

GILFORD BOARD OF SELECTMEN'S MEETING
September 9, 2009
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, September 9, 2009, at 7:03 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Gus Benavides, Kevin Hayes and John O'Brien. Also present were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

Finance Director Geoff Ruggles, Fire Chief Jim Hayes, Police Chief John Markland and DPW Director Sheldon Morgan were also in attendance.

1. **Non-Public Session**– moved to the end of the regular session.
2. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
3. **Announcements**
 - 3.1. Chairman Benavides announced that a Liberty Hill Hazardous Waste Site Public Informational Meeting will be held on Thursday, September 10, 2009 at 7:00 p.m. at the Town Hall in Conference Rooms A & B. He encouraged members of the public to attend this important meeting.
4. **Review/Approval of Minutes**
 - 4.1. Selectman Hayes moved to approve the minutes of the regular and non-public sessions of the August 26, 2009 meeting. Selectman O'Brien seconded. Motion carried with all in favor.
5. **Consent Agenda**
 - 5.1. Selectman Hayes moved to approve the Consent Agenda for the period August 24, 2009 through September 4, 2009. Selectman O'Brien seconded. Motion carried with all in favor.

DOCUMENT
DATE

DOCUMENT

MAP/LOT #

12/20/08	Change of Status - Cook	
02/06/09	Change of Status - Beland, S.	
07/28/09	Change of Status - Gagliardi	
08/14/09	Payroll Register	
08/17/09	Payroll Register	
08/19/09	Tax Collector's Warrant - Sewer Rents	
08/19/09	Accounts Payable Manifest	
08/24/09	Corporate Authorization Resolution - Laconia Savings	
08/24/09	Payroll Register (2)	
08/25/09	Letter to J. Gagnon	
08/25/09	Letter to J. Tramontano	
08/25/09	Letter to S. Nix	
08/25/09	Letter to M. Woglom	
08/26/09	Ambulance Hardship Abatement	
08/26/09	Change of Status - Horan	
08/26/09	Cartographics Contracts (2)	

08/26/09	Accounts Payable Manifest	
08/26/09	Memo to TC/TC Morrissette	
08/27/09	Abatements - Ramblin Vewe Farm 2008 & 2009	212-021.000
08/27/09	Abatements - Ramblin Vewe Farm 2008 & 2009	212-022.000
08/27/09	Abatements - Ramblin Vewe Farm 2008 & 2009	212-024.000
08/27/09	Abatements - Ramblin Vewe Farm 2008 & 2009	212-051.000
08/27/09	Abatements - Ramblin Vewe Farm 2008 & 2009	212-062.000
08/27/09	Abatement - Decelle	222-016.011
08/27/09	Abatement Denial - New Earth Real Estate	267-258.000
08/30/09	Change of Status - O'Connor	
08/31/09	Appointment Form - O'Connor	
09/01/09	DRA MS-5 Form	

6. Appointments

6.1. Kimon Koulet, Executive Director, Lakes Region Planning Commission – Mr. Koulet thanked the Board for the opportunity to make a brief presentation regarding LRPC. He provided an overview of the four core areas that are the focus of LRPC, as well as three major projects which have recently been awarded grant money.

Mr. Koulet also commented on Transportation Enhancement applications that have been received and are currently being reviewed. Sheldon Morgan is the Chair of the Transportation Advisory Committee. The Town of Gilford is entitled to two (2) representatives to the Lakes Region Planning Commission, and at this time has only one. Dick Waite, who is currently Gilford's representative, was in attendance and encouraged the Board to choose a second representative for Gilford.

The Board thanked Mr. Koulet for his presentation.

6.2. Chief Jim Hayes – Fire-Rescue Department Quarterly Update – Fire Chief Hayes was in attendance to provide his quarterly department update to the Board. He reported that calls are on par with last year. He also updated the Board on the forestry truck rehabilitation.

As far as training is concerned, two call firefighters are currently taking the Firefighter I course, two call firefighters are currently taking the Firefighter II course and one full-time firefighter is currently taking a 15-month paramedic course.

The Department will partner with Lowes and Papa Gino's on September 26 to sponsor a Safety Day from 10 a.m. to 2 p.m. at Winnepesaukee Crossing. He also provided the Board with information on a new program for pre-hospital care of cardiac patients.

A 9/11 Memorial Service will be held on Friday at 9:45 a.m. at the Fire Station.

Brief discussion ensued on the status of the Opticom traffic controls. Chief Hayes indicated that it has been determined that there were faulty parts in the system. However, they are still under warranty and upon replacement, the system should be running fine.

7. New Business

7.1. Sewer Abatement Request – The Board reviewed a request for a sewer abatement from Daniel J. O'Brien of the Scenic Heights Condominiums. Mr. O'Brien is seeking a partial abatement due to water softener malfunction within their complex located at 197 Scenic

Drive. Selectman Hayes inquired about the “hard” cost incurred in the removal of sewage to the treatment plant in Franklin. DPW Director Sheldon Morgan stated that he did not know the actual cost. Further discussion indicated that the billing system is designed to cover the flow charge and administrative costs without making additional money. Chairman Benavides reminded Board members that any sewer costs that are not paid by the users would need to be paid by the taxpayers. It was the consensus of the Board to table the matter to the September 23rd meeting, at which time Director Morgan will provide them with actual cost figures.

7.2. Conservation Land Donation Acceptance – Tax Lot 208-003 off Swain Road –

Selectman Hayes moved to accept the real property situated off Swain Road as recommended by the Conservation Commission pursuant to RSA 36-A:4. Selectman O’Brien seconded. Motion carried with all in favor.

7.3. Disposition of Lakes Business Park Funds – Finance Director Ruggles provided a brief overview of the two capital funds that were involved in the design and construction of the Business Park and have surplus balances. These funds were designated for new construction or payment of principal only. The LBP Capital Reserve Fund currently has just over \$7,400 left in it and Finance Director Ruggles is recommending that this be included in the 2010 warrant to transfer this balance back to the General Fund.

The LBP Capital Project (Construction) Fund has approximately \$356,000 remaining in it. Finance Director Ruggles is recommending that these funds be used to pay off a portion of the principal payment over the next five years.

Selectman Hayes moved to authorize the use of surplus Lakes Business Park Capital Projects Funds to be paid towards the principal on the outstanding bonded debt for this project over the next five years. Selectman O’Brien seconded. Motion carried with all in favor.

The Board concurred to support a warrant article to close out the Lakes Business Park Capital Reserve Fund and transfer the balance of approximately \$7,400 to surplus.

7.4. Disposition of Sewer Capital Cost Recovery Funds – Finance Director Ruggles also provided an overview of the situation with these funds. He recommended that the current and future funds collected for the project would be transferred to the General Fund to partially offset the bond payments on the Village Sewer project over the next five years.

Selectman Hayes moved to authorize the use of the Capital Cost Recovery Fund as a General Fund partial reimbursement for the sewer expansion project bonded debt over the next five years. Selectman O’Brien seconded. Motion carried with all in favor.

7.5. Corporal Prosecutor Job Description – Police Chief Markland stated that this has been a transitional year for the Department and the position of Prosecutor is a very important position and should be supervisory. He is seeking the approval of the Board for this new job description and authorization to advertise in-house to fill the position.

Extensive discussion ensued regarding the rank structure of the Police Department and how important it is to have an officer in a supervisory capacity oversee all matters pertaining to the court.

Selectman Hayes moved to approve the new job classification for a Corporal Prosecutor as presented and to authorize the Police Chief to solicit applications for a hiring recommendation in accordance with the Town’s Personnel Policies and the Collective

Bargaining Unit with the Teamsters.

- 7.6. **29 Old Lakeshore Road Clean-up** – Town Administrator Dunn stated that a dumpster was ordered for the property and the Town’s front end loader has put the garbage on the property inside the dumpster. He also stated that the Fire Department has received permission from NH DES to burn the building and a tentative date has been set of September 27th.

Selectman Hayes moved to authorize Gilford Fire-Rescue to burn the building located at 29 Old Lakeshore Road. Selectman O’Brien seconded. Motion carried with all in favor.

8. **Old Business**

- 8.1. **Fire Training Facility** – Chief Hayes provided the Board with an update on the proposed Fire-Rescue Training Facility, which is now proposed to be located at the Recycling Center on Kimball Road. After meeting with the Board in July, Chief Hayes and other Department Managers evaluated various Town-owned properties and felt that this would be the best location. Chief Hayes provided the Board with a color-coded plan of the property on Kimball Road, indicating where the proposed facility would be constructed. This site was particularly desirable because it is in a non-residential area, not in the public view and located in a secure area behind a gate. In addition, there are no setback or wetlands issues.

Chief Hayes is seeking the Board’s approval to locate the training facility on Kimball Road and authorization to proceed to the Planning Board for further review.

Chairman Benavides inquired about the potential effect on Laconia Airport. Chief Hayes stated that it is below the height that would affect the Airport and will generate less smoke than the brush pile. Chairman Benavides suggested that he contact Airport Manager Diane Cooper to advise her of the upcoming project. Chief Hayes did indicate that the Town-owned property has only two abutters – the City of Laconia and Meadowbrook Farm. Both of these parties will be advised of the upcoming Planning Board public hearing on the project. He further stated that there are no implications with NH DES regarding this project.

Chairman Benavides reiterated that this project will be supported 100% by private funding, at which time Chief Hayes concurred and advised the Board that they will be holding a Spaghetti Supper at the Community Church on October 9th as a fundraising event.

Selectman Hayes moved to approve the construction of a Fire Training Facility at the Recycling Center on Kimball Road and authorize the Fire Department to proceed to the Planning Board for further review. Selectman O’Brien seconded. Motion carried with all in favor.

9. **Public Input** – Kirk Dougall recommended that the Board consider lowering the speed limit on Potter Hill Road to 20 mph. He feels that the congestion caused by the construction of the new Library and Community Center necessitate this change. He also requested that the area around the small shed adjacent to the Library be cleaned up and the grass mowed.

Town Administrator Dunn advised Mr. Dougall that State statutes have limitations on the lowering of speed limits, as well as the process required for changing speed limits. He will need to do additional research on this matter.

A suggestion was also made to install a stop sign or stop bar on the pavement at the end of the Library’s driveway onto Potter Hill Road.

- 10. Selectmen's Issues** – Selectman O'Brien is concerned with the small signs that are appearing in Town and State right-of-ways around Gilford. He suggested asking Town Administrator Dunn to contact the State of NH for authorization to remove them from the State rights-of-way.

Town Administrator Dunn replied that any sign within the State right-of-way requires a permit and the Town has a right to enforce the Ordinance and remove the signs. Following extensive discussion, Town Administrator Dunn will see that the Town steps up enforcement of the removal of unpermitted signage.

Chairman Benavides thanked the Old Home Day Committee for their hard work in dealing with the inclement weather conditions on Old Home Day. He also pointed out a problem that existed with cars parking on the Village Field during Sunday night's fireworks. Town Administrator Dunn stated that this problem existed only because the fireworks were held on a different night this year due to the weather conditions.

Chairman Benavides complimented DPW Director Morgan for the positive comments he has received regarding his staff.

Chairman Benavides suggested that a link be placed on the Town website to the NH Sex Offender Registry. The other Board members concurred with this suggestion.

- 11. Administrator's Report** – Town Administrator Dunn reported that he completed the Capital Improvement Plan today and has met with several Department Managers regarding their 2010 budgets.
- 12. Next Meeting** – Tuesday, September 22, 2009 at 8:00 a.m. – Budget Workshop and Wednesday, September 23, 2009 at 7:00 p.m. – Regular Meeting
- 13. Non-Public Session** - Selectman Hayes moved to enter Non-Public Session at 8:33 p.m. pursuant to RSA 91-A:3 II (e)(a)(d) to discuss pending litigation, personnel issues and disposition of real property. Selectman O'Brien seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Gus Benavides, Kevin Hayes and John O'Brien. Also present was Town Administrator Scott Dunn.
- While in Non-Public Session, no action was taken.
- Selectman Hayes moved to exit Non-Public Session at 9:30 p.m. and seal the minutes. Selectman O'Brien seconded. Motion carried with all in favor.
- 14. Adjournment** – With no further business before the Board, the Board of Selectmen's September 9, 2009 meeting was adjourned at 9:31 p.m.

Respectfully submitted,

John T. O'Brien
Clerk