



APPROVED

## Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

June 30, 2015

**6:00 pm.** – Gilmanton Academy

**Present:** Chairman Donald Guarino, Selectmen Stephen McCormack and Michael Jean, Town Administrator Arthur Capello and Administrative Assistant Stephanie Fogg.

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

**Town Clerks Budget -** Debra Cornett said that because of the default budget this year there are several areas that may have a shortfall, specifically the repairs and maintenance line, the default budget allows \$6,000 and the 2015 requested budget was for \$7,200 anticipating amounts due to vendors for repairs and maintenance. Debra Cornett wanted to bring this specific line item forward so the Selectmen are aware of the \$1,200 difference in the budgets.

Debra also said that there may be additional training for her office with a new hire.

Arthur told the Selectmen that we are running at about 45% of the total 2014 overall budget, six months into the year, so we are a little ahead at this point.

Chairman Guarino said we are still trying to stay as tight with the budget as we can. He appreciated Debra informing the Selectmen of the need at this time.

### **Election Information:**

Debra said that there is new legislation that is being discussed to have Polaroid Pictures taken, beginning in September for certain voters. The moderator would take the picture and it would be attached to the voter registration. It is an unfunded mandate, which Debra said, would not hold up in towns if it is “unfunded”. Not to mention the time it would delay the voting process, and beginning in a busy presidential election year.

Chairman Guarino said how would we know if we are in violation? Arthur Capello will check on the legislation. The purpose of the photo requirement is to help protect against voter fraud.

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

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

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

4  
5 The Selectmen discussed a tax agreement.

6  
7 **MOTION:** On a Motion by Selectman Jean and seconded by Selectmen McCormack it was  
8 voted unanimously to seal the minutes of the Non-Public Session. (3-0 Voice Vote – Chairman  
9 Guarino -yes, Selectman McCormack – yes, Selectman Jean – yes).

10  
11 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman McCormack it was  
12 voted unanimously to come out of Non-Public Session at 6:25 pm. (3-0 Voice Vote – Chairman  
13 Guarino -yes, Selectman McCormack – 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 **Fire Department Thank you!**– Mr. Mulcahy wanted to thank the Fire Department on  
19 responding to a call at his home. He said the EMT's and Fire Fighters were great and took extra  
20 care. He will forward the names of those who took care of him that day.

21  
22 **Rainbo Club** – Drawings were submitted by Mr. Spaulding to the Selectmen with proposed  
23 storage area for trailers.

24  
25 **MOTION:** On a Motion by Selectman Jean and seconded by Selectman McCormack it was  
26 voted to authorize Chairman Guarino to sign the agreement between the Rainbo Club and The  
27 Town of Gilmanton (see attached agreement). (2-0-1, Selectman McCormack – yes, Selectman  
28 Jean – yes, Chairman Guarino - abstain).

29  
30 **Public Hearing Decision– Discretionary Barn Easement -** Chairman Guarino said that if the  
31 Barn Easement is agreed to, he believes there should be a standard percentage used for all barn  
32 easements. The Selectmen agree that the property meets a least one criteria, but should we allow  
33 it? **The question was called, “Should the Discretionary Barn Easement for Mr. and Mrs.**  
34 **Erickson’s barn be granted?” (Selectman McCormack – No, Chairman Guarino – yes,**  
35 **Selectman Jean- No). *The Selectmen voted that it was not in the best interest of the Town.*** As  
36 a note, Chairman Guarino said he believed the RSA 79-D:3 was brought about to help retain old  
37 barns in the State of New Hampshire. There was a period of time that many of the existing  
38 antique barns were being removed from the State and rebuilt elsewhere.

39  
40 **Computer Policy -** Arthur Capello said he would like to set up the training before the policy is  
41 “rolled out”.

42  
43 **Camera’s for the Academy Building -** The quote for the installation of 4 cameras was  
44 approximately \$700. The cameras are for the safety of the public and those working in the  
45 Academy Building. The cameras would be placed in the Selectman’s Conference Room, Upstairs  
46 in the Auditorium, one at the Selectmen’s Office front desk and one in Tax Collector’s front desk  
47 area. It was also mentioned that there should be one more camera in the main hallway.

1 **Water Issue in Basement (Academy Building)** - Arthur Capello said that Mickey Daigle had  
2 returned a price for the water issue as requested by the Selectmen. The total price is \$6,638.00.  
3 (See attached detail).

4  
5 Selectman McCormack asked about the **Fire Hydrant**- Arthur Capello said Fire Chief does not  
6 believe the Hydrant needs a valve replacement.

7  
8 **MOTION:** On a Motion by Selectman McCormack and seconded by Selectman Jean it was  
9 voted unanimously to waive the bid policy and hire Mickey Daigle for repair of the water issue  
10 in Academy Basement at 6:45 pm. (3-0)

11  
12 **MOTION:** On a Motion by Selectman McCormack and seconded by Selectman Jean it was  
13 voted unanimously to withdraw the funds of \$6,638.00 from the Non-Capital Reserve Fund to  
14 repair the water issue in the Academy Basement at 6:50 pm (3-0)

15  
16 **Drywell for Drain of Sprinkler System at back of Academy Building** - Mickey Daigle also  
17 submitted a bid for building a drywell to drain the sprinkler system at a price of \$2,719.00.  
18 There needs to be proper drainage of the system, currently it drains onto the concrete at the back  
19 of the building. The Selectmen decided they need more detail regarding the scope of the work  
20 before making a decision. Arthur to have Mickey Daigle submit the quote with more detail.

21  
22 **Training** – Munismart and Evaluation Training were received well by all who participated.  
23 Chairman Guarino asked if an Emergency Response Training had been scheduled? Chief  
24 Collins said he will check with the Sheriff's Office (County), and State Police for possible  
25 training available.

26  
27 **Planning Board** – A property was discussed that has certain covenants in place per the  
28 Gilmanton Planning Board, and how the property was previously assessed as seasonal property.  
29 The Selectmen would like to present the information to the Town Assessor, George Hildum for  
30 his opinion and possibly the Town Attorney on the covenant and assessments before making any  
31 decisions. What is the best and fair way to deal with this issue? Are the property owner's in the  
32 cluster development paying the same tax rate as everyone else?

33  
34 **7:00 pm- Chairman Guarino opened Public Input**

35  
36 **Hiring** - Wayne Ogni said that he heard our Police Chief was going to retire. His opinion on  
37 hiring a new Chief would be to promote internally, and as Planning Board Chairman, would like  
38 to be part of the hiring process.

39  
40 Chairman Guarino asked, How did you hear about it? Wayne Ogni said he has his sources.  
41 Chairman Guarino said this is super premature, because wherever this information has come  
42 from, it is all from a non-public session of the Board of Selectmen. The Chief has not announced  
43 that he is retiring, this is incredible that you are even talking about it. Wayne Ogni said he has  
44 heard if from a couple different Selectmen on the issue that the Police Chief is retiring.

45  
46 **Building Department** - Brett Currier said there was a concern about a complaint that was made  
47 to a resident regarding two sheds. The sheds have been on the property since 1950 and 1980's.  
48 There is a new owner and now a complaint. These sheds have not been reported as a problem for

over 30 years, why now is it being cited? Mr. Currier's question is how complaints to the Town are being handled, what is the current policy on responding to Code Enforcement complaints? Arthur Capello said that any complaint has to be in writing in order to go forward. He will bring the written policy for responding to a complaint. The Selectmen asked for a continuance on this subject.

**7:20 pm Chairman Guarino closed Public-Input**

**Highway** – Paul Perkins submitted a roads list for the ditching to be done. The Selectmen noted that the job was specified as hourly and the Selectmen want it bid by the road/job.

Brett Currier suggested that the Selectmen go with the 5 bidders that had previously bid on roads projects. The Selectmen asked Brett Currier to look at the specifications and help the Selectmen with listing of other roads. He suggested that the Selectmen hold a Public Hearing on the specific roads. Brett Currier will ask some of the former Roads Committee Members if they would be interested in helping as a Committee. Roads should be priced out separately, listing headers, culverts ditching, etc., so then you can pick and choose the priority roads and the expense for each road. Arthur Capello will find the list of the 5 bidders in earlier minutes.

**Town Administrator** - The Selectmen will discuss the resumes for the Town Administrator's open position later in the evening after further review.

**Historic District Commission/Planning Board** – Wayne Ogni, Chairman of the Planning Board would like to ask the Selectmen to appoint Roy Butterick (current member of the Gilmanton Planning Board) to the HDC as a representative from the Planning Board. This request was based on a Warrant Article from 1967, when the HDC was formed. Arthur Capello said that the Warrant Article set by the Town's people takes precedence, over the RSAs. The Historic District Regulations state that it is a 5 member board, 3 at large, 1 Selectmen's Representative and 1 Planning Board Member. Please see attached supporting documents.

Arthur Capello will send a letter to the Chairman of the Historic District Commission regarding the appointment.

**MOTION:** On a Motion by Selectman McCormack and seconded by Selectman Jean it was voted unanimously to appoint Roy Butterick as the Planning Board's Representative to the Historic District Commission, based on Warrant Article from 1967 at 7:50 pm ( 3-0)

**Assistance Allowance** - Robin McGlone submitted via Arthur Capello, the yearly update to the monthly assistance allowance for the Selectmen's signatures and approval.

**MOTION:** On a Motion by Selectman Jean and seconded by Selectman McCormack it was voted unanimously to sign the yearly update to the Monthly Assistance Allowance at 7:55 pm (3-0).

**Public Hearing of Auction Properties** – was held June 16, 2015. The next Public Hearing for the discussion of the Auction properties will be held **July 14, 2015 at 6:00 pm**. The actual auction for approved properties will be **August 29, 2015 at 10:00 am, here at the Academy Building Auditorium Upstairs.**

1  
2 **MS232 – Tax Rate Setting** – The Selectmen signed the MS232.

3  
4 **Property Liability Trust** – Arthur Capello asked the Selectmen to sign a letter in support of  
5 Property Liability Trust, so the company could file to write insurance policies again. Towns are  
6 trying to keep a monopoly from happening. The Selectmen agreed to sign the letter.  
7

8 **Gilmanton Food Pantry Fundraiser** – Mr. James Barnes, Balladeer, has requested, along with  
9 Bethany Lavin of the Gilmanton Food Pantry, rental of the **Old Town Hall for August 29, 2015**  
10 **from 5:00 pm to 10:00 pm** for a **Music Concert Fundraiser for the Gilmanton Food Pantry.**  
11

12 **MOTION:** On a Motion by Selectman Jean and seconded by Selectman McCormack it was  
13 voted unanimously to approve the use of the Old Town Hall, waive the fee for the rental of the  
14 Old Town Hall for the Food Pantry Fundraiser and approve the event. (3-0).  
15

16 **Approval of Minutes** – The Selectmen post-poned approval of the minutes from June 2, 2015  
17 and June 16, 2015 ( BOS Meeting and two Public Hearings) until the next meeting, Tuesday  
18 July, 7, 2015. Draft minutes of these two meetings are available for review in the Selectmen's  
19 Office until approved.  
20

21 **Non-Public Minutes** – Chairman Guarino said that before we enter this Non-Public Session, it  
22 has come to his attention that there may be an issue that would prevent Selectman Jean from  
23 being impartial to the interview process of this next Non-Public Session. Chairman Guarino  
24 asked Selectman Jean to recuse himself from the next conversation/session. After some  
25 discussion back and forth, including Chief Collins, Selectman McCormack said that it was  
26 Selectman Jean's decision if he wanted to be present for the interview session or recuse himself.  
27 Selectman Jean said he would stay to be a part of the interview, he wants to be certain we get the  
28 best person for the job.  
29

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

31 **MOTION:** On a Motion by Selectman McCormack, and seconded by Selectman Jean it was  
32 voted unanimously to go into Non-Public Session per RSA 91-A:3, II (c). (3-0 Voice Vote –  
33 Chairman Guarino-yes, Selectman McCormack– yes, Selectman Jean– yes).  
34

35 The meeting room was closed to the public. Present during the Non-Public Session were  
36 Chairman Guarino, Selectmen McCormack and Jean. Town Administrator Arthur Capello,  
37 Administrative Assistant Stephanie Fogg , Police Chief Collins and Candidate.  
38

39 The Selectmen conducted an interview for an internal candidate for the Police Chief position.  
40

41 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman McCormack it was  
42 voted unanimously to come out of Non-Public Session at 9:30 pm. (3-0 Voice Vote – Chairman  
43 Guarino -yes, Selectman McCormack – yes, Selectman Jean – yes).  
44

45 The meeting room was opened to the public. The Board noted the Non-Public Session minutes  
46 were sealed.  
47  
48



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

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

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

The Selectmen discussed compensation for an employee in the Selectmen’s Office.

**MOTION:** On a Motion by Chairman Guarino and seconded by Selectman McCormack it was voted unanimously to come out of Non-Public Session at 9:35pm. (3-0 Voice Vote – Chairman Guarino -yes, Selectman McCormack – yes, Selectman Jean – yes).

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

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

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

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

The Selectmen discussed an evaluation for an employee in the Selectmen’s Office.

**MOTION:** On a Motion by Chairman Guarino and seconded by Selectman McCormack it was voted unanimously to come out of Non-Public Session at 9:40 pm. (3-0 Voice Vote – Chairman Guarino -yes, Selectman McCormack – yes, Selectman Jean – yes).

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

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

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

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

The Selectmen reviewed candidates for interview for the Town Administrator’s position.

1 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman McCormack it was  
2 voted unanimously to come out of Non-Public Session at 9:45 pm. (3-0 Voice Vote – Chairman  
3 Guarino -yes, Selectman McCormack – yes, Selectman Jean – yes).  
4

5 The meeting room was opened to the public. The Board noted the Non-Public Session minutes  
6 were sealed.  
7

8 **Inquiry** – Selectman Guarino would like to find out who called the Fire Chief, releasing  
9 information the evening of the last Selectman's Meeting, as mentioned by the Police Chief  
10 earlier in this meeting. It was agreed to by the Selectmen that they would table this discussion  
11 until next meeting, Tuesday, July 7, 2014.  
12

13 **Adjournment:** On a motion by Selectmen Guarino, seconded by Selectman McCormack it was  
14 voted unanimously to adjourn at 10:00 pm. (3-0)  
15

16 Respectfully Submitted,  
17  
18  
19

20 \_\_\_\_\_  
21 Stephanie S. Fogg  
22 Administrative Assistant  
23

24 **Approved by the Board of Selectmen**  
25

26 \_\_\_\_\_  
27 Chairman Donald J. Guarino  
28

29 \_\_\_\_\_  
30 Selectman Stephen J. McCormack  
31

32 \_\_\_\_\_  
33 Selectman Michael J. Jean