

Town of Gilmanton
Minutes of the 2016 Deliberative Session
Saturday, January 30, 2016

FIRST SESSION: *(113 of 2,399 Voters = 5% Voter Turnout)*

To the Inhabitants of the Town of Gilmanton in the County of Belknap, in said State, qualified to vote on Town Affairs:

You are hereby notified to meet at the Gilmanton School Gymnasium in the said Gilmanton, on Saturday, the 30th day of January 2016, at 10:00 a.m. This session shall consist of explanation, discussion and deliberation of the Warrant Articles numbered Two (2) through Twenty Four (24).

The Warrant Articles may be amended subject to the following limitations:

- (a) Warrant Articles whose wording is prescribed by law shall not be amended, and
- (b) Warrant Articles that are amended shall be placed on the official ballot for a final vote on the main motion as amended.

Moderator Sisti opened the Town of Gilmanton Municipal Deliberative Session at 10:00 a.m. He asked all veterans to stand and lead the pledge of allegiance followed by a moment of silence to remember those who have passed. Moderator Sisti explained the Articles will be addressed and moved in the order that they appear in the warrant; there will be a motion and a second followed by discussion. He implored the people to speak with respect and with politeness and encouraged residents to stand at the microphone, stating their names and stating their questions and/or concerns.

A TRUE COPY ATTEST

ZONING WARRANT ARTICLES

Article#2

“Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Town Zoning Ordinance as follows:” Amend Article III, N Floodplain Management Ordinance to reflect the current FEMA (Federal Emergency Management Agency) naming convention and date from “Flood Hazard Boundary Maps-09/29/79” to “Flood Insurance Study for Belknap County, NH-10/01/2008.”

Recommended by the Planning Board: **yes**

There was a motion to move Article #2 by Michael Jean; seconded by Donald Guarino.

There was no discussion.

Moderator Sisti states Article #2 will appear on the ballot as written.

Article#3 (By Petition)

“Are you in favor of the adoption of Amendment #2 as petitioned to the Planning Board for the Town Zoning Ordinance as follows:”

(A) Amend Article III, General Provisions Applicable to all Districts, by adding a new section, R. Bio-solids: To protect the health and welfare of residents, and prevent pollution of surface and ground water resources, the stockpiling or land spreading of municipal sewage sludge, Bio-solids Class A and Class B, as defined by New Hampshire statutes and regulations, is not allowed in the Town of Gilmanton.

(B) To amend Article IV, Table I by adding Bio-solids (sludge): Not Permitted in all Districts.

Recommended by the Planning Board: **no**

There was a motion to move Article #3 by Michael Jean; seconded by Donald Guarino.

Discussion:

Leonard Swanson stated he is favor of banning bio solids...he is an abutter to the spreading of bio solid...there was residuals flowing on his property of those bio solids

and right now there appears that there is nothing he can do because there is no setback requirements, no permitting required...there was visible residue on his equipment and grounds of his property...in the DES (Department of Environmental Safety) there are rules and regulations...concerning bio solids being a risk-based procedures...It seems that the people that are taking the risks are the abutters, from those who are spreading the bio solids... There are cheaper alternatives to other forms of fertilizers...there are significant risks in the bio solids...there's becoming more and more scientific evidence of the risks...it should not be allowed in the town of Gilmanton... there are many other towns around us that have banned this...wants to know why those towns are able to ban the use and Gilmanton is not? 2010 minutes of Planning Board meeting brought up...suggestion that they should form a committee or group to research concerns. To his knowledge to date, that has not happened...seems to him like it is the board's negligence in not following through...

George Roberts stated that this article was written backwards. If farmers cannot use bio solids, they will not be able to regenerate the soil...If you own a farm you need to lime and fertilize to regenerate the nutrients... knows it stinks, but what other product coming from other sources doesn't? It is for a limited time...those who use bio solids try to lay the application in late summer or early fall, or even after the ground is frozen trying to accommodate the concern...economical process to do...the NH Legislature wrestled with this issue for fifteen years...since the University of NH talked about the transfer or the migration of certain minerals and they came up with a proposal of setbacks and they then had enforcement of setbacks; so anybody that is following the regulations... no one should worry about the migration of certain types of minerals or even pathogens that might be in the product...this has been discovered over and over again...the smell...to abutters...can be obnoxious... If you don't allow farmers to use bio solids... the land will go to timber...cleverly written, can do it now, but you cannot do it in the future...this has been brought up in Gilmanton twice before, Mr. Roberts asks for this petitioned article to be defeated, it promotes use now but not in future...

Donald Guarino...abutter to one of the bio solids approved of spreading. Speaks to voter guide and how written...quite a bit of discussion concerning the legality if the article passes and it bans bio solid use in the town of Gilmanton...the agri zoning ordinance could have an enforcement issue...doesn't believe that should have been written in there...ordinance itself is just asking the voters to ban Class A and B in the town of Gilmanton, it's not saying its making an issue over the legality of it...there are questions on the use of bio solids grandfathered or not grandfathered...just as Mr. Robert's stated.... The way voter guide written, it's written backward, can do it now but not later... that was not the intention of article...I think [the voter] guide should have simply said, "if you pass this article, bio solids will be banned in the town of Gilmanton, if you vote no on this article bio solids will be continued to be used in the town of Gilmanton"... this for me is right on the edge of electioneering...I don't

believe I support this in the terms that it was written in the [voter] guide...let the whole legal thing shake out after...

George Roberts, the proposed amendment would apply to future users of bio solids and create enforcement issues for the town...farmer would have to negotiate with neighbor to put bio solids on his land...jeopardizes the rotation of crops...Mr. Roberts urges the voters to vote NO to banning bio solid use in this amendment because it is a crazy upside-down written amendment...

Dick de Seve, discussed pros/cons, treatment has improved greatly over last 20 years...would like to point out that there is a cost associated with the ban... If the town bans bio solids, both the Concord and Franklin Waste Water Treatment Plants that Gilmanton uses will not be accepted...waste pumped from Gilmanton residencies will have to go elsewhere and the cost will go up for Gilmanton residents...

Paula Gilman, certified organic gardener, doesn't need or want it spread in town...if anyone has difficult time finding fertilizer...there are options natural conservation resources...through the USDA....has grants....not sure of cost of bio solids to the farmers, but concerned for the health costs to the rest of us and the future of our land... wood ash and manure are good alternatives to getting minerals back into the soil.... Her land in conservation land, easement states there will never be chemicals spread on her land...feels we should ban bio-solids...

Barbara Swanson, abutter to those who use, apologized for years ago not doing homework and voted yes in 2010...has done research...will never vote for it again. Concerns for bacteria, lead, mercury, pathogens...it was stated that it doesn't migrate... covered their equipment and land through air...cannot stop air migration. Speaking of cost through research...650 tons of sludge, cost that farmer saved: \$560 over using commercial fertilizers...pleads with the citizens to do their homework about bio solid use...

Moderator Sisti states Article #3 will appear on the ballot as written.

WARRANT ARTICLES

Article #4 (By Petition)

Est. tax impact \$0.11

To see if the Town will authorize the selectmen to enter into a three year agreement with the Gilmanton Year-Round Library Association to fund that library in the amount of \$150,000 (\$50,000 per year) and to raise and appropriate \$50,000 for the first year's funding. 3/5 vote necessary.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #4 by Brian Forst; seconded by Stan Bean.

Christine Schlegel moved to amend Article #4 to read: "To see if the Town will authorize the selectmen to enter into a two-year agreement with the Gilmanton Year-Round Library Association and to fund that library in the amount of \$95,000 (\$47,500 per year) and to raise and appropriate \$47,500 for the first year's funding"; seconded by Erin Hollingsworth.

Discussion:

Brett Currier asks if the petitioned warrant article...still has to pass 3/5 majority vote...Laura Spector-Morgan, town council, stated that because it is a two year commitment, a 3/5's majority vote is required...

Bill Tetreault, he is a librarian...referencing a letter he posted in the Laconia Daily Sun...he does not unconditionally support it...appreciates the GYRL and the continuing search for knowledge and education beyond traditional schooling....objects to the GYRL not being owned by the community...intended to be self-sustaining, non-profit organization...serves many members of the community...still not embraced by all...consider empowering the community by giving ownership to those whose taxes are being sought to support your continuing efforts... "Why not consider 'selling' the GYRL to the town for a dollar"...asks for this option to be considered...

Kendra Reed, ...if the town owned the GYRL it would increase tax dollars, if sold for a dollar to town it would increase tax dollars and taxpayers would be obligated to pay for employee salaries, benefits and upkeep of the building, insurance, etc...losing nonprofit status 501c3 GYRL would lose ability to receive grants and donations... Ownership to town would have an adverse impact to taxpayer dollars...fully supports the amendment for \$95,000 and the \$47,500 for the next two years...

Chris Schlegel, ...Referenced Board of Selectmen's meeting of January 6, 2006 clarifying the library's original intentions upon being successfully built...still committed to raising funds, being fiscally responsible...

Moderator Sisti called the amendment to a voice vote.

Amendment passes by voice vote; Article #4 is adopted as amended and the language will appear on the ballot as amended.

Article #5

Est. new tax rate \$5.31

“Shall the Town of Gilmanton raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted within the warrant or as amended by vote of the first session, for the purpose set forth therein totaling three million five hundred seventy six thousand seven hundred two dollars (\$3,576,702)? Should this article be defeated, the default budget shall be three million five hundred thirty six thousand five hundred sixty nine dollars (\$3,536,569) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13,X and XV1 to take up the issue of a revised operating budget only.”

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #5 in the amount of \$3,576,702 by Brian Forst; seconded by Stan Bean.

Discussion:

Scott Dunn states his taxes went up \$760...would like to know what the estimated projections on the tax rate of the proposed budget will be...

Brian Forst responds...budget committee very concerned...cut \$38,980...this article shows an estimated tax rate impact of \$5.31...based on his calculation, as Chairman of the Budget Committee, the estimated tax impact is \$4.72 by his calculation based on the \$3,576,702...based on the Budget Committee's estimated revenues of \$1,450,551...which is also based on the town assessed valuation of \$450 million dollars...

Brett Currier states one main reason the town's portion of the tax bill increased so much this year was because actually the Town of Gilmanton's value in 2015 increased so your town tax rate should have lowered, instead it went up \$1.40-ish on Town side; if anticipated revenues for the Town of Gilmanton were sent into the DRA correctly and the Selectmen would have used some of our money from the undesignated fund balance, it could have made your portion on the town rate stay the same, however that wasn't done...

Lorne Smotrilla asks what the town tax rate was last year...answer: \$5.51...he asks Budget Committee based on estimated tax impact of \$5.31 shown on article that they actually cut

twenty cents...Mr. Forst responded based on his calculations (as explained) the actual impact is \$4.72...wants to know where the difference of \$0.59 is in budget...

Nate Abbott states he is a previous selectman...explains no one can foretell what the tax rate will be next year based on these estimates...we don't know what the town valuation will be yet or what warrant articles will be voted in or whether or not the selectmen will use money from the undesignated fund balance to allocate funds to offset during the tax rate setting...it's just an estimate...should be looking at figures...asking, are they feasible...

Moderator Sisti states Article #5 will appear on the ballot in the amount of \$3,576,702, as written.

Article #6

Est. tax impact \$0.03

To see if the Town will vote to raise and appropriate fifty thousand five hundred eighty nine dollars (\$50,589) to purchase and equip a new Fire Department Command vehicle and further to fund this appropriation by withdrawing thirty seven thousand dollars (\$37,000) from the previously established Fire Command vehicle Capital Reserve Fund with the balance of thirteen thousand five hundred eighty nine dollars (\$13,589) to come from general taxation.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #6 in the amount of \$50,589 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #6 will appear on the ballot in the amount of \$50,589, as written.

Article #7

Est. tax impact \$0.04

To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to purchase a new Fire Department Lucas Device for the Ambulance.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #7 in the amount of \$20,000 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #7 will appear on the ballot in the amount of \$20,000, as written.

Article #8

Est. tax impact \$0.04

To see if the Town will vote to raise and appropriate the sum of seventeen thousand five hundred dollars (\$17,500) to be deposited in the Self Contained Breathing Apparatus Capital Reserve Fund.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #8 in the amount of \$17,500 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #8 will appear on the ballot in the amount of \$17,500, as written.

Article #9

Est. tax impact \$0.02

To see if the Town will vote to raise and appropriate the sum of eight thousand dollars (\$8,000) to be deposited in the Fire Radio Capital Reserve Fund established in 2015.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #9 in the amount of \$8,000 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #9 will appear on the ballot in the amount of \$8,000, as written.

Article #10

Est. tax impact \$0.09

To see if the Town will vote to raise and appropriate thirty nine thousand nine hundred dollars (\$39,900) to purchase and equip a new Police cruiser.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #10 in the amount of \$39,900 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #10 will appear on the ballot in the amount of \$39,900, as written.

Article #11

Est. tax impact \$0.00

To see if the Town will vote to raise and appropriate the sum of one hundred seventy five thousand dollars (\$175,000) to purchase and equip a six wheel dump truck and further to fund this appropriation by withdrawing one hundred seventy five thousand dollars (\$175,000) from the previously established Highway Equipment Capital Reserve Fund.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #11 in the amount of \$175,000 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #11 will appear on the ballot in the amount of \$175,000, as written.

Article #12

Est. tax impact \$0.00

To see if the Town will vote to raise and appropriate the sum of nineteen thousand one hundred and twenty dollars (\$19,120) to purchase a new Compactor for the Transfer Station and further to fund this appropriation by withdrawing nineteen thousand one hundred twenty dollars (\$19,120) from the previously established Recycling Equipment Capital Reserve Fund.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #12 in the amount of \$19,120 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #12 will appear on the ballot in the amount of \$19,120, as written.

Article #13

Est. tax impact \$0.11

To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be deposited in the Bridge Capital Reserve Fund.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #13 in the amount of \$50,000 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #13 will appear on the ballot in the amount of \$50,000, as written.

Article #14

Est. tax impact \$0.04

To see if the Town will vote to raise and appropriate the sum of eighteen thousand dollars (\$18,000) to purchase a generator for the Academy Building.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #14 in the amount of \$18,000 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #14 will appear on the ballot in the amount of \$18,000, as written.

Article #15**Est. tax impact \$0.01**

To see if the Town will vote to raise and appropriate the sum of six thousand dollars (\$6,000) for municipal document restoration? This appropriation will only be valid if the default budget is adopted. If the operating budget passes, this article will be void.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #15 in the amount of \$6,000 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #15 will appear on the ballot in the amount of \$6,000, as written.

Article #16**Est. tax impact \$0.01**

To see if the Town will vote to raise and appropriate the sum of six thousand two hundred dollars (\$6,200) to be placed in a “Capital Outlay, Maintenance” account for the purpose of controlling and preventing the continuous and ongoing erosion to the Crystal Lake Park Beach.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #16 in the amount of \$6,200 by Brian Forst; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #16 will appear on the ballot in the amount of \$6,200, as written.

Article #17**Est. tax impact \$0.04**

To see if the Town will vote to raise and appropriate the sum of eighteen thousand nine hundred eighty dollars (\$18,980) to fund cost of living increases and Town associated costs of 1.5% for all Part time and Full time staff including the elected Road Agent and Town Clerk/Tax Collector. This does not include call fire fighters or elected officials except as named in this article. This will then become part of the employees` base salary.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #17 in the amount of \$18,980 by Ernie Hudziec; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #17 will appear on the ballot in the amount of \$18,980, as written.

Article #18**Est. tax impact \$0.002**

To see if the Town will vote to raise and appropriate the sum of one thousand dollars (\$1,000) to fund Milfoil treatment for the lakes of Gilmanton.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #18 in the amount of \$1,000 by Brian Forst; seconded by Stan Bean.

There was no discussion, but the Moderator noted that this was the first time in history that there was no discussion on milfoil!

Moderator Sisti states Article #18 will appear on the ballot in the amount of \$1,000, as written.

Article # 19:**Est. tax impact \$0.00**

Est. tax impact \$0.00 To see if the Town will vote to raise and appropriate the sum of one hundred twenty five thousand dollars (\$125,000) for a Bridge Engineering Study for the replacement of the Stage Road Bridge over Nighthawk Hollow Brook (NHDOT Bridge # 122/041) and the Stage Road Bridge over Brook (Beauty Hill Road) (NHDOT Bridge # 106/041), being Town-owned and maintained bridges with critical deficiencies and limited loading capacity with one hundred twenty five thousand dollars (\$125,000) to come from the previously established Bridge Capital Reserve Fund. The Town will be reimbursed 80% (up to \$100,000) of the actual engineering costs by the New Hampshire Department of Transportation (NHDOT) through the NHDOT State Aid Bridge Program. This is a non-lapsing appropriation up to 12/31/2020 per RSA 32:7, VI (Majority vote required).

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #19 in the amount of \$125,000 by Brian Forst; seconded by Stan Bean.

Discussion:

Lorne Smotrilla asks if \$125,000 is just for a study for someone to go out and tell us these bridges are old and needs to be replaced.

Don Guarino responds...there's more to it...the bridges have been deemed deficient...it's not just a study the study is also accompanied by the design of the bridges. The bridge study is necessary in order to move forward in the repairing or replacing for the engineering of the bridges in Gilmanton...Study will enable us to receive funds from the state bridge aid funding program...design standards must be updated...i.e. Nighthawk Hollow bridge was built in 1930's, that design is not longer to code by today's standards and must be redesigned to be ready to be built when it is scheduled (2018)...

Moderator Sisti states Article #19 will appear on the ballot in the amount of \$125,000, as written.

Article #20

To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the following existing Non-Capital Reserve Funds: This would allow the Selectmen to expend funds from these accounts when the need arises.

Court Cases established in 2000

Hydrants established in 2002

Tools and Equipment established in 2002

Welfare established in 2001

Mandated Safety Testing established in 2002

Paramedic Interceptor established in 2002

Public Safety Facility Building established in 2002

Police Department Overtime established in 2005

Fire Department Vehicle Maintenance established in 2005

There was a motion to move Article #20 as written, by Erin Hollingsworth; seconded by Don Guarino.

Discussion:

Brian Forst explains this is a very important housekeeping item...non capital language needs to be corrected for the funds to be expended by the Selectmen. They should not have to wait to be able to expend the funds that support the warrant article and offsets the taxes... asks as a taxpayer and Budget Committee Chairman for everyone to vote in support of the language in this article...

Malcolm Macleod asks what the reduction in the tax burden would be if the Selectmen are allowed to expend if this article passes.

Brian Forst responds that these are monies that people have already been taxed on and the money is sitting in these accounts...they can't be accessed for their purpose according to legal...we need to fix the verbiage so that the money can be expended from these non-capital accounts by selectmen as agents to expend going forward...i.e. we have a non-capital reserve account for welfare...anticipated \$50,000 currently that account is \$60,000...selectmen are not agents to expend so the budget committee felt \$12,000 should come out of that account to offset the welfare budget this year, we reduced the welfare line by \$12,000 in anticipation of \$12,000 coming out of that account; if we don't approve this article, the Selectmen will not be able to expend that money...it's already money that has been taken by taxation sitting in accounts until it's used...

Malcolm Macleod asks for gross total of all of these accounts...Mr. Forst calculates the amount of these accounts to total \$146,516.

Ernie Hudziec...understands purpose of capital reserve funds...amazed at the amount of capital reserve funds in this town...should be reserved for big ticket items...not good for overall long-term health of the tax revenue budgetary health for the town...

Dick De Seve asks procedural question, if they approve this article, will that give the selectmen authority in subsequent years or is it good for only the current year...Laura Spector-Morgan replied that it would be good for all years forward.

Moderator Sisti states Article #20 will appear on the ballot as written.

Article #21 (By Petition)

Est. tax impact \$0.11

To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to fund the Gilmanton Year Round Library for 2016. This article shall be null and void if the article authorizing the Selectmen to enter into a three year agreement with the Gilmanton Year- Round Library Association to fund that library in the amount of \$150,000 therein passes.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

There was a motion to move Article #21 in the amount of \$50,000 by Brian Forst; seconded by Michael Jean.

Christine Schlegel moved to amend Article #21 to read: "To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to fund the Gilmanton Year Round Library for 2016. This article shall be null and void if Article #4 passes"; seconded by Michael Jean.

Moderator Sisti called the amendment to a voice vote.

Amendment passes by voice vote; Article #21 is adopted as amended and the language will appear on the ballot as amended.

Article #22 (By Petition)

Shall we rescind the provisions of RSA 40:13 (known as SB2), as adopted by the Town of Gilmanton on March 12, 2012, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law? **3/5 vote required.**

There was a motion to move Article #22 as written, by Michael Jean; seconded by Stan Bean.

There was no discussion.

Moderator Sisti states Article #22 will appear on the ballot as written.

Article #23 (By Petition)

Shall we adopt an ordinance defining and regulating conflicts of interest for local officers and employees, whether elected or appointed pursuant to RSA 31:39-a **prohibiting individuals from serving as members of the Gilmanton Board of Selectmen or Budget Committee while a member of their immediate family or household member is a department head employed by the Town of Gilmanton.**

31:39-a Conflict of Interest Ordinances – The legislative body of a town or city may adopt an ordinance defining and regulating conflicts of interest for local officers and employees, whether elected or appointed. Any such ordinance may include provisions requiring disclosure of financial interests for specified officers and employees, establishing incompatibility of office requirements stricter than those specified by state law or establishing conditions under which prohibited conflicts of interest shall require removal from office. Any such ordinance shall include provisions to exempt affected officers and employees who are in office or employed at the time the ordinance is adopted for a period not to exceed one year from the date of adoption. The superior court shall have jurisdiction over any removal proceedings instituted under an ordinance adopted under this section.

There was a motion to move Article #23 as written, by Ernie Hudziec; seconded by Betty Ann Abbott.

Discussion:

George Roberts...a lot of political currents going on in this town...tries not to get involved in them...we have great personnel...conflict of interest issues in any legislative body or administration comes up all the time...full of holes...problem with this article that people are going to be voting on is

when referring to the definition of “immediate family” or “household member” thinks its discriminatory...would hate to think someone could not be promoted to a department head because a relative is a member of one of these two boards...Mr. Roberts asks voters to defeat this article and for town to adopt policy for people that sit on these boards and when the personnel issues come up for a board member regarding people they are related to regardless of the whatever the position of the relative might be... they stand down from the issue don’t vote on issues of salary or promotion issues, of department and stay away from the budgetary proposal for that department...that’s how you avoid conflict of interest...don’t eliminate citizens.

Moderator Sisti states that he wants to make it real clear...asks people to actually focus on this language, not preaching here ... thinks that legal counsel would agree that this is enabling legislation so that the concerns that Mr. Roberts has can be banged out in a hearing and then the language can be clarified...not pontificating, but I think that’s all this particular article is doing here...

Brett Currier...selectman for three years...every vote that had to do with an issue with my son which everyone in this room who signed this petition...doesn’t know who they are...this petition would stop me from being a budget committee member or a selectman, that’s fine you have a right to put this up...there’s two more involved, I think was tit for tat...I’ve proven myself about my conflict...as a selectman or budget committee member I would step away way further than anyone else...I don’t participate in anything that has to do with my son’s affairs in the Town of Gilmanton nor does he in mine...I think that all three of these petitioned articles that have to do with conflict of interest should be voted down...it doesn’t matter if I should be a selectman and my son happens to be the police chief...I would absolutely recuse myself on any issues that had to do with him...there’s an article for the school board and there’s the next article here...

Moderator Sisti states Article #23 will appear on the ballot as written.

Article #24 (By Petition)

Shall we adopt an ordinance defining and regulating conflicts of interest for local officers and employees, whether elected or appointed pursuant to RSA 31:39-a **Prohibiting individuals from serving as members of the Gilmanton Board of Selectmen or Budget Committee while employed by the Town of Gilmanton or the Gilmanton School District.**

31:39-a Conflict of Interest Ordinances – The legislative body of a town or city may adopt an ordinance defining and regulating conflicts of interest for local officers and employees, whether elected or appointed. Any such ordinance may include provisions requiring disclosure of financial interests for specified officers and employees, establishing incompatibility of office requirements stricter than those specified by state law or establishing conditions under which prohibited conflicts of interest shall require removal from office. Any such ordinance shall include provisions to exempt affected officers and employees who are in office or employed at the time the

ordinance is adopted for a period not to exceed one year from the date of adoption. The superior court shall have jurisdiction over any removal proceedings instituted under an ordinance adopted under this section.

There was a motion to move Article #24 as written, by Lorne Smotrilla; seconded by Thomas Dombrowski

There was no discussion.

Moderator Sisti states Article #24 will appear on the ballot as written.

Motion to Adjourn; unanimous second, Meeting adjourned at 11:29 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Debra A. Cornett". The signature is fluid and cursive, with the first name "Debra" being more prominent.

Debra A. Cornett
Town Clerk/Tax Collector
Town of Gilmanton

A TRUE COPY ATTEST