

Town of Gilmanton  
Town Meeting Minutes  
March 13, 2010  
*592 Voters of 2,431 = 24% Voter Turnout*

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

**You are hereby notified to meet at the Gilmanton Academy in said Gilmanton on Tuesday, the Ninth day of March 2010, next at 7:00 of the clock in the forenoon, to act upon the following subjects:**

**ARTICLE #1:** To choose all necessary Town Officers for the year ensuing. Polls are open from 7a.m. to 7p.m.

**ARTICLE #2:** Are you in favor of the adoption of Amendment #1 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows: To amend Article VI of the Zoning Ordinance, Manufactured Housing, Section D, Storage and Use of Recreational Vehicles, paragraphs 1 and 2 as follows:

- 1) Delete the existing language in paragraph 1 and replace with: ***A permanent resident of the Town of Gilmanton may store or park one (1) Recreational Vehicle owned by the resident on his/her property.***
- 2) Amend Paragraph 2 to clarify and expand the requirements for Recreational Vehicles to dispose of septage in a legal and proper manner, along with ramifications for failure to follow said requirements; and to make minor grammatical changes and clarifications.

**YES – 374\***

**NO – 179**

**ARTICLE #3;** Are you in favor of the adoption of Amendment #2 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

- a) Amend Article IV of the Zoning Ordinance, Zoning District Regulations, Table 1, by **deleting** the land use term “Agriculture Traditional” and replacing it with *Agriculture*.
- b) Amend the Article XVI of the Zoning Ordinance, Definitions, by **deleting** the definition Agriculture – Traditional.
- c) Amend Article XVI of the Zoning Ordinance, Definitions, by adding to the current definition of “Agriculture” as follows: As defined in RSA 21:34-a, ***including agritourism uses.***

- d) Amend Article XVI of the Zoning Ordinance, Definitions, by adding the following definition: ***Agritourism - means attracting visitors to a working farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education on farm operations, or active involvement in the activity of the farm, which is ancillary to the farm operation. Said operation shall comply with all applicable state and local laws, ordinances and regulations.***

**YES – 403\***

**NO – 146**

**ARTICLE #4:** Are you in favor of the adoption of Amendment #3 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

Amend Article IX of the Zoning Ordinance, Board of Adjustment, B Special Exceptions, Section 2, Conditions of Approval, paragraph e, to read: Any structure proposed must meet all of the dimensional requirements of Table 2, ***except as allowed by Article VII, Paragraph B Non-conforming uses and non-conforming structures.***

**YES – 308\***

**NO – 212**

**ARTICLE #5:** Are you in favor of the adoption of Amendment #4 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

Amend Article IX of the Zoning Ordinance, Board of Adjustment, C Variances, deleting ;Section C.1., paragraphs a-e and C 2. and to have Section C.1 read: The Board of Adjustment may authorize a variance from the terms of this Ordinance only where the Board finds that all of the conditions as defined in RSA 674:33, I-III are met.

**YES – 321\***

**NO – 198**

**The following articles will be acted upon at the Gilmanton School on Saturday, March 13, 2010, at 10:00 a.m.**

*Moderator Mark L. Sisti opened the meeting at 10:15 a.m. Mr. Sisti asked all to rise for the pledge of allegiance which was led by veteran Daniel W. Webster followed by a moment of silence. The results of Article #1 were read announcing the newly elected officers and the results of zoning articles #2 through article #5.*

*Mr. Sisti continued with the rules of order stating that there are several interesting articles on this year's warrant that will take us a while to get through. The first rule is that everyone will have respect; hand counts (yellow) cards must go up and be held up for counters when a voice vote is too close to call or a hand count is called for. If the body questions the Moderator's call as to a voice vote, a hand count can be asked of the Moderator. Every registered voter present has the right to speak and be heard. A maximum limit of 10 minutes will be held for each speaker. Amendments will be made one at a time and if there is a motion and second there will be discussion on that*

*amendment followed by a vote on that amendment before any other amendments will be taken. After the amendments to the article have been voted on, the entire Article will be addressed as to the up or down votes of the amendment(s). This is to keep the process clear so that the body knows what they are voting on. When addressing the body make sure you identify yourself. We will have respect for each other and disagree with class.*

*The Moderator recognized Stan Bean, Budget Committee, Chairman and Rachel Frechette Hatch, Board of Selectmen, Chair to do a presentation of crabapple trees to **Robert L. Potter, Sr.** for his **50 years of service** on the Gilmanton **Budget Committee** and to **Frank C. Bosiak, Sr.** for his **30 years of service**.*



*Before beginning Article #6, the Moderator takes a question from Thomas Robinson who asked what the rule for reconsideration will be. Mr. Sisti announces that there will be none stating, that "...when the vote is done, the vote is done. The article will be voted up or down and that will be it...There will be no reconsideration..."*

**ARTICLE #6:** To see if the Town will vote to raise and appropriate the sum of Eight Hundred Seventy Thousand Dollars (\$870,000.00) for the purpose of building a Police/Fire Safety Building on land owned by the Town located on NH Route 140 west in Gilmanton Corners. And to authorize issuance of not more than Five Hundred Thousand Dollars (\$500,000.00) of bonds or notes under and in compliance with the Municipal Finance Act, RS'A 33:1 et. Seq., as amended: to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and notes to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. And to further authorize the Selectmen to withdraw Three Hundred Seventy Thousand Dollars (\$370,000.00) from the Police/Fire Safety Building Capital Reserve Fund to complete funding of this project. This article

must be voted on by paper ballot and a two-thirds majority is required. Polls must remain open for at least one hour. (Recommended by Selectmen \$870,000.00; Recommended by Budget Committee \$870,000.00.)

Stanley Bean **moved** Article #6 as written; **seconded** by Joseph Hempel.

**Amendment #1:** Gareth “Marty” Martindale **moved to amend** Article #6 to authorize the Selectmen to withdraw funds in their entirety from the Police/Fire Safety Building Capital Reserve Fund to complete funding of this project; **seconded** by Thomas Scribner.

**AMENDMENT #1 DEFEATED** BY VOICE VOTE.

*At 11:25 a.m., Moderator Sisti calls Article #6 to a Ballot Vote with the poll being open for at least one hour. At 1:45 p.m. Moderator Sisti closed the ballot vote for Article #6.*

**ARTICLE #6 AS DRAFTED PASSES (\$870,000)** BY BALLOT VOTE 2/3’s MAJORITY.

**YES – 328\*                      NO – 68**

328 + 68 = 396    396 X .66 = 261.36      262 VOTES NEEDED

396 voters Article 328/396 = 83%

**ARTICLE #7:** Shall the Town of Gilmanton adopt the provisions of RSA 31:95-h to restrict 100% of the revenues from income generated by the recycling facility for the purpose of offsetting the cost of running the Recycling Facility. Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the Recycling Special Revenue Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue. (Recommended by Selectmen; Recommended by Budget Committee.)

Stanley Bean **moved** Article #7 as written; **seconded** by Richard Lucas.

*Justin Leavitt, Recycling Facility Manager made an announcement that as of today, the Recycling Facility is taking recyclable plastics # 1 through # 7’s. You no longer have to separate the plastics; they are all going in one bin together. Glass, aluminum, metal, cardboard, etc. are still separated.*

George Roberts **moved** to call for point of order and asked that Article #8 be brought forward before Article #7; **seconded** by Cindy Houghton.

Moderator Sisti asks the question to the body for the call of point of order, to switch the articles to hear Article #8 before Article #7 to a voice vote.

**POINT OF ORDER TO HEAR ARTICLE #8 BEFORE ARTICLE #7 PASSES BY VOICE VOTE.**

*The Moderator moves the body to address Article #8.*

Brian Forst **moved** to readdress Article #7; **seconded** by Linda Bolton.

*Moderator Sisti directs the body back to readdress Article #7. Chairman Hatch addressed the body “ ... to clarify that the reason the Board of Selectmen brought this Article forward was in anticipation of Article #8 for “pay-as-you-throw” passage for which there would then be a need for this special revenue fund. Since the “pay-as-you-throw” obviously did not pass; we could still have this fund but there would not be as much revenue to put in it with Article #8 being defeated...” Cindy Houghton asks if the Selectmen will consider withdrawing Article #7. Moderator Sisti asks Chairman Hatch if she would like to withdraw the article.*

Rachel Hatch **moved** to withdraw Article #7; **seconded** by Richard Lucas.

*Moderator calls the motion to a question.*

**ARTICLE #7 WITHDRAWN** BY VOICE VOTE.

**ARTICLE #8:** To see if the Town will vote to authorize the Selectmen to establish and administer a user fee system, “pay-as-you-throw” program, to offset the cost of disposal of the Town’s Solid Waste. (Recommended by Selectmen; Not Recommended by Budget Committee.)

George Roberts **moved** Article #8; **seconded** by Cindy Houghton.

*Moderator calls the motion to a question*

*Voice vote too close to call, Moderator Sisti calls for a hand count.*

**HAND COUNT:** Yes – 116      No – 155\*

**ARTICLE #8 IS DEFEATED** BY HAND COUNT.

**ARTICLE #9:** To see if the Town will vote to raise and appropriate Three Million Two Hundred Eighty Five Thousand Eight Hundred Thirty Dollars (\$3,285,830.00) for the payment of the statutory obligations of the municipality for the 2010 fiscal year, exclusive of all other warrant articles. (Recommended by Selectmen \$3,285,830.00; Recommended by Budget Committee \$3,285,830.00)

	<b>Budget Committee Recommendation</b>	<b>Selectmen Recommendation</b>
Selectmen	1,049,305.00	1,049,305.00
Police Department	481,740.00	481,740.00
Fire Department	532,020.00	532,020.00
Highway Department	921,799.00	921,799.00
Solid Waste	<u>300,966.00</u>	<u>300,966.00</u>
<b>TOTALS:</b>	<b>3,285,830.00</b>	<b>3,285,830.00</b>

Brian Forst **moved** Article #9 (\$3,285,830) as written; **seconded** by Frank Bosiak.

**Amendment #1:** Matthew LeBlanc **moved to amend** Article #9 to reduce \$11,359 from the bottom line total to read \$3,274,471; **seconded** by Brett Currier.

*Mr. LeBlanc stated his intent of the amendment would be to reduce the Building Inspector's hours to two days a week.*

*Moderator Sisti explained, "... that if the people make their intent to eliminate a position or make a particular comment about an employee or to eliminate a particular employee from the payroll of the Town of Gilmanton, it will fail, it will be reversed...we actually sought advise from Town Counsel on this issue...people's intent will be voiced, but if you are taking \$11,000 away from that total budget, it does not have to be targeted with regard to the Building Inspector, in fact, the Selectmen don't have to at all, follow the lead of the body with regard to that because they don't have to be micro-managed by this community. You have basically entrusted your Selectmen to make those decisions. If you don't agree with your Selectmen, there is a way to show that and it happens every year at Town Election..."*

***Moderator Sisti calls Amendment #1 to a question.***

**AMENDMENT #1 DEFEATED BY VOICE VOTE.**

**Amendment #2:** Ernest Hudziec **moved to amend** Article #9 to increase \$650.00 to the bottom line total to read \$3,286,480; **seconded** by Thomas Scribner.

*The intent of Mr. Hudziec's amendment was that the increase of \$650.00 goes to the Corner Library's budget.*

*Moderator Sisti calls Amendment #2 to a question.*

*Voice vote too close to call, Moderator calls for a hand count.*

**HAND COUNT: YES – 123\* NO - 86**

**AMENDMENT #2 PASSES BY HAND COUNT.**

*Moderator Sisti calls Article #9, as amended, to a question.*

**ARTICLE #9 PASSES AS AMENDED (\$3,286,480) BY VOICE VOTE.**

**ARTICLE #10:** To see if the Town will vote to raise and appropriate the sum of Three Hundred Sixty Five Thousand Eight Hundred Fifty Seven Dollars (\$365,857.00) to be deposited in the following Capital Reserve Accounts. (Recommended by Selectmen \$365,857.00; Recommended by Budget Committee \$365,857.00.)

<b><u>BUDGET COMMITTEE</u></b>	<b><u>SELECTMEN</u></b>
Cap. Res. Amb. Replacement \$ 40,000.00	\$ 40,000.00
Cap. Res. Reval/Assessing 24,000.00	24,000.00
Cap. Res. Fire Eng. Rep. 81,800.00	81,800.00
Cap. Res. Town Septic Sys. 2,000.00	2,000.00
Cap. Res. Town Driveways 2,750.00	2,750.00
Cap. Res. Town Roofs 4,000.00	4,000.00
Cap. Res. Salt/Sand Covers 1,000.00	1,000.00
Cap. Res. Highway Equip. 60,690.00	60,690.00
Cap. Res. Recycling Equip. 6,867.00	6,867.00
Cap. Res. Fire Command Veh 4,000.00	4,000.00
Cap. Res. Police Cruisers 26,500.00	26,500.00
Cap. Res Public Safety Bldg 100,000.00	100,000.00
Cap. Res Bridges 6,000.00	6,000.00
Cap. Res. Replace Forestry 1 6,250.00	6,250.00
<b>TOTALS \$365,857.00</b>	<b>\$365,857.00</b>

Rachel Hatch **moved** Article #10 as written; **seconded** by Frank Bosiak.

**Amendment #1:** Stephen Goddard **moved to amend** Article #10 to reduce the Cap. Res Public Safety Bldg. line to \$0.00 thus, reducing the bottom line by \$100,000 for a total of \$265,857; **seconded** by Thomas Robinson.

*Moderator Sisti calls Amendment #1 to a question.*

**AMENDMENT #1 PASSES** BY VOICE VOTE.

*Moderator Sisti calls Article #10, as amended, to a question.*

**ARTICLE #10 PASSES AS AMENDED (\$265,857)** BY VOICE VOTE.

**ARTICLE #11:** To see if the Town will vote to establish a new Solid Waste Storage Building Capital Reserve Fund and to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) to be deposited in such fund. (Recommended by Selectmen \$15,000.00; Recommended by Budget Committee \$15,000.00.)

Ernest Hudziec **moved** Article #11 as written; **seconded** by Stan Bean.

*Moderator Sisti calls Article #11 to a question.*

**ARTICLE #11 PASSES (\$15,000)** BY VOICE VOTE.

**ARTICLE #12:** To see if the Town will vote to raise and appropriate the sum of Twenty Eight Thousand Five Hundred Dollars (\$28,500.00) to be deposited in the following Non-Capital Reserve Accounts. (Recommended by Board of Selectmen \$28,500.00; Recommended by Budget Committee \$28,500.00.)

	<b><u>BUDGET COMMITTEE</u></b>	<b><u>SELECTMEN</u></b>
Non-Cap Res Office Equip.	\$ 2,500.00	\$ 2,500.00
Non-Cap Res. Ins. Deductible	1,000.00	1,000.00
Non-Cap. Res Hydrants	22,000.00	22,000.00
Non-Cap. Res Fire Dept Plant Main.	<u>3,000.00</u>	<u>3,000.00</u>
<b>TOTAL</b>	<b>\$28,500.00</b>	<b>\$28,500.00</b>

Frank Bosiak **moved** Article 12 as written; **seconded** by Israel Willard.



*Moderator Sisti calls Article #12 to a question.*

**ARTICLE #12 PASSES (\$28,500)** BY VOICE VOTE.

**ARTICLE #13:** To see if the Town will vote to establish a new Town Building Repair and Maintenance Non-Capital Reserve Fund and to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) to be deposited in such fund. (Recommended by Selectmen \$5,000.00; Recommended by Budget Committee \$5,000.00.)

Stan Bean **moved** Article #13 as written; **seconded** by Rachel Hatch.

*Moderator Sisti calls Article #13 to a question.*

**ARTICLE #13 PASSES (\$5,000)** BY VOICE VOTE.

**ARTICLE #14:** To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) for the purpose of placing a concrete pad under the metal pile and a 4 foot high back and side wall at the Recycling Facility and to fund this appropriation by authorizing the withdrawal of Thirty Thousand Dollars from the Recycling/Transfer Facility Capital Reserve Fund. (Recommended by Selectmen \$30,000.00; Recommended by Budget Committee \$30,000.00.)

Stan Bean **moved** Article #14 as written; **seconded** by Richard Lucas.

*Moderator Sisti calls Article #14 to a question.*

**ARTICLE #14 PASSES (\$30,000)** BY VOICE VOTE.

**ARTICLE#15:** To see if the Town will raise and appropriate the sum of Forty Thousand Dollars (\$40,000.00) for the repairing and erecting of the Cupola at the Academy Building located at 503 Province Road. (Recommended by Selectmen \$40,000.00; Recommended by Budget Committee \$30,000.00.)

Betty Ann Abbott **moved** Article #15 in the amount of \$40,000; **seconded** by Ernest Hudziec.

**Amendment #1:** Stephen Bedard **moved to amend** Article #15 “To see if the town will raise and appropriate the sum of Forty Thousand Dollars for the repairing and erecting of the Cupola at the Academy Building located at 503 Province Road with \$20,000 to be raised by taxes and \$20,000 to be received by gifts or grants”; **seconded** by Richard Lucas.

*Moderator Sisti calls Amendment #1 to a question.*

*Amendment #1 voice vote too close to call, Moderator calls for a hand count.*

**HAND COUNT:     Yes – 150\*     No – 87**

**AMENDMENT #1 PASSES** BY HAND COUNT.

*Moderator Sisti calls Article #15, as amended, to a question.*

**ARTICLE #15 PASSES AS AMENDED (\$40,000 - \$20,000 by taxation; \$20,000 to be received by gifts or grants)** BY VOICE VOTE.

**ARTICLE #16:** To see if the town will vote to raise and appropriate the sum of Eight Thousand Seven Hundred Dollars (\$8,700.00) for the purpose of Document Restoration and to fund this appropriation by authorizing the withdrawal of Eight Thousand Seven Hundred Dollars from the Document Restoration Capital Reserve Fund. (Recommended by Selectmen \$8,700.00; Recommended by Budget Committee \$8,700.00.)

Stan Bean **moved** Article #16 as written; **seconded** by Richard Lucas.

*Moderator Sisti calls Article #16 to a question.*

**ARTICLE #16 PASSES (\$8,700)** BY VOICE VOTE.

**ARTICLE #17:** To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Nine Dollars (\$12,009.00) for the purpose of funding a 1% COLA increase for all employees of the Town. (Recommended by Selectmen \$12,009.00; Recommended by Budget Committee \$12,009.00.)

Stan Bean **moved** Article #17 as written; **seconded** by Rachel Hatch.

**Amendment #1:** Roger Ball **moved to amend** Article #17 to increase the amount to \$24,018; **seconded** by Elena Ball.

*Moderator Sisti calls Amendment #1 to a question.*

**AMENDMENT #1 DEFEATED** BY VOICE VOTE.

*Moderator Sisti calls Article #16 to a question as originally moved.*

*Voice vote too close to call, Moderator calls for a hand count.*

**HAND COUNT:**     Yes – 156\*     No – 133

**ARTICLE #17 PASSES (\$12,009)** BY HAND COUNT.

**ARTICLE #18:** To see if the Town will vote to raise and appropriate the sum of Five Thousand Six Hundred Dollars (\$5,600.00) for the purpose of purchasing a 50 yard container for the compactor at the Recycling Facility and to fund this appropriation by authorizing the withdrawal of Five Thousand Six Hundred Dollars (\$5,600.00) from the Recycling Equipment Capital Reserve Fund. (Recommended by Selectmen \$5,600.00; Recommended by Budget Committee \$5,600.00.)

Stan Bean **moved** Article #18 as written; **seconded** by Margot Lucas.

*Moderator Sisti calls Article #18 to a question.*

**ARTICLE #18 PASSES (\$5,600)** BY VOICE VOTE.

**ARTICLE #19:** To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000.00) for rewiring the Pavilion at Crystal Lake Park to correct safety issues in the building. (Recommended by Selectmen \$4,000.00; Recommended by Budget Committee \$4,000.00.)

Stan Bean **moved** Article #19 as written; **seconded** by Israel Willard.

*Moderator Sisti calls Article #19 to a question.*

**ARTICLE # 19 PASSES (\$4,000)** BY VOICE VOTE.

**ARTICLE #20:** To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) for Highway Safety Grants listed below. These grants are for salaries for the following details and will be reimbursed at 100% from the state of New Hampshire. These funds will not be expended unless the grants are received.

Speed Detail	\$1,500.00
DWI Detail	<u>1,500.00</u>
<b>TOTAL</b>	<b>\$3,000.00</b>

(Recommended by Selectmen \$3,000.00; Recommended by Budget Committee \$3,000.00.)

Stan Bean **moved** Article #20 as written; **seconded** by Elena Ball.

*Moderator Sisti calls Article #20 to a question.*

**ARTICLE #20 PASSES (\$3,000)** BY VOICE VOTE.

**ARTICLE #21:** To see if the Town will vote to raise and appropriate the sum of Five Hundred Dollars (\$500.00) to fund milfoil treatment for the lakes in Gilmanton. (Recommended by Selectmen \$500.00; Recommended by Budget Committee \$0.00)

Rachel Hatch **moved** Article #21 as written; **seconded** by Ernest Hudziec.

**Amendment #1:** Priscilla Plourde **moved to amend** Article #21 to increase the amount to \$1,000; **seconded** by Thomas Richardson.

*Moderator Sisti calls Amendment #1 to a question.*

**AMENDMENT #1 PASSES** BY VOICE VOTE.

*Moderator Sisti calls Article #21, as amended, to a question.*

**ARTICLE #21 PASSES AS AMENDED (\$1,000)** BY VOICE VOTE.

**ARTICLE #22:** To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000.00) for the purchase of a new tracking system for fuel usage by

the different departments. This would be installed at the Highway Garage and Recycling Facility on the existing fuel tanks. (Recommended by Selectmen \$4,000.00; Recommended by Budget Committee \$0.00.)

Ernest Hudziec **moved** Article #22 as written; **seconded** by Richard Lucas.

**ARTICLE #22 DEFEATED** BY VOICE VOTE.

**ARTICLE #23:** To see if the Town will vote to raise and appropriate the sum of Twenty-Five Hundred Dollars (\$2,500.00) for the purchase of a waste oil furnace for the Recycling Facility and to fund the appropriation by authorizing the withdrawal of Twenty Five Hundred Dollars (\$2,500.00) from the Recycling Equipment Capital Reserve Fund. (Recommended by Selectmen \$2,500.00; Recommended by Budget Committee \$2,500.00.)

Stan Bean **moved** Article #23 as written; **seconded** by Heidi Herzberger.

*Moderator Sisti calls Article #23 to a question.*

*Moderator Sisti declared Article #23 passed by voice vote. Brett Currier questions the call and asks the Moderator for a hand count.*

**HAND COUNT:     Yes – 196\*     No – 60**

**ARTICLE #23 PASSES (\$2,500)** BY HAND COUNT.

**ARTICLE #24: Submitted by Petition** To see if the Town will accept Bingham Road from the end of the Class V portion located at the brick house to the end of the cul-de-sac as a town road thus extending the Class V portion of Bingham Road.

David Russell **moved** Article #24; **seconded** by Richard Lucas.

*Moderator Sisti calls Article #24 to a question.*

**ARTICLE #24 DEFEATED** BY VOICE VOTE.

**ARTICLE #25: Submitted by Petition** To see if the Town will vote to accept Edwards Drive as a Town Class V Road off Nighthawk Hollow Rd.

Richard Lucas **moved** Article #25; **seconded** by Thomas Robinson.

**Amendment #1:** Jeffrey Dade **moved to amend** Article #25 to read “To see if the Town will vote to accept Edwards Drive as a Town Class V Road off **Burke Rd.**”; **seconded** by Jessica Dade.

*Moderator Sisti calls Amendment #1 to a question.*

**AMENDMENT #1 PASSES** BY VOICE VOTE.

*Moderator Sisti calls Article #25, as amended, to a question.*

**ARTICLE #25 PASSES AS AMENDED** BY VOICE VOTE.

**ARTICLE #26: Submitted by Petition** To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President.

Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines “marriage”.

*Moderator Sisti announces that a petition for a secret ballot vote was received for Article #26.*

Linda Bolton **moved** Article #26; **seconded** by Brian Forst.

*After discussion on Article #26, the Moderator declared the ballot vote open.*

**ARTICLE #26 PASSES** BY BALLOT VOTE.

**YES – 156\***

**NO – 114**

**ARTICLE #27: Submitted by Petition** To see if the Town will vote to raise and appropriate the sum of Forty-One Thousand Three Hundred Dollars (\$41,300.00) for operating expenses of the Gilmanton Year-Round Library. (Not Recommended by Selectmen; Not Recommended by Budget Committee.)

John Dickey **moved** Article #27; **seconded** by Stephen Bedard.

*Stan Bean spoke to Article #27 “...one of the things that people have asked is that if this is passed, does this become automatic? ...The only way that funding the library, the operation of the library becomes automatic is if the Association petitions the Town and you folks propose to take over the library, then you would be obligated every year to fund it. This way, with the Association and 501C...you get the opportunity to make that decision every year...not only that but we have a better opportunity than the Town to fundraise, to receive grants, get endowments...so we have a much better chance of reducing the taxpayers burden each year by letting things remain this way ...could work one of two ways...Each year the Selectmen could decide to place the operating funds of the library on the warrant...if they do not feel that is in the best interest of the Town for whatever reason, they don’t place it there and the Association again, petitions the Town...this will be an annual occurrence...invites those... with fundraising skills to come and visit with us to help us how we may raise additional funds to keep the cost down to the taxpayers ...the Town elects (library) Trustees for the Corners Library and the Gilmanton Iron Works Library ...work with the Gilmanton Year Round Library to provide the best library services to the citizens of this Town... ”*

**Amendment #1:** Robert G. Hyslop **moved to amend to table** Article #27 to get a legal opinion and post it with the regard to the legality of this Article; **seconded** by Cindy Houghton.

*Brenda K. McBride offered to read a portion from a letter of the Gilmanton Year-Round Library Association, dated November 12, 2001...the paragraph reads as follows, “As we move forward, excited by our vision and progress, we continue to be asked two questions. First, will the other libraries close? We believe the individual libraries will continue to operate until such time as they decide to change. We will support and honor their decision. Second, is the town expected to support the library? Should the town decide to participate, it would be a decision made by the town through the proper channels. There is no expectation that town support is necessary to move forward.”*

**Moderator Sisti calls Amendment #1 to table Article #27 to a question.**  
**Voice vote too close to call, Moderator calls for a hand count.**

**HAND COUNT:    Yes – 91    No – 168\***

**AMENDMENT TO TABLE ARTICLE #27 DEFEATED BY HAND COUNT.**

*Moderator Sisti directs the body back to the original article as submitted.*

*Moderator Sisti allowed Boy Scout Levi Davies time on the floor to speak.*

*After very lengthy discussions, the moderator called Article #27 to a secret ballot vote as requested by petition.*

**ARTICLE #27 PASSES (\$41,300) BY BALLOT VOTE.**

**YES – 189\***

**NO – 179**

**ARTICLE #28: Submitted by Petition** We, the undersigned, are concerned citizens who urge our leaders to act now to vacate the current position of Code Enforcement Officer/Building Inspector/ Health Officer held by Bob Flanders and to secure a new position to be held by Fire Chief, Kenneth Lockwood. This new position would allow Kenneth Lockwood, as Fire Chief, to work in conjunction with his current schedule in order to necessitate the duties of CEO/Building Inspector/Health Officer into his 5-day workweek for an additional stipend of \$12,000/annually. (Not Recommended by Selectmen; Not Recommended by Budget Committee.)

*Before Moderator Sisti takes any motion on this article he defers this Article to Town Counsel, Walter Mitchell for a few issues to be addressed.*

*“... Mr. Moderator, during the break you asked me whether or not this article is legal...I cannot tell you that this is illegal... but I can tell you that there is nothing in this article that has a binding effect on Selectmen regardless of a personnel issue or allocation of assets issues, those are decisions that ...are at the discretion of the Selectmen, they are not Town Meeting issues...”*

Laurie Henderson **moved** Article #28; **seconded** by Claire Wilkens.

Walter Mitchell **moves to table** Article #28; **seconded** by Vincent Baiocchetti.

*Moderator Sisti calls motion to table Article #28 to a question.*

**ARTICLE #28 MOTION TO TABLE PASSES** BY VOICE VOTE.



**ARTICLE #29:** To hear the reports of any Committees chosen and pass any votes relative thereto.

*Moderator Sisti will hold the meeting open until we have a final count on Article #27. Mr. Sisti thanked everyone for a very interesting day.*

Walter Mitchell **moved** to restrict reconsideration of all articles; Thomas Robinson **seconded**.

*Moderator Sisti calls the motion to restrict reconsideration of all articles to a question.*

**MOTION TO RESTRICT RECONSIDERATION PASSES** BY VOICE VOTE.

*The Moderator reminds everyone of next week's School District meeting*

*Nate Abbott reports on the Gilmanton Energy Committee, stating that, "Your Gilmanton Energy Committee has been active this year in seeking information and funding for an energy retrofit for the Gilmanton Academy Building. To that end we applied for a grant through the New Hampshire Energy Efficiency and Conservation Block Grant Program administered by The New Hampshire Office of Energy and Planning. It was announced last week that Gilmanton was not among those receiving rewards. The Energy Committee will continue to work with the Selectmen to find ways to make the Academy Building more energy efficient".*

*Brenda McBride asks the body for a well- deserved round of applause for our Moderator, Mark Sisti for a job well done in running the town meeting so well.*

*After the close of the Business Meeting, at 8:00 p.m., the following newly elected officers took the Oath of Office:*

- *Rachel Frechette Hatch*
- *Francis Gianni*
- *Robert Burdett*
- *Thomas Scribner*
- *Mark Sisti*

Respectfully Submitted,

Debra A. Cornett  
Town Clerk/Tax Collector