

Town of Gilmanton  
2019 Deliberative Session  
February 7, 2019

74 of 2,690 voters = 3% Voter Turnout

*Moderator Sisti called the First Deliberative Session for the Town of Gilmanton to order at 6:00 p.m. He asked all to stand and for Stan Bean to lead the Pledge of Allegiance, followed by a moment of silence to remember those who have passed over the year. Moderator Sisti explained the articles will be addressed in the order that they appear in the warrant; the first couple of articles cannot be amended and will remain intact, they are all there before you and I will read them for discussion or questions. As we move through, we will do it in an orderly fashion.*

*There will be an Election, a continuation of what we are doing right now, on Tuesday, March 12<sup>th</sup> from 7:00 a.m. to 7:00 p.m.; at that time there will be a number of individuals for elective office that will be your first article of consideration with the folks up for election. 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. He also noted that the Town's legal counsel was present for the meeting.*

*Mr. Sisti moved on to read the zoning articles.*

**ZONING WARRANT ARTICLES**

**Article 2: Amend Town Zoning Ordinance for Accessory Dwelling Units**

Are you in favor of the adoption of the Amendment to Article III, Sections R and P of the Zoning Ordinance as presented by the Gilmanton Planning Board as follows:

Amend Article III,

R. Accessory Dwelling Units,

2. Definition: Amend by correcting RSA number from 674:21 to 674:71 to read as follows: "Accessory Dwelling Unit" as defined in RSA 674:71, as amended, means a residential living unit that is within or attached to a single family dwelling and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit accompanies".

Also amend by adding: A detached Accessory Dwelling Unit is also permitted.

### 3. Requirements/Limitations

c. Detached Accessory Dwelling Units are allowed. Amend by adding: These detached ADU's may be combined with or be a part of garages, storage areas or other such structures that are permitted.

d. Amend by inserting after the phrase "...1,000 square feet" habitable living space as defined by the 2009 International Building Code, as amended.

P. Number of residential units which may be constructed on a lot. Amend the paragraph as follows: "Only one single family dwelling unit, or one 2-family dwelling unit or one single family dwelling unit with an Accessory Dwelling Unit (attached or detached) may be constructed on a single lot ..."

***Recommended by the Planning Board: Yes***

### **NO DISCUSSION**

### **Article 3: (By Petition) Amend Historic District Map to remove parcel**

Are you in favor of the adoption of Amendment #1 as proposed by petition of the voters of this town to amend the town of Gilmanton Historic District Ordinance as follows:

Amend the official Historic District Map of the Town of Gilmanton by removing land known as Tax Map/Lot 000415-052000-000000 located at 35 Stone Road from being designated as part of the Gilmanton Historic District. Said parcel is located near the intersection of Stone Road and Meetinghouse Road.

***Recommended by the Planning Board: No***

***Ernie Hudziec, Chairman of the Historic District Commission states he is going to read the orange flyer [handout] as it sums up the feelings of the HDC.***

***"The Gilmanton Historic District Commission does NOT recommend approval of the petition warrant article that would remove 35 Stone Road from the Meeting house Historic District for the following reasons:***

- ***The removal would create a negative impact on the historical significance of the Meeting house District.***
- ***There was a lack of contact by the property owner to the HDC as to any concerns in regard to regulations.***
- ***Though notification of abutters is not required, those abutters should have a public hearing at the HDC in order to gather information in which to decide to support or not support this petition warrant article.***
- ***It would not be in harmony with the spirit of the historical district concept and the community.***

- *The house is a significant and contributing structure to the Meeting House historical District and Gilmanton.*
- *Removing the property would cause a disruption in the district.”*

*“I would urge everyone to vote to not recommend, thank you.”*

## **WARRANT ARTICLES**

### **Article 4: Construction/replacement of Stage Rd bridges**

Est tax impact \$0.00

To see if the Town will vote to raise and appropriate the sum of two million three hundred thousand dollars (\$2,300,000) for the construction and replacement of the Stage Road Bridge over Nighthawk Hollow Brook and the Stage Road Bridge over Unnamed Brook (Beauty Hill Road) with two hundred and nine thousand dollars (\$209,000) to come from the Bridge Capital Reserve Fund established in 1995, two hundred and fifty-one thousand dollars (\$251,000) to come from unassigned fund balance; the remaining amount of one million eight hundred and forty thousand dollars (\$1,840,000) to come from the NHDOT 80/20 State Aid Bridge Program. Further to authorize the Board of Selectmen to apply for, accept and expend such monies as become available from the Federal and/or State for use in connection with said project and pass any votes thereto.

This is a non-lapsing article per RSA 32:7 III and will not lapse until December 31, 2021 or when the project is complete, whichever is sooner

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

**Recommended by the Budget Committee: Yes**

**Article #4: will appear on the ballot as written.**

*Nate Abbott asked, “If someone would please explain the unassigned fund balance and let us know what the balance is in it and what the impact will be by withdrawing money from it, thank you.”*

*Brenda Paquette responded, “Currently, 2017’s audit, our unassigned fund balance is \$1,892,706. So, we will be using \$251,000 of that towards this article to have a zero impact.” “Using the unassigned fund balance is a zero impact.”*

## **Article 5: Tax Impact**

Shall the Town vote to require, in accordance to RSA 32:5 V – b, that the annual budget and all special warrant articles having a tax impact, as determined by the governing body, shall contain a notation stating the estimated tax impact of the article? *The determination of the estimated tax impact shall be subject to approval by the governing body.*

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

**Article #5: NO DISCUSSION – Article will appear on ballot as written.**

## **Article 6: Prisoners of War Exemption**

Shall the Town vote to adopt an ordinance waiving the fee to be charged for a permit to register one motor vehicle, owned by any person who was captured and incarcerated for 30 days or more while serving in a qualifying war or armed conflict as defined in RSA 72:28, V, and who was honorably discharged, provided the person has provided the town clerk with satisfactory proof of these circumstances? RSA 261:157-a.

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

**Article #6 NO DISCUSSION – Article will appear on ballot as written.**

## **Article 7: Operating Budget**

Est tax impact \$4.84

Shall the Town 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 four million one hundred and ~~thirteen~~ eighteen thousand, ~~eight~~ one hundred and eighty-one dollars (\$~~4,113,881~~) (\$4,118,181)? Should this article be defeated, the default budget shall be three million nine-hundred and seventeen thousand, eight-hundred and seventy-nine dollars (\$3,917,879) 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 XVI to take up the issue of a revised operating budget only.”

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

**Recommended by the Budget Committee: Yes**

**ARTICLE #7: Will appear on the ballot as amended to \$4,118,181.**

*Elizabeth Brulotte states, “I just have a question, I don’t know if it’s a typo, there’s a question mark after the amount in this document; is that a question that we’re not sure that’s the amount or is that actually the amount?” “Is that a typo?”*

*Moderator Sisti responded, “It’s a question, should you vote for it, yes or no.”*

*Elizabeth Brulotte stated, “That’s the end of a sentence then.”*

*Moderator Sisti asks the body if there’s anything else on the operating budget, article seven. Not seeing any, he moves to the next article.*

**\*\*WHILE DISCUSSING ARTICLE #23, ARTICLE #7 WAS MOTIONED, SECONDED AND VOTED TO OPEN FOR RECONSIDERATION; AN AMEDEMMENT WAS MADE TO INCREASE THE OPERATING LINE, 4520, PARKS AND REC BY \$4,300; INCREASING THE OPERATING BUDGET TO \$4,118,181. (See minutes in Article #23)**

### **Article 8: Crystal Lake Rd Bridge**

Est. tax impact \$0.03

To see if the Town will vote to raise and appropriate the sum of Seventy Thousand Dollars (\$70,000) for the final design and bidding for the replacement of the Crystal Lake Road Bridge over Nelson Brook. The Town will be reimbursed 80% (up to \$56,000) of the actual engineering costs by the NHDOT State Aid Bridge Program, with the remaining balance of fourteen thousand dollars (\$14,000) to come from taxation. This is a non-lapsing appropriation per RSA 32:7, VI, and shall not lapse until December 31, 2021 or when the project is complete, whichever is sooner.

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

**Recommended by the Budget Committee: Yes**

**Article # 8: NO DISCUSSION – Article will appear on ballot as written.**

### **Article 9: Property Revaluation Capital Outlay**

Est. tax impact \$0.024

To see if the Town will vote to raise and appropriate the sum of ninety-eight thousand dollars (\$98,000) for the Statistical Property Revaluation in 2019. And to further fund this appropriation by withdrawing Eighty-Seven thousand Dollars (\$87,000) from the Revaluation Assessment Update Capital Reserve Fund established in 2006 with the balance of eleven thousand dollars (\$11,000) to come from taxation.

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

**Recommended by the Budget Committee: Yes**

**Article #9: NO DISCUSSION – Article will appear on ballot as written.**

#### **Article 10: Revaluation Capital Reserve Fund**

Est. tax impact \$0.065

To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) for the Revaluation Assessment of 2024 to be deposited in the Revaluation Capital Reserve Fund established in 2001.

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

**Recommended by the Budget Committee: Yes**

**Article #10: NO DISCUSSION** – Article will appear on ballot as written.

#### **Article 11: Court Cases Non-Capital Reserve Fund**

Est. tax impact \$0.065

To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be deposited in the Court Cases Non-Capital Reserve Fund established in 2003.

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

**Recommended by the Budget Committee: Yes**

**Article #11: NO DISCUSSION** – Article will appear on ballot as written.

#### **Article 12: Replace Ambulance Capital Reserve Fund**

Est. tax impact \$0.109

To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be deposited in the Replace Ambulance Vehicles Capital Reserve Fund Established in 2001.

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

**Recommended by the Budget Committee: Yes**

**Article #12: NO DISCUSSION** – Article will appear on ballot as written.

### **Article 13: Refurbish/Replace Fire Trucks Capital Reserve Fund**

Est. tax impact \$0.163

To see if the Town will vote to raise and appropriate the sum of Seventy-Five thousand dollars (\$75,000) to be deposited in the Refurbish and/or Replace Fire Trucks Capital Reserve Fund Established in 1998 and modified in 2003.

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

**Recommended by the Budget Committee: Yes**

**Article # 13: NO DISCUSSION** – Article will appear on ballot as written.

### **Article 14: Non-Capital Reserve Fund for Fire Department Vehicle Repairs**

Est. tax impact \$0.033

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to be deposited in the Fire Department Vehicle Repairs Non-Capital Reserve Fund established in 2005.

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

**Recommended by the Budget Committee: ~~No~~ Yes**

**Article #14: Will appear on the ballot, as written, with the correction to the Budget Committee's recommendation.**

*Brian Forst states, "The paperwork in front of you people indicates that the Budget Committee did not recommend this article. We voted, following our Super Saturday at the School Super Saturday, to recommend this article because in light of current events that had happened between the two meetings there were some substantial repairs that came up for the fire department. So, when you get your ballot, this will read that the Budget Committee does recommend this article because there is a need to replenish the money in that account. It was a miscommunication, so that when it got on this paperwork in front of you tonight, it reads that we did not recommend it; but we have a vote in our minutes from our school meeting where we brought the subject up and the Budget Committee does support Article #14."*

## **Article 15: Recycling & Transfer Facility Improvements Capital Reserve Fund**

Est. tax impact \$0.065

To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be deposited in the Recycling and Transfer Facility Improvements Capital Reserve Fund established in 2008.

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

**Recommended by the Budget Committee: No**

### **Article #15: Will appear on ballot as written.**

*Susannah Richards states, “There’s a couple [articles] coming up that the Budget Committee did not recommend, could we have explanations, like on this one, why you did not recommend this?”*

*Brian Forst responds, “Currently the Recycling Transfer Facility Improvement Fund stands at \$27,977. The request for \$30,000, the Budget Committee felt, was some projects they wanted to do at the Transfer Facility that we would be more comfortable if it was budgeted. If you know you have a project that you want to do this year, we would be more comfortable that you budgeted for that project and you had a plan that was solid for that project so that we could look at it, rather than say, ‘we’d like to do..., I’m sitting here, I’m not remembering the exact, so maybe the Selectmen would like to chime in when I’m done as to what the exact projects were; but Capital Reserves are more to save for a future project then to put the money in this year to expend it. If you have things that you wish to do this year, we’d rather see it in the operating budget to perform these functions this year than to put \$30,000 in this year so we can spend it on things we’re going to improve and a lot of what we were hearing was the talk again about a driveway, another access to the facility. Without seeing some kind of a plan and some kind of an idea what we want to do, it’s hard for us as a Budget Committee to support these expenditures without seeing a solid plan. When we see a solid plan, as you can see in most of this budget, we tend to support it and this is why we didn’t support this.”*

*Patrick Bore, Town Administrator states, “The project for the Transfer Station includes things like the new siding, new fencing, new coat-sealing and potentially a roof over the compactor. We understand and agree with the Budget Committee on the concept of a Capital Reserve fund being for projects and big-ticket items, so to speak, trying to limit the impact of the town on the tax rate. The concern was if we were to fund those projects under the operating budget of the Transfer Station, it would have skyrocketed the budget, so that’s why we felt that it was appropriate. There is a number of projects that will take more than a fiscal year so that is why we took that approach.”*



#### **Article 16: Highway Pickup truck replacement**

Est. tax impact \$0.00

To see if the Town will raise and appropriate the sum of forty-three thousand six hundred and fifty-six dollars (\$43,656) to purchase and equip a new pickup truck and further to fund this appropriation by withdrawing forty-three thousand six hundred and fifty-six dollars (\$43,656) from the previously established Highway Equipment Capital Reserve Fund established in 2006.

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

**Recommended by the Budget Committee: Yes**

**Article #16: NO DISCUSSION** – Article will appear on ballot as written.

#### **Article 17: Highway Loader replacement**

Est. tax impact \$0.00

To see if the Town will raise and appropriate the sum of one hundred and ninety thousand Dollars (\$190,000) to purchase and equip a new loader and further to fund this appropriation by withdrawing one hundred and ninety thousand Dollars (\$190,000) from the previously established Highway Equipment Capital Reserve Fund established in 2006.

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

**Recommended by the Budget Committee: Yes**

**Article #17: NO DISCUSSION** – Article will appear on ballot as written.

#### **Article 18: Appoint Selectmen as agents on certain Capital Reserve Funds**

To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the following existing Capital Reserve Funds, allowing the Selectmen to expend funds from ~~these~~ this ~~accounts~~ account when the need arises.

Town Driveways established in 2006

~~Highway Equipment established in 2006~~

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

**Article #18: Amended to appear on the ballot as follows:**

“To see if the town will vote to appoint the Board of Selectmen as agents to expend from the following existing Capital Reserve Fund, allowing the Selectmen to expend funds from this account when the need arises.

Town Driveways established in 2006”

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

*Elizabeth Brulotte asks, “Is it my understanding that if we give them, or name the agents, that they will now be agents that will take the power away from the people of the town to vote on this as a warrant article?”*

*Moderator Sisti tells the Board they can speak to it.*

*Brian Forst states to the Moderator that he would like to speak first, continuing, “If you don’t see a recommendation listed here, the Budget Committee did not recommend this article. I’m not 100% sure why it’s not listed here. What you’re saying is pretty much close to correct. If this article was to pass, we would not be voting on \$190,000 that we had saved to buy a new loader, we would not be voting on a pickup truck; we would then give the Selectmen the authority and the power to expend from a Capital Reserve Fund, that now has a fund balance of \$421,000, to do these projects at their will or desire and it’s the feeling of the Budget Committee that that’s not in the flavor of the Capital Reserve program. When those programs were established, the idea was to save the money, then come before the taxpayers and ask to raise and appropriate to expend that money and to also illustrate that there was no tax impact at this point, because we’ve saved this money for this purpose. So, you are correct and that is why we didn’t recommend it.”*

*Elizabeth Brulotte states, “And so if it were the will of the Selectmen to expend that money, the townspeople would not be aware of when that money was expended?” “No, Mr. McWhinnie; we would be made aware?”*

*Town Administrator, Patrick Bore, responded, “Yes you would. You would see where the money goes and the purpose can’t be changed. So, it has to be spent and raised and appropriated on the specific purpose for which it was funded. Two additional things that I would like people to understand is that you’ve already paid taxes on those amounts this is very much like dead money if we don’t use it.”*

*Elizabeth Brulotte asks, “When would be notified when these monies were expended if we’re not aware of it and we’re not notified through our voting process?” “Would you send out communication that we’re spending the money?”*

*Patrick Bore answers, “There would be motions at the Board of Selectmen’s meeting to use that money, so that’s where you’d see it and that’s where you can ask questions.”*

*Elizabeth Brulotte states, “Thank you Budget Committee for voting no.”*

*Moderator Sisti asks if there’s more questions.*

*Ernie Hudziec asks if the people asking questions have to identify themselves could the responders also identify themselves.*

*Matthew Boulanger asks, "Please correct me if I'm wrong. This is my first time attending one of these. It seems that kind of in the spirit of what you're trying to do it just kind of takes sole control over oversight of that money. It seems a little dismissive to describe it as 'dead money' when it should be thriving money that's been saved for a purpose and should be gaining interest, accruing money. I see no harm in having somebody else just kind of co-sign what this money's being used for when the point of collecting it is to use it most judiciously and not under the guise of just one entity. Thank you."*

*Scott Dunn states, "I would like to make a motion to amend this article to add the words: "Not Recommended by the Budget Committee."*

*Brian Forst states, "I understand your motion and seeing this is a clerical error, the Budget Committee voted; it just does not show our recommendations. But I have great hopes that when the ballot is produced, that it will show our recommendation. I just wanted people here tonight to understand that that was our stand on this. So, I guess Mark [Moderator] can correct."*

*Moderator Sisti said, "Let's clarify because we can actually speak to it directly because the person that prepares the ballot is actually sitting right to my right and she will tell you how that ballot will be arranged and how it will read so you don't have to have any fear with regard to how it reads."*

*Debra Cornett stated, "It will be added with the Budget Committee's Recommendation of 'No'."*

*Eric Maher, Town Counsel, asks to address the floor and states, "The Budget Committee, under statute, only makes recommendations with regard to warrant articles that pertain to appropriations. The reason why the Budget Committee's recommendation is not reflected on this warrant article is because it does not pertain to an appropriation per se. I just thought I would put that clarification out there."*

*Scott Dunn states, "I understand, but you've assured us the ballot is going to say, 'Not Recommended by the Budget Committee'."*

*Debra Cornett, Town Clerk, asks Town Counsel, "Legally, can we put the Budget Committee's recommendation on it?"*

*Scott Dunn says, "Legally, one way to do it would be for someone to second my motion."*

*Moderator Sisti states, "I am not going to play lawyer tonight and I will defer to the Town's legal counsel, Eric Maher, for an answer."*

*Eric Maher, Town Counsel, states, "I'm not just looking at paper, I'm looking up statute. My read of the statute is that the recommendation can't be inserted for the Budget Committee. The Budget Committee's recommendation is limited to certain types of warrant articles; whereas the Select board have more general authority to make recommendations on non-appropriation related articles."*

*Scott Dunn states, "So I understand that, which is why I've made this motion; so, if my motion is not in order, I would like to make another motion."*

*Moderator Sisti responds, “I don’t think your first motion is in order in regard with that, go for the second.”*

*Scott Dunn states, “In that case, my second motion is to delete the words: ‘Highway Equipment established in 2006’ from the warrant article.”*

*Moderator Sisti states, “I think we might be getting into another swampy area.”*

*Mr. Dunn replies, “I think that it is completely legal.”*

*Moderator Sisti defers to Counsel.*

*Eric Maher, Town Counsel states, “I think, with all due respect Mr. Moderator, I think that would be an appropriate motion, Mr. Dunn. I think that given the terms of the warrant article deal with the authority to expend, I think that modifying the exact funds of which the Select board will be authorized to expend to delete a certain fund, I think that would be an appropriate motion.”*

*Moderator Sisti replies, “Okay then, we can entertain your motion and if you’d just formally state it.”*

*Scott Dunn states, “My motion is to delete the words: ‘Highway Equipment established in 2006’ on Article #18.” Seconded by Betty Ann Abbott.*

*No further discussion, Moderator Sisti calls the amendment to a vote as follows:*

*“To see if the town will vote to appoint the Board of Selectmen as agents to expend from the following existing Capital Reserve Funds, allowing the Selectmen to expend funds from these accounts when the need arises. Town Driveways established in 2006.”*

*Voice Vote – undetermined; Moderator calls for hand count.*

*Visual hand count, Ayes have it; amendment passes. Article #18 is amended and is now open for discussion.*

*Brian Forst states, “I would just like to make the comment that I understand that we have legal counsel here tonight; the Budget Committee felt that our discussion on this revolved around the fact that these monies were raised and appropriated by the taxpayers of Gilmanton through the Capital Reserve Funds, so therefore, even though it’s not a direct raise and appropriation in this article, it was money that was saved by the Town of Gilmanton and that’s how come we thought we had some authority to make a recommendation.” “I just wanted the people to understand we weren’t trying to overstep our authority; we were trying to protect the monies that has been raised and appropriated by the town.”*

*George Roberts, asks the Moderator, “Subsequently, since there was a vote that means the money raised cannot be used. Does that stay in our treasury?”*

*Moderator Sisti responds, “I guess I don’t actually think I understand your question, George.*

*Joseph Haas asks to speak; Moderator Sisti states, “Only if it has to do specifically with that follow-up question.”*

*Joseph Haas states, "I think he only means the highway department."*

*Moderator Sisti replies, "I understand what he means, Joe."*

*Eric Maher states, "So if the Board of Selectmen is not named as agents to expend, the only way that you can expend monies from the Capital Reserve fund would be at a subsequent Town meeting. So, you would have a warrant article the townspeople would vote on the specific expenditure from the Capital Reserve fund; that's the other alternative."*

*Debra Cornett asks, "I'm asking legal counsel, scriveners' error, by the way that you read that Mr. Dunn; now that we've voted to strike the 'Highway Equipment established in 2006', is it okay for me to, [write on the ballot] 'expend funds from this account' where it's now down to just Town Driveways established in 2006. It's just a technical question, I just want to make sure of how it's going to go on the ballot correctly."*

*Eric Maher responds, "That would be a minor, textural change of no substantive affect."*

#### **Article 19: Academy Building Mechanical Upgrades & Professional Engineering Capital Reserve Fund**

Est. tax impact \$0.065

To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be placed in the Academy Building Mechanical Upgrades & Professional Engineering Capital Reserve Fund established in 2018.

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

**Recommended by the Budget Committee: No**

#### **Article #19: Will appear on the ballot as written.**

*Elizabeth Brulotte states, "If I recall correctly, last year we tried to raise a ton of money, the Selectmen were for this and when we asked for the purchase of a generator and the fire pump, there was great debate over this fire pump, what was it going to be, the fire chief, they were looking at all these options and we didn't have any definites; so, what is the goal, how much are you looking to raise for this in order to expend it to purchase all these things?"*

*Steve McWhinnie responded, "Last year with that, I believe that the Board of Selectmen had ample information to put money into a Capital Reserve fund; we had a lot of numbers. So, and as far as this goes, there's a lot of projects that need to be done at the Town Hall. We don't want this Town Hall to look like the old Town Hall."*

*Elizabeth Brulotte asks, "Do you have an itemized list of what the projects are and how much each of those projects are going to cost?"*

*Mr. McWhinnie replied, "Basically, we're still working on numbers. It's not just you get numbers and they pop out of the air, it takes time and effort and..."*

*Elizabeth interjects, "Yes and last year we asked for numbers too and we did not have specific numbers, so, we had that conversation last year, and my question is, again, when the fire department or the police department need a truck, they know what it's going to cost them so they have a budget and they can say this is the estimated cost. Can you give us estimated cost on the things you feel you need to get done?"*

*Mr. McWhinnie replied, "There's a lot of things, we're still waiting for more pending numbers. There's some of these projects that are way more than that, we've got to cut back. \$30,000, do you see the back walk? We're still waiting on one more price on that for that back walk, it's all heaved up, the stairs all down the back, there's still drainage problems that need to be addressed; there's a lot of stuff that needs to be done. We want to try and get air conditioning in there."*

*Ms. Brulotte responds, "So, could I ask the Budget Committee, can you explain why you voted no on this?"*

*Brian Forst states, "You already answered your own question."*

*Ms. Brulotte states, "Because last year we asked for specifics..."*

*Moderator Sisti states, "If there is a specific question, please ask the question."*

*Ms. Brulotte responds, "The question is, do you have specifics on the cost of your projects and what your projects are so we can have a better understanding of what we're putting all our money into a fund for projects when we don't know what the projects are."*

*Mr. McWhinnie replied, "We have some of the numbers, like I'm saying, we're still working on numbers and some of these things are [inaudible]" Ms. Brulotte interjects, "Can you pull any of the numbers you may have?" Steve replies, "Not off-hand."*

*Betty Ann Abbott asks, "Can you give me the balance in that fund, please?"*

*Brian Forst responds, "Currently, on the sheet I have in front of me, the balance stands at \$54,209, this sheet is dated 11/30/18, so that's the best numbers the Budget Committee had."*

*Town Administrator, Patrick Bore, adds, "So let's go from Brian's number, which is correct, as of November; we have an additional sum of \$28,362 invoiced since the beginning of this year; we are now at a net amount of \$25,867.57 and the project is still ongoing."*

*Moderator Sisti asks [Liz Brulotte] if there's a follow-up question on this; Ms. Brulotte replies, "My question on this article is, are the Selectmen the agents for the distribution of this?"*

*Mr. Forst replies, "Yes, they are."*

*Ms. Brulotte states, "So they can expend the money at will."*

*Moderator Sisti asks if there's any further question on Article #19; seeing none he moves to Article #20.*

**Article 20: Non-Capital Reserve Fund for Computer Replacement or Repairs**

Est. tax impact \$0.011

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to be deposited in the Computer Replacement/Repairs Non-Capital Reserve Fund established in 2014 and modified in 2018.

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

**Recommended by the Budget Committee: Yes**

**Article #20: NO DISCUSSION** – Article will appear on ballot as written.

**Article 21: Parks, Playground & Recreation Commission Dissolution**

**This article does not impact tax rate**

To see if the town will vote to dissolve the long inactive Parks, Playground & Recreation Commission, established by town meeting vote in 1964, and to designate the selectmen to exercise the authority and perform the responsibilities listed in RSA 35-B:3, II -VIII.

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

**Article #21: NO DISCUSSION** – Article will appear on ballot as written.

**Article 22: Recycling Equipment Capital Reserve Fund**

Est. tax impact \$0.109

To see if the Town will vote to raise and appropriate the sum of Fifty thousand Dollars (\$50,000) to be deposited in the Recycling Equipment Capital Reserve Fund established in 2006.

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

**Recommended by the Budget Committee: Yes**

**Article #22: Will appear on ballot as written.**

*Nate Abbott asks, “Can we have the balance of that and any forecast, on whether, for instance, a glass crusher or another item is being planned for that fund?”*

*Patrick Bore, Town Administrator, responds, “The current balance for this fund is \$4,162.10, the anticipated cost of a new baler would be \$100,000 and we anticipate getting a new baler in 2020.”*

### **Article 23: Parks & Recreation Facility Repair & Maintenance Capital Reserve Fund**

Est. tax impact \$0.007

To see if the Town will vote to establish a new Capital Reserve Fund under provisions of RSA 35:1 for repairs and maintenance to the Crystal Lake Park facility and to raise and appropriate the sum of ~~three thousand dollars (\$3,000)~~ one dollar (\$1.00) to be placed in this fund, and to appoint the Board of Selectmen as agents to expend from said fund.

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

**Recommended by the Budget Committee: No**

#### **ARTICLE #23: Will appear as amended, in the amount of \$1.00.**

*Richard Kordas, Chairman of Parks and Rec. asks, “if maybe the Budget Committee could explain why they recommended ‘no’.”*

*Brian Forst responds, “Okay, this is another warrant article that the Budget Committee recommended no because we felt that that money should be in your budget. However, I will sit here and say that I made a mistake when we addressed the article in the town budget, I did not go in and add the \$3,000 to that line and I’m sorry it got by me and I was thinking other things when we were thinking of the budget, so I had made a mistake. The Budget Committee did not recommend this because you came forward as the Parks and Rec’s with specific projects that you wanted to do right now with tree removal. So, I think that the Budget Committee should probably reconsider this, but going forward in the future as we’ve sat here tonight and debated quite a bit about Capital Reserve and agents to expend and everything else, if there’s a specific project that you know you want to do within the year, the Budget Committee would much rather see that in the budget. We know you’re going to spend \$1,500 of, whatever the number is, on this project put it in your budget and spend money on the project and move on. Creating these Capital Reserve accounts, with Selectmen as agents to expend, is in the eyes of the Budget Committee becoming dangerous because there’s a lot of money in these Capital Reserves and when they were established, many years ago, they were established with intent that we were saving money for a purpose. As we change the authority on these accounts, we’ve then, in the eyes of the Budget Committee, changed the way it’s being done and that’s why we didn’t recommend this. It’s my*



*error that we did not adjust the whole number of the budget to reflect \$3,000 in Parks and Rec's to deal with their tree removal that needs to be done. So, there's one of two ways to correct it; either we can change our recommendation here, which would take up me holding a meeting and voting on it and letting Debra know that we've changed our recommendation and so it would show on the ballot differently, or, we would have to wait for another year and I understand that you have issues that need to be dealt with sooner than that."*

*Moderator Sisti states, "You know what we're going to do? With that in light, for clarification, because if we're going to start bouncing around, I don't want special meetings and I want a proper budget that's getting presented to the body here, I'll entertain a motion for reconsideration of the budget." Someone stated, "So moved" and another stated, "Second."*

*Brian Forst asks the Moderator if he can make a formal motion, and states, "I would like to make a motion to RECONSIDER ARTICLE #7, which is the operating budget for the town." "The Budget committee would like to recommend an amended amount for the operating budget of \$4,116,881, to reflect a \$3,000 increase in the Parks and Rec's operating budget to deal with the tree removal issues at Crystal Lake Park."*

*Richard Kordas states, "If I may throw a wrench; out of the four quotes that we received, only two of them addressed the needs and the least is \$4,300. I don't know if that will be another amendment. I presented the four quotes to the town."*

*Moderator Sisti states, "Here's what we're going to do here, okay, instead of getting this thing turning into an octopus, I'm going to go one leg at a time on it, okay? First of all, I want somebody, just flatly, to request reconsideration of the budget and then I just need a second on that and then we're going to vote on that alone; whether we're going to reconsider the budget at all, okay? So, I want somebody to make just a flat motion on that."*

*\*\*Nate Abbott states, "I move to reconsider the budget"; Joe Hempel states, "Second."*

*Moderator Sisti states, "We are now going to vote on that; all in favor of reconsidering the budget, please indicate by stating 'Aye'." "Opposed, 'Nay'."*

*Moderator Sisti deems Aye's have the vote and states, "Okay, we now vote to discuss the reconsideration of the vote, okay?" "Do you have a proposal?"*

*Richard Kordas responds, "I do, I would like to propose [the] \$4,300 amount and change the \$3,000." "And if we have two trees that need to be extracted and the rest need to be groomed, these are all the trees hanging over the softball field and approaching a danger to the town."*

*Moderator Sisti says, "Okay, that's discussion; any other discussion with regard to that?" "I'm going to need a formal motion on the increase when we get to it, but we're discussing this right now."*

*Scott Dunn states, "I recommend against doing that because, first of all, by adding money to the budget, that money could be spent for whatever purpose the Selectmen want to spend it on, and, in addition to that, Article #23 is still going to be on the ballot. So, there's a potential of raising*

*\$4,300 more in the budget, plus this article could pass with \$3,000 going into a Capital Reserve fund. I think a better option would be to amend this article, #23, so that we're appropriating money for the specific purpose at Crystal Lake Park and not adjusting the operating budget; that's my two cents worth."*

*Nate Abbott asks, "Can anyone explain the difference between, excuse me, sir, you're the Chairman of the Parks and Rec?" Mr. Kordas responded, "Yes sir." Nate Abbott continues, "Can someone just explain the difference between what is being presented as quotes and the budgetary figure; how did we get from \$4,300 to \$3,000?"*

*Richard Kordas states, "I can address that. When I presented my budget to the town I currently was able to produce only one quote and through the process, up to now, I was able to get three other quotes to deliver to the town; so, it wasn't necessarily the Board's fault on that. Some of the quotes came in slow, but I was able to present the four quotes and that's what we're looking at. Two of the quotes don't match what we need to do. The other two, one's \$4,300, the other one, I believe, is \$5,400."*

*Moderator Sisti asks if there's any other discussion.*

*Matthew Boulanger states, "I think the Budget Committee was very forthright in their oversight in their trying to rectify the situation and I trust that they will continue such oversights to ensure it's going where it's going where it's intended to go rather than creating a new fund that looks like it's following a precedent that was attempted with, I believe, amendment or Article 18, where and also, if I could get a correction on this too, when it says it states, that the 'Board of Selectmen as agents', is that kind of missing as sole agents or does it appear that way; I mean in Article #18 naming them as agent removes the Budget Committee as like a checks and balances. Are we creating precedence where we're creating, like reserve funds, that would be under your sole discretion? If so, then I would certainly rather see the Budget Committee be a part of this as an amendment to the budget rather than the Board of Selectmen getting a new reserve fund to use in their discretion. Either way, I'd like to see them get the money, it sounds like he's done due diligence and it's warranted."*

*Moderator Sisti asks if there's any other discussion.*

*Heather Carpenter states, "The attention that I understand it from, the Town's point of view, to create a fund like this is because those aren't the only trees that he's maintaining. There would be ongoing projects and because there was no Capital Reserve for the maintenance of this park, that's the intention of creating a fund like this. It may be \$4,300 this year, it may be \$3,000 next year. The total quote that he originally got was over \$11,000. There is no maintenance fund for this park on this level for the maintenance."*

*Moderator Sisti again asks if there's anything else.*

*Matthew Boulanger asks, "Again, I was curious about the clarification about does that create them sole agents; I'm just curious because it sounded like the point of when we had the discussion for Article 18 was that they would be removed from discussions or any kind of checks and balances, would that be the case in this article? Otherwise, creating a fund for Parks and Rec*

*would be great if we needed, we could utilize that, that's fine, but I would really like to see the two sides of the table working together to oversight that money."*

*Moderator Sisti asks if anyone would like to address the civics of that.*

*Patrick Bore, Town Administrator states, "So, that goes back to my previous comments; so, if the voters were to recommend the article to establish a fund, without voting that the Selectmen being agents, we have like a special town meeting legally in order to spend the money. So, you would put in money and that goes back to the whole concept of the Capital Reserve fund. It's basically a savings account you put money into until you need to expend. This scenario, because he needs to have trees cut before they fall down, if we can't spend the money, it's not going to help. So, adding money to the operating budget of the Parks and Rec is probably the right way to go. But to answer your question more diligent then that, yes, they would be agents to expend on that fund."*

*Matthew Boulanger states, "I guess I'm looking for a yes or no, would you be the sole agent, yes or would you just be an agent? An agent would be fine, sole agent seems like something at least I wouldn't be for."*

*Patrick Bore responds, "Yes, they would be the sole agents."*

*Moderator Sisti states, "We are back on the operating budget. The bottom line is this, we've moved to reopen the budget, it's open. So, if you want to reopen the budget, we have to do one of two things, either vote on it as it's stated, with the provisional amount, or somebody moves to increase it with a specific; so, we need an amendment, a motion to amend a specific amount."*

*Richard Kordas states, "I motion to amend from \$3,000 to \$4,300."*

*Brian Forst states, "That won't operate the town budget!"*

*Moderator Sisti points out, "You mean to add \$4,300?"*

*Mr. Kordas responded, "Yes."*

*Moderator Sisti asks if there is a second? Mike Wilson states, "Second."*

*Moderator Sisti says, "Okay, let's do the math here." "I will tell you the number I have if someone wants to correct me, go right ahead. \$4,118,181." That number was doublechecked and confirmed. "So, we're going to take a look at Article #7 now and vote on the operating budget."*

*Brian Forst states, "I would just like to add that we're going to change the total of line 4520 in the budget from \$17,608 to \$21,908, rather than adding just \$4,300 to just the bottom line of the budget. I would like this to be on the record right now that we earmarked this money to be in Parks and Recs line 4520 in the amount of \$4,300 which changes their bottom-line budget to the \$21,908."*

*Moderator Sisti announces, "Okay, in order to do this procedurally; I hate to keep breaking this down, but I'm going to ask the individual that moved for that particular addition to withdraw so that we can put some language in this particular article that is binding. The way you do it is a general spending deal that gives the Selectmen the authority to expend it. So, I'm asking if you*

*want us to specifically earmark it for your project, the way you're going to have to do is to actually withdraw your motion that's out there right now."*

*Richard Kordas states, "Mr. Moderator, I withdraw my original motion."*

*Moderator Sisti states, "Now there is going to be a new motion that's going to be made by Mr. Forst and I want you to listen closely to the language."*

*Brian Forst states, "I would like to make the motion to increase the operating budget of the town by \$4,300, with that \$4,300 to be directly included in line number 4520, which is the Parks and Recs operating budget, which is going to make the operating budget proposed for the Parks and Recs in the amount of \$21,908, instead of the \$17,608 that was proposed prior to this motion and that's going to increase the total operating budget of the town by \$4,300, which we will have to vote on, after this motion passes." Seconded by Mike Wilson.*

*Luke Powell state, "I think your math is wrong, off \$1,000." "I think it should be \$22,829; could you just check that?"*

*Brian Forst responds, "I'm going off the sheets that we were given and I was shown as sheet...where's this \$18,000 coming from?"*

*Several responded, "MS-737."*

*Brian Forst states, "I'm going to withdraw my motion. I'm going to start all over again."*

*Moderator Sisti announces, "You know what we're all going to do? We're going to take a five-minute recess so that you can actually write down your motion on a piece of paper so that you can articulate it."*

*Moderator Sisti calls the meeting to order after a five-minute recess and says, "Okay, we're going to give this another try, folks, we're going to give it a successful try. Okay, there's a motion now."*

*Brian Forst states, "I move to amend Article #7 to increase the Operating Budget of the town to \$4,118,181 and to allocate the additional \$4,300 to the Operating Budget line item 4520 which is the Parks and Recs budget." Motion was Seconded by several people.*

*Nate Abbott states, "I think the main remedy for the issue of the expenditure of this money should it not be expended for the purpose is political; I think everyone would be disappointed if the trees were still overhanging the softball field next year and I think part of the reason we came to witness these proceedings is to hold the Selectmen to account for what they've committed to. We've all heard what was said and we understand the purpose for which it was amended to the budget; talk to your neighbors, go by the park, make sure it's done. If it's not, then the Selectmen should be held to account next year."*

*Matthew Boulanger states, "I just want to use this, again, as the perfect example by how quickly this was just sliced through, solved, fixed the problem and it was appropriated and put; I'd like to commend you for making sure it gets put where it's supposed to go over its' intention and I just think that's perfect evidence about why the Budget Committee should always be involved. They make sure of what's best and what's intended, thank you."*

*Moderator Sisti states he's going to call the vote. "In essence, I'm going to ask the body whether or not they agree or disagree with amending Article #7, to increase the Operating Budget to \$4,118,181 and allocate the additional \$4,300 to the operating budget line item 4520. All in favor, please indicate by saying, 'Aye', opposed 'Nay'."*

*The amendment to Article #7 passes by voice vote.*

*He continues, "Just so you are all aware now, before reading Article #7, it will now include the additional \$4,300 and that there is a specific allocation to line item 4520." [SEE ARTICLE #7]*

*Moderator Sisti states, "We are still on [Article] 23." "We want to address Article #23."*

*Brian Forst states, "I would like to make a motion on Article #23 to amend the amount, the dollar amount, from \$3,000 to \$1.00. That will enable the town to establish this Capital Reserve, but the money has already been placed in the budget to deal with the current issue and going forward, if they wish to fund this account for the purpose that I'm hearing, they can come before us during the budget process and ask for that; the account would be established and then we wouldn't have to vote to establish the account and we would just have to vote to put more money in it."*

*Moderator Sisti reiterates, "Okay, so the motion is to reduce \$3,000 to \$1.00; is there a second on the motion?" Seconded by Scott Dunn.*

*Moderator Sisti asks if there is any discussion.*

*Elizabeth Brulotte states, "The way this article is worded, again, is that the Board of Selectmen are as agents and if I recall the conversation previously, it is the purpose of the Capital Reserve fund is to collect money for certain specific projects targeted, knowing how much that is, so that when that time is due, the town votes to appropriate the money in that fund to go to that project. Correct?"*

*Brian Forst responds, "You are correct, Liz. However, and Mr. Bean is here tonight so at some point I'm expecting him to stand up and say, 'Brian'...At one point there was what we referred to as Non-Capital Accounts and Capital Accounts. At some point, that language, they are all now referred to as Capital Reserves. When I started this process, quite a number of years ago, Stan had spent a lot of time with establishing the Capital Reserve program in this town and Capital Reserves from my understanding at that time, Selectmen were not agents to expend and Non-Capitals, the Selectmen were agents to expend. Now there's been a lot of research done and discussion on the votes of the town as to whether the Selectmen were agents to expend. Now we seem to be seeing these new Capital Reserves coming forward with the Selectmen as agents to expend. A \$3,000 Capital Reserve fund, with the Selectmen as agents to expend, is not dangerous in the eyes of the Budget Committee, but, 'dangerous' is probably the politically correct word; \$400,000 is concerning. So, as Chairman of the Budget Committee, I'm not speaking for anyone else on the Budget Committee, I don't have a problem with the Selectmen as agents to expend on a \$3,000 Capital Reserve account. Part of the problem I have is the target amount that we were given as a Budget Committee was, 'We need to put \$3,000 in there because we've got to do this*

*work.' We like to see Capital Reserve accounts with a target amount, for a purpose. The Capital Improvement Program (CIP) always discussed what the target amounts for each account were. So, the target amount really shouldn't be what we want to spend this year. What we want put into this account so that we have it there to deal with things that may arise and that's why we have the Selectmen as agents to expend; conditions that may arise. So, I'm not against forming this account, but I'm against funding it until we know what we want to have in it. We know what the purpose is, we understand the purpose, as the Budget Committee we understand the purpose, we understand the agents to expend. But we don't have a target amount and these amounts that are being thrown around is what's making this unrest between the Budget Committee and the Selectmen's office. We need to know what your plan is in order to go forward. Now the tree work that Rich has requested, I addressed that, we fixed it. The tree work will hopefully be performed. But going forward is this a fund that we need \$5,000 in or \$3,000 or \$25; we need to establish that in order to be able to vote as a Board to recommend."*

*Elizabeth Brulotte thanked Mr. Sisti and Mr. Forst.*

*Stephen McWhinnie, Selectmen, states, "Yes, there was a working number for the Capital Reserve, it was like Eleven or Thirteen Thousand for the trees, correct? That was the working number that was projected and given to the Budget Committee. There was a working number that could have been a projected number."*

*Moderator Sisti states, "We have a motion to amend Article 23 to \$1.00; it's been seconded, there has been discussion. I am now going to ask the body, 'To see if the Town will vote to establish a new Capital Reserve Fund under provisions of RSA 35:1 for repairs and maintenance to the Crystal Lake park facility and to raise and appropriate the sum of one dollar (\$1.00) to be placed in this fund, and to appoint the Board of Selectmen as agents to expend from said fund.' All in favor indicate by saying, 'Yes'; all opposed 'No'."*

*Article 23 passes by voice vote, and will appear on the ballot as amended.*

#### **Article 24: Parks & Recreation Equipment repair/replacement Capital Reserve Fund**

Est. tax impact \$0.013

To see if the Town will vote to establish a new Capital Reserve Fund under provisions of RSA 35:1 for repairs and replacement of Parks & Recreation equipment and to raise and appropriate the sum of six thousand dollars (\$6,000) to be placed in this fund, and to appoint the Board of Selectmen as agents to expend from said fund.

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

**Recommended by the Budget Committee: Yes**

**ARTICLE #24: Will appear on the ballot as written.**

*Richard Kordas states, “Currently we have a lawn mower that’s mowing two-plus acres. We don’t have the ability to York-rake the beach. Two-thirds of our beach is unusable. We have a parking lot to maintain and a Park’s grounds to maintain and we’re not able to do it with a simple lawn mower. We feel that within three years that we’re going to be needing something new. Hopefully, if we can pass this, which I recommend, we’ll have the right equipment to maintain the park properly.”*

*Brian Forst, “I would just like to make a comment that, again, this was shown to us as ‘we’re looking for \$18,000 in three years, \$6,000 a year, the project will be three year’s down the road and the Budget Committee supported it and that is what we need to see to support it. I have the worksheet right in front of me with all of these numbers on them. That’s how come this is represented with a ‘yes’ in support from the Budget Committee.”*

#### **Article 25: Old Town Hall Condition Assessment**

Est. tax impact \$0.024

To see if the Town will vote to raise and appropriate the sum of eleven thousand dollars (\$11,000) to have a Condition Assessment of the Iron Works Old Town Hall conducted and to authorize the Board of Selectmen to apply for partial funding with a grant of up to Four Thousand Five Hundred Dollars (\$4,500) anticipated from the NH Preservation Alliance to offset this appropriation, provided that the Condition Assessment will still be completed if the grant is not received, with the remaining balance to come from taxation.

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

**Recommended by the Budget Committee: Yes**

#### **Article #25: Will appear on the ballot as written.**

*Stan Bean asks, “Is any of the information that was done a few years ago appropriate to be used? Do we need to have this much to reassess that building because we did quite a bit of work a number of years ago, had engineering drawings and the whole nine yards?”*

*Patrick Bore, Town Administrator, asks to answer this. “I assume you’re talking about work of the volunteer committee that happened in 2010. So, the problem with that is those numbers are eight years old and the Town Hall has, unfortunately, not been doing too well through those years. So, that’s why we are recommending this article, we are trying to get fresh numbers and bring those numbers to the voters and see what they would like to do about this Town Hall.”*

**Article 26: (By Petition) GYR Library funds**

Est. tax impact \$0.104

To see if the Town will vote to raise and appropriate the sum of Forty-Seven Thousand Seven Hundred Dollars (\$47,700) for partial funding of operating expenses of the Gilmanton Year-Round Library for 2019.

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

**Recommended by the Budget Committee: Yes**

**Article #26: NO DISCUSSION – Article will appear on ballot as written.**

**Article 27: (By Petition) General Public Access to Academy Building**

Are you in favor of the adoption of this warrant article as proposed by petition of the voters of this town:

We are requesting entrance doors at the Academy Building, also known as the Town Offices Building be unlocked and accessible to the General Public without hindrance/buzzers at any/all times that Town business is being conducted in the building.

**Article #27: NO DISCUSSION – Article will appear on ballot as written.**

**Moderator Sisti Adjourned the meeting at 7:40 p.m. and reminded all that we will reconvene on Tuesday, March 12, 2019, from 7:00 a.m. – 7:00 p.m., at the Academy Building, for the second session to vote on the ballot.**

**Respectfully Submitted,**





**Debra A. Cornett**  
**Town Clerk/Tax Collector**