

APPROVED

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

August 22, 2016

6:00 p.m. – Gilmanton Academy

Present: Chairman Steve McWhinnie, Selectman Marshall Bishop, Town Administrator Paul Branscombe and Assistant Town Administrator Heidi Jackson-Rhine.

Also present please see attached sign in sheet.

6:00 p.m. Chairman McWhinnie opened the meeting, took attendance of those present and voting (Chairman McWhinnie and Selectman Bishop) and led the Pledge of Allegiance. Selectman Jean was absent without notice.

Chairman McWhinnie made a change to the agenda and moved one of the Non-Public sessions to the beginning of the meeting.

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

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

Reputation

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

Approval of Minutes –

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to approve the minutes of August 1, 2016 as submitted (2-0 Voice Vote – Chairman McWhinnie-yes, Selectman Bishop– yes).

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to approve the minutes of August 8, 2016 as submitted (2-0 Voice Vote – Chairman McWhinnie-yes, Selectman Bishop– yes).

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to approve both (2) non-public minutes of August 8, 2016 as submitted (2-0 Voice Vote –Chairman McWhinnie-yes, Selectman Bishop– yes).

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to approve the minutes of August 10, 2016 as submitted (2-0 Voice Vote – Chairman McWhinnie-yes, Selectman Bishop– yes).

Signature File

Raffle Permit-

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to approve the Raffle Permit for the Blue Night's Motorcycle Club as submitted (drawing to be held December 01, 2016) (2-0 Voice Vote –Chairman McWhinnie-yes, Selectman Bishop– yes).

Chairman McWhinnie and Selectman Bishop signed an Intent to Cut for Map 108 Lot 09 and a Yield Tax Certification and Warrant for Map 420 Lot 99.

Road Agreement and Release

MOTION: On a Motion by Selectman Bishop, and seconded by Chairman McWhinnie it was voted unanimously to authorize Chairman McWhinnie to sign the Road Agreement and Release for 9 Walnut Street (2-0 Voice Vote –Chairman McWhinnie-yes, Selectman Bishop– yes).

Chairman McWhinnie signed the Road Agreement and Release for 9 Walnut Street. The property owner is applying to demolish the existing building and erect a new structure. The Zoning Board of Adjustment approved the variance at the August 18, 2016 Zoning Board of Adjustment meeting.

Wage Scale Placement

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to place all current personnel on the adopted wage scale as outline in Column "D" and to distribute the COLA as outlined in Column "I", effective as of this date: August 22, 2016. (2-0 Voice Vote –Chairman McWhinnie-yes, Selectman Bishop– yes).

Personnel Action forms- the Selectmen signed for the employees being placed as indicated in prior motion for the Financial Officer.

Abatement-

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to approve the abatement request to refund interest only of \$23.27 for Map 115, Lot 013. (2-0 Voice Vote –Chairman McWhinnie-yes, Selectman Bishop– yes).

Old Business

Brenda Currier-

Mrs. Currier noted that she had intended to speak to live streaming of Selectmen's meetings, but Metrocast Cablevision had not yet gotten back to her. Her next item was regarding an email Town Administrator Paul Branscombe had written to the County Attorney regarding a private matter. She asked Mr. Branscombe through the Chairman how it is appropriate to use town email

to construct a letter on a private matter, acknowledging that the conversation back and forth was regarding herself and her husband in a private matter. Mr. Branscombe responded that he was acting on Town Counsel advice to contact the County Attorney as Selectman Bishop is a sitting elected Official. Mrs. Currier next spoke to her zoning complaint regarding the Gilmanton Winery, which was discussed at the August 1, 2016 Selectmen's meeting. She expressed her belief that the Selectmen had only addressed the septic system, which was the only item they did not have jurisdiction over. Mrs. Currier asked, based on recent media attention, how many hours Louise (*Knee, previous Planning Clerk*) had spent on Mrs. Currier's Right to Know requests. Chairman McWhinnie replied that he did not know, but could get back to her. Mrs. Currier stated that Mr. Branscombe's most recent letter to the Liquor Commission regarding the Gilmanton Winery was not included in the documents received in her Right to Know request, and she considered this a violation of her request. She asked the Board to direct Mr. Branscombe to write a new letter to the Liquor Commission, advising that the Planning Board ruling stated that the Gilmanton Winery does not have permission to run a restaurant. Chairman McWhinnie stated he would like to wait and see how the situation unfolds with the Planning Board. Mrs. Currier notified the Board that she had contacted the Liquor Commission. She also suggested the Board check with Town Counsel to see if there is a conflict of interest with Selectman Bishop making the motion to make Selectman McWhinnie Chairman when Selectman Bishop was quoted in the paper discussing the topic.

Public Comment

Chairman McWhinnie opened the floor for public comment at 7:00 p.m.

Brenda Currier stated that at the Planning Board meeting the Zoning Board of Adjustment Vice-Chair had spoken about paving on a Class VI road that was done without permission and that the Board had been lenient with that resident. Mrs. Currier stated that the residents referred to could only have been her and her husband based on the timeframe given, and that they had received permission. She provided a copy of the letter of approval and the minutes of the December 22, 2003 Selectmen's meeting where the decision was made. (see attached)

Donald Guarino had questions on the wage scale and employee placement. As the Board do not respond to public comment generally, Mr. Guarino stated he would come in during regular business hours to view the document.

Richard Bakos wished to clarify, in reference to an email exchange with Paul Branscombe regarding his public comments at the prior Selectmen's meeting, that he never said it was illegal for the Auditor to prepare reports, but rather inappropriate in appearance. He would like the Selectmen to put out an "appearance of independence." He did not want to disparage the Auditor, stating he does good and a lot of work. Mr. Bakos felt that if the Town goes through an RFP, they will spend much more for auditing services on top of what they are already paying a Town Administrator, Assistant Town Administrator and Finance Officer to do. Mr. Bakos asked if the Board knew where it stood financially yet, and if the mispayments of overpayments etc to employees last year had been addressed; stating that every employee on the Town health insurance was effected. He also asked that the Town Administrator check into the liability to the Town with the Liquor Commission regarding the Winery, as the Town has knowledge and has not acted on it.

Brenda Currier noted that if the Board were to answer questions they could readily speak to in public comment, then they could avoid so many Right to Know requests.

Leonard Swanson wanted to know how to proceed with a Right to Know request that was responded to incompletely. He had submitted a Right to Know request and received a response, but had to resubmit his request stating specifics because there were missing lines in one of the emails he received. The response from Mr. Branscombe to his resubmission was that his Right to Know request had been fulfilled.

Paul Branscombe asked to respond, then explained that every Right to Know request has to go through Town Counsel. He stated that nothing was missing from the email, it continued onto the next page, and Town Counsel had reviewed and confirmed that nothing was missing. Mr. Branscombe will discuss this with Town Counsel and then speak to Mr. Swanson.

Mr. Swanson confirmed that coming before the Board as done tonight was the proper procedure in this situation.

Chairman McWhinnie closed the public comment at 7:19 p.m.

New Business

Employee Performance Evaluation Forms

The Board was provided two versions of an evaluation form, and asked to decide which to use so that annual reviews could proceed. The first was provided as part of a management training held for Gilmanton Department Head's last summer (2015), and titled Employee Review System. The second was created in house, and titled Town of Gilmanton Employee Performance Evaluation.

The Consensus of the Board was to use the Town of Gilmanton Employee Performance Evaluation forms.

Compactor Quotes

The topic of compactor quotes was **Tabled**, as quotes were still being collected, and Chairman McWhinnie wanted to have this reviewed with the Town Electrician. Chairman McWhinnie asked if three-phase electric service was available at the street level at the Transfer Station, and if not already in place, for an estimated cost to bring such service to the Transfer Station.

Streaming Audio/ Video Options

Assistant Town Administrator Heidi Jackson-Rhine discussed options for recording and streaming audio and/or video of Selectmen's meetings, noting the hardware needed may be cost prohibitive. One option for video streaming would be a vendor who provides the equipment and digital storage for \$250 per month. She stated the most cost effective and simple option may be to use the current equipment or recorders that had been previously discussed, and create a YouTube™ webpage to upload audio to and then link to on our existing webpage.

MOTION: On a Motion by Chairman McWhinnie, and seconded by Selectman Bishop it was voted unanimously to upload audio files to YouTube™ and link on the Town website. (2-0 Voice Vote –Chairman McWhinnie-yes, Selectman Bishop– yes).

Select Board Items

As Selectmen's Representative on the Planning Board, Chairman McWhinnie noted that he is happy with the direction the Planning Board is going in and that the Board is working hard with people to get what they need.

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

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

Reputation


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

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


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

Adjournment: On a Motion by Chairman McWhinnie and seconded by Selectman Bishop it was voted unanimously to adjourn at 7:56 p.m. (2-0).

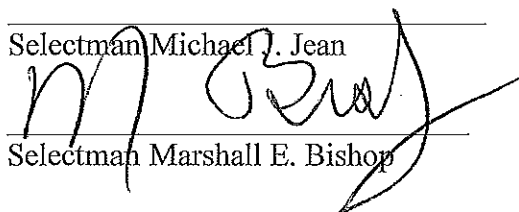
Respectfully Submitted,


Heidi Jackson-Rhine
Assistant Town Administrator

Approved by the Board of Selectmen


Chairman Stephen P. McWhinnie

Selectman Michael J. Jean


Selectman Marshall E. Bishop

{Audio recordings are available at the Selectmen's Office}

