

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**August 28, 2013**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, August 28, 2013, at 7:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Kevin Hayes, John O'Brien and Gus Benavides. Also present were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

Staff members in attendance included Finance Director Geoff Ruggles, Fire Chief Steve Carrier, Police Chief Kevin Keenan, Police Lieutenant Kris Kelley and Police Lieutenant Jim Leach.

1. **Non-Public Session** – Selectman O'Brien moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3, II, to discuss personnel matters, matters which would likely adversely affect the reputation of any person and conveyance of real property. Selectman Benavides seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Kevin Hayes, John O'Brien and Gus Benavides. Also present was Town Administrator Scott Dunn.

Selectman O'Brien moved to approve the voluntary demotion of Kirk Young from DPW Highway Superintendent to Heavy Equipment Operator at a new pay rate of \$20.07, effective September 1, 2013; and authorize the advertising of the Highway Superintendent position. Selectman Benavides seconded. Motion carried with all in favor. During non-public session, other matters were discussed.

Selectman O'Brien moved to exit non-public session at 7:00 p.m. and seal the rest of the minutes. Selectman Benavides seconded. Motion carried with all in favor.

2. **Pledge of Allegiance** - The Selectmen recited the Pledge of Allegiance.

3. **Announcements/Presentations**

- 3.1. Chairman Hayes announced that the Town Hall and Library will be closed on Monday, September 2, 2013 for Labor Day
- 3.2. Chemical spraying for milfoil in Smith Cove will take place on Thursday, September 5, 2013.
- 3.3. There will be a Lower Liberty Hill Waste Clean-up Public Information Meeting on Wednesday, September 25, 2013, at 6:00 p.m. at the Town Hall.

4. **Review/Approval of Minutes**

- 4.1. Selectman O'Brien moved to approve the minutes of August 14, 2013, for the Summer Town Forum and regular meeting, as presented. Selectman Benavides seconded. Motion carried with all in favor.
- 4.2. Selectman O'Brien moved to approve the minutes of August 22, 2013, as presented. Selectman Benavides seconded. Motion carried with all in favor.

5. **Consent Agenda**

- 5.1. Selectman O'Brien moved to approve the previously signed items for the period August 12, 2013 through August 23, 2013, as listed. Selectman Benavides seconded. Motion carried with all in favor.

<b><u>DOCUMENT DATE</u></b>	<b><u>DOCUMENT</u></b>	<b><u>MAP/LOT #</u></b>
02/26/13	Change of Status - Madon	
03/28/13	Change of Status - Mooney	
07/21/13	Change of Status - Andrews	
07/25/13	Payroll Register	
07/30/13	Payroll Register (2)	

08/06/13	Payroll Register	
08/13/13	Accounts Payable Manifest	
08/13/13	Payroll Register	
08/15/13	NOITC - Carye	240-016.000
08/15/13	Veteran's Tax Credit - McKean	219-001.000

## 6. Appointments

**6.1 Geoff Ruggles – Financial & Department Update** – Director Ruggles reported that revenues continue to track well and are up \$130,000 over the same period last year. A large portion of this increase is attributable to motor vehicle registration fees. Expenditures are slightly above last year, but remain well within budget. Property tax collections also remain strong and are slightly above last year’s levels.

Brief discussion ensued regarding a significant increase in overtime wages in various departments.

The Finance Department has focused primarily on training staff in their new positions. In Technology, security upgrades to the network have been completed so that the Police Department server can be moved on virtual servers tomorrow.

Cyclical inspections have been complete in the Appraisal Office and necessary updates to properties have been made. Valuations for the year indicate a \$9 million increase over last year’s valuation, which is a 0.6% increase. Just under \$6 million of this increase was for commercial property. Chairman Hayes questioned what had been budgeted for valuation increase last year, to which Town Administrator Dunn responded that 1% had been budgeted, resulting in a 0.4% shortfall.

## 7.0 Old Business

**7.1 Appointments to Kimball Wildlife Committee** – Selectman O’Brien moved to appoint the following people to the Kimball Wildlife Forest Committee:

Everett McLaughlin for a term to expire on April 30, 2014  
 Sandra McGonagle for a term to expire on April 30, 2015  
 Rebecca Watson for a term to expire on April 30, 2015  
 George Labonte for a term to expire on April 30, 2015  
 Patricia Bennett for a term to expire on April 30, 2016  
 Kristie Katz for a term to expire on April 30, 2016  
 Scott Dunn as a non-voting technical advisor for an indefinite term  
 Andrew Fast as a non-voting technical advisor for an indefinite term  
 Robert Dean as a non-voting honorary member for a lifetime appointment  
 Joan Veazey as a non-voting honorary member for a lifetime appointment

Selectman Benavides seconded. Motion carried with all in favor.

**7.2 Police Station Renovations** – The Board concurred to table this matter.

**7.3 Personnel Policy Amendments** – Selectman O’Brien moved to approve the amendments to the Personnel Policies as presented. Selectman Benavides seconded. Town Administrator Dunn advised the Board that Legal Counsel has reviewed and approved the proposed changes, with some minor language changes. The primary purpose of these amendments is to clarify that, in order for employees to maintain their eligibility for benefits, they must work a minimum of 40 hours per week. Motion carried with all in favor.

**7.4 Town Hall Renovations** – Town Administrator Dunn stated that a contract has been signed and renovations are scheduled to begin the week after Labor Day. He then asked to Board to make some decisions regarding the colors of materials being used. The colors chosen for the siding are Classic White and Slate Gray, while the color for the steel roof is Burnished Slate, by consensus of the Board.

**7.5 Return of Dog Warrant** – Selectman O’Brien moved to accept the 2013 Return of Dog Warrant as presented. Selectman Benavides seconded. Motion carried with all in favor.

## **8.0 New Business**

**8.1 Carye Land Donation** – Conservation Commission Chair Carole Hall advised the Board that a member of the Carye family approached the Conservation Commission about this land donation. The property is adjacent to Lily Pond and contains approximately 8 acres. The Conservation Commission has walked the property and would like to be able to accept it for conservation purposes.

Selectman O’Brien moved to approve the acceptance of 8.5 acres near Lily Pond, referenced at Tax Map 214, Lot 1-10, by the Raymond A. & Barbara F. Carye 1993 Revocable Trust, for conservation purposes in accordance with RSA 36-A:4. In the interest of full disclosure, Selectman Benavides stated that Katrina Carye is a customer of his and he will recuse himself on this vote. Chairman Hayes seconded. Motion carried by a vote of 2-0 with Selectman Benavides abstaining.

Conservation Commission member Everett McLaughlin stated that the Conservation Commission is currently looking into acquiring a conservation easement on the Gage property, which is part of the Belknap Mountain Range and contains 331 acres. He further stated that this is an important acquisition that the Commission has been pursuing for approximately ten years. The property is desirable for hiking and also has ecological significance. It was appraised for \$210,000, which is the same as the purchase price. He added that \$110,000 has already been voted to come out of the Conservation Fund, while the other \$100,000 will be obtained through a fundraising campaign.

Selectman O’Brien moved to approve the acquisition of the conservation easement on the Gage property. Selectman Benavides seconded. Motion carried with all in favor.

**8.2 Petition and Pole License – Kimball Road** – Selectman O’Brien moved to accept the petition and approve the pole license for two new poles, 941A/10X and 941A/1-1 on Kimball Road as presented. Selectman Benavides seconded. Motion carried with all in favor.

**8.3 Development of Regional Public Health Council** – The Board concurred to have Town Administrator Dunn represent the Town of Gilford at an informational meeting on Tuesday, September 17<sup>th</sup>.

**8.4 Live Entertainment License Application – Junior’s Crush House** – Selectman O’Brien moved to approve the Live Entertainment License for Junior’s Crush House at 40 Weirs Road for the period September 1, 2013 through August 31, 2014, on the condition that indoor performers shall be limited to a maximum of 2 people in a band and that no outside entertainment is allowed. Selectman Benavides seconded. Motion carried with all in favor.

**8.5 Acceptance of Unanticipated Revenue** – Selectman O’Brien moved to accept the LGC Wellness Grant in the amount of \$100 and to authorize the expenditure of such sum for the intended purpose. Selectman Benavides seconded. Motion carried with all in favor.

**9.0 Other Business** – Town Administrator Dunn stated that Recreation Assistant Nicole Langley has tendered her resignation, effective October 1, 2013. Selectman O'Brien moved to accept the resignation and to authorize advertising the vacancy, if necessary. Selectman Benavides seconded. Motion carried with all in favor.

**10.0 Public Input** – Carole Hall advised the Board that the Conservation Commission did recommend the "unnamed pond" be called Roberts Pond.

Reynold Ilg of 170 Belknap Point Road, President of the Broadview Condominium Association, expressed the interest of the Association in preserving their beach rights upon the potential sale of the Kimball Castle. He pointed out that Mr. Jodoin also owns a 3-acre parcel on Route 11 with beach rights to Broadview's beach, and they are concerned with the possible ramifications if this lot is combined with the Kimball Castle, and then subsequently developed.

Bart Cangialose, owner of Juniors Crush House, questioned the Board on the conditions they imposed with the approval of his Live Entertainment License. Chairman Hayes responded that the Board is hesitant to approve outside entertainment because of potential noise complaints from neighbors. Town Administrator Dunn added that the 2-piece band limitation is a fire code restriction. Fire Chief Carrier clarified that this restriction comes from the nightclub law, which would require sprinklers with crowd capacity of over 100 and increase ambient noise level. Because this establishment does not have sprinklers, they are limiting the size of the bands.

In response to the Board's concerns regarding the outdoor noise level, he explained that due to the location of the restaurant's patio and nature of the adjacent properties, he does not think the noise level would be a problem for his abutters. Brief discussion ensued regarding the need for site plan compliance. Because the property is grandfathered, it was not necessary to obtain current site plan approval.

Mr. Cangialose provided the Board with further information on the vision that he has for this restaurant, which would be enhanced with live entertainment.

At the suggestion of Town Administrator Dunn, the Board considered allowing outside entertainment on a trial basis. Selectman Benavides cautioned Mr. Cangialose to be very aware of his neighbors and any concerns they might have regarding noise levels. At this time, Selectman O'Brien moved to amend the previous motion to include allowing live entertainment on the patio from now until October 31, 2013, on Friday and Saturday nights until 11:00 p.m. Selectman Benavides seconded. Motion carried with all in favor.

**11.0 Selectmen's Issues** – Selectman O'Brien moved that a letter be sent to the US Board of Geographic Names recommending that the "unnamed pond" be known as Roberts Pond. Selectman Benavides seconded. Motion carried with all in favor.

**12.0 Administrator's Report** – Town Administrator Dunn stated that he is in the process of ordering a flagpole for the future memorial adjacent to the Warming Hut.

Town Administrator Dunn has become aware of some legal issues with the proposed credit card acceptance in the Town Clerk/Tax Collector's Office, which will need to be addressed before this program can be implemented.

The CIP process will begin after Labor Day.

The Cable TV Consortium's negotiations with Metrocast have not been proceeding as had been hoped by the Consortium.

At this time, Chairman Hayes thanked Selectman O'Brien for purchasing shirts for the Board.

**13.0** Next Meeting – Wednesday, September 11, 2013 at 7:00 p.m. at the Town Hall

**14.0** Non-Public Session – Selectman O'Brien moved to re-enter non-public session at 7:54 p.m., pursuant to RSA 91-A:3, II, to discuss matters which would likely adversely affect the reputation of any person and conveyance of real property. Selectman Benavides seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Kevin Hayes, John O'Brien and Gus Benavides. Also present was Town Administrator Scott Dunn.

Selectman O'Brien moved to exit non-public session at 8:40 p.m. and seal the minutes. Selectman Benavides seconded. Motion carried with all in favor.

**15.0** Adjournment – With no further business before the Board, the Board of Selectmen's August 28, 2013 meeting was adjourned at 8:41 p.m.

Respectfully submitted,

Gus Benavides  
Clerk