

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

10 January 4, 2016

6:00 pm. – Gilmanton Academy

Present: Chairman Rachel Frechette Hatch, Selectman Donald Guarino, Town Administrator Paul Branscombe and Administrative Assistant Stephanie Fogg. Please see attached attendance sign in. Absent: Selectman Jean, due to a work emergency.

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

Hoyle, Tanner and Associates – Matt Lowe, Senior Vice President and Sean James Vice President, where here last in September of 2015 to speak with the Town. Attached to the minutes in the office is an outlined presentation from Hoyle, Tanner and Associates. They showed the Board of Selectmen similar projects to the bridges in Gilmanton, that they have worked on. Qualifications are over 90 successful projects, that we have worked through the State Aid or Federal Aid programs, with NH DOT. They have a highly qualified bridge engineering group, the whole package that you would need for bridge engineering. LPA Certification through NH DOT, only required if there is Federal Funding, we do not anticipate Federal Funding for the Gilmanton projects at this point, but 12 of our professionals are certified in that program with the NH DOT. It is a process certification. The certifications allow us to understand the process of permitting, right-of-way submittals, this certification is not required for the State Aid Bridges. Cost control is always important, our team is able to do services in house for things such as hydraulics, roadway design. We do have to hire sub-consultants for soil borings, and topographical surveys.

We tailor our scope and services to provide you only what you need, enough to ensure that you get your 80% reimbursement through NH DOT. We want to work through the whole process to be sure your reimbursement is protected. We do a lot of these bridge projects and one of the things we gain in experience is our interaction with the contractors. We provide construction administration services and construction engineering services on most all of our municipal bridge projects. That provides us with a wealth of experience to bring back to our designs for future projects. We use construction tested details, we have been able to build good relationships with most all of the bridge contractors. We have bid over 30 of these projects over the last five years, so we are confident with the contractors out in the field. We share our gained knowledge with NH DOT as well.

The first step in the process is a study, to look at all different kinds of options. Concrete, timber steel all different things.

Night Hawk Hollow Brook built in 1930, rehabilitated in 1960, steel beams/concrete deck -28 foot span. They will provide information regarding traffic control, that is a local decision. This is probably a candidate, after speaking with the Road Agent here, will be a candidate to not completely close. If you can close the bridge and let the contractors do the work and then open it later, that is the least cost. The next would be to phase it and build a piece at a time or a temporary bridge. Usually the first thought is we do not want to close a bridge at all, and then looking at the cost, well maybe for a shorter period of time.

We have also talked about the cash flow for the State Aid Bridge Program before. It is a reimbursement program, it is not a grant program. Where you get reimbursed 80% after each phase.

When the design is complete and the project goes to bid, you can receive the 80% reimbursement of the design permitting costs. Then the State forwards you 40% of the construction costs. So half of the 80% gets forwarded to you (40%) and the Town has to manage the 60% of the contractors price and 100% of the engineering. They hold 58% of the construction, whether there are change orders up or down, and then 80% of the construction engineering.

Chairman Hatch said can you tell me why it is a reimbursement and not a grant? Matt Lowe said that it is the way this program is written. It is a reimbursement program of 80% of actual cost.

Other potential funding that is a long shot, we can certainly look into FEMA, Hazard Mitigation. Unless you have some really high, documented costs that you have had to repair do to flooding, this will probably not pan out for you. There has to be a benefit cost analysis to show that your costs and your project have a benefit/cost ratio of one or better. If it works, it works out well because the Town ends up paying only 5% of the project, FEMA picks up 75%, and DOT picks up the remaining 75% of the 25%.

Selectman Guarino asked if the other bridges Matt mentioned in two other towns were able to provide enough documentation to put them into the FEMA Program? Matt Lowe said yes, because they lost the bridges, in documented floods. The stipulation with the 75% reimbursement, is only to replace exactly what was there or is there as a bridge, no upgrades.

Prioritizing the bridges, conditionally they are all about the same. We think you will want to prioritize your bridges beginning with the most important, where school buses travel, or more traffic (serve more people). That might be the Stage Road Bridges over the Crystal Lake Road Bridge.

Selectman Guarino stated that if you do move both of the Stage Road Bridges up, then taking them at an average of each \$500,000 bridges then you are looking at \$1,000,000 of bridges. How do we handle that much money, looking at the financials in one year. When you are in the actual planning process, do you assist on how you think it will work with the financials?

Matt Lowe said we routinely write Warrant Articles and we would be happy to do that. We can also assist the builder for an additional fee. We always help with the budgeting process. So you know what you need when in the process.

- 1 1st would be the Engineering Study, NHDOT
- 2 2nd Design, Permitting and Bidding
- 3 3rd Construction Administration "Clerk of the Works" Consultant

Chairman Hatch thanked Matt and Sean from Hoyle and Tanner for presenting this evening.

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Approval of Minutes – Minutes from December 14, 16 and 30th were tabled until next meeting.

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- Old Business -
- There were several Warrant Articles that needed more information last meeting.

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12 1.**Command Vehicle** – Total of \$50,589.00, \$13,589.00 to be raised by general taxation.

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2. **Article 19** – Bridge Fund 1995, Brian Forst said that the Budget Committee supports Article 19, but would like the Bridge Fund established in 1995 be left out. Further, that a Warrant Article for the Bridge Fund Engineering be placed on the ballot for this year for the purpose of engineering the replacement of the bridges only.

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Brian Forst said that the voters guide needs to be done because there is a need for educated and informed voting.

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Super Saturday – January 9, 2016, Budget Committee Meeting on January 6, 2016 Brian will warn the Article regarding engineering costs and if need be the number can be adjusted at the Deliberative Session on January 30, 2016.

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Selectman Guarino agreed that Hoyle and Tanner could give a number for the engineering for the Warrant Article. Paul to check with Hoyle and Tanner. The Bridge Fund will be removed from Article 19 for Wednesdays Budget Committee Meeting. Paul Branscombe reminded that the content or the accuracy of the article language cannot be changed. Chairman Hatch said to Chairman of the Budget Committee, Brian Forst, that at Deliberative you could explain to the Public why the amount on this particular article would be up or down because of the information we will have between now and then. Brian said he is not against doing that.

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Paul Branscombe asked Chairman Hatch if it would be ok, as Hoyle and Tanner have done so much work already in Gilmanton, that he give them a call to check on what it will cost, give us an estimate. Chairman Hatch said yes.

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Brian Forst and Selectman Guarino discussed that they understand that the engineering cost will be a percentage of the bridge construction cost. Selectman Guarino agreed that Hoyle, Tanner can give us an estimate of what we should establish for funds or withdraw from the bridge fund.

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Brian said as long as Paul can present to me what the warrant articles are, we can change numbers at Deliberative Session, but cannot change intent.

- Paul Branscombe said that they cannot finish the MS-7 for 2016, because if Warrant Articles are not finalized, you cannot go into the portal and create documentation that you need. The longer
- 47 we hold this Warrant Article up, the Selectmen's Office will be criticized for not having this
- information to present for Super Saturday either.

Brian Forst said that the Budget Committee won't be signing blank paper for the MS-7.

Paul Branscombe said that we have added the Tax Impact for each Warrant Article and that will help with both the Public Hearing and Super Saturday. Brian agreed. Brian said the Tax Impact is based on what numbers?

- Paul Branscombe said that 5 critical pieces to affect the tax impact estimate.
- 8 Tax Impact based on
 - 1. Operating Budget
 - 2. Revenues (estimated)
 - 3. Warrant Articles
 - 4. Special Warrant Articles
 - end result tax impact.

Brian Forst said based on Current valuation. Paul said yes. Brian said based on what revenue projection?

Paul said we have a negative on revenue, based on MuniSmart software, that is not "Munismart".

Brian said we will have estimated revenues? Paul said you will have something. Brian said I want to be clear that the tax impact is an estimate only it could move a little one way or another. Paul said that is correct.

Chairman Hatch said I will worry about DRA. Brian stated that he would be happy to help with input on that, and to let DRA know in order for this to be handled correctly, it needs to be handled this way. Chairman Hatch said it is not always clear cut, and at this point it is about relationships.

Brian Forst has a budgetary concern with Salaries, not certain about reputation. Public or Non-Public session? I can wait for Super Saturday? Chairman Hatch said only one Selectmen can have input on Super Saturday. Brian said he is willing to wait for a Non-Public this evening.

7:10 pm **Welfare Director** – Suzi McCormack uncovered a few things that we are high in general assistance regarding the allowance for car payments is currently at \$400/month. Suzi McCormack suggests bringing that threshold to \$200/month to align with County allowances.

Selectmen decided to adjust the Welfare Guidelines accordingly, to bring the allowance of \$200/month for a car payment.

Tri-State Insurance – had requested a meeting with Town Officials to speak about the Insurance Claim and details of January 11, 2015. The Selectmen agreed to have Tri-State speak only to our insurance adjuster, no officials to speak with Tri-State.

Adoption of Fund Balance Policy – tabled for this evening.

Joint Loss Management and Board of Selectmen's recommendations for the Transfer Station, tabled for this evening.

New Hampshire Public Works Mutual Aid Program - Paul Perkins is in favor of becoming a member of this, as are surrounding communities.

Next Meeting dates January 11, 2016 and Tuesday January 19, 2016

Select Board Items –

Town Land Auctions -

Patrick Hackley, by letter, asked that the Select Board to reconsider a recent change in policy regarding the Town Land Auctions in the residential lakes district of Gilmanton. He expressed concern that other people are buying up the lots, and they are creating what he calls "open garages". They basically are storing their boats on these empty lots. Also expressing concern about the ground water and lake water quality. He is willing to come in and talk to the Select Board about his concerns.

Patrick Hackley regarding Town Land Auctions, would like to allow abutters the first opportunity to buy parcels owned by the Town before auctioning, asking the Selectmen to reinstate the abutters first policy. Chairman Hatch said that she believed the Selectmen chose to have the properties auctioned the way they currently are to bring in more revenue to the Town. Selectman Guarino said he feels that the same option to bid on the property is available to all. Selectman Guarino said he would like to wait until Selectman Jean is able to give his opinion on the subject. The topic was tabled until Selectman Jean is present.

As an example, Selectman Guarino said, I'm sure the gentleman that bought the lot on South Road, would like to have had the opportunity to bid as an abutter only, it would not have brought in as much money for the Town.

Town Report Cover – Several pictures of the Academy Building were picked by John Dickey to be shown to the Board of Selectmen. The description of the picture as written by John Dickey said that the Academy was built in 1894. The previous Academy Building was completely destroyed by fire in 1894. The Academy had been preparing to celebrate its 100th Anniversary, having been chartered in 1794. The Academy Building was rebuilt, it used to house the Gilmanton Elementary School in 1966. The Academy was renovated to use as Town Offices in 1989. Selectman Guarino said that each year Selectmen try to pick a picture from the Iron Works and the following year one from the Corners. This year a picture of the Academy Building for the inside cover of the report, fitting as there has been a lot of work to the Academy Building this year following the "flooding of January 2015". By consensus the Selectmen have chosen the picture of the Academy Building for the cover of the 2015 Gilmanton Town Report.

Chairman Hatch opened Public-Comment at 7:20 pm

GYRL – Mr. Gelatt Selectmen did not want to sponsor the spending on money for the GYRL? With respect to two Warrant Articles with the GYRL at the last Selectmen's meeting it seemed that the Selectmen did not want to sponsor the spending of the money for the Library.

Chairman Hatch said to clarify for you. If authorized by the Selectmen, a 3/5 majority vote is needed for anything over \$100,000. It is considered as a bond to enter into a three year funding

at \$50,000/year, total bond at \$150,000. If this passes it would be "tacked" onto the default budget, we would not have to find \$50,000 in our budget. The second Petition Warrant Article for the Library would be for \$50,000, for 2016 only. This Petition would have to pass by a majority vote only.

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Mr. Gelatt, I understand all that you have said. My question is if the Selectmen are involved in spending the money on the first petition, why is not the wording the same on the last petition? In either case either the people or the select people would spend the money.

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- Brian Forst Article #4 is authorizing the Selectmen to enter into a three year agreement.
- Article #20 is to see if the Town will vote to raise and appropriate funds of \$50,000 for the
- 12 Library. The two are totally different Articles.

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Mr. Gelatt – if the Selectmen are authorized, and the Petitions are correctly worded, if the Selectmen have access to \$150,000 to the cash, what happens to the money?

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Chairman Hatch – said if it passes it is binding to the Town for the next three years. This protects the Selectmen if a default budget passes from having the find the \$50,000 in the budget, it would be tacked on to the default budget.

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Mr. Gelatt said what if each Selectman can vote as they care to regarding the Library?

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Chairman Hatch said it would be binding for the next three years no matter who sits on this Board.

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Mr. Gelatt said thank you, that is it.

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28 Leonard Swanson said that after three years can they come back?

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Selectman Guarino said that the operating budget is one thing, and the Warrant Articles are added to the operating budget.

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Mr. Swanson said so that whatever was approved for last year does not necessarily follow along in the default budget? Chairman Hatch and Selectmen Guarino said that is right.

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Chairman Hatch said that the two Articles foster's a safe guard for the funding for the GYRL.

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Ralph Lavin – he supported the petition to reinstate Selectman Guarino as Chairman of the Board of Selectmen, you decided not to talk about it at the last meeting because I was not present. I do not have to be present for you to speak about, I was just a supporter of it. I want to give you permission to discuss it if I am not here.

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Brian Forst – Article #4 the difference in the two situations for the Library is that if Article 4
passes it becomes an agreement between the Selectmen/Town and the Library. Then if become a
part of the default budget. All are contractual obligations of the Town are part of a default
budget. Those obligations must be met.

Mr. Gelatt – with the Bridge Engineering it would be useful to act on it, how much \$ to be used for engineering services to be billed in 2016? Could they separate the engineering services in 2016 and 2017? If we enter \$50,000 on the Warrant Article this year? Just looking to shorten the paperwork for this year.

Chairman Hatch said we will have final figures by Deliberative Session? Budget Committee would like a little more checks and balances with such a large project.

Brett Currier – if we take money out of non-capital, when do we get that money back as a reimbursement? At the end of the complete project? Selectman Guarino said preliminary design fund is paid by the Town out of the engineering funded. Would be reimbursed.

Brett Currier – I hear there is an Anti-Brett Currier Campaign going on. I would like to see a copy of that Warrant Article, it is kind of hiding. I know that Mr. Branscombe and Mr. Jean know about it. When Mr. Branscombe was first here, there was discussion about how we could do this, which I did not think was very professional. I know what happened, I have seen the emails concerning it. It disappointed me that we would be that petty in this Town. That's fine, I'm a big boy. I can handle that stuff, but I don't think it is proper. I would like a copy of that tonight, I would appreciate it.

Chairman Hatch said yes you can have a copy, it will be warned Wednesday night.

Paul Brancombe said, it is Article #22. I did not know Brett Currier at that time, when the whole issue came about. That was an episode during my first ten days here, and I told Selectman Jean that stops right here, and it did.

Chairman Hatch said I do not know where it originated.

Paul Branscombe said it ended up on my desk, and then the previous Administrator through the e-mail that was set up on my lap top and I told Selectman Jean put this in file "13". That was the last I saw of it, until it was presented by people in Town.

Chairman Hatch said I have a copy of the Personnel Policy and I know there is a nepotism policy in there, but I haven't read it yet. But I am going to.

Chairman Hatch said we have four Petition Warrant Articles this year, can we have a Public Hearing on all of them, one time and one night.

Paul Branscombe said we can have one for the GYRL, and then immediately following the others. The only one that really needs a Public Hearing is the Gilmanton Year Round Library because it is treated as long term debt as a bond.

43 Chairman Hatch said what about the Bio Solids?

Paul Branscombe said that is up to the Planning Board. Selectman Guarino said that is already
 set up.

48 Selectman Guarino asked about the Millfoil, has that come in yet.

Paul Branscombe said no it has not come in yet, but it is on the Warrant.

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- Chairman Hatch asked about SB2? Paul said you don't have to have a Public Hearing on SB2.
- 5 Paul said because there is no monetary involvement.

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Chairman Hatch said I know we have between 15 and 30 days before March 8th, 2016. Could we feasibly have a Public Hearing before a regular Selectmen's Meeting? Paul said yes half hour or an hour before. Posted in newspaper at least 10 days before.

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- Selectman Guarino said because the GYRL Warrant Article is over \$100,000, that is why we have to have a Public Hearing? He has never had a Public Hearing over a Petition Warrant
- 13 Article. Paul said because of the amount of money.

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Brian Forst said because it exceeds the \$100,000 it becomes a bond issue, that is why you need a Public Hearing.

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Ralph Lavin said if you need me to be here to discuss anything, please have the Town Administrator call me.

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Chairman Hatch said we did not know Selectman Jean was not going to be here until 5:00 pm tonight. If you would like to come next Monday, we will be speaking about the petition then.

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Ralph Lavin said that he was just one of 70 people who signed the petition and he does not need to be there for the Selectmen to discuss it.

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Chairman Hatch said to Mr. Lavin if you want to be here you can, but you do not have to be.

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- 29 Brett Currier One thing that I would like stated in the minutes tonight was that Mr.
- Branscombe said that Michael Jean was instrumental in trying to orchestrate that petition warrant article against me. I would like that known, and I would like the people in the Town of
- 32 Gilmanton to realize as a sitting Selectmen, that is what he was up to. That is one.

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Chairman Hatch said how do you know it was you specifically?

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Brett Currier said because I am pretty much the only one that that applies to, but that is fine.

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Chairman Hatch said because of your son?

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Brett Currier said that is right. The other question I have is when is the last day to file a Petition Warrant Article.

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Chairman Hatch said January 12, 2016 is the last day to submit a Petition Warrant Article.

- Brian Forst Bridge Engineering and load capacity for bridges and getting through? In my
- 46 profession there is something that I don't believe the Gilmanton Board of Selectmen would be
- aware of that I would like to bring you up to speed on, so you can keep this in mind as you move forward with the Bridge Reconstruction in this Town. With the movement with the oversized

- loads, the State of NH has recently adopted policy, that as a motor carrier, have to sign off on a
- 2 check list that we have received approval from the governing body of a Town, which would be
- 3 the Board of Selectmen, that we have received approval to move over the Town's roadways.
- 4 Which I have a great problem with, because in order to receive the approval from the Board of
- 5 Selectmen, you would have to be put on an Agenda, you would have to come in and present your
- 6 case to the Board of Selectmen. At which point the Board of Selectmen do not have a road
- 7 engineer at your disposal. There is no timely resolve to the situation that I would be placed in to
- 8 move my customer's equipment. I would like to see Selectmen ask the engineering firm, what
- 9 load capacity are they engineering this bridge to?

Chairman Hatch said would it be logical to assume that the engineering firm working with DOT, would have the same standards as DOT?

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- Brian Forst said that would not be logical because in 2005-2008, the State sent us a letter
- regarding any bridges we might have concerns about, we should post it with an E2 Posting, it constitutes no load over 80,000 lbs. We need to prepare for this. What are they engineering
- these bridges for load capacity? If you put an E2 Posting on a bridge then a certified vehicle
- 18 cannot travel over that bridge legally. I have been making a notebook of the bridges that are
- posted E2, we cannot deliver there anymore. I want the Town to be proactive to this, and so we
- posted E2, we cannot deriver there anymore. I want the Town to be proactive to this, and so we
- 20 know what the bridge is engineered to. Brian thought that Beauty Hill and Night Hawk Hollow
- 21 bridges have E2 postings on them.

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Mr. Gelatt – concurs with what Brian Forst has said. Another question, can the equipment being used on the construction of these bridges even get here legally?

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Mr. Swanson- Was the letter to the Selectmen regarding Bio-solids forwarded to the Planning Board?

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Selectman Guarino said that the Planning Board already has the letter. The Planning Board Hearing is January 14, 2016.

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7:50 pm Close of Public Comment

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Hoyle and Tanner – The Selectmen agreed to table Hoyle and Tanner, bridge engineering contract until next meeting.

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

MOTION: On a Motion by Selectman Guarino, 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).

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- The meeting room was closed to the public. Present during the Non-Public Session were
 Chairman Hatch, Selectman Guarino and Town Administrator Paul Branscombe, Administrative
- 44 Assistant Stephanie Fogg, Chairman of the Budget Committee Brian Forst.

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The Selectmen and Chairman of the Budget Committee discussed a salary line in the 2016 budget.

- 1 **MOTION:** On a Motion by Chairman Hatch and seconded by Selectman Guarino it was voted
- 2 unanimously to come out of Non-Public Session at 7:52 pm. (3-0 Voice Vote Chairman Hatch,
- 3 Selectman Guarino -yes).

The meeting room was opened to the public. The Board noted the Non-Public Session minutes were not sealed.

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- (B) Non-Public Session per RSA 91-A:3, II (c)
- 9 **MOTION:** On a Motion by Selectman Guarino, 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
- 11 Hatch-yes, Selectman Guarino—yes).

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- 13 The meeting room was closed to the public. Present during the Non-Public Session were
- 14 Chairman Hatch, Selectman Guarino and Town Administrator Paul Branscombe, Administrative
- 15 Assistant Stephanie Fogg.

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17 The Selectmen discussed the Dedication of the Town Report for 2016.

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- MOTION: On a Motion by Chairman Hatch and seconded by Selectman Guarino it was voted unanimously to come out of Non-Public Session at 7:58 pm. (3-0 Voice Vote Chairman Hatch,
- 21 Selectman Guarino -yes).

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The meeting room was opened to the public. The Board noted the Non-Public Session minutes were not sealed.

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- Police Department -
- Selectman Guarino do part-timers take the detail from the full-timers? Selectmen Hatch said I would hope not.

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- General Business –
- 31 **Finance Officer** Selectman Guarino discussed the ad that was placed for the Finance Officer.
- 32 It should read, as agreed by the Board, commensurate with experience without a dollar amount
- per hour. The ad will be corrected as we have not actually settled this line item for salary.
- 34 Chairman Hatch said the ads I put say commensurate with experience and leave the dollar
- 35 amount out.

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- Budget -
- 38 Selectman Guarino asked about the Default Budget number and the 2016 Budget at \$3,536,569,
- 39 the commitment of the 2016 Budget is up by \$21,286. Paul Branscombe said the difference is in
- 40 NH Retirement and health insurance which are both contractual arrangements. Selectman
- 41 Guarino asked about the order of the Warrant Articles? Paul Branscombe said that it is any
- 42 election of officers, then any ballot question, zoning, bond, general operating, warrant articles
- and petition warrant articles, and it has been approved.

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Adjournment: On a Motion by Selectman Guarino and seconded by Chairman Hatch, it was voted unanimously to adjourn at 8:15 pm (2-0).

Chairman Rachel M. Frechette Hatch

Chairman Rachel M. Frechette Hatch

Selectman Donald J. Guarino

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Selectman Michael Jean

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