



APPROVED

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

April 14, 2015

6:00 pm. – Gilmanton Academy

Present: Chairman Donald Guarino, Selectman Michael Jean, Town Administrator Arthur Capello, Administrative Assistant Stephanie Fogg. Also present Terri Jansky (Assessing Clerk), Gail Ober (Laconia Daily Sun), Franco Rossi, Daniel Ladd, Stanley H. Prescott, II, Frank Spinella, George Hildum, Dick deSeve (Conservation Commission), Sue Hale-deSeve, Tracy Tarr, Joe Derrick, Tom Howe (Gilmanton Land Trust), Patrick D. Hackley.

Chairman Guarino opened the Public Meeting and led the pledge of allegiance.

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

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

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

The Selectmen discussed a Tax Agreement.

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

MOTION: On a Motion by Chairman Guarino and seconded by Selectman Jean it was voted unanimously to come out of Non-Public Session at 6:06 pm. (2-0 Voice Vote – Chairman Guarino -yes, Selectman Jean – yes).

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

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

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

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

4
5 The Selectmen discussed a Tax Agreement.

6
7 **MOTION:** On a Motion by Selectman Jean and seconded by Chairman Guarino, it was voted
8 unanimously to seal the minutes of the Non-Public Session. (2-0 Voice Vote – Chairman
9 Guarino -yes, Selectman Jean – yes).

10
11 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman Jean it was voted
12 unanimously to come out of Non-Public Session at 6:10 pm. (2-0 Voice Vote – Chairman
13 Guarino -yes, Selectman Jean – yes).

14
15 The meeting room was opened to the public. The Board noted the Non-Public Session minutes
16 were sealed.

17
18 **(C) Non-Public Session per RSA 91-A:3, II (c)**

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

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

26
27 The Selectmen discussed a Tax Agreement.

28
29 **MOTION:** On a Motion by Selectman Jean and seconded by Chairman Guarino, it was voted
30 unanimously to seal the minutes of the Non-Public Session. (2-0 Voice Vote – Chairman
31 Guarino -yes, Selectman Jean – yes).

32
33 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman Jean it was voted
34 unanimously to come out of Non-Public Session at 6:15 pm. (2-0 Voice Vote – Chairman
35 Guarino -yes, Selectman Jean – yes).

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

39
40 **Space Needs** – Debra Cornett brought forward a price comparison for file cabinets and a locking
41 cabinet to use in the Conference Room for storage. She also ordered a new printer/copier
42 replacement, which would come out of non-capital reserve. Michael Jean will look into a State
43 Bid price for the cabinets online tomorrow. Debra said she would need two file cabinets that are
44 fire proof.

45
46 The Selectmen and Debra Cornett looked at her office space and discussed moving some file
47 cabinets into the Conference Room. She could move her desk giving more room in the center of

1 the office. Arthur Capello said over the next couple of weeks he will order those cabinets she is
2 requesting.

3
4 **Academy Building Open House** - April 25, 2015, light refreshments (Juice, Coffee, Donuts,
5 Cookies), 10:00 am to 1:00 pm. Arthur will secure Bill Booth for clean up before the open
6 house.

7
8 **Update on Academy Building** – Arthur Capello said that the concrete slab, back porch, new
9 light for back parking lot, alarms and smoke detectors for the elevator are all set. Two bathroom
10 floors upstairs have been repaired. Arthur will check with Wayne Ogni to be sure it is a “photo
11 light”.

12
13 **Old Town Hall** – Selectman Jean asked Arthur Capello about the cost for Mango Security to put
14 a low temperature alarm system in at the Old Town Hall. Arthur said it is \$1,100.00. That would
15 tie into the current system that Mango has set up.

16
17 Selectman Jean would like to make a motion to have the low temperature alarm system put in
18 place. Chairman Guarino said lets continue to look into pricing and we can make a motion next
19 week on this. Arthur will give the owner of Mango a call to check on the pricing and see if they
20 can give the Town a better deal.

21
22 **MS Forms -**

23 All MS forms to the State have been completed and forwarded through the State portal. We will
24 probably get our initial tax rate at the end of May.

25
26 **Barn Easement** - Arthur Capello, the Town has the opportunity to grant a preservation
27 easement on a historic barn. Back about 10 years ago the Town had granted a discretionary
28 preservation easement for this particular barn. This gives a reduced tax rate for the structure.
29 The Taxpayer must make application, there must be a public hearing and there must be a
30 determination by the Board that there is public benefit. When that is done they must have a
31 recorded preservation easement (or to that effect). In the review process the Board determines
32 how much of a tax break the applicant can receive, and that ranges from 25% to 75%. This
33 gentleman had applied ten years ago and it was granted. It was revoked because the applicant
34 had not followed through with the steps that needed to be taken. Brian Forst was on the Board,
35 the Board had decided that they were no longer going to grant this type of easement. George
36 Hildum has asked Terri Jansky to research the minutes of 2005-2008, the Board decided not to
37 grant the one or two new applications at that time. George Hildum said that the Selectman have
38 the option of entertaining and granting these on a case by case basis or just saying you are not
39 going to grant them anymore. In 2004, the Erickson's had applied before the Board, it was the
40 first year the program was in existence. It was an ongoing process with the owner, it was
41 contingent on the property owner coming in with a maintenance plan for the next 10 years. And
42 then the Town needed to record the easement. Neither of which happened. Then in 2005
43 George was instructed by Tim Warren, then Town Administrator, that the applicant had not
44 complied and to remove whatever reduction they might have receiving. His recollection was that
45 they had decided was not to grant any more discretionary easements.

1 Arthur Capello asked of the Selectmen, do you want to consider going forward with this
2 application? Mr. Erickson came in to renew his application after the 10 years as was originally
3 agreed to. He actually did not realize he had not been receiving the reduction to his taxes.

4
5 Selectman Guarino said the State actually treats the barns fairly for assessment values. George
6 said that the savings were not that much for just the barn structure. Terri Jansky said that Mr.
7 Erickson gave pictures and a full application to her. Present value of the Barn is roughly \$25,
8 200.00. Arthur Capello said this will require a field trip by the Selectmen.

9
10 The historic value of the cultural structure must supply at least one of the following benefits:

- 11
12 1. Scenic enjoyment of the structure by the general public from a public way or from public
13 waters,
14 2. Historically important on a local, state or national level, independently or within a
15 historic district,
16 3. The structures physical or aesthetic features contribute to the historic or cultural integrity
17 of a property.

18
19 George said they are set back from the road quite a way. The Board will hold off until next
20 week. Terri will look for those minutes before next week's meeting.

21
22 If it is discretionary by the Board, if they decided to grant this one, could the Selectmen go
23 case by case. George said yes you could, but it could open you up for litigation with the next
24 applicant. The Selectmen will take a road trip and drive by the property.

25
26 **Timber Cuts** – Terri Jansky had a timber cut report turned in in February. She had the
27 figures checked and it came in double for what the logger told the owner, but it was correct.
28 Terri is going to deny the land owner the abatement of the Timber Tax, after having
29 researched it. The owner's next step is to go to Board of Tax and Land Appeal. It becomes a
30 civil matter at this point.

31
32 **Academy Building** - Selectman Jean asked about the leaking along the building and into the
33 foundation. Selectman Jean thought you could put a concrete foundation on the outside of
34 the rock foundation. Chairman Guarino said we have not budgeted for that.

35
36 Chairman Guarino, Arthur Capello and Selectman Jean and Selectman McCormack will hold
37 a work session to address the drainage.

38
39 **Appointments –**

40 **Historic District Commission** – Arthur Capello said Mr. Gardner has applied for
41 appointment to the Gilmanton Historic District. Selectman Guarino said because this is such
42 an important issue, he would like to table this until there is a full board to vote.

43
44 Selectman Jean would like to have all Board and Committee vacancies on the website.
45 Selectman Jean asked Arthur about pricing on a search engine for the website as well.
46 Arthur will be in touch with the website creator.

Raffle Permit –
Gilmanton Women's Club –

The raffle is a fundraiser for a hand knit afghan.

MOTION: On a Motion by Selectman Jean and seconded by Chairman Guarino it was voted unanimously to approve the Raffle Permit for the Gilmanton Women's Club for 2015 fundraiser. (2-0).

6:58 pm Chairman Guarino opened Public-Input

Gail Ober (Laconia Daily Sun), received an e-mail from HDC today with a list of openings. She asked if anyone had resigned. Arthur Capello said that no one resigned, Deborah Chase, who was the Chairman, chose not to be reappointed. The one applicant you have would be Mr. Gardner? That is correct.

HDC – In regards to the letter that Mr. Gardner sent the Selectmen to be forwarded onto legal counsel, with questions about the Petition Warrant Article for removal of his property from HDC. The Selectmen have received a letter back from legal counsel. The Selectmen would like that letter to be forwarded to Mr. Gardner, for him to see the response.

Department of Revenue Administration - Arthur Capello said that the Town has an A plus rating with the DRA and the revaluation.

Meadow Pond Road – Arthur Capello said that there have been complaints on Meadow Pond Road. Arthur has not heard back from the complainant after last correspondence. Selectman Jean stated that he did not think Meadow Pond Road was too bad this Spring.

Rainbo Club Association - Arthur Capello met with Al Spaulding from the Rainbo Club. There has always been an issue with campers being stored on a lot over there. Annette Andreozzi was also part of the meeting. They would like to have the Selectmen sign (as well as the Rainbo Club) sign a letter, that because the Club existed prior to any Zoning Regulations in Town, the Club would be allowed up to 10 campers stored on the common lot each year and they all have to meet registrations, road worthy as per law. Selectman Jean and Arthur Capello will take a road trip to view the Rainbo Club situation for winter trailer storage. There may need to be changes made to the club ordinances to keep the club in conformance with the Town ordinances.

Approval of Minutes -

MOTION: On a Motion by Selectman Jean and seconded by Selectman Guarino it was voted unanimously to approve the minutes of March 24, 2015 as written. (2-0).

7:23 pm The Gilmanton Conservation Commission joined the Selectmen's Meeting.

The Conservation Commission came before the Board of Selectmen for the approval of the easement for two of the Twigg properties.

1 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman Jean it was
2 voted unanimously by the attending Selectmen to accept the conservation easement from the
3 Gilmanton Land Trust on the lands identified as the Route 107 Upper and Lower Fields
4 Tracts, with such minor textual changes as counsel might approve, and delegate to the
5 chairman the authority to sign any and all documents necessary to accept this easement at
6 7:25 pm.,(2-0) .

7
8 The Selectmen signed the easement for the Twigg property.

9
10 **Meadow Pond Road** continued..... Dick deSeve said that Meadow Pond Road has very
11 bad ruts again this year.

12
13 **7:38 pm Close of Public Input.**

14
15 **Ladd Property** – Present for the Ladd Property were Attorney Frank Spinelli, Stanley
16 Prescott, Surveyor and Daniel Ladd. There was discussion regarding the history of the
17 property in question. Attorney Frank Spinelli said “If the Town has taken it legally, the deed
18 on record needs to be undone. Chairman Guarino said if the Town is found at fault, the
19 Town needs to undo the mistake. The Selectmen will wait to receive the Letter from Mr.
20 Spinelli to allow the Town Counsel and Attorney Spinelli to work out the correction needed
21 on the deed.

22
23 **Approval of Minutes continued.....**

24 **MOTION:** On a Motion by Selectman Jean and seconded by Selectman Guarino is was
25 voted to unseal the Non-Public minutes (B) of the March 24, 2015 minutes at 8:00 pm (2-0).

26
27 **MOTION:** On a Motion by Selectman Jean and seconded by Selectman Guarino is was
28 voted to unseal the Non-Public minutes (C) of the March 24, 2015 minutes at 8:02 pm (2-0).

29
30 **Budget** – The Selectmen and Department Heads requested that Arthur print out
31 budgets/expenditures every two weeks throughout the rest of the year.

32
33 **Adjournment:** On a motion by Selectmen Guarino, seconded by Selectman Jean it was voted
34 unanimously to adjourn at 8:05 pm. (2-0)

35
36
37
38 Respectfully Submitted,

39
40
41 _____
42 Stephanie S. Fogg
43 Administrative Assistant
44
45
46
47
48

Approved by the Board of Selectmen

Chairman Donald J. Guarino

Selectman Stephen J. McCormack

Selectman Michael J. Jean