



APPROVED

Board of Selectmen Town of Gilmanton, New Hampshire

Meeting

July 21, 2015

6:00 pm. – Gilmanton Academy

Present: Chairman Donald Guarino, Selectman Michael Jean, Acting Town Administrator Arthur Capello, New Town Administrator Paul Branscombe 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.

New Town Administrator- Chairman Guarino introduced Paul Branscombe as Gilmanton's New Town Administrator. Paul Branscombe will be in on Monday morning, July 27, 2015 for his official first day.

Arthur Capello was scheduled to be here for this meeting to help fill in before Paul Branscombe started.

Selectman's Vacancy - Chairman Guarino stated that initially this was listed as a work session to discuss the Selectman's Vacancy, it was later decided to post it as a regular meeting so the public could be present. Filling of Vacancies 669:63 see attached, also letter from NHMA.

If the Town has never adopted 669:61 the attached will

Three capable individuals have shown interest. Arthur Capello did not request that Rachel Hatch submit a written letter, but her interest is noted and accepted. She is certainly qualified to be appointed.

Chairman Guarino read a letter from Brian Forst, see attached.

Chairman Guarino read a letter from Brett Currier, see attached.

There has been discussion prior to this meeting concerning the conflict of interest for any seated Selectmen, and actually having a son as the Chief of Police. Nepotism Section 21 –G, 26-A, see attached. Chairman Guarino called the NHMA regarding this RSA, because NH is still quite small it is not unusual for a Selectman to have a family member sitting in a position within the Town that they reside in. It is up to the family member to make the decision that they should step away or not. Anything that is enacted by the Town that is stronger than the State, that would rule. In our handbook there is a nepotism policy, see attached. This policy does not play into the Selectmen's position. Chairman Guarino was involved in the same situation when

1 Selectman Clairmont passed away, Rachel Hatch was asked to step in as the second vote “getter”
2 in the election that year to fill that vacancy until the general election, which she did.

3
4 Mr. Currier was the 2nd most popular person in the Town of Gilmanton in March of 2015. The
5 question that has come forward is that Mr. Currier did not run against Mr. McCormack. There is
6 no rule as to how we had to fill that vacancy. We thought because Rachel was the 2nd vote
7 getter against David, and Brett was 2nd in the 2015 election, we could follow the same process
8 as a precedent. Can you imagine if we had been seated here, we have three potential all qualified
9 candidates, we had gone and just said it is meaningless, Rachel’s votes don’t mean anything, we
10 are going to choose whoever submitted an application for the vacancy over Rachel? Just
11 because Brett Currier did not run against Stephen McCormack, does not make it irrelevant.
12 Chairman Guarino said consider the weight of the previous spring vote, I think it is important.

13
14 Attached letters, Stephanie Fogg received two letters yesterday on her desk, Chairman Guarino
15 read them aloud, see attached (Wayne Ogni, John Weston). The Selectmen also had letters
16 forwarded to them that Chairman Guarino read aloud, see attached (Nate Abbott and Vinnie
17 Biachetti, identical letters sent separately.) As Chairman Guarino was reading the letter aloud,
18 he felt that the next paragraph should not be read in public, as it is derogatory toward others in
19 Town that do not work for the Town.

20
21 Selectman Jean asked if the Town had ever adopted 669:61. Chairman Guarino said that we are
22 just three days out from three candidates applying for the vacancy so it gives us some time to
23 research it.

24
25 One of the letters from Mr. Abbott was asking the Selectmen to adopt 31:39 – a Conflict of
26 Interest Ordinance, which they are not able to do without a Town Vote.

27
28 Selectman Jean said when he was in Epping as a Selectman, they had a similar situation and they
29 interviewed all interested candidates. He has talked to Brett and Rachel, has not had a chance to
30 get together with Brain. Selectman Jean would like to take time on this and do it right. He
31 would like to sit down with Brett Currier, Brian Forst, and Rachel Hatch; and go through an
32 interview process.

33
34 Chairman Guarino said this is not an unusual request, and it is a fair request. I have worked with
35 all of them as Selectmen, where you have not had a chance to meet with Brian Forst, it would be
36 important. There is a certain amount of urgency, regarding general business decisions, if you
37 and I split, it is an automatic no vote. I’m not trying to rush, I just don’t want to continually be
38 deadlocked with issues coming up.

39
40 Selectman Jean asked, Can the public ask questions? Arthur Capello said he would not advise it.
41 There could be an effort to lobby for each candidate, and it could get out of hand. Invite all
42 three, first on the Agenda for next week, no set time limit, all interviewed in public.

43
44 Chairman Guarino said we will interview and hopefully bring a decision to the public.

45
46 Michael Jean would like to consider a 5 man Select Board, as a Warrant Article for March, 2016.

47
48 Chairman Guarino said we will end this portion of the meeting.

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

3 **MOTION:** On a Motion by Chairman Guarino, and seconded by Selectman Jean it was voted
4 unanimously to go into Non-Public Session per RSA 91-A:3, II (c) (2-0 Voice Vote – Chairman
5 Guarino-yes, Selectman Jean– yes).
6

7 The meeting room was closed to the public. Present during the Non-Public Session were
8 Chairman Guarino, Selectmen Jean. Acting Town Administrator Arthur Capello, New Town
9 Administrator Paul Branscombe, Administrative Assistant Stephanie Fogg.
10

11 The Selectmen discussed an employee issue in the Selectmen’s Office.
12

13 **MOTION:** On a Motion by Selectman Jean and seconded by Chairman Guarino it was voted
14 unanimously to seal the minutes of the Non-Public Session. (2-0 Voice Vote – Chairman
15 Guarino -yes, Selectman Jean – yes).
16

17 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman Jean it was voted
18 unanimously to come out of Non-Public Session at 7:00 pm. (2-0 Voice Vote – Chairman
19 Guarino -yes, Selectman Jean – yes).
20

21 The meeting room was opened to the public. The Board noted the Non-Public Session minutes
22 were sealed.
23

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

25 **MOTION:** On a Motion by Chairman Guarino, and seconded by Selectman Jean it was voted
26 unanimously to go into Non-Public Session per RSA 91-A:3, II (b). (2-0 Voice Vote – Chairman
27 Guarino-yes, Selectman Jean– yes).
28

29 The meeting room was closed to the public. Present during the Non-Public Session were
30 Chairman Guarino, Selectman Jean. Town Administrator Arthur Capello, Administrative
31 Assistant Stephanie Fogg.
32

33 The Selectmen discussed an employee issue at the Transfer Station.
34

35 **MOTION:** On a Motion by Selectman Jean and seconded by Chairman Guarino it was voted
36 unanimously to seal the minutes of the Non-Public Session. (2-0 Voice Vote – Chairman
37 Guarino -yes, Selectman Jean – yes).
38

39 **MOTION:** On a Motion by Chairman Guarino and seconded by Selectman Jean it was voted
40 unanimously to come out of Non-Public Session at 7:13 pm. (2-0 Voice Vote – Chairman
41 Guarino -yes, Selectman Jean – yes).
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43 The meeting room was opened to the public. The Board noted the Non-Public Session minutes
44 were sealed.
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1 Respectfully Submitted,

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4 _____
5 Stephanie S. Fogg
6 Administrative Assistant
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9 **Approved by the Board of Selectmen**

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12 Chairman Donald J. Guarino
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15 Selectman Michael J. Jean
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17 _____
18 Selectman