

**Town of Gilford, New Hampshire  
Deliberative Session "First Session" Minutes  
February 6, 2013**

Prior to the start of the meeting Peter Millham was sworn in as Assistant Town Moderator by Denise Gonyer, Town Clerk – Tax Collector. The appointment was authorized by Moderator Sandra McGonagle due to unexpected illness.

Millham called the meeting to order at 7:00 p.m. and lead the membership in the Pledge of Allegiance. Approximately 45 people were in attendance (This number includes Department Managers, various Committee members, Media and registered voters). Millham introduced the Board of Selectmen: Gus Benavides, Kevin Hayes and John O'Brien. Other introductions included the Town Administrator, Scott Dunn; Town Attorney, Robert Ciandella; Budget Committee Chairperson, Phyllis Corrigan; Town Clerk – Tax Collector, Denise Gonyer; Budget Committee Members Present were Phyllis Corrigan, Dale Dormody, Kevin Roy, Kevin Leandro, Richard Grenier, Sue Greene, David Horvath, Rae Mello-Andrews and Selectman Representative Gus Benavides; Supervisor's of the Checklist, Mary Villaume and Irene Lachance. Dunn introduced all the following Department Managers: Police Chief, Kevin Keenan; Fire Chief, Steve Carrier; Finance Director, Geoff Ruggles; Librarian, Katherine Dormody; Public Works Director, Sheldon Morgan; Parks & Recreation Director, Herb Greene, Town Clerk – Tax Collector, Denise Gonyer and Department of Planning and Land Use, John Ayer. Dunn thanked them for all their work.

Millham outlined the purpose, rules and decorum of the meeting. He outlined the area where voting would take on in the rear of the auditorium if an Amendment to an Article requires such action based on five signatures requesting a ballot vote. Millham further explained that there could be no changes to zoning articles. At the end of discussion on each Article he would move to the next Article until the he reached the end at which time the ballot would be set for the March 12<sup>th</sup> election.

The Assistant Moderator read **Article 1** as follows:

To choose the necessary Town Officers for the following year; to wit:

- One Selectman for a 3 year term
- One Trustee of Trust Funds for a 3 year term
- Two Library Trustees for 3 year terms
- Three Budget Committee Members for 3 year terms
- One Fire Engineer for a 3 year term
- One Cemetery Trustee for a 3 year term

The Assistant Moderator read **Article 2** as follows:

**ARTICLE 2:** Are you in favor of the adoption of Amendment Number 1 as proposed by the Gilford Planning Board for the Gilford Zoning Ordinance as follows:

Amend corner lot setback requirements by adding to Section 5.1.3, Front Setback Area, a new Subparagraph h. to allow residential corner lots to have side and rear setbacks apply to the abutting yard under certain circumstances; and adding a new Subparagraph i. to allow side and rear setbacks to apply to the area of an interior lot that is adjacent to a new subdivision road. (An official copy of the entire proposal is on file at the Town Clerk's Office and on display at the meeting place on the date of the Town Meetings and may be viewed at [www.gilfordnh.org](http://www.gilfordnh.org).) (Majority Vote Required)

Motion to place Article 2 on the official ballot for a final vote as presented, by: CHAN EDDY

Second by: JOHN AYER

Discussion of Article by: JOHN AYER. Ayer explained that the article proposes to amend the ordinance regarding corner lot setback requirements and add new sections (h) and (i). The Amendment would add language to lots in zones with frontage along a public road and for any interior lot in certain zones where construction of a new subdivision road on an abutting property makes the interior lot a corner lot; side or rear setbacks shall apply to the side of the lot fronting along the new subdivision frontages and subdivision roads.

With no further discussion the Assistant Moderator moved to place Article 2 on the official ballot.

The Assistant Moderator read **Article 3** as follows:

**ARTICLE 3:** Are you in favor of the adoption of Amendment Number 2 as proposed by the Gilford Planning Board for the Gilford Zoning Ordinance as follows:

Amend Article 3, Definitions, by changing the definition of "Buffer" in various ways including clarifying what uses may be located within a buffer, and by changing the definition of "Screen or Screening" to revise what plantings are required for screening purposes and the dimensions of those plantings. (An official copy of the entire proposal is on file at the Town Clerk's Office and on display at the meeting place on the date of the Town Meetings and may be viewed at [www.gilfordnh.org](http://www.gilfordnh.org).) (Majority Vote Required)

Motion to place Article 3 on the official ballot for a final vote as presented, by: CHAN EDDY

Second by: JOHN AYER

Discussion of Article by: JOHN AYER. Ayer explained that the article is a housekeeping issue and clarifies the definition of "buffer" and "screen" or "screening."

With no further discussion the Assistant Moderator moved to place Article 3 on the official ballot.

The Assistant Moderator read **Article 4** as follows:

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

Amend Section 6.5, Screening, by changing the title to "Screened Buffer", by no longer requiring buffers for commercial and industrial uses in commercial and industrial zones adjacent to residential uses but only along residential zone boundaries, and making other related changes. (An official copy of the entire proposal is on file at the Town Clerk's Office and on display at the meeting place on the date of the Town Meetings and may be viewed at [www.gilfordnh.org](http://www.gilfordnh.org).) (Majority Vote Required)

Motion to place Article 4 on the official ballot for a final vote as presented, by: CHAN EDDY

Second by: JOHN AYER

Discussion of Article by: JOHN AYER. Ayer explained that the article changes the title and clarifies the areas affected.

With no further discussion the Assistant Moderator moved to place Article 4 on the official ballot.

The Assistant Moderator read **Article 5** as follows:

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

Amend Section 5.1.6, Lot Coverage, and Table 2, Dimensional Regulations, to make the maximum impervious lot coverage allowed in the Resort Commercial (RC) and Professional Commercial (PC) Zones the same as what is allowed in the Commercial (C) and Industrial (I) Zones (75%). (An official copy of the entire proposal is on file at the Town Clerk's Office and on display at the meeting place on the date of the Town Meetings and may be viewed at [www.gilfordnh.org](http://www.gilfordnh.org).) (Majority Vote Required)

Motion to place Article 5 on the official ballot for a final vote as presented, by: CHAN EDDY

Second by: JOHN AYER

Discussion of Article by: JOHN AYER. Ayer explained the article proposes to change zone PC from 60% maximum lot coverage to 75% maximum lot coverage and zone RC from 40% maximum lot coverage to 75% maximum lot coverage. He further stated that there are already provisions to allow the 75% maximum lot coverage in these zones.

With no further discussion the Assistant Moderator moved to place Article 5 on the official ballot.

The Assistant Moderator read **Article 6** as follows:

**ARTICLE 6:** Are you in favor of the adoption of Amendment Number 5 as proposed by the Gilford Planning Board for the Gilford Zoning Ordinance as follows:

Amend Section 22.5, Duration of Permit, by establishing a time limit to submit final plans for signing after they have been approved by the Planning Board, establishing a time limit to record subdivision plans after they have been approved, and reorganizing the section and assigning subsection lettering to other established requirements in the section. (An official copy of the entire proposal is on file at the Town Clerk's Office and on display at the meeting place on the date of the Town Meetings and may be viewed at [www.gilfordnh.org](http://www.gilfordnh.org).) (Majority Vote Required)

Motion to place Article 6 on the official ballot for a final vote as presented, by: CHAN EDDY

Second by: JOHN AYER

Discussion of Article by: JOHN AYER. Ayer explained that the proposed changes to the Ordinance will put a time limit on getting approved plans to Planning Department, to get signatures and grant extensions. The Article reorganizes the existing Ordinance into subparagraphs.

With no further discussion the Assistant Moderator moved to place Article 6 on the official ballot.

The Assistant Moderator read **Article 7** as follows:

**ARTICLE 7:** Are you in favor of the adoption of an Amendment to the Gilford Zoning Ordinance submitted by Citizen Petition as follows:

Create a new Section 5.2.1(g) limiting and regulating the cutting of trees and prohibiting the use of herbicides and pesticides along all water bodies within the town. (An official copy of the entire proposal is on file at the Town Clerk's Office and on display at the

meeting place on the date of the Town Meetings and may be viewed at [www.gilfordnh.org](http://www.gilfordnh.org).) (The Planning Board does not recommend the adoption of this amendment.) (Majority Vote Required)

Motion to place Article 7 on the official ballot for a final vote as presented, by: EVERETT MCLAUGHLIN

Second by: CHAN EDDY

Discussion of Article by: EVERETT MCLAUGHLIN. McLaughlin explained why he drafted the article in response to the State changing from the Shoreline Protection Act to the Shoreland Water Quality Act. He feels that this change weakens protection of the lake. McLaughlin spoke in opposition to the petition warrant article because as stated in number two (2) within the petition states "No herbicides or pesticides shall be applied to ground, turf or established vegetation within 150 feet of the reference line, termed the Natural Woodland Buffer under RSA 483:B." McLaughlin explained that he would have liked to change the 150' setback but found out it was too late to change the petition and too late to remove it from the warrant. He asked voters to not support the Article.

With no further discussion the Assistant Moderator moved to place Article 7 on the official ballot.

The Assistant Moderator read **Article 8** as follows:

**ARTICLE 8:** Shall the Town vote to raise and appropriate the sum of one hundred fifty eight thousand dollars (\$158,000), gross budget, for improvements to the public safety (Police & DPW) radio systems; and to authorize the borrowing of not more than one hundred fifty eight thousand dollars (\$158,000) in accordance with the provisions of the Municipal Finance Act, (RSA 33); and to authorize the Board of Selectmen to issue and negotiate such note and to determine the interest rate thereon; and furthermore, to raise and appropriate an additional sum of thirty-five thousand dollars (\$35,000) for the first year's payment for that purpose. (This is a special warrant article.) (3/5 Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 10 to 0)

Motion to place Article 8 on the official ballot for a final vote as presented, by: GUS BENAVIDES

Second by: KEVIN HAYES

With no discussion the Assistant Moderator moved to place Article 8 on the official ballot.

The Assistant Moderator read **Article 9** as follows:

**ARTICLE 9:** Shall the Town vote to 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 with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$11,090,436? Should this article be defeated, the default budget shall be \$11,113,316, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the Board of Selectmen 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. (This operating budget warrant article does not include appropriations contained in any other warrant articles.) (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 11 to 1)

Motion to place Article 9 on the official ballot for a final vote as presented, by: PHYLLIS CORRIGAN

Second by: GUS BENAVIDES

Discussion of Article by: PHYLLIS CORRIGAN. Corrigan explained that the budget was a decrease of \$23,121.00 compared to the budget voters past the previous year.

With no further discussion the Assistant Moderator moved to place Article 9 on the official ballot.

The Assistant Moderator read **Article 10** as follows:

**ARTICLE 10:** Shall the Town vote to approve the cost items included in the two year collective bargaining agreement reached between the Board of Selectmen and the American Federation of State, County and Municipal Employees, (AFSCME), Local 534 on behalf of certain Public Works Department employees, which calls for a wage and benefit package that requires no appropriation (\$0) for the estimated costs necessary to fund the new collective bargaining agreement in the current fiscal year over the costs attributable to wages and benefits that would have been due under the current agreement at the current staffing level? The estimated cost to fund the wages and benefits in the second year of the agreement is an increase of eleven thousand three hundred fifty-five dollars (\$11,355) over the costs attributable to the wages and benefits that would have been paid under the current agreement at the current staffing levels. (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 12 to 0)

Motion to place Article 10 on the official ballot for a final vote as presented, by: GUS BENAVIDES

Second by: KEVIN HAYES

With no discussion the Assistant Moderator moved to place Article 10 on the official ballot.

The Assistant Moderator read **Article 11** as follows:

**ARTICLE 11:** Shall the Town vote to raise and appropriate the sum of three hundred fifty thousand dollars (\$350,000) to be added to the Building Repair Capital Reserve Fund previously established in 2007? This sum will come from the surplus fund balance whereby no amount shall be raised from taxation. (This is a special warrant article.) (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 12 to 0)

Motion to place Article 11 on the official ballot for a final vote as presented, by: KEVIN HAYES

Second by: JOHN O'BRIEN

With no discussion the Assistant Moderator moved to place Article 11 on the official ballot.

**ARTICLE 12:** Shall the Town vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be added to the Glendale Boat and Launch Ramp Facilities Maintenance Capital Reserve Fund previously established in 2008? (This is a special warrant article.) (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 12 to 0)

Motion to place Article 12 on the official ballot for a final vote as presented, by: JOHN O'BRIEN

Second by: GUS BENAVIDES

With no discussion the Assistant Moderator moved to place Article 12 on the official ballot.

The Assistant Moderator read **Article 13** as follows:

**ARTICLE 13:** Shall the Town vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be added to the Water Supply Maintenance Capital Reserve Fund previously established in 2008 for

town-wide fire suppression purposes? (This is a special warrant article.) (Majority Vote Required)  
(Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget  
Committee by a vote of 9 to 0)

Motion to place Article 13 on the official ballot for a final vote as presented, by: GUS BENAVIDES

Second by: KEVIN HAYES

Discussion: CHAN EDDY. Eddy asked if the funds were for maintenance purposes. Chief Carrier  
answered in the affirmative.

With no further discussion the Assistant Moderator moved to place Article 14 on the official ballot.

The Assistant Moderator read **Article 14** as follows:

**ARTICLE 14:** Shall the Town vote to raise and appropriate the sum of one hundred thirty thousand  
dollars (\$130,000) to purchase a Department of Public Works Dump Truck with plow and accessories;  
and to partially fund this appropriation by authorizing the withdrawal of fifty thousand dollars (\$50,000)  
from the Highway Equipment Capital Reserve Fund previously established in 1990; whereby the balance  
of eighty thousand dollars (\$80,000) shall be raised from taxation? (This is a special warrant article.)  
(Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0)  
(Recommended by the Budget Committee by a vote of 7 to 4)

Motion to place Article 14 on the official ballot for a final vote as presented, by: KEVIN HAYES

Second by: JOHN O'BRIEN

With no discussion the Assistant Moderator moved to place Article 14 on the official ballot.

The Assistant Moderator read **Article 15** as follows:

**ARTICLE 15:** Shall the Town vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to  
be added to the Sewer Maintenance Capital Reserve Fund previously established in 2007? This amount  
to come from sewer user fees and shall not be raised from taxation. (This is a special warrant article.)  
(Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0)  
(Recommended by the Budget Committee by a vote of 11 to 1)

Motion to place Article 15 on the official ballot for a final vote as presented, by: JOHN O'BRIEN

Second by: GUS BENAVIDES

With no discussion the Assistant Moderator moved to place Article 15 on the official ballot.

The Assistant Moderator read **Article 16** as follows:

**ARTICLE 16:** Shall the Town vote to raise and appropriate the sum of fifty-eight thousand dollars  
(\$58,000) to be added to the Lakes Business Park Capital Reserve Fund previously established, pursuant  
to the terms of the Inter-Municipal Agreement which was approved under Article 18 of the 2001 Annual  
Town Meeting? (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0)  
(Recommended by the Budget Committee by a vote of 9 to 0)

Motion to place Article 16 on the official ballot for a final vote as presented, by: GUS BENAVIDES

Second by: KEVIN HAYES

Discussion: CHAN EDDY. Eddy asked if the funds were going to be used for upgrades or what it is used for. SCOTT DUNN answered that the funds would be used for infrastructure needed in the park.

With no further discussion the Assistant Moderator moved to place Article 16 on the official ballot.

The Assistant Moderator read **Article 17** as follows:

**ARTICLE 17:** Shall the Town vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be added to the Recreation Facilities Maintenance Capital Reserve Fund previously established in 2008? (This is a special warrant article.) (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 9 to 2)

Motion to place Article 17 on the official ballot for a final vote as presented, by: KEVIN HAYES

Second by: JOHN O'BRIEN

With no discussion the Assistant Moderator moved to place Article 17 on the official ballot.

The Assistant Moderator read **Article 18** as follows:

**ARTICLE 18:** Shall the Town vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be added to the Fire Equipment Capital Reserve Fund previously established in 1989? (This is a special warrant article.) (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Recommended by the Budget Committee by a vote of 11 to 0)

Motion to place Article 18 on the official ballot for a final vote as presented, by: JOHN O'BRIEN

Second by: GUS BENAVIDES

With no discussion the Assistant Moderator moved to place Article 18 on the official ballot.

The Assistant Moderator read **Article 19** as follows:

**ARTICLE 19:** Shall the Town vote to amend the allocation formula for the Ambulance Services Revolving Fund as previously established in 2010, by increasing the amount of ambulance services revenues to be deposited into the fund from forty percent (40%) to sixty percent (60%) as of January 1, 2013? (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0) (Not recommended by the Budget Committee by a vote of 10 to 1)

Motion to place Article 19 on the official ballot for a final vote as presented, by: GUS BENAVIDES

Second by: KEVIN HAYES

Discussion by: DAVID HORVATH, 28 Timber Lane. Horvath explained that the budget Committee felt that it was too much money into hands without proper scrutiny and the Budget Committee more oversight and did not see an end to the process.

KEVIN HAYES explained that the Board of Selectmen took two votes on the Article. Their first vote was against supporting the Article and the second vote was to support the Article. He further explained that the Fund was originally set up to be self funding and with fixing the ration the fund would be able to support the replacement of ambulances. The purchases still have to come before the voters and Board of Selectmen and that the ration can always change back at a later date; it is not a "never ending" fund.

BILL AKERLEY (Board of Fire Engineers, Chair) supported Hayes's statement about the fund not currently receiving adequate funding to be self supportive and that there are strict rules and oversight for CIP for ambulances and ambulance equipment.

With no further discussion the Assistant Moderator moved to place Article 19 on the official ballot.

The Assistant Moderator read **Article 20** as follows:

**ARTICLE 20:** Shall the Town vote to raise and appropriate the sum of three thousand five hundred dollars (\$3,500) to support a share of the services provided to Gilford residents to access counseling and family support services, without regard to income, from Child and Family Services? Child and Family Services provides accessible and affordable programs to children, youth, and families leading to stronger family connections, improved school performance, decreased risky behaviors among youth, and better citizenship. From July 1, 2011 through June 30, 2012, 57 Gilford residents receive 453 units of service, 19 days of residential care and 2 weeks of overnight summer camping services valued at over twenty thousand dollars (\$20,000) from Child and Family Services. [Submitted By Citizens Petition] (This is a special warrant article.) (Majority Vote Required) (Not recommended by the Board of Selectmen by a vote of 3 to 0) (Not recommended by the Budget Committee by a tie vote of 5 to 5)

Motion to place Article 20 on the official ballot for a final vote as presented, by: KEVIN HAYES

Second by: PHYLLIS CORRIGAN

Discussion of Article by: KEVIN HAYES. Hayes explained the Board's position and reason for voting on the Article. He further stated that the Board wished they didn't have to vote on the Article and they could leave it up to the individual voters but that the law required them to take action. The outcome of the vote does not reflect their personal views.

PHYLLIS CORRIGAN. Corrigan gave some past history from the view of the Budget Committee and explained that it was the Budget Committee's preference to have the "outside agencies" petition and be placed on the ballot individually for the voters and voters would give if they wanted to give.

RICHARD CAMPBELL: Campbell questioned the language printed on the warrant.

With no further discussion the Assistant Moderator moved to place Article 20 on the official ballot.

The Assistant Moderator read **Article 21** as follows:

**ARTICLE 21:** Shall the Town vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) in support of Genesis Behavioral Health for the delivery of Emergency Mental Health Services? These services include access to Master's level clinicians and psychiatrists by individuals, schools, police, fire, schools, hospitals and others, 24 hours per day, 7 days per week. Services are provided to anyone in need, regardless of ability to pay. Genesis Behavioral Health is the community mental health center serving Belknap and Southern Grafton Counties. We served 3,330 children, families, adults and elders in Fiscal Year 2012, 186 of whom were Gilford residents. Genesis Behavioral Health provided emergency services to 54 Gilford residents in Fiscal Year 2012. We provided fifteen thousand three hundred twenty-four dollars (\$15,324) in charitable care to Gilford residents. [Submitted By Citizens Petition] (This is a special warrant article.) (Majority Vote Required) (Not recommended by the Board of Selectmen by a vote of 3 to 0) (Not recommended by the Budget Committee by a tie vote of 5 to 5)

Motion to place Article 21 on the official ballot for a final vote as presented, by: KELLEY WHITE, 30 Belknap Mountain Rd.

Second by: PHYLLIS CORRIGAN

Discussion of Article by: KELLEY WHITE. White explained that there was a handout on the table that gives the history and additional information if anyone wanted it. White spoke in support of the Article.

With no further discussion the Assistant Moderator moved to place Article 21 on the official ballot.

The Assistant Moderator read **Article 22** as follows:

**ARTICLE 22:** Shall the Town vote to raise and appropriate the sum of eight thousand two hundred thirty-six dollars (\$8,236) to support the operation of the Laconia Area Center of Community Action Program? The Laconia Area Center staff provides low income, elderly and disabled residents of Gilford assistance with basic needs such as fuel assistance, electric assistance, Meals-on-Wheels, home weatherization, security deposits for housing and maintains a food pantry accessible every day during business hours. In 2012 residents of Gilford received more than six hundred forty-seven thousand five hundred fifty-five dollars (\$647,555) in services through the programs of Community Action Program, Belknap-Merrimack Counties, Inc., and the Laconia Area Center. [Submitted By Citizens Petition] (This is a special warrant article.) (Majority Vote Required) (Not recommended by the Board of Selectmen by a vote of 3 to 0) (Not recommended by the Budget Committee by a vote of 5 to 4)

Motion to place Article 22 on the official ballot for a final vote as presented, by: KEVIN HAYES

Second by: PHYLLIS CORRIGAN

With no discussion the Assistant Moderator moved to place Article 22 on the official ballot.

The Assistant Moderator read **Article 23** as follows:

**ARTICLE 23:** Shall the Town vote to raise and appropriate the sum of two thousand dollars (\$2,000) in support of New Beginnings? New Beginnings is the center for intervention, support and advocacy for those whose lives have been affected by domestic, sexual and stalking violence, and these services include access to crisis line, staff and advocates by individuals, schools, police, hospitals and others, 24 hours per day, 7 days per week. [Submitted By Citizens Petition] (This is a special warrant article.) (Majority Vote Required) (Not recommended by the Board of Selectmen by a vote of 3 to 0) (Not recommended by the Budget Committee by a tie vote of 5 to 5)

Motion to place Article 23 on the official ballot for a final vote as presented, by: PHYLLIS CORRIGAN

Second by: ALIDA MILLHAM

With no discussion the Assistant Moderator moved to place Article 23 on the official ballot.

The Assistant Moderator read **Article 24** as follows:

**ARTICLE 24:** Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to support the operations of Central New Hampshire VNA & Hospice, (formerly known as Community Health & Hospice), a local agency that provides visiting nurse services, hospice care, homemaker services for the elderly, and pediatric care to residents of the Town of Gilford, NH? In 2012 residents of Gilford received 4,485 home visits from Central New Hampshire VNA & Hospice. Town funds are used chiefly to support hospice care, pediatric care to children at medical or social risk, homemaker services for the elderly to allow them to avoid institutionalization, wellness clinics, caregiver and bereavement support groups, wellness clinics, caregiver & bereavement support groups and immunization services. [Submitted By Citizens Petition] (This is a special warrant article.) (Majority Vote Required) (Not recommended by the Board of Selectmen by a vote of 3 to 0) (Not recommended by the Budget Committee by a tie vote of 5 to 5)

Motion to place Article 24 on the official ballot for a final vote as presented, by: PHYLLIS CORRIGAN

Second by: ALIDA MILLHAM

With no discussion the Assistant Moderator moved to place Article 24 on the official ballot.

The Assistant Moderator read **Article 25** as follows:

**ARTICLE 25:** Shall the Town vote to discontinue the New Library Capital Reserve Fund created in 2000? Said funds, in the amount of one dollar sixty-eight cents (\$1.68) as of December 31, 2011, with accumulated interest at the time of withdrawal, will be transferred to the Town's General Fund. (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0)

Motion to place Article 25 on the official ballot for a final vote as presented, by: GUS BENAVIDES

Second by: JOHN O'BRIEN

Discussion of Article by: CHAN EDDY. Eddy asked if there were plans for the funds.

With no further discussion the Assistant Moderator moved to place Article 25 on the official ballot.

The Assistant Moderator read **Article 26** as follows:

**ARTICLE 26:** Shall the Town vote to change from an elected Town Clerk-Tax Collector to having the Tax Collector appointed by the Board of Selectmen for 3 year terms, upon the expiration of the current 3 year term of office in 2014, following the example of many Towns throughout the State? (Majority Vote Required) (Recommended by the Board of Selectmen by a vote of 3 to 0)

Motion to place Article 26 on the official ballot for a final vote as presented, by: KEVIN HAYES

Second by: GUS BENAVIDES

Discussion: KEVIN HAYES. Hayes spoke in favor of the Article. He explained that the law allows this to be two separate positions and that the Board expects no change in personnel and no changes in the Department. He further explained that if there was a tragedy to the current TC-TC it would allow the Board to appoint. If the person didn't have the ability to do both jobs they could appoint the Tax Collector. He further stated that as it is currently the Board has no say over operations of the Department only the personnel. He stated that as it stands now, elected, the person is not subject to merit evaluations and the Board cannot makes changes to services.

CHAN EDDY. Eddy asked about appointing the Town Clerk.

EVANS JURIS. Juris spoke in opposition to the Article. He said it was unnecessary for the Board of Selectmen to appoint and that the Deputy Town Clerk – Tax Collector would hold the position in the event the TC-TC becomes debilitated. Juris question when the Board of Selectmen discussed separating the position and wanted to know at what public meeting; he stated that he had read it in the newspaper but was unable to locate minutes on the website. Juris requested copies of the minutes and stated that it would have been a good idea to hold a public hearing. He further stated that there is not a more efficient office in town and felt that the Board had wasted money on a study. He stated in his opinion it was a power play on the side of the Board of Selectmen.

KEVIN HAYES: Hayes said that it was not a power play and that it was a housekeeping issue. There are no current problems with operations as they are now.

DAVID HORVATH: Horvath asked the Board which towns have changed to this process.

JOHN O'BRIEN: O'Brien said that you will have to ask the current TC-TC as that is where he got it from.

DENISE GONYER: Gonyer replied that Gilford would be the first town in the state to undo a combined position. She further stated that the trend towns are taking is to combine positions.

**AMENDMENT: DAVID HORVATH. Horvath proposed removing "following the example of many Towns throughout the State?" at the end of the Article. The Amended Article would read as follows:**

**“Shall the Town vote to change from an elected Town Clerk-Tax Collector to having the Tax Collector appointed by the Board of Selectmen for 3 year terms, upon the expiration of the current 3 year term of office in 2014?”**

Seconded: KEVIN LEANDRO

With no further discussion on the Amendment the Moderator called for a voice vote.

**The vote was in the affirmative.**

**AMENDMENT:** MARK CORRY: Corry proposed amending the Article to add the wording, “Upon resignation or failure to re-elect the current Town Clerk – Tax Collector” to the end of the Article. The Amended Article would read as follows:

“Shall the Town vote to change from an elected Town Clerk-Tax Collector to having the Tax Collector appointed by the Board of Selectmen for 3 year terms, upon the expiration of the current 3 year term of office in 2014, Upon resignation or failure to re-elect the current Town Clerk – Tax Collector?”

**Seconded:** KEVIN ROY

PHYLLIS CORRIGAN: Corrigan questioned if this would work if the current TC-TC wasn't re-elected. ASSISTANT MODERATOR MILLHAM consulted with TOWN COUNCIL CIANDELLA. Ciandella stated that there were two provisions in the law and they were contrary to the Amendment. He stated that it was a “self executing provision” and was conflicting. He referred to RSA 669:17b.

CHAN EDDY: Eddy wondered how a person would know which position they were running for if the Amendment were worded as such.

DENISE GONYER: Gonyer spoke in opposition to the Amendment.

**AMENDMENT WITHDRAWN:** MARK CORRY.

**SECOND WITHDRAWN:** KEVIN ROY.

MARK CORRY: Corry spoke in opposition to the Article and complimented the TC-TC Office. He further questioned the motivation of the Board.

EVERETT MCLAUGHLIN: McLaughlin spoke in opposition to the Article.

JOHN O'BRIEN: O'Brien spoke in support of the Article and stated that it was a bad survey because services cannot be compared to any other town. The Board would like to look at services as a means to save money. He stated that the study supported hiring another person and the Board has no oversight over the office. He further stated that the TC-TC does not share information on services with the Board and that the Board wants to be sure the taxpayers want to support the services being provided.

KEVIN LEANDRO: Leandro asked about separating to two elected positions and if there would be salary issues.

TOWN COUNCIL/CIANDELLA: Answered that the position may be combined, appointed or elected.

DALE DORMODY: Dormody wanted to discuss two points brought up by Hayes. 1. How is the town harmed in the current situation; 2. As far as costs and services what improvements would benefit the town? He wanted to know what is wrong. Where is the benefit on this change? He stated that he feels this type of change to public services would need to be looked into more thoroughly with public hearings.

KEVIN HAYES: Hayes said that they view this meeting as a public hearing and disagrees with number of services provided by the TC-TC Office.

JOHN O'BRIEN: O'Brien reiterated that the Board wanted oversight of the office and that there is no problem with the services but wonders why we provide more than any other town around here.

POLLY SANFACON: Sanfacon asked O'Brien what kinds of services he was talking about.

JOHN O'BRIEN: Told her she would have to ask the current TC-TC because they don't know what services are offered.

DENISE GONYER: Gonyer gave Sanfacon an example of being a boat agent and the revenue that offsets some of the costs of operation.

MARK CORRY: Corry asked O'Brien about hiring of the part time position.

DENISE GONYER: Gonyer explained that the position was a fulltime position in the office that she proposed to reduce to part time, the voters supported at last year's Deliberative Session and after the study the Board has filled the part time position.

EVAN JURIS: Juris asked the Board of Selectmen when did they discuss this warrant Article; what public meeting did this take place?

KEVIN HAYES: Hayes stated that there was discussion at the last two Selectman's meeting and previous to that it was discussed in non-public with minutes sealed as it was a personnel issue.

EVANS JURIS: Juris stated that if the minutes were sealed they should have a release date and that they can't seal the entire minutes.

KEVIN HAYES: Hayes said they were sealed indefinitely.

**AMENDMENT:** DENISE GONYER: Gonyer made a motion to amend the Warrant Article to change the wording from "appointed" to "elected" and from "Board of Selectmen" to "Legislative Body." To read as follows:

**"Shall the Town vote to change from an elected Town Clerk-Tax Collector to having the Tax Collector elected by the Legislative Body for 3 year terms, upon the expiration of the current 3 year term of office in 2014?"**

**Seconded:** MARK CORRY

KEVIN HAYES: Hayes spoke in opposition to the Amendment and warned not to go down that road. He further stated that this is not an issue of Board of Selectmen vs. Town Clerk – Tax Collector. The Board is just trying to make it more efficient.

KEVIN LEANDRO: Leandro asked about the position being held by the same person.

ALIDA MILLHAM: Millham asked if the same two people can run for the two offices.

TOWN COUNCIL/CIANDELLA: Ciandella stated that the law referenced two individuals.

**AMENDMENT WITHDRAWN:** DENISE GONYER:

**SECOND WITHDRAWN:** MARK CORRY

CHAN EDDY: Eddy asked for further clarification.

DALE DORMODY: Dormody said that he didn't recall seeing the Article at the Budget Committee's public hearing and asked if there was any way to remove it from the warrant because of it not being clear and the obvious confusion.

SCOTT DUNN: Dunn commented that the Article could not be removed from the Warrant.

With no further discussion the Assistant Moderator moved to place Article 26 on the official ballot.

At 9:00 p.m. A MOTION TO RESTRICT RECONSIDERATION ON ALL WARRANT ARTICLES AND ADJOURN THE MEETING WAS MADE BY: GUS BENAVIDES

SECOND BY: KEVIN HAYES

Millham reminded the audience that the Articles as amended would be on the ballot and that voting would take place at the Youth Center at the Gilford Community Church on March 12th and called for the vote.

The vote to adjourn was in the affirmative.

Respectfully submitted,



Denise M. Gonyer, CMC  
Town Clerk – Tax Collector