmen Guarino- That would actually be a good question. Does she assist us at all on the fact that when we do the consulting fee if it's within reason or not.

Paul Branscombe- Yes. They send out undercover D.O.T people to make sure they are on sight because they are paying a \$124,000 in engineering fees to have someone checking on the people that are doing the work.

Selectmen Guarino- I would love to, if the board would allow me to. I would love to talk to some of the other towns to see what their engineering fees were for a \$500,000 and a million dollar.

Selectmen Jean- I would think the state would have all those on file.

Selectmen Guarino- We know one of the bridges is estimated at over a half a million dollars and the other bridge is estimated at a million three.

Chairman Hatch- Let's have Paul follow up.

Capital Improvement Plan Update

Wayne Ogni – We have had a couple of meetings and the Budget Committee was there and every year they asked that these figures are correct, if the money is actually there and put in right. So we are having Louise research all the Town meetings that actually made all those funds to make sure they are all correct. Once we get that, we already have the amounts and we have already collected for that. The amounts that are in each fund we are going to list that, it takes time. We have Louise sending time with Deb to go down to the vault and getting all that stuff together.

Chairman Hatch- Can I play devil's advocate with you?

Wayne Ogni- Yes

Chairman Hatch- I am on my last leg here. I am a huge proponent of CIP you know that, for the record. You have run into a situation where former boards have not supported funding capital reserves on a yearly basis. So you come up with a plan, the plan falls behind ok, and that's what you are experiencing now.

Wayne Ogni- Yes, not only did it fall behind nobody was updating it, which is the job of the Planning Board.

Chairman Hatch- It is. The Planning Board, I would recommend that they work with the Trustees of the Trust Funds.

Wayne Ogni- Yes, they have given us.

Chairman Hatch- I am a resident after March 8th and you come up with an updated CIP and I as a resident am going to assume that the future Board of Selectmen are going to agree to fund the Capital Improvement Program. What happens if they don't?

Wayne Ogni- The following year it's put on the CIP that it wasn't funded and it's in arrears unless there is new figures at the end. The Planning Board can't force them to fund it, we can only give that document to the Town, although any residents can come take a look at it.

Chairman Hatch- Sure. I know the Planning Board doesn't govern the future Board of Selectmen but does the Planning Board have a plan to maybe advocate for the funding for future CIP's?

Wayne Ogni- We have to other wise it's a waste of time.

Chairman Hatch- If you work in concert with the Budget Committee. This has been a conversation with the Board of Selectmen and the Budget Committee. That it didn't get done, and it didn't happen.

Wayne Ogni- I was told that they never gave any of the information to Desiree because I have been on the Planning Board for a while and no one ever worked on it. Since I've become Chairman I said we need to get working on this and that's when I found out from Desiree, she said no one is going to blame me for this. I said what are you talking about? They never gave her information. I have the information, it was still her job to update it and she didn't. Now Louise knows she is going to have to do that once we get it set. It's got to be done and this will help us on with our other plan. If we update this every year this is not a major problem every five years. It should be set up, you got your twenty year plan and every year. If you didn't put money into that fire truck that fee extends out and you still need to put money into it.

Chairman Hatch- There are two philosophies in town, which you are all aware of. The one philosophy where, why am I going to put my tax payer dollars to fund something in ten years that I may not even be here. Then the other philosophy where a good planner is frugal and plans for the future. I as one of your Selectmen lend on the side of I may not be here in two, three, five, ten years. Somebody put my kids through school now I am putting everybody's kids through school, it is what it is. Because there are two philosophies it would behoove you to talk with the

Planning Board and how to be proactive with those conversations because it's not going to go away.

Wayne Ogni- If you don't put money away then the health of the Town is damaged and that damage is your property value, belief it or not. So someone looking to buy in the Town of Gilmanton should look at how healthy is the tax rate and do they have any money put away because in this state that is what we do. If I went to a town and they didn't have any money put away and their trucks were aging, I would have to think twice before I bought property in that town.

Selectmen Guarino- The thing is though, which Rachel has stated, is that the simple thing like the Salt Shed. The Salt Shed roof was estimated at, when it started in the Capital Reserve account was at \$30,000. There is the opinion that if you had the Salt Shed roof was perforated that there would be an appropriation that said in 2018 will the Town support \$31,000 to replace the Salt Shed Roof which most people would. The bigger items like the road grader, this is where we get into a fire truck or road grader there is a group, John Funk is one of our members, says that the interest rates are so low that we should either be bonded to the Bond Bank or we do a lease purchase. So Caterpillar, if we replace the road grader, I'll just estimate a crazy number. The road grader is half a million dollars, when we replace the road grader we would most likely, instead of saving \$50,000 a year for ten years, we are going to go to the Bond Bank or we are going to do a lease purchase through Caterpillar. So do we go, do you think that the Board will...

Wayne Ogni- We are going to try and put something down that shows if you lease or if you bond. We are going to try and show the difference. That is all iffy though because it depends on what the Bond Rates are. If Caterpillar is selling big they aren't going to bother with you.

Chairman Hatch- Why would you want to go and borrow money on a depreciating item? I have never understood that concept. So you are bonding an item that the minute you drive it off the lot it is depreciating.

Selectmen Guarino- No the idea was and I don't know what the life of the, I'll say the Capital Reserve account for Highway equipment, if the road graders life guesstimated life is 15 years. What they are saying is instead of us saving for a \$500,000 dollar piece of equipment and taxing someone a little older in the Town of Gilmanton will never see the road grader come. That were taking that money, I'll just go say \$50,000 a year going into that fund into that amount. When that road grader needs to be replaced the people that happen to be in the Town of Gilmanton, make the commitment whether that be through the Bond Bank or the lease purchase for the road grader it doesn't put that person that was in Gilmanton ten years ago and he hasn't been paying in on his taxes a road grader he never saw. That is where that whole question is coming forward. Actually the town, the age of the town if you look at it, it isn't a young town.

Chairman Hatch- I have lived here 37 years and I have put my tax dollars into our budget and I may never see some of that but you know what its ok.

Selectmen Guarino- I think if they can show it in both directions that would be a great idea.

Wayne Ogni- All those numbers in the CIP are only for the 70% values. Those aren't the actual replacement costs. So we need to make notes on that so everybody understands.

Selectmen Guarino- Casella is running a single stream, I believe in Chelmsford and Pinard which wants to run a single stream recycling facility because they handle the waste in Manchester. Prior to that the Town of Gilmanton considered expanding our recycling facility, which I'm sure you saw mention of it. So there was money in there for purchasing more land and money in there for enlarging the facility. Those types of things were there isn't a commitment from the town any longer to become a bigger recycling facility and that type of thing. You are looking at that right?

Wayne Ogni- Yes but it takes time.

Selectmen Jean- Are they also including the two leases we have right now? The Fire Truck and the ambulance.

Wayne Ogni- Yes.

Chairman Hatch- Do have anyone from the school district involved in this?

Wayne Ogni- I don't think anybody is on that.

Selectmen Jean- The School the district should be looking at a high school.

Chairman Hatch- No, no, no, no.

Selectmen Jean- The school note is going to be up in seven years.

Wayne Ogni- Well we are going to do something with the school separately.

Chairman Hatch- We have seven years left on the Gilford area agreement.

Selectmen Jean- There is only two years left on the bond?

Chairman Hatch- This is the last year.

Wayne Ogni- Now is the time to start looking because it takes so long to get things rolling.

Selectmen Jean- That's why we should take the money and start putting it away in the capital reserve fund so it won't affect the tax rate.

Chairman Hatch- We had a board member a couple of years ago that recommended that and he was shot down by the Budget Committee. He wanted to establish a capital reserve for looking at options and he was shot down.

Selectmen Jean- I think the board is considering it and plus when we pay off that note.

Chairman Hatch- The note is already paid off. This the last year.

Selectmen Jean- So after this year they should start putting this into the capital reserve.

Chairman Hatch- That's up to the Budget Committee not us.

Selectmen Jean- It's up to the town to vote on it.

Wayne Ogni- We have a member of the Budget Committee on and we are talking about that, about doing something with another school district maybe.

Selectmen Jean- For planning ahead.

Wayne Ogni- We still have to talk with John.

Selectmen Guarino- Since, if we looked at the warrant articles for the school. We have roof replacements warrant articles, septic replacement warrant articles and they are on their own capital improvement plan?

Wayne Ogni- Yes and they are up to date.

Selectmen Guarino- Oh, very good.

Chairman Hatch- I got to tell you, one of the towns biggest cost other than Special Ed is Gilford High school tuition. When you add that and Special Ed cost, which is mandatory by the federal government it is a big budget.

Wayne Ogni- But how many people know that though?

Selectmen Guarino- They brought it up at the district meeting.

Chairman Hatch- It was at the School Deliberative Session.

Selectmen Guarino- Other towns around us have commitments but Loudon which is our neighbor does not.

Wayne Ogni- Right but I was told we have to go to the state because they are in a different district.

Chairman Hatch- I believe they are Merrimack.

Selectmen Guarino- Seven years isn't that far out to start having a conversation. The tuition, what was it when you sent your son?

Chairman Hatch- Well, Nathen had a full boat scholarship to Brewster Academy.

Selectmen Guarino- But if he hadn't.

Chairman Hatch- \$11,000 all-expenses paid other than I had to provide computer. This Board can't govern the school district budget but that is a big expense at \$18,000 a year.

Wayne Ogni- So that will have to be a separate committee to look at the school and talk to John, the Budget Committee wants to push that too. The other thing we are looking at is how the Selectmen let the Department Heads pick the expensive items. Some of us feel that it needs to be a committee. Whether we buy a grader or dump truck or a fire truck we should have some kind of committee for that because that is a huge expense.

Selectmen Guarino- I like that. Who would ever imagine that a six wheel dump truck with plows would cost \$155,000? If you send that in normal circumstances you would say that was insane.

Wayne Ogni- That would be up to the Selectmen.

Chairman Hatch- But the future Board has got to understand that there is a fine line between micro managing your department head and having a helpful committee.

Wayne Ogni- It would be a committee with the Department Head there, the Department Head would have to run that committee.

Chairman Hatch- Yes

Conversation about the boards planning and then it going to the voters to make their decision on it because it essentially it is their vote. There is also two philosophies on that, one philosophy is that even if the Board of Selectmen doesn't support it they needed to bring it forward to the Budget Committee. The other philosophy is that if the Board doesn't support it then it dies here and the discussion that Warrant Articles come from the Board of Selectmen.

Wayne Ogni- what is really being said is that three people in Town are making decisions for everybody.

Chairman Hatch- Remember that when you vote March 8th.

Selectmen Guarino- I could argue that those three people are hearing from their constituents and that's how they're making their decision.

Wayne Ogni- People have the right to vote.

Chairman Hatch- We have a silent majority in this town.

Selectmen Jean- You could always get petition with twenty five names on it and it could be voted in.

Wayne Ogni- I don't want to start trouble, my job is to provide information.

{Everyone laughs}

Wayne Ogni- We have SB2 people can vote on everything. I go to Deliberative session, I didn't go to the school cause what am I going to say, no?

Selectmen Guarino brings up the fact that when Louise is assisting in research for the CIP committee to try and find how these were established and what the funds were or whatever it is, she actually has to take the time which is greater than it normally would be working the office thing. She has been saying she is having a hard time finding the time doing all the things she needs to do. When we reorganized the office so that it would be more labor available. For instance when Heidi had to be absent, that Louise was watching the counter when she could have been working the CIP. If we could look at the staffing and make a decision. When I think of Louise's position I already know that the person before had four to six hours before than to manage the accounts payable account. That person's hours have now gone to the Finance Administrator which we set that position up. Under normal circumstances I would have thought that the Planning Administrator would have 4-6 hours to work on something else.

Wayne Ogni- We won't know how long it takes for Louise to be able to answer a question when people come in or call.

Paul Branscombe- In many other communities when the Planning Board by RSA establishes a CIP committee. The Planning Board moves away and the CIP Committee made up of three or five people, then take control over all the things you are really doing. They have their own internal member that does all that.

Wayne Ogni- That's what we have a separate committee. We do have Planning Board members on the committee and Louise is on it helping.

Selectmen Guarino- Well John is semi-retired, and he was on the CIP.

Wayne Ogni- He is.

Selectmen Guarino- Well then ask John to research.

Wayne Ogni- I've asked.

Paul Branscombe- Well you could ask the Town Administrator to get involved because I am the conduit to the Department Heads.

Selectmen Jean- Department Heads should get involved.

Paul Branscombe- We found this two page sheet in the archives that is used by a lot of other communities Wayne and filled out by the Department Heads. Whether it be infrastructure, vehicles, soup to nuts. I distributed it at the last Department Head meeting and the next one we are going to have, the morning of the 8th we are going to go through it.

Selectmen Guarino- That will be helpful.

Paul Branscombe- That way we can expand on the old Stan Bean spread sheet.

Wayne Ogni- People are concerned about the money we have in those accounts now and where we put it. People are saying that we can't take money got of there because it's got to be for this and that. Budget Committee members have said that they have been asking for five or six years now and that's why we are doing research. Other words we aren't just going to pass on a spread sheet that even Stan Bean said I just took their word for.

Selectmen Jean- But you could put the research on to the Department Head.

Selectmen Guarino- So two years ago we wanted to put in the gas readers on the pumps down there. We thought the Highway Capital Reserve Fund, not doing something outrageous, we thought that, we knew it was for road graders, sander replacements, truck replacements and we thought any equipment so we put right around \$30,000 to put new pump readers down there and then the Budget Committee said no that's not what that is meant for. So I understand completely where he is coming from.

Wayne Ogni- That why we are finding out stuff like that and that's why we have to research.

Chairman Hatch- Part of the problem is that we as a Board are not agents to expend. That's why we have that warrant article so hopefully that will change in the future.

Selectmen Jean- On the Capital Reserves we aren't authorized to expend on those, those have to go to Town Meeting. It's the Non-Capitals.

Chairman Hatch- Right

Wayne Ogni- It doesn't bother the Planning Board or the CIP Committee if afterwards we get this presented if a copy goes out to the town's people.

Selectmen Jean- Put it on the website, then anybody who wants can look at it. How many years behind is it?

Wayne Ogni- I think four years. We haven't put money away but we have purchased things, we aren't in dire straits, it's just our paper work is lousy. Town people have a right to see.

Selectmen Jean- We may have to recalculate some numbers.

Wayne Ogni- Why are we using a 70% it should be at a 100% because that is the problem they had at the school, they didn't have enough money in the funds, they had to beat the guy down on price which they did and its fine but you can't do that to a fire truck company. If it's \$550,000,

if they want to get rid of it they will lease it to you for a cheaper rate but any time you lease or you bond it costs you more money.

Chairman Hatch- Yes it does, thank you very much.

Selectmen Jean- Yes it does and we have two leases going on right now.

Wayne Ogni- Thank you for approving Mark Fugere because he is cheaper than Lakes Region Planning. I talked with a couple of different towns that I pull permits with and they use him for that too.

Discussion on Wayne's commission for Lakes Region Planning and the technicalities of his commission years and when the Board reappointed him and for how long. Lakes Region Planning likes to do it every four years. The 107 project and the outcome of it and the deed for the pound, and the project on and conditions on the Lucky Seven.

7:10 p.m. - Open public comment:

Chairman Hatch asks if there are any members of the public that would like to speak at this time. There is no response and public comment closes at 7:11 p.m.

Welcome to Gilmanton Sign-

The sign on Route 140 had been destroyed due to an accident. The estimate for a new sign is \$360. There are funds within the Highway Department to use for this project.

MOTION: On a motion by Selectmen Guarino and seconded by **Selectmen Jean** to approve the purchase of the new Welcome to Gilmanton Sign. The board votes unanimously. (3-0 Voice Vote – **Chairman Hatch**-yes, Selectman Guarino– yes, Selectman Jean– yes).

Assessing Agreement-

We got a letter from DRA approving George Sansoucy. They didn't find anything wrong with it and his schedule is on the back page but it does require all the Selectmen to sign. It is cheaper to go with this rather than go with DRA. In the long run you would be paying through the nose. Continued discussion of George's fee schedule as a one year fee and what is included in that. Copies are given to the Board to sign and one copy needs to be given back to George.

MOTION: On a motion by **Selectmen Jean** and seconded by Selectmen Guarino to approve in the amount of \$5,000 for Revenue Administration for assessing utilities. The board votes unanimously. (3-0 Voice Vote – **Chairman Hatch**-yes, Selectman Guarino– yes, Selectman Jean– yes).

25 Orange Avenue –

Selectmen Guarino- Wait a year.

Paul Branscombe- We have given two extensions. Wait and put it with the rest of the properties and we have to check on the deposit time frame.

Selectmen Jean- Double check on the deposit with Walter.

MOTION: On a motion by **Selectmen Jean** and seconded by Selectmen Guarino to stop the agreement and carry it over for the next year. The board votes unanimously. (3-0 Voice Vote – **Chairman Hatch**-yes, Selectman Guarino– yes, Selectman Jean– yes).

NH Retirement-

The Town was found in non-compliance with a couple of things which comparatively to other towns in very good. Those items will be fixed so that the town is found compliant.

Voting-

There were 1,697 residents that votes on Election Day. There is a discussion by the board about the possible need to have the elections held in an area that is on one level. Members of the board feel that there was a lot of congestion on the stairway leading up to voting and it can present a possible safety issue. There was a resident who slipped on the stairs when she was leaving the voting area due to the fact that the stairs were wet. The Town Clerk was there to call 911 and offer medical assistance, the woman refused. There is also an elevator in the building for people that need that accessibility. Officer Brennan was very helpful that day trying to mop up the water and deal with the slippery conditions of the floor due to weather. The suggestion for using the Safety complex or the School was presented. There are several factors that the Safety complex may not work with traffic, a problem might present itself if weather is a factor, especially for a November Election. The fire equipment would not be able to be exposed to the elements in poor weather conditions. The School would be a possibility with enough parking, and accessibility of everything being on one level. However, the school presents an issue for transporting all voting material and having to shut the school down for that day. During last year's flooding issue in the Academy Building the school was used for voting needs and it seemed to work well.

The Board also asked if there were other suggestions to making the congestion on voting day less of an issue. Paul Branscombe asked one of the Supervisor of the Checklist who was present for her thoughts. She stated that there were a 147 new voters that came to register that day and due to the fact that we were lacking knowledgeable staff at the registration table it did cause a problem. One of our Supervisor of the Checklist took a leave of absence for that election and the other Supervisor was having some concerns with being thorough and overwhelmed by voting day processes. We were able to have additional staff fill in and the Town Clerk was able to offer assistance in a particular heavy rush towards the end of the election. Overall she feels that having knowledgeable staff is necessary for the Supervisors of the Checklist especially on election days. The Select Board offered the suggestion to see if the Supervisors could appoint an additional member but that would need to be verified through the Secretary of State's office.

Chairman Hatch suggests to Mr. Branscombe that he pursue discussions with the Superintendent, the Fire Chief and the Town Clerk.

Bio-Solids

Chairman Hatch- It is my understanding that the Board has not taken a position on Bio-Solids. Am I correct or have I been sleeping?

Selectmen Guarino- The Board doesn't have to take a position.

Chairman Hatch- Ok having said that I found out that you as, I don't know if you were acting as a Selectmen or acting as a resident?

Selectmen Guarino- I said what I was acting as a Selectmen representing a question that was coming from the people in the neighborhood, which actually came from the guide. That's were the question came from, it came from the guide.

Chairman Hatch- What guide?

Selectmen Guarino- The voters' guide.

Chairman Hatch- How can you as one Selectmen go ahead and work outside of the confines of the Board of Selectmen?

Selectmen Guarino- I didn't work outside the confines of it, I actually worked within it and Paul relayed it to you two and you said you wouldn't spend any time on the voters' guide. So then I actually asked because the Chairman from the Planning Board happened to be here and the question went through to counsel through the Planning Board.

Chairman Hatch- the Planning Board has not taken a position, their position is no. How can you have one Selectman go outside the confines of the Board and want to spend taxpayer dollars. I didn't know anything about this?

Selectmen Guarino- You do know about it because you are talking about it.

Chairman Hatch- Because I got an email from Walter Mitchell.

Selectmen Guarino- The thing is the voter's guide needed to be corrected before it went out so tell me what Walter Mitchell said.

Chairman Hatch- Thank you for asking. (Chairman Hatch reads the letter from Walter Mitchell which is attached to these minutes)

Selectmen Guarino- Ok let's stop right now. You shouldn't have opened this up.

Chairman Hatch- You know what it can't be non-public because it was a Select Board item. (She continues reading)

Selectmen Guarino- So has a Board you let a voter's guide go that had a technical problem, you did.

Chairman Hatch- Who said it was a technical problem?

Selectmen Guarino- Walter did because he responded on that Monday.

Chairman Hatch- Why didn't you talk to Michael and I about this?

Selectmen Guarino- We did. I had Paul call you and ask you to take the last line in there. The last line in that voters' guide could be an enforcement issue that was not meant to be in there.

Paul Branscombe- We took it out.

Selectmen Guarino- Who made the decision that it shouldn't be there. Walter through asking the questions through the Planning Board. He responded to the Planning Board Administrator.

Paul Branscombe- You are right. I was told through the Chairman of the Planning Board through Louise to remove it.

Selectmen Guarino- Yes but it was removed after Deliberative Session. That's why I was asking you guys in advance to respond to it.

Chairman Hatch- You didn't ask us guys.

Selectmen Guarino- Yes I did.

Chairman Hatch- No you did not.

Selectmen Guarino- Yes I did.

Chairman Hatch- Did you know about this?

Selectmen Jean- I didn't know about this. He was just saying that the Chairman of the Planning Board...

Paul Branscombe- We changed it after the Deliberative Session because we couldn't allow more of the documents to go out.

Chairman Hatch- We cannot spend money on a Bio-Solid issue Don. We cannot have a position as a Board on a Bio-Solid issue.

Selectmen Guarino- Ok, there wasn't a position. I was trying to correct voters' guide.

Chairman Hatch- That is not what it says in the email.

Selectmen Guarino- That's exactly what it was about. I am going to grab the voters' guide since you brought this up.

Chairman Hatch- I already have the voters' guide it is right in front of me. I have it right here.

Selectmen Guarino- Well, then let me have it.

Chairman Hatch- You cannot go outside the confines of the Board of Selectmen without...

Selectmen Guarino- You do it all the time.

Chairman Hatch- Bullshit I do not.

Selectmen Guarino- What are you doing swearing? There wasn't a full Board agreement to go, you guys were at the Gilmanton Year Round Library joint meeting.

Chairman Hatch- You were invited to go and you chose not to go. It was ...

Selectmen Guarino- It was not in the minutes, it is not in the minutes.

Chairman Hatch- Those minutes were not taken by this board of Selectmen, if you have an issue with the minutes you need to go to the Gilmanton Year Round Library.

Selectmen Guarino- Did you not vote to spend tax payer dollars?

Chairman Hatch- We didn't vote.

Selectmen Guarino- Oh you didn't vote, it says you brought it forward.

Chairman Hatch- We brought it forward, yes we did. You were invited to the meeting and you chose not to go. This email, this I knew nothing about. Neither one of us knew anything about that.

Selectmen Guarino- I didn't know anything about a long term agreement with the Gilmanton Year Round Library.

Chairman Hatch- You found out about it at a Board of Selectmen meeting, did you not? Had you not been a part of the conversation?

Selectmen Guarino- I didn't know you were going to spend tax payer dollars.

Chairman Hatch- I am not, it is not the ballot, it is on the ballot.

Selectmen Guarino- You did, you spent money on it Rachel. It's in the minutes. "Move it forward for council to take a look at it".

Chairman Hatch- It's on the ballot Don.

Selectmen Guarino- You spent tax paper dollars.

Chairman Hatch- You took a position on behalf of this Board about Bio-Solids that we never had a conversation about this.

Selectmen Guarino- I am going to tell you something about these voters' guides, ok. These should be reviewed by the Board of Selectmen prior to them going out because that last line needed to be removed and I went to the Attorney General's Office to have it looked at in terms of in terms of electioneering. When you have a guide that forces a voter in a certain direction. The Attorney General's Office said that they didn't have time to respond to it because of Deliberative Session was on Saturday. You two decided not to look at it. He called you and you said we aren't spending any time looking at the voters' guide. The line was wrong.

Chairman Hatch- the Planning Board Chair told him to remove it and he did.

Selectmen Guarino- No that was after deliberative session. I asked for it to be reviewed in advance of Deliberative Session and he asked and you guys said you were fine with it. Who are you representing? You didn't represent the people...

Chairman Hatch- What the hell are you talking about?

Selectmen Guarino- There were a number of people. They had the last line prior to the Deliberative Session...

Chairman Hatch- Then look it up, look it up.

Selectmen Guarino- It's been changed.

Chairman Hatch- Was that not the one at Deliberative Session?

Selectmen Guarino- No it wasn't, this one was not at the Deliberative Session, this is the amended version.

Chairman Hatch- Who amended it, the Planning Board.

Selectmen Guarino- No one amended it, someone in the office amended it.

Chairman Hatch- After the Planning Board Chair asked her to amend it. This is the Planning Boards Warrant Article.

Selectmen Guarino- No it's not it's a petition warrant article.

Chairman Hatch- But it's not ours, we don't own it. We don't own this.

Selectmen Guarino- It's shouldn't have had that last line in it, so maybe someone should have the responsibility.

Chairman Hatch- Well we shouldn't have had the nepotism warrant article and we shouldn't have had that other petition warrant article. We do not own this.

Selectmen Guarino- You know something Rachel, the one thing I can say we learned from this is prior to a voters' guide going out, it could be anything, prior to going out it should be reviewed by the Board of Selectmen and if there are any questions at that time it would be the time to respond, prior to Deliberative Session.

Chairman Hatch- We don't own that. They are petition warrant articles, they aren't from us.

Selectmen Guarino- Well guess what, it had quite the commentary in it.

Selectmen Jean- Time out. Who wrote it?

Paul Branscombe- The Planning Board.

Selectmen Guarino- The Planning Board Administrator wrote it.

Selectmen Jean- So she was working under the guide line of the Planning Board.

Selectmen Guarino- No she wasn't.

Selectmen Jean- She wrote it up.

Selectmen Guarino- She did, she wrote it up.

Chairman Hatch- We can't own the Bio-Solids petition, we can't own the SB2 petition, we can't own the nepotism petition. We can't own any of that.

Selectmen Guarino- Well then there should be no comment.

Chairman Hatch- They only ones we own are warrant articles for monies that are brought forward as a board.

Selectmen Guarino- I haven't changed my position on this. It shouldn't have said anything. Petition warrant articles shouldn't have, I don't even know what to call it, some type of comment on them.

Selectmen Jean- You could go to the Planning Board.

Selectmen Guarino- They voted not to support it, that's enough. Does it need to have any more than that?

Selectmen Jean- They voted to support the first one.

Selectmen Guarino- Is there a comment on the nepotism one.

Chairman Hatch- There is a whole paragraph. Look at it.

Selectmen Guarino- No that is included in the article. Someone put a thing in the nepotism one? So who wrote that one?

Chairman Hatch- I don't know. I don't know who submitted the petition warrant article.

Selectmen Guarino- Twenty-five people submitted it. I do not know who dropped it off.

Chairman Hatch- Well, I don't either.

Selectmen Jean- It wasn't me.

Selectmen Guarino- This is what I think about it.

Selectmen Jean- When I looked at the voters' guide, the dollar amounts and the stuff that we wanted

<Public would like to speak>

Chairman Hatch- There is no public comment after this we do have another public comment if you want to ask a question. Let us finish this and then you can ask your question.

Selectmen Guarino- Let me make up another thing on a voters' guide that would have caused a lot of controversy ok. No, this is what was going on in the voters' guide. It has to be more simplified. The reason that this wasn't picked up was because I saw this last line, the enforcement issue line, prior to the Deliberative Session. I have support because Walter said it

needed to be removed. The only thing is we should review our voters' guide prior to Deliberative Session. That is a simple thing.

Chairman Hatch- You got up at Deliberative Session and spoke, you gave your opinion. Your own personal opinion as a resident opinion.

Selectmen Guarino- About the voters' guide.

Chairman Hatch- The email that I got from Walter you were looking for definitive answers to if this passes, I don't have a feeling one way or another the way this is going to go, this would negate all bio-solids. You wanted an opinion from Walter about this.

Selectmen Guarino- Let me tell you something here. This is an opinion from somebody. I am not going to name names ok. This is fact, "bio-solids are classified as class A bio-solids, they do not require a permit." That is absolutely true. "Class B bio-solids require a permit from DES. There are current bio-solids of both class A and class B in use in Gilmanton. Should this petition warrant article pass the current activity, by right be allowed to continue." There is conflicting opinion on that.

Chairman Hatch- It was part of the petition warrant article.

Selectmen Guarino- This isn't in the article, this is an opinion by somebody else. Go get the petition.

Chairman Hatch- Who wrote that?

Selectmen Guarino- Louise wrote this. What I was trying to say is that you can't have a personal opinion on something in a voters' guide. That's all I am saying.

Chairman Hatch- You are asking Walter Mitchell to give an opinion which cost Town money and that is an issue.

Selectmen Guarino- Walter went and said because Louise had asked prior to the public meeting on the petition warrant article, which if you said you wanted to talk about this I would have brought the package. The same question came up in that meeting and the question concerning grandfathering is not an easy question to answer.

Chairman Hatch- He isn't going to answer it unless it passes.

Selectmen Guarino- That's fine. So do you go and make a statement in the voters' guide that said grandfather allows it to continue.

Chairman Hatch- How do you connect your question to that with you spending tax payer dollars without the Board of Selectmen knowing about this? I am not connecting the dots. You went outside the confined of this Board of Selectmen,

Selectmen Guarino- This thing should not have gone forward because it had an opinion. It had two opinions, one was that DES had written a letter to the Planning Board saying that if a ban in the Town of Gilmanton passes it is the responsibility of the Town for enforcement.

Chairman Hatch- How do you justify going to Walter Mitchell and dropping off stuff?

Selectmen Guarino- You are not listening.

Chairman Hatch- No, no, no, asking for him to work on it without the other two Selectmen authorizing for us to pay for this.

Selectmen Guarino- I am fine with that.

Chairman Hatch- I am not fine with it.

Selectmen Guarino- I am fine with it not happening because Walter said it was too difficult to get a response and there are multiple views concerning it. I didn't think this should have an opinion. Listen to my point, I am going to mess with a petition warrant article, I am making this up.

Chairman Hatch- That is like me going to Walter Mitchell without you and Michael's consent.

Selectmen Guarino- Not it isn't. This had an opinion in it. It wasn't from the Planning Board. I asked you guys to go and remove it.

Chairman Hatch- Connect that to this, I am not connecting the dots.

Selectmen Guarino- You aren't n connecting it, it has an opinion here. (He reads the article again)

Selectmen Jean- I thought, upstairs when they had that meeting, that it was said that they have a permit in place for ten years. They still had five years left of it and they could continue that.

Selectmen Guarino- If you look in your packet that's not what it says because Walter made the same opinion in the package to the Planning Board that he made in that letter write there.

Selectmen Jean- I didn't bring that with me.

Selectmen Guarino- I didn't bring it either. You are saying what is the connection? The connection is an opinion. This what the line should have said, this is what the line should have said, and this is why I was making a big deal of. "The current bio-solid use of class A and B in Gilmanton should this petition warrant article pass that activity at this time, I don't know how to write it, has conflicting opinions concerning its continued use."

Chairman Hatch- He says he does not recommend to the Town that they undertake the expense unless the ordinances passes.

Selectmen Guarino- That's fine. The problem is that it's in here and the problem is that you actually have an opinion in here that doesn't even go with legal counsel. I can take our package and I can show you that counsel said that it is too difficult of a question to actually have an opinion at this time.

Chairman Hatch- You know what for Walter Mitchell to send this e-mail, he even had concerns about you going to see him.

Selectmen Guarino- It's ok. I have concerns with you having a contract looked at.

Chairman Hatch- It was a quorum of the Board.

Selectmen Guarino- There was no vote, no vote written, I read the minutes. So when did you vote on that.

Chairman Hatch- We didn't, it's going to the people.

Selectmen Guarino- So a petition warrant article and you spend tax payer dollars to look at a contract. I am telling you that this opinion was written by someone in this office who continually goes out there and talk to the newspapers and stuff, saying the same opinion when there is conflicting legal counsel.

Chairman Hatch- What are you talking about?

Selectmen Guarino- The Tuesday or Wednesday Citizen Paper, she said the same thing in the paper that's in this thing. She put it in the Concord Monitor.

Chairman Hatch- I want to see that.

Selectmen Jean- Did you see in the Concord Monitor that the tax rate is going to be \$4.79?

Selectmen Guarino- I am paraphrasing. Louise is quoted is saying that the petitioners are wrong because this won't do anything and make it any different.

Chairman Hatch- Did you know about that? I want to see it.

Selectmen- You won't admit that this has an opinion in it? This conflicts with attorney saying, this conflicts with legal counsel. Counsel is saying that he doesn't know.

Selectmen Jean- That was written by a clerk for the Planning Board.

Selectmen Guarino- The Planning Board didn't request this Michael.

Selectmen Jean- So why didn't the Planning Board review it? The Planning Board did not recommend it.

Selectmen Guarino- No they didn't recommend. How simple would it have been, the Planning Board does not recommend.

Chairman Hatch- It's on the ballot. I believe the ballot reflects that the planning board does not approve that. What is your root issue with this?

Selectmen Guarino- Ok let's changing zoning in the Town of Gilmanton. We enact a 2017 building code, I'm just saying it's more stringent than the one we are working with, the 2013. Then all of a sudden a person from the Town of Gilmanton write in "going by the 2017 building code it's going to be an enforcement issue. Could create an enforcement issue by the Town" An enforcement issue by the Town means it's going to cost us money. Anybody with common sense is going to see that it will cost money. Anything that could cause change could cost money.

Chairman Hatch- If the Bio-solids petition article goes through it's going to cost us money because we are going to have to seek legal opinion on it.

Selectmen Guarino- So now we are saying that if this here petition warrant article this here passes it's going to cost the Town of Gilmanton money because we got to get legal opinion. All it need to say was not recommend by the Planning Board, it was that simple.

Chairman Hatch- so your issue was with...

Selectmen Guarino- The commentary and I tried to get you guys to respond to it. I asked him to ask you. I didn't get response so I went down to Concord and spoke to Elections and all he said was we don't have time to fool around with something like this, as you could imagine going towards elections.

Chairman Hatch- Can I ask you what you brought to Walters office?

Selectmen Guarino- I brought the thing from the State of NH that said that DES if a ban passes they are required by law to continue permitting and I submitted a piece of paper from the towns that were around us that had bans. I wrote a note.

Chairman Hatch- What did the note say.

Selectmen Guarino- Louise who has been in this conversation with me has been saying that our zoning regulations which are 7-1 says that if there is a change in the zoning that a continued use could take place. So if you had a business in a commercial zone and the zone change you could continue your use. So I wrote down in actuality does continued use pertain to bio-solids. It was a short note. Her letter had more questions in it so I brought the piece of paper from the State of NH.

Discussion goes in the same manner of statements that have already been stated. Comparatives given by **Selectmen Guarino** about if warrant article #4 had speculative language etc.

Chairman Hatch asks why he **Selectmen Guarino** is deflecting from the original question asked. The conversation continues that the Library Warrant Article had been changed at Deliberative Session and the meeting minutes have reflected that. It was asked by **Selectmen Jean** and **Chairman Hatch** if this was brought to the Planning Board. Selectman Guarino stated that it was and the Planning Board Chair sent out a letter but didn't get the response in time and two days after Deliberative Session legal counsel instructed to remove the line. **Chairman Hatch** and **Selectmen Jean** was under the impression that the information in that particular article came from the Planning Board. **Selectmen Guarino** stated that it hadn't and Louise was trying to help with the voters' guide just like others in the office were trying to help. A disagreement between the Board Chair and **Selectmen Guarino** was had from the idea that **Selectmen Guarino** went outside the confines of the Board of Selectmen. **Selectmen Guarino** stated that the voters' guide needed to be corrected. It is important to **Chairman Hatch** that **Selectmen Guarino** does not go outside the confines of the Board.

Chairman Hatch calls Public Comment-

Bob McWhinnie- I would like to ask a question. I knew nothing about this before we came in and I am just a little confused. It sounds like there was something put it after, I was at the

Planning Board meeting and there was something written up to put out for the vote and Don changed something on his own opinion.

Chairman Hatch- I wasn't at the Planning Board meeting I don't know. I don't know what our rep does on his own.

Bob McWhinnie- Is that what happened? That you've changed something that wasn't the article that you wrote.

Selectmen Guarino- You can't change a petition. I am talking about a voter's guide.

Bob McWhinnie- I am talking about the voters' guide that you changed to fit your needs. You had it changed to what you wanted, it's different right?

Selectmen Guarino- Counsel said it needed to be removed.

Bob McWhinnie- So is this true what I'm hearing? You had something changed that you didn't like in there but not the people who actually wrote it? Twist it around all you want, you are against bio-solids and you changed something to fit your personal needs.

Selectmen Guarino- You like the incorrect thing?

Bob McWhinnie- I don't know what it said, I didn't write but I wouldn't get to change it. What if you wrote it and I changed because I didn't think what you wrote was right? It wasn't yours.

Selectmen Guarino- It represented the Town, the whole Town.

Steve McWhinnie- These people here represent the Town, the whole Town and they were unaware of it, right? She said she wasn't aware of it.

Selectmen Guarino- You guys aren't listening.

Bob McWhinnie- We heard it Don and then you side tracked to through off to make this sound good.

Steve McWhinnie- I am asking and you are going to listen, please. Rachel did you know what he sent and gave to Walter?

Chairman Hatch- No

Steve McWhinnie- Did you know?

Selectmen Jean- I didn't know.

Selectmen Guarino- Are we Perry Mason?

Steve McWhinnie- What I am trying to understand is, why our Chair person doesn't know what our Select people are saying to our legal counsel.

Chairman Hatch- Because I am a temporary, I am a newly appointed Wal-mart employee.

Steve McWhinnie- No you are not you are the Chair person and what I am trying to understand is Don, what gave you the right to go and do that?

Selectmen Guarino- I asked the Planning Board.

Steve McWhinnie- They don't have the right to go and do that...

Selectmen Guarino- That don't have the right to go and write the stinking thing.

Steve McWhinnie- I don't care. You don't have the right to do above the Chair person.

Selectmen Guarino- I called the Administrator to ask them about it. You haven't been listening.

Steve McWhinnie- Do we have a letter back from them that he is uncomfortable about what you did?

Selectmen Guarino- That's not the one. The final letter from the planning board states that concerning enforcement issues should not have been in there.

Steve McWhinnie- Than what is Walter uncomfortable with?

Selectmen Guarino- He is uncomfortable with the question concern grandfathering.

Steve McWhinnie- What I am asking then Don, did you go to Walter Mitchell unbeknownst to the other two.

Selectmen Guarino- Yes I did.

Steve McWhinnie- Why?

Selectmen Guarino- Because of their response.

Steve McWhinnie- You aren't supposed to do that.

Selectmen Guarino- Well that's great. Nobody responds and we print stuff that propaganda.

Steve McWhinnie- You aren't supposed to do that.

Selectmen Guarino- That's fine.

Steve McWhinnie- What are you doing?

Selectmen Guarino- What about the contract on the Gilmanton Library, that's all fine?

A verbal back and forth that is not understandable goes on and **Chairman Hatch** calls any other point of business.

Steve McWhinnie- Everybody should be aware any time you talk to anybody. You should be aware Rachel anytime any business goes on. I don't care if you're done March 8th.

Chairman Hatch- I agree.

Selectmen Jean- We should have known.

Steve McWhinnie- Everybody should have, you don't just go around and do stuff. That's not the proper channels that should have got done.

Chairman Hatch- Any other business before the Board.

Selectmen Jean- We have non-publics.

Chairman Hatch entertains a motion to go into non-public.

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

MOTION: On a Motion by Selectman Jean, and seconded by **Chairman Hatch** it was voted unanimously to go into Non-Public Session per RSA 91-A: 3, II (c). (3-0 Voice Vote –

Chairman Hatch-yes, Selectman Guarino– yes, Selectman Jean– yes).

The meeting room was closed to the public. Present during the Non-Public Session were **Chairman Hatch**, Selectman Guarino, Selectman Jean. Town Administrator Paul Branscombe, Recording Secretary Heather Carpenter

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

MOTION: On a Motion by Selectman Jean, and seconded by **Chairman Hatch** it was voted unanimously to go into Non-Public Session per RSA 91-A: 3, II (c). (3-0 Voice Vote –

Chairman Hatch-yes, Selectman Guarino– yes, Selectman Jean– yes).

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

MOTION: On a Motion by Selectman Jean, and seconded by **Chairman Hatch** it was voted unanimously to go into Non-Public Session per RSA 91-A: 3, II (c). (3-0 Voice Vote –

Chairman Hatch-yes, Selectman Guarino– yes, Selectman Jean– yes).

MOTION: On a Motion by Selectman Jean and seconded by Selectman Guarino it was voted unanimously to come out of Non-Public Session at 8:50 p.m. (3-0 Voice Vote – **Chairman Hatch**, Selectman Guarino -yes, Selectman Jean – yes).

The meeting room was opened. The Board noted the Non-Public Session minutes were sealed and they move to adjourn.

Adjournment:

On a Motion by **Selectmen Guarino** and seconded by Selectman Jean it was voted unanimously to adjourn at 8:55 p.m. (3-0).

Respectfully Submitted,

Heather Carpenter
Recording Secretary

Approved by the Board of Selectmen

Chairman Rachel M. Frechette Hatch

Selectman Donald J. Guarino

Selectman Michael J. Jean