

GILFORD BOARD OF SELECTMEN'S MEETING
November 28, 2007
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, November 28, 2007, at 3:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Chairman Alice H. Boucher, Connie Grant and Gus Benavides. Also present were Town Administrator Evans Juris, Assistant Town Administrator Debra Shackett and Administrative Secretary Sandra Bailey.

1. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
2. **Review/Approval of Minutes** – The Board of Selectmen approved the regular and non-public minutes of the Selectmen's meeting of November 14, 2007; the November 14, 2007 Selectmen/Energy Committee meeting and the November 13, 2007 Selectmen/FPC meeting.
3. **Appointments**
 - 3.1. **Land Conservation Task Force** – Land Conservation Task Force member Doug Hill provided the Board with an update on the Bean Conservation Easement. At this point, there are no differences between the parties and only clerical edits remain. Selectman Benavides reiterated the importance of having the final documents into the Board as soon as possible.

Brief discussion ensued on the matter of how the view easement would be monitored. Attorney Hill advised the Board that Surveyor Dean Clark has been directed to place several monuments on the property in order to be able to sight the easement line. The Board thanked Attorney Hill for the update.
 - 3.2. **Facility Planning Committee** – Co-Chair Jim Mull provided a revised statement to the Board of Selectmen indicating the selection of Horne Construction of Rochester, NH to the Gilford's general contractor. He also provided a summary of the process the Committee has gone through to arrive at this recommendation. Stewart & Associates has reviewed and compared the bids and then interviewed each company. Co-Chair Mull stated that the Committee was impressed with Horne's presentation, as well as the quality of their work when they visited the Rochester Police Department.

The Committee would now like the Board to authorize the FPC to award the contract to Horne Construction so that they can negotiate specifics of the contract and determine an exact dollar amount. Chairman Boucher inquired if the bid amount submitted includes geothermal heating and cooling. Mr. Mull replied no and stated that Committee member Steve Grant has been working on this part of the project and the feasibility study looks favorable.

Town Administrator Juris emphasized that the decision on the project lies with the Board of Selectmen. Co-Chair Mull then stated that the bids received from Glen Builders and Horne Construction had identical content, but after on-site visits, they felt that Horne's construction quality was superior and they would be a better fit for the community. Selectman Benavides reiterated the need for the Board to have an actual dollar amount.

More discussion ensued on the financial aspects of the project and the fact that there will be no further monies available until at least after Town Meeting. Co-Chair Mull also pointed out that he believes that higher allowances have been built into some of Horne's figures, which could be further reduced. Selectman Grant stated that she would be more comfortable if the Board and the FPC were to conduct a work session to review Horne's proposal.

Committee member Dennis Doten pointed out that the Board of Selectmen has been invited to FPC meetings, where this information has already been extensively reviewed. A work session was set for Wednesday, December 5, 2007 at 3:00 p.m.

- 3.3. Chief Markland** - Police Chief John Markland was in attendance to update the Board on the Safe Schools Inter-Agency Team training that was recently attended with representatives from the Police Department, Fire Department and SAU Office. The purpose of the training was to prevent a Columbine-type situation within the schools and emphasize inter-departmental communication. The training also allowed members of each department to see a situation from another department's perspective. The Board commended Chief Markland and other representatives from Gilford who attended this conference.

4. New Business

- 4.1. Budget – Outside Agencies** – Selectman Benavides explained a recent e-mail he received from Budget Committee member Doug Lambert concerning the funding of outside agencies. Mr. Lambert has proposed that \$78,153 be removed from the Town's budget for the funding of outside agencies. Chairman Boucher stated that she would like to see what action the Budget Committee takes on this matter at their next meeting. No action was taken by the Board of Selectmen.

- 4.2. Abatement Request** – Assistant Town Administrator Shackett briefly explained a request for a hardship abatement. She stated that she does not feel the circumstances meet the criteria for a hardship abatement and the taxpayer is in a temporary situation that will be taken care of when the property is sold. It was also pointed out that Town Clerk/Tax Collector Morrissette will accept partial payments.

Selectman Benavides move to deny the request for abatement of Agenda Item 4.2.
Selectman Grant seconded. Motion carried.

- 4.3. Primary Hours** – Selectman Grant moved to re-affirm the telephone poll of 11/26/07 setting the hours for the January 8, 2008 Presidential Primary from 7:00 a.m. to 7:00 p.m.
Selectmen Benavides seconded. Motion carried.

5. Old Business

- 5.1. Library Land Sale** – Assistant Town Administrator Shackett stated that she has conferred with Bob Anderson of NH DRA regarding the Library Trustees' inquiry into the disposition of the lot on Potter Hill Road that is Town owned and was originally intended for the construction of a new library.

ATA Shackett stated that the \$40,000 private donation should be returned to the Library Trustees, the \$100,000 that was withdrawn from a capital reserve fund would need to be replaced. Another warrant article would determine what would be done with that money once it is returned to the capital reserve fund. Any proceeds of the sale in excess of \$140,000 would be earmarked for the General Revenue Fund.

Extensive discussion ensued on the wording of warrant articles. ATA Shackett stated that Town Counsel can advise the Board on this matter.

Selectman Benavides moved, that as the Town sells the original library lot on Potter Hill Road, the first \$40,000 would be returned to the Library Trustees, \$100,000 would be returned to the capital reserve fund and the remainder to the general fund. Selectman Grant seconded. Motion carried.

5.2. Library Building – Town Administrator Juris provided the Board with a legal opinion on the possibilities concerning the old library building, once it is vacated. He asked the Board to review the legal opinion prior to the December 19th Selectmen’s meeting. The Board concurred that Town Administrator Juris can share Town Counsel’s opinion with SAU #73.

5.3. Liberty Hill – Town Administrator Juris requested that the Board authorize him to “turn up” the Town’s position with Liberty Hill Road and involve local representatives, senators and the Governor. He stated that he was disappointed with the meeting with the US EPA, but complimented Laconia Citizen Reporter Cutter Mitchell for his diligence in bringing forth information on the situation to the public. Chairman Boucher wholeheartedly agreed that the Board needs to reach out to these individuals for more assistance. Selectman Grant would like a specific timeline on when the cleanup will occur.

After further discussion, Selectman Benavides stressed the importance of contacting Governor Lynch for assistance and offering to meet with him in Concord, if necessary.

5.4. Hazeltine/Hopkins Driveway – Town Administrator Juris briefly reviewed an e-mail correspondence from Attorney Stephan Nix regarding the Hopkins driveway permit. Selectman Benavides stated that although the driveway approval did not include a plan by a licensed surveyor, the Town Ordinance does not require it. Discussion ensued on who would be responsible for the costs associated with a survey. Since this is not a requirement, the Town would have to assume the financial responsibility of a survey.

Selectman Grant moved to deny the request made by Attorney Nix requiring that a licensed land surveyor provide as as-built plan of the driveway location and setback. Selectman Benavides seconded. Motion carried.

6. Public Input

6.1. Jim Mull – FPC Committee Co-Chair Jim Mull expressed concern with the Board of Selectmen’s timeline in being able to have information provided for a Warrant Article. He requested that he be able to meet with the Board again in non-public session. Chairman Boucher directed Town Administrator Juris to briefly meet with Mr. Mull to determine if he meets the criteria for non-public session.

7. Signatures

<u>DATE SIGNED</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
08/14/07	Change of Status - McNutt	
10/22/07	Change of Status - Hewitt	
10/24/07	Change of Status - Jacques	
11/04/07	Notice of Lien	201-009.115
11/05/07	Payroll Register	
11/07/07	Accounts Payable Manifest	
11/09/07	Accounts Payable Manifest	
11/10/07	Change of Status - Beland	
11/13/07	Abatement - Laperchia	252-192.000
11/13/07	Payroll Register	
11/13/07	Accounts Payable Manifest	
11/13/07	Change of Status - Andrews	
11/13/07	Change of Status - Cutter	

11/14/07	Abatement - Sepe	252-216.000
11/15/07	Accounts Payable Manifest	
11/19/07	Payroll Register	
11/19/07	Change of Status - Denver	
11/20/07	Accounts Payable Manifest	
11/26/07	Veteran's Tax Credit - Campbell	252-035.006
11/26/07	Eagle Scout Letter	
12/02/07	Change of Status - Bettez	

- 8. Selectmen Issues** – Selectman Benavides brought up the matter of changing the Selectmen’s meetings to evening hours. He moved that the Board try a three-month trial period, beginning in January, with Board meetings commencing at 6:30 p.m. Selectman Grant seconded.

Chairman Boucher stated that she is not in favor of this change and suggested that the Board wait until March when her term expires. She further stated that having the meetings taped for public television will enable many residents to be able to view the meetings.

Following further brief discussion, a call for the vote indicated the motion was defeated.

- 9. Administrator’s Report** – Town Administrator Juris stated that he would like to ask FPC Co-Chair Jim Mull a few questions in public session:

J: Did all contractors meet the specifications?

M: No.

J: Who met the specifications?

M: Horne Construction.

J: Did Horne Construction meet all of the specifications?

M: Yes.

In light of this information, the two other contractors’ RFP’s can be disallowed. Co-Chair Mull would like the Board to authorize the FPC to continuing negotiations with Horne Construction, with no dollar amount, pending approval by Town Counsel. Town Administrator Juris suggested that the Board grant this authority so that the project can move forward.

Selectman Benavides moved to authorize the FPC to continue negotiating with Horne Construction, with no dollar amount, pending approval by Town Counsel. Selectman Grant seconded. Motion carried.

- 9.1 Video Update** – Town Administrator Juris informed the Board that he is testing the video equipment today. One more camera needs to be installed and he plans to have the December 19th meeting recorded on DVD and sent to Public Access Television for broadcast.

- 9.2 Financial Issues** – Assistant Town Administrator Shackett provided a very detailed Powerpoint presentation regarding Gilford’s Undesignated Fund Balance. This presentation included general information on the Undesignated Fund Balance, as well as focusing on two projects that are currently under consideration – an addition to the Town Hall and transition to a July/June fiscal year.

Extensive discussion ensued following the presentation on the two projects, particularly concerning the financial complexity of the fiscal year change without impacting the taxpayers

of Gilford. Also discussed was the fact that the Undesignated Fund Balance is generated by a tight budget and unanticipated revenue. Town Clerk/Tax Collector Morrissette asked the Board to consider the current state of the economy when making a fiscal year transition.

9.3 Assessment Book

Town Administrator Juris asked the Board to continue having the Laconia Citizen publish the annual tax guide. Since John Howe of the Citizen has indicated that mailing copies to all residents has become cost prohibitive, Town Administrator Juris would like to further negotiate alternate arrangements. He also stated that a supply of the tax guides would be available in the Town Hall.

Selectman Grant moved to authorize the Town Administrator to negotiate with the Laconia Citizen for the printing of the 2007 Tax Guide. Selectman Benavides seconded. Motion carried.

9.4 Non-Public Session – RSA 91-A:3 II (c)

The Board of Selectmen on a roll call vote entered Non-Public Session at 5:20 p.m. Present were Selectmen Alice Boucher, Connie Grant and Gus Benavides, Town Administrator Evans Juris, Assistant Town Administrator and Administrative Secretary Sandra Bailey.

While in Non-Public Session, the Board discussed personnel issues. While in Non-Public Session, no action was taken.

The Board exited Non-Public Session at 6:03 p.m.

10.0 Next Meeting – December 19, 2007 at 3:00 p.m. – Regular meeting (3rd Wednesday)

11.0 Adjournment – With no further business before the Board, the Board of Selectmen's November 28, 2007 meeting was adjourned at 6:03 p.m.

Respectfully submitted,

Sandra J. Bailey
Administrative Secretary