

Town of Gilmanton  
Town Meeting Minutes  
March 12, 2011  
*304 Voters of 2,453 = 12% 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 Gilmanton Academy in said Gilmanton on Tuesday, the Eighth day of March 2011, 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 7am to 7pm.

**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: Amend Article III, B – Fire Ruined Buildings by allowing the Board of Selectmen to grant extensions? *(The Planning Board recommends adoption of this article)*

**YES: 407\*                      NO: 84**

**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: Amend Article III by adding a new comprehensive Aquifer Protection Overlay Zone & Ordinance? *(The Planning Board recommends adoption of this article)*

**YES: 323\*                      NO: 158**

**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 VI Manufactured Housing, Section D1, Storage and Use of Recreational Vehicles to clarify that the storage is only allowed at a primary residence or their property abutting a primary residence? *(The Planning Board recommends adoption of this article)*

**YES: 324\*                      NO: 161**

**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 VII, Non-conforming Uses, Lots and Structures, Sections B2 and B4 by clarifying that changes to a non-conforming structure that could be accomplished within the existing setbacks, are permitted. In addition, delete Sections C1? *(The Planning Board recommends adoption of this article)*

**YES: 380\***

**NO: 95**

**ARTICLE #6:** Are you in favor of the adoption of Amendment # 5 as proposed by the Gilmanton Planning Board for the Town Zoning Ordinance as follows: Amend Article VII, Paragraph C, Non-Conforming Lots, Paragraph 2, to clarify that the existing requirement to obtain a state approved septic system design must be met prior to the issuance of a building permit by the Town and that only minimal frontage is needed on a Class V road in order to build on it? *(The Planning Board recommends adoption of this article)*

**YES: 368\***

**NO: 118**

**ARTICLE #7:** Are you in favor of the adoption of Amendment # 6 as proposed by the Gilmanton Planning Board for the Town Zoning Ordinance as follows: Amend Article VIII, Administration, Enforcement and Penalty, Section A, by clarifying that it is the Board of Selectmen or their designee, that has the authority to enforce the zoning ordinance and administrative decisions of the Historic District Commission? *(The Planning Board recommends adoption of this article)*

**YES: 333\***

**NO: 145**

**ARTICLE #8:** Are you in favor of the adoption of Amendment # 7 as proposed by the Gilmanton Planning Board for the Town Zoning Ordinance as follows: Amend Article IX, Board of Adjustment, Paragraph C by amending paragraph 2 relating to the expiration of variances, so that they would expire after 4 years if not used, instead of 1 year as is now the case? *(The Planning Board recommends adoption of this article)*

**YES: 348\***

**NO: 132**

**ARTICLE #9:** Are you in favor of the adoption of Amendment # 8 as proposed by the Gilmanton Planning Board for the Town Zoning Ordinance as follows: Amend the Definition of Dwelling, Multi-Family in Article XVI to change the maximum number of families from 4 to 5? *(The Planning Board recommends adoption of this article)*

**YES: 291\***

**NO: 182**

**ARTICLE #10:** Are you in favor of the adoption of Amendment # 9 as proposed by the Gilmanton Planning Board for the Town Zoning Ordinance as follows: Delete the existing definition of "Structure" in Article XVI and replace with the new definition: "That which is built or constructed." *(The Planning Board recommends adoption of this article)*

**YES: 370\***

**NO: 96**

**ARTICLE #11:** Are you in favor of the adoption of Amendment # 10 as proposed by the Gilmanton Planning Board for the Town Zoning Ordinance as follows: Amend Article XVI by adding a new definition for 'Deck'? *(The Planning Board recommends adoption of this article)*

**YES: 339\***

**NO: 131**

**ARTICLE #12:** Are you in favor of the adoption of Amendment #11 as proposed by **Petition** of the voters of this town, *to amend Article III, General Provisions Applicable to all Districts, by adding a new section, O. Biosolids:* To protect the health and welfare of residents, and prevent pollution of surface and groundwater resources, the stockpiling or landspreading of municipal sewage sludge, "biosolids" Class A and Class B, as defined by New Hampshire statutes and regulations, is not allowed in the Town of Gilmanton, except as provided herein. This section shall not apply to sewage, sludge, biosolids, generated within the Town of Gilmanton. This section shall not apply to Class A sludge, biosolids-derived products sold by the bag for home gardening use? *(The Planning Board does not support this Petitioned article)*

**YES: 169**

**NO: 310\***

**The following articles will be acted upon at the Gilmanton School on Saturday, March 12, 2011 at 10:00 am.**

*Moderator, Mark Sisti opened the meeting at 10:00 a.m. He began by requesting that Daniel Webster lead the body in the Pledge of Allegiance. Mr. Sisti then asked for all to continue to remain standing for a moment as it is tradition at our Town Meeting to ask for a moment of silence. He stated, "It is a little bit different this year, and I will tell you why in a moment, I would like a moment of silence for all those that we lost in this town over the past year and there is a correction, by the way, to page 142; there was an omission by the State from the Bureau of Vital Statistics with regard to Robert Potter who passed on May 28, 2010. I'd also ask the body to recognize those who are ill and also recognize those who are actively serving in our military... and today I'd like to mention there is a tragedy of enormous proportion we are all witnessing live in Japan and I ask that we keep those people in our prayer with a moment of silence".*

*Mr. Sisti made announcements as to locations of displays that were set up in the hallway, the Girl Scouts selling cookies and the food that was available for sale by the Boy Scouts in the cafeteria during the course of the meeting. There is a Recycling Committee questionnaire...set up in the hall that they would like everyone to fill out.*

*There has been a request for a secret ballot vote for the library issue, the petition is valid and Article #17 will be a secret ballot vote.*

*"The Rules for clarity of this particular meeting is: we will vote one article at a time. If there are amendments requested, the amendment must be moved and seconded; there will*

*be discussion on the amendment followed by an up or down vote of the amendment. As the amendments come forward, we will deal with them one at a time. If an amendment is voted in the affirmative, the Article will then be voted up or down as amended. This has worked smoothly in the past when we have done it this way." The Moderator also stated, "...that you cannot vote at this meeting unless you have a registered voting card that was handed to each voter upon check-in with the Supervisors. You will not be able to vote at this meeting unless you are a holder of one of these cards. If you are not a registered voter, you must sit on the side; you cannot sit in with the voting body and cannot participate in the course of the meeting. Last year we had an influx of voters on the Library issue. This year, if we have such an influx, I will make it as clear as I can, the folks that are here now will have the opportunity to vote first...the folks that come in after will have to get to the end of the line and wait their turn to register and vote after those that have been here; there will be no line cutting." "When you make a motion, or seconds, the Clerk asks that you clearly state your name...so that we may have an accurate record."*

*The Moderator read the official results of the Election on Tuesday, March 8th.*

*After the results of balloting were read, Mr. Sisti recognized, Selectwoman Hatch. Selectwoman Hatch recognized today as being Selectwoman Betty Ann Abbott's "Last Hoorah". She and Selectman Don Guarino wanted to recognize the years that Betty Ann has given to the Town of Gilmanton...most impressive with Betty Ann was her follow up on Board issues, her consistency...her involvement, commitment and follow-through in the construction of the Public Safety Building; and as Selectperson, her dedication and hard work. Selectwomen Hatch also recognized Betty Ann and her husband, Nate (who helped) with the gardening at the Gilmanton Public Safety Building in which they planted 500 daffodils. To show many thanks for Betty Ann's services, they were sending her off with a Cole's Gardening gift certificate. "Thank you, Betty Ann".*

**ARTICLE #13:** To see if the Town will vote to raise and appropriate the sum of Three Million Four Hundred Eighty Two Thousand One Hundred Ninety Three Dollars (\$3,482,193.00) for the payment of statutory obligations of the municipality for the 2011 fiscal year, exclusive of all other warrant articles.

	<b>SELECTMEN RECOMMEND</b>	<b>BUDGET COMMITTEE RECOMMEND</b>
Selectmen	\$1,174,920.00	\$1,192,453.00
Police Department	507,920.00	507,920.00
Fire Department	560,955.00	560,955.00
Highway Department	950,477.00	950,477.00
Solid Waste	<u>287,921.00</u>	<u>287,921.00</u>
<b>TOTALS:</b>	<b>\$3, 504,726.00</b>	<b>\$3, 482,193.00</b>

*The Moderator noted a correction of the Fire Department line should have been showing an amount of \$560,955.00 should have been \$565,955.00.*

Stanley Bean moved Article #13 in the amount of \$3,482,193; seconded by Brian Forst.

**Amendment #1:** Ernest Hudziec moved to amend to \$3,482,652.00; seconded by Thomas Scribner.

*Mr. Hudziec explained that this is to increase line item 01-45500-610-02 (Supplies-Corner Library) on page 123 from \$2,448 to \$2,907 for new books and other media.*

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

**ARTICLE #13 PASSES AS AMENDED (\$3,482,652) BY VOICE VOTE.**

**ARTICLE #14:** To see if the Town will vote to raise and appropriate the sum of Three Hundred Forty Thousand Two Hundred Fifty One Dollars (\$340,251.00) to be deposited in the following Capital Reserve Accounts. (Board of Selectmen Recommend \$340,251.00) (Budget Committee Recommend \$340,251.00)

Cap. Res. Ambulance Fund	\$ 44,000.00
Cap. Res. Reval/Assessing Update	32,000.00
Cap. Res. Fire Engine Fund	87,400.00
Cap. Res. Town Septic System	2,000.00
Cap. Res. Town Driveways	5,250.00
Cap. Res. Town Roofs	4,000.00
Cap. Res. Salt/Sand Cover	1,000.00
Cap. Res. Highway Equipment	64,040.00
Cap. Res. Recycling Equipment	6,867.00
Cap. Res. Fire Command Vehicle	5,000.00
Cap. Res. Police Cruiser	29,000.00
Cap. Res. Bridges	51,694.00
Cap. Res. Replace Forestry 1	<u>8,000.00</u>
<b>TOTALS</b>	<b>\$340,251.00</b>

Stanley Bean **moved** Article #14 as written; **seconded** by Frank Bosiak.

*Laurie Sanborn asks the Moderator if we could reconsider the last amendment due to the difficulty in hearing. The Moderator denies that request and asks the body to please come to him in a timely fashion so that he may correct anyone's misconceptions or with anybody's inability in hearing....return to Article #14.*

*Laurie Sanborn asks for the balance of each Capital Reserve Account. Stanley Bean, Chair of the Budget Committee reads as follows, stating the balances are as of January 31, 2011 to be:*

Cap. Res. Ambulance Fund	\$ 206,140.00
Cap. Res. Reval/Assessing Update	25,197.00
Cap. Res. Fire Engine Fund	406,453.00
Cap. Res. Town Septic System	10,803.00
Cap. Res. Town Driveways	14,853.00
Cap. Res. Town Roofs	21,609.00
Cap. Res. Salt/Sand Cover	5,403.00
Cap. Res. Highway Equipment	321,484.00
Cap. Res. Recycling Equipment	26,970.00
Cap. Res. Fire Command Vehicle	20,346.00
Cap. Res. Police Cruiser	30,133.00
Cap. Res. Bridges	32,235.00
Cap. Res. Replace Forestry 1	26,839.00

**ARTICLE #14 PASSES (\$340,251) BY VOICE VOTE.**

**ARTICLE #15:** To see if the Town will vote to establish a new Fire Department Self Contained Breathing Apparatus (SCBA) Capital Reserve Fund and to raise and appropriate the sum of Seventeen Thousand Five Hundred Dollars (\$17,500.00) to be deposited in such fund. (Board of Selectmen Recommend \$17,500.00)(Budget Committee Recommend \$17,500.00)

Stanley Bean **moved** Article #15 as written; **seconded** by Frank Bosiak.

**ARTICLE #15 PASSES (\$17,500) BY VOICE VOTE.**

**ARTICLE #16:** To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Five Hundred Dollars (\$20,500.00) To be deposited in the following Non-Capital Reserve Accounts. (Board of Selectmen Recommend \$20,500.00) (Budget Committee Recommend \$18,000.00)

	SELECTMEN	BUDGET COMMITTEE
Non-Cap. Res. Office Equipment	\$ 2,500.00	\$ 2,500.00
Non-Cap. Res. Insurance Deductible	2,000.00	2,000.00
Non-Cap. Res. Title/Survey Fees	1,000.00	0.00
Non-Cap. Res. Hydrants	6,000.00	6,000.00
Non-Cap. Res. Paramedic Intercept	1,000.00	1,000.00
Non-Cap. Res. Fire Dept Plant Maintenance	3,000.00	1,500.00
Non-Cap. Res. Town Bldg Repair & Maintenance	<u>5,000.00</u>	<u>5,000.00</u>
<b>TOTAL</b>	<b>\$20,500.00</b>	<b>\$18,000.00</b>

**Amendment #1:** Stanley Bean moved to amend Article #16 to the amount of \$18,000; seconded by Brian Forst.

*Mr. Bean explained that the Budget Committee looked at the various balances that are currently in these funds against...past expenditures and in the case of Title/Survey Fees we currently have a balance \$6,977.00 ...we felt it was adequately covered at this time. The other point of difference is in the Fire Department Plant Maintenance and there again, based on what the past expenditures, the current balance of \$4,837, we recommended \$1,500.00.*

*Stephen Goddard spoke to point out that the \$18,000 was an amendment to Article #16. Mr. Bean corrected the motion and Mr. Forst seconded.*

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

**ARTICLE #16 PASSES AS AMENDED (\$18,000)** BY VOICE VOTE.

**ARTICLE #17: Submitted by Petition** To see if the Town will vote to raise and appropriate the sum of Forty Seven Thousand Five Hundred Dollars (\$47,500.00) for operating expenses of the Gilmanton Year-Round Library. (Board of Selectmen Recommend \$00.00) (Budget Committee Recommend \$47,500)

John Dickey **moved** Article #17 as written; **seconded** by Richard De seve.

*Mr. Bean spoke as an individual to thank everyone who has supported the Gilmanton Year Round Library...and to thank all those who volunteer and have made donations...reached out to the other libraries to see if we could have cooperation between all three libraries...GYRL operating budget has held steady for three years now at \$70,500...volunteers contributed over 4,000 hours last year...moving forward anticipating holding community conversations to get input from the community to see what kind of services you would like from the library...it is the goal of library staff and the Association to provide you with the best possible library services at the most convenient and affordable price...meetings are open to the public and we allow public input at each meeting...*

**Amendment #1:** Robert Hyslop **moved to amend** to reduce the amount to \$20,000; **seconded** by Brett Carrier.

*Ernest Hudziec asks if there is a contract between the GYLR and the Town of Gilmanton to provide services. Stan Bean states, "There is not a contract, there doesn't need to be a contract and the Selectmen have chosen not to have a contract". Mr. Hudziec states that, "every year we are going to go through this, up and down, up and down and would prefer to see some multi-year contract that would fix the Town's portion of the GYRL budget and spell out the services that the library will supply...instead of going through this every year...by petition...going back and forth...budget with a fixed amount that they can count on so that they can raise the additional funds...Sara Thorne stated her support of original article...incredible community service, wonderful programs, periodicals...Mr. Barry Howland, spoke in praise of the disclosure of funds listed...the GYRL supplies a wonderful service to the town...we need to straighten this out so that the Town is not divided...Holly Nimirowski speaks in favor of the amendment...siting praises of personal use of the libraries but due to personal hardships and financially difficult economic times for many in town could not support the full amount...asks GYRL to make due...amendment is a wonderful compromise in bridging the gap...Elizabeth Strauss spoke to the positive services of the library...John Dickey on budget committee for GYRL...would not be able to supply the level of services...asks to defeat the amendment...Salvatore Sisti....asks to defeat amendment...lowering would decrease the use of the library to Gilmanton's youth...George Roberts...states library trustees need to be voted for future to get rid of controversy by electing trustees ... public funds would be represented by a trustee for those funds...John Dickey explained that the \$50,000 donation received was to offset utilities...Moderator calls amendment to vote.*

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

**HAND COUNT:**    Yes – 106    No – 118\*

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



*Moderator goes back to the original article as written and opens the discussion for the amount of \$47,500. Laurie Sanborn states "...I am very supportive of the library...but it's a simple case of economics...I say no to this, we simply can't afford it...people are losing jobs left and right across the State of New Hampshire...that's the reality...I just say no..."*

**Moderator Sisti calls Article #17, moved, to a question and opens the floor for a secret ballot vote.**

*After approximately one and a quarter hours of the polls being open to vote and a last call for voting; the Moderator states that while the ballots are being counted, he will move forward with the next article and continue on until the results are ready and we will then at that time address the results of Article # 17.*

**ARTICLE #17 PASSES (\$47,500) BY BALLOT VOTE.**

**YES – 156\***

**NO – 139**

**ARTICLE #18:** To see if the Town will vote to raise and appropriate the sum of Fifty Five Thousand Dollars (\$55,000.00) for the purchase of a new Dump Truck for the Highway Department and to fund this appropriation by authorizing the withdrawal of Fifty Five Thousand Dollars (\$55,000.00) from the Capital Reserve Highway Equipment Fund. (Board of Selectmen Recommend \$55,000.00) (Budget Committee Recommend \$55,000.00)

Stanley Bean **moved** Article #18 as written; **seconded** by Frank Bosiak.

**ARTICLE #18 PASSES (\$55,000) BY VOICE VOTE.**

**ARTICLE #19:** To see if the Town will vote to raise and appropriate the sum of Eleven Thousand Dollars (\$11,000.00) for the purchase of a new Sander for the Highway Department and to fund this appropriation by authorizing the withdrawal of Eleven Thousand Dollars (\$11,000.00) from the Capital Reserve Highway Equipment Fund. (Board of Selectmen Recommend \$11,000.00) (Budget Committee Recommend \$11,000.00)

Stanley Bean **moved** Article #19 as written; **seconded** by Brian Forst.

**ARTICLE #19 PASSES (\$11,000) BY VOICE VOTE.**

**ARTICLE #20:** To see if the Town will vote to raise and appropriate the sum of Nine Thousand Dollars (\$9,000.00) for the purchase of Three Replacement Storage Units for the Recycling/Transfer Facility and to fund this appropriation by authorizing the withdrawal of Nine Thousand Dollars (\$9,000.00) from the Recycling/Transfer Facility Capital Reserve Fund. (Board of Selectmen Recommend \$9,000.00) (Budget Committee Recommend \$9,000.00)

Stanley Bean **moved** Article #20 as written; **seconded** by Mark Sawyer.

**ARTICLE #20 PASSES (\$9,000)** BY VOICE VOTE.

**ARTICLE #21:** To see if the Town will vote to raise and appropriate the sum of Four Hundred Five Thousand Dollars (\$405,000.00) for the purchase of a new Fire Truck and to fund this appropriation by authorizing the withdrawal of Four Hundred Five Thousand Dollars (\$405,000.00) from the Fire Engine Capital Reserve Fund. (Board of Selectmen Recommend \$405,000.00) (Budget Committee Recommend \$405,000.00)

Stanley Bean **moved** Article #21 as written; **seconded** by Frank Bosiak.

*Mary Goddard asks if a new fire engine really costs over \$400,000. Chief Hempel replied, "Yes, they do. They cost \$500,000 to \$600,000...I will say ...new truck is turn-key and will last for many years." Laurie Sanborn asks, "What type of truck is it and why is it necessary...?" Chief Hempel stated, "...the truck that we are replacing is a scheduled replacement of Nine Engine Four that served our community out of the Corner Station...The new engine is a Tanker vehicle with a two-man cab, commercial chassis, one that was purchased off the showroom floor. This Tanker holds 2,500 gallons of water and will support our other engine, Nine Engine Two, with water...again, this is a scheduled replacement from our Fire Engine Capital Reserve Fund."*

**ARTICLE #21 PASSES (\$405,000)** BY VOICE VOTE.

**ARTICLE #22:** To see if the Town will vote to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000.00) for the purchase of a new ambulance and to fund this appropriation by authorizing the withdrawal of Two Hundred Thousand Dollars from the Ambulance Capital Reserve Fund. (Board of Selectmen Recommend \$200,000.00) (Budget Committee Recommend \$200,000.00)

Stanley Bean **moved** Article #22 as written; **seconded** by Frank Bosiak.

**ARTICLE #22 PASSES (\$200,000)** BY VOICE VOTE.

.

**ARTICLE #23:** To see if the Town will vote to raise and appropriate the sum of Twenty Nine Thousand Dollars (\$29,000.00) to purchase and equip a new Police Cruiser and to fund this appropriation by authorizing the withdrawal of Twenty Nine Thousand Dollars (\$29,000.00) from the Police Cruiser Replacement Capital Reserve Fund. (Board of Selectmen Recommend \$29,000.00) (Budget Committee Recommend \$29,000.00)

Stanley Bean **moved** Article #23 as written; **seconded** by Brian Forst.

**ARTICLE #23 PASSES (\$29,000)** BY VOICE VOTE.

**ARTICLE #24:** To see if the Town will vote to raise and appropriate the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) for the purchase of an IMC Multiple User License for the Police Department. (Board of Selectmen Recommend \$7,500.00) (Budget Committee Recommend \$7,500.00)

Stanley Bean **moved** Article #24 as written; **seconded** by Frank Bosiak.

*Stephen Goddard asks for someone to enlighten him as to what an "IMC Multiple User License" is. Chief O'Brien explained that it allows three computer users to use the program at once...Mr. Goddard reiterates his understanding that it allows three users at one time and wanted to know if we had three police officers there at one time...*

**ARTICLE #24 PASSES (\$7,500)** BY VOICE VOTE.

*Moderator readdresses the body back to Article #17 to give results of hand count.*

**ARTICLE #25:** To see if the Town will vote to raise and appropriate the sum of Six Thousand Dollars (\$6,000.00) for the purchase of Radar Equipment for the Police Department. (Board of Selectmen Recommend \$6,000.00) (Budget Committee Recommend \$6,000.00)

Stanley Bean **moved** Article #25 as written; **seconded** by Brian Forst.

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

**HAND COUNT:**    Yes – 126\*    No – 17

**ARTICLE #25 PASSES (\$6,000)** BY HAND COUNT.

**ARTICLE #26:** To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) for New Hampshire 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. (Board of Selectmen Recommend \$3,000.00) (Budget Committee Recommend \$3,000.00)

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

Stanley Bean **moved** Article #26 as written; **seconded** by Mark Sawyer.

**ARTICLE #26 PASSES (\$3,000)** BY VOICE VOTE.

**ARTICLE #27:** To see if the Town will vote to raise and appropriate the sum of Fifteen Hundred Dollars (\$1,500.00) for New Hampshire Fish and Game Enforcement Grants. This grant is for salaries for ATV Enforcement details and will be reimbursed at 100% from the State of New Hampshire. These funds will not be expended unless the grants are received. (Board of Selectmen Recommend \$1,500.00) (Budget Committee Recommend \$1,500.00)

Stanley Bean **moved** Article #27 as written; **seconded** by Mark Sawyer

**ARTICLE #27 PASSES (\$1,500) BY VOICE VOTE.**

**ARTICLE #28:** To see if the Town will vote to raise and appropriate the sum of Three Thousand Five Hundred Dollars (\$3,500.00) for New Hampshire Department of Justice Grants. This grant is for salaries for Underage Drinking Enforcement details and will be reimbursed at 100% from the Department of Justice. These funds will not be expended unless the grants are received. (Board of Selectmen Recommend \$3,500.00) (Budget Committee Recommend \$3,500.00)

Stanley Bean **moved** Article #28 as written; **seconded** by Mark Sawyer.

**ARTICLE #28 PASSES (\$3,500) BY VOICE VOTE.**

**ARTICLE #29:** To see if the Town will vote to raise and appropriate the sum of Twenty Four Thousand Two Hundred Ninety One Dollars (\$24,291.00) for the purpose of funding a 2.8% step increase for all employees of the Town. (Board of Selectmen Recommend \$24,291.00) (Budget Committee Recommend \$24,291.00)

Stanley Bean **moved** Article #29 as written; **seconded** by Frank Bosiak.

*Brett Currier "...doesn't speak for or against Article #29...speaks to the confusion looking at the inaccuracies reported in the Town Report in regard to salaries with reflecting the one percent COLA increase voted in at last year's meeting...it's all over the place from one percent, two percent, three point eight percent, four percent...doesn't understand why it can't be printed to show what we (the body) votes...confused if we vote*

*2.8 percent if it will show or not, right now it doesn't...mistake on cost of Safety Building listed...someone needs to be responsible for this book..." Selectwomen Abbott "...not sure how to answer; but will be looking into that...should reflect exactly what Town Meeting agrees to which last year was a one percent increase...spoke to error on Safety Building accounting as being two voided invoices being shown in that balance...it's been four years since employees have had a step increase; it's been solely COLA (cost of living adjustments) according to federal guidelines...would be the first step increase for the first time in a long time...felt it was a time to reward employees (86) twenty two full-time, work hard, very proud of the employees...there was no premium increase for insurance this year, there is no COLA increase this year, they felt it was a good time to give a step increase...Mary Goddard asks if this included department heads...Selectwomen Abbott responded that it included department heads and the Board of Selectmen and step raises are based on evaluations so not all employees get the raise...most do. Laurie Sanborn "...astounded asking for raise in this economy when the State of New Hampshire has laid off so many...I think you should be happy with a job and insurance paid for...recommended level funding...no raises..." Elena Ball supported the article "...employees work hard all year long for the Town..."*

**Amendment #1:** Thomas Morin moved to amend Article #29 from \$24,291 to \$47,500; seconded by Vincent Baiocchi.

*Brett Currier stresses to the body "...not to be greedy...2.8% is a good increase..." Tom Morin stated that, they (the employees) also direct services for us. They help us all the time...I think it's fair and the right thing to do...we need to take care of people who take care of us..."*

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

*Moderator Sisti redirects the body back to the original article.*

*Candace Willard...state employee...no raises should hold the line...things are only going to get worse...*

**ARTICLE #29 PASSES (\$24,291)** BY VOICE VOTE.

**ARTICLE #30:** To see if the Town will vote to raise and appropriate the sum of Twenty Two Thousand Dollars (\$22,000.00) for the purpose of putting the top coat on the parking lot at the Public Safety Complex. (Board of Selectmen Recommend \$22,000.00) (Budget Committee Recommend \$22,000.00)

Stanley Bean **moved** Article #30 as written; **seconded** by Mark Sawyer.

*Mark Davies "...question...last year when we prorated to build safety building...is that asphalt or top coat..." Selectwomen Abbott replied, "That would be asphalt"...Mr. Davies asked, "If there was a reason it was not included in the base bid for the project..." Ms. Abbott replied, "It was, if you were here last year you would remember that I told the body that I might be back for that additional top coat this year..."*

**ARTICLE #30 PASSES (\$22,000)** BY VOICE VOTE.

**ARTICLE #31:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.00) to fund milfoil treatment for the lakes of Gilmanton. (Board of Selectmen Recommend \$1,000.00) (Budget Committee Recommend \$00.00)

**Amendment #1:** David Russell **moved** \$1,000 for Article #31; **seconded** by Salvatore Sisti.

*David Russell...State Representative...on statutory committee called "Exotic Aquatic Green Species...we're the weed guys...serious problem throughout the state, especially the southern part...milfoil...only way to control is to hand harvest...needs to be taken more serious..." Steve Latici stated, "This request comes from Rocky Pond every year...there needs to be an Association from multi towns, Rocky Pond Association needs to acquire funds through membership dues...Rocky Pond needs to collect from property owners...This is why the budget committee did not support this..." Stephen Goddard "...this is dealing with a small amount of money here...Selectmen recommended, why...is it just Rocky Pond or is it other bodies of water in Gilmanton?" Selectwomen Abbott "...Selectmen did not recommend last year; but got overwhelming sense that the body wanted to fund it so this year we supported what was asked for when the Rocky Pond Association came and asked for the figure at a meeting. We did make the wording such that it could be used for any pond in Town that has a problem. So far the only one that has a problem with milfoil is Rocky Pond...that we're aware of..." Betty Ann stated, "In the budget process the last two years, Mr. Latici's arguments were pretty compelling..."*

*I'll leave it at that." Stephen Goddard asks, "If the Department of Environmental Services claims to have ownership of our streams...to take care of supporting... something slightly larger than mud puddles and if the State won't give money to try and take care of the problems that were described; why should this be a problem of the Town if it is part of what the State is responsible for or the people that use this pond?..."*

**Amendment #1:** Thomas Howe **moved to amend** Article #31 to add the existing wording the following phrase; "contingent upon completion of the treatment and submission of a request for reimbursement to the Town"; **seconded** by

*At approximately 12:45 p.m., the Moderator asks the body to clear the gymnasium when one of our resident's, Stephen Goddard, collapsed. Mr. Sisti asked for everyone to exit to the Cafeteria so that emergency personnel can to do their job. They will be called back when the emergency is cleared.*

*At approximately 1:20 p.m. Before the Moderator continued with Article #31, Mr. Sisti asks the body to bow their heads with thoughts and/or in prayer for Mr. Goddard...the Moderator thanked the body for the moment of silence and for the respect shown; he then redirected the body back to Article #31.*

Thomas Howe **withdraws Amendment #1** "...Having some sense that may be substantially beyond the warrant article as proposed and asked for voters to vote no on this and felt we have communicated to the folks at Rocky Pond that they may well have support from the Town's people; but they need to demonstrate action on their end."

*Nanci Mitchell states that, "This problem is just in Rocky Pond. It is the only one with milfoil at the current time...it only takes a bird to land in that milfoil and to spread it to other ponds and lakes..." She encouraged support of this article's passage. George Roberts speaks in support of the Article..."don't be penny wise, pound foolish not to subsidize..." Thomas Scribner expressed support of the article "...we all benefit from the property valuations of the owners of Rocky Pond, it impacts all of us..." Donald Guarino spoke in support of this article's passage "...the method to remove milfoil costs thousands of dollars..."*

**ARTICLE #31 PASSES (\$1,000) BY VOICE VOTE.**



**ARTICLE #32:** To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000.00) for the final phase of a three (3) year rewiring project of the Pavilion at Crystal Lake Park to correct safety issues in the building. (Board of Selectmen Recommend \$4,000.00) (Budget Committee Recommend \$4,000.00)

Stanley Bean **moves** Article #32 as written; **seconded** by Brian Forst.

**ARTICLE #32 PASSES (\$4,000) BY VOICE VOTE.**

**ARTICLE #33:** To see if the Town will vote to authorize the Selectmen to accept a deed to both the privately owned Besse Burial Ground and the access road to it. The transfer will include a perpetual care fund established by the current owner for the future care and maintenance of the site. Recommended by the Board of Selectmen.

Betty Ann Abbott **moved** Article #33 as written; **seconded** by Brenda McBride.

*Candace Daigle explains that a descendant of the Besse's has come to the Town and asked for the Town to accept the cemetery...the cemetery is a two-grade cemetery...just over one-tenth of one acre...the transfer would include deeded access; the transfer will also include a general perpetual care fund, the interest from which will get expended for the care of the cemetery in gratuities...the Cemetery Trustees really suggest to people that donating private cemetery grounds on private property can cause...situation that there might not be funds available to maintain it in the future...we certainly support the Selectmen's placement of the article on the warrant...so that it may be maintained in gratuity.*

**ARTICLE #33 PASSES AS WRITTEN BY VOICE VOTE.**

**ARTICLE #34:** To see if the Town will vote to authorize the Selectmen to withdraw Five Hundred Forty One Dollars (\$541.00) plus any interest that has accrued from the Non Capital Reserve Public Safety Building account to be deposited in the general fund, and to close out that account. (Board of Selectmen Recommend \$541.00) (Budget Committee Recommend \$541.00)

Stanley Bean **moved** Article #34 as written; **seconded** by Frank Bosiak.

*Duncan Geddes inquired as to "whether this money could have been used for the paving of the top coat..." Selectwomen Abbott responded that "It was strictly housekeeping...that money could not be used for the top coat...is not construction and the construction project is closed...this (top coat) is a second project...quickest and easiest way is to place the balance into the general fund where it will be used in that way anyway..."*

**ARTICLE #34 PASSES (\$541.00) BY VOICE VOTE.**

**ARTICLE #35:** To see if the Town will vote to raise and appropriate Fifty Six Thousand Five Hundred Eighty Five Dollars (\$56,585.00) for the purpose of energy improvements to the Academy Building and to authorize the Selectmen to apply for low interest loans, with interest rate not to exceed 4%, in the amount of Fifty Six Thousand Five Hundred Eighty Five Dollars (\$56,585.00) through the Community Development Finance Authority (CDFA), and to authorize the Selectmen to negotiate the terms of such loans as they see fit. These funds will not be expended unless application is approved. (Board of Selectmen Recommend \$56,585.00) (Budget Committee Recommend \$56,585.00)

Stanley Bean **moved** Article #35 as written; **seconded** by Frank Bosiak.

*Nate Abbott...Clerk of the Energy Committee, explained more fully "...there is a 57 page report of the energy assessment of the Academy Building...since restoration in the 80's received full with a Historical restoration; however it did not receive a real building envelop treatment...over time...since the restoration there has been some building deterioration in the building...the main deficiency would be in the windows...insulation of various exterior parts of the building...2009 since their assessment...applied for grant monies...awarded based on scores...CDFA, they have granted, contingent upon passing of this article...1.5% for the first year, 2.5% for years two through seven and 3.5% for years eight and nine...we felt these were excellent rates...estimated annual savings...\$5,400 in oil per year, with the current cost at \$3.45 per gallon, the Town of Gilmanton will also reduce its carbon output by 24 tons or 48,000 pounds....that's a savings in energy savings over what we are paying in loan payments...actual payments for the first year which start in June will be \$3,879.51..." Duncan Geddes inquires as to whether or not the Non Capital Building Maintenance Fund could be used to fund this? Nate Abbott responded, "...This fund is for all buildings in the Town of Gilmanton for repairs...\$3,750 of the \$5,000 for this fund has already been used to replace the furnace at the Highway Garage..."*

**ARTICLE #35 PASSES (\$56,585.00) BY VOICE VOTE.**

**ARTICLE #36:** To see if the Town will vote to authorize the Selectmen to sell the following properties in Sawyer Lake District to be sold at public auction to abutters to be merged. If not purchased by an abutter these lots would then be offered for sale to the general public.

<u>Map-Lot</u>	<u>Description</u>	<u>Acreage</u>
118-039	Land Only Mallard Ave	.13
118-048	Land Only Birch Ave	.13
119-004	Land Only Drake Ave	.18
119-059	Land Only Applewood Ave.	.14
119-077	Land Only Berry Ave	.14
120-003	Land Only Orange Ave	.36
120-007	Land Only Orange Ave	.20
121-023	Land Only Deer Dr	.14
121-033	Land Only Fox Dr	.29
122-026	Land Only Deer Dr	.14

Brian Forst **moved** Article #36 as written; **seconded** by Mark Sawyer

**Amendment #1:** George Roberts **moved to amend** Article #36 to include at the end of the article **following the words: “general public”** to add the words **“at the same public auction”**; **seconded** by John Hughes.

*Steve Latici states that he doesn't believe the amendment can be done as it “substantially changes the intent of the warrant article...” George Roberts disagrees stating that, “An amendment can be made to ‘clarify the decision of the governing body’...this amendment says that if the abutter doesn't bid at the same auction than anyone else can; that's all it says, it doesn't change the intent of the article” Mark Sisti agrees with Mr. Roberts and allows the amendment.*

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

**ARTICLE #36 PASSES AS AMENDED BY VOICE VOTE.**

*The Moderator makes the following statement to Mr. Roberts, “...I take it, Mr. Roberts, that you would want to amend Articles # 37, 38 and 39...it's substantially the same*

*request for the amendment...I can take the amendment right now...Mr. Roberts replied, "...Not to be redundant, but if we could add the same language to each one..."*

**ARTICLE #37:** To see if the Town will vote to authorize the Selectmen to sell the following properties in the Shellcamp Pond area and Valley Shores area to be sold at auction to abutters to be merged. If not purchased by an abutter these lots would then be offered for sale to the general public.

<u>Map-Lot</u>	<u>Description</u>	<u>Acreage</u>
131-10	Land Only Lakeshore Drive	.20
131-39	Land Only Penobscott Path	.14
131-47	Land Only Penacook Lane	.14
130-70	Land Only Meadow Pond Road	.67

**Amendment #1:** George Roberts moved to amend Articles #37 to include at the end of the article following the words: "general public" to add the words "at the same public auction"; seconded by John Hughes.

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

**ARTICLE #37 PASSES AS AMENDED** BY VOICE VOTE.

**ARTICLE #38:** To see if the Town will vote to authorize the Selectmen to sell the following properties to be sold at auction to abutters only to be merged. If not purchased by an abutter these lots would then be offered for sale to the general public.

<u>Map-Lot-Sub lot</u>	<u>Description</u>	<u>Acreage</u>
124-07	Land Only Province Road	.64
126-21	Land Only Powder House Lane	.76

**Amendment #1:** George Roberts moved to amend Articles #38 to include at the end of the article following the words: "general public" to add the words "at the same public auction"; seconded by John Hughes.

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

**ARTICLE #38 PASSES AS AMENDED** BY VOICE VOTE.

**ARTICLE #39:** To see if the Town will vote to authorize the Selectmen to sell the following properties in Town at public auction to the general public.

<u>Map-Lot</u>	<u>Description</u>	<u>Acreage</u>
404-03	Land Only Province Road	3.80

**Amendment #1:** George Roberts moved to amend Articles #39 to include at the end of the article following the words: “general public” to add the words “at the same public auction”; seconded by John Hughes.

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

**ARTICLE #39 PASSES AS AMENDED** BY VOICE VOTE.

**ARTICLE #40:** To see if the Town will vote to convey to Sawyer Lake Village District, with restrictions for conservation purposes the following lot for non-residential use.

<u>Map-Lot</u>	<u>Description</u>	<u>Acreage</u>
117-021	Land Only Spruce Ave	.17

Nathaniel Abbott moved Article #40; seconded by Brian Forst.

**ARTICLE #40 PASSES AS WRITTEN** BY VOICE VOTE.

**ARTICLE #41:** To see if the Town will vote to retain, as conservation land and recreational land, the following four (4) lots.

<u>Map-Lot</u>	<u>Description</u>	<u>Acreage</u>
130-48	Land Only Intervale Drive	.42
414-42	Land Only Heritage Lane	3.56
416-33	Land Only NH Route 140	4.10
421-09	Land Only Snowshoe Hill Road	17.68

Nanci Mitchell **moved** Article #41 as written; **seconded** by Ella Jo Regan.

**ARTICLE #41 PASSES AS WRITTEN BY VOICE VOTE.**

**ARTICLE #42:** To hear the reports of any Committees chosen and pass any votes relative thereto.

*...A resident asks if some money can be expended for new microphones so that everyone can hear what is being said...Carolyn Baldwin, Pancake Hill Road recognized what a long and tough winter it has been and she would like to give "kudos" to the road crew for the wonderful job our highway department has done...Justin Leavitt, Recycling Manager announces that in April, of this year, the Recycling Facility will be having a "Free-For-All" day...meaning items they normally charge for with the exception of "C", "D", and "Bulky Waste" will be free for one day...time and date to be determined within the next few weeks...*

*The Moderator thanked everyone, again for their cooperation when the emergency arose at today's meeting and gave praise and recognition to our very professional group of EMT's...*

**Mark Sisti adjourned the Annual Town Meeting at 1:59 p.m. and requested that all newly elected officials please come forward to take the oath of office.**

Present to take the Oath of Office at 1:59 p.m., on the 12<sup>th</sup> of March 2011, were the following:

- Brian A. Forst – Budget Committee

- Diana L. McElwee – Library Trustee
- Ralph L. Lavin – Selectman
- Town Clerk/Tax Collector – Debra A. Cornett
- John L. Dickey – Trustee of Trust Funds

On Monday, March 14, 2011, Marion McIntyre – Cemetery Trustee; Jeanine L. Moorehead – Supervisor of The Checklist and Paul A. Levesque – Trustee of the Trust Funds took their Oath of Office.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Debra A. Cornett", with a long horizontal flourish extending to the right.

Debra A. Cornett  
Town Clerk/Tax Collector