

GILFORD BOARD OF SELECTMEN'S MEETING

May 11, 2011

Town Hall

The Board of Selectmen convened in a regular session on Wednesday, May 11, 2011, at 7:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were John O'Brien, Gus Benavides and Kevin Hayes. Also present were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

Staff members in attendance included Finance Director Geoff Ruggles, Director of Public Works Sheldon Morgan, Deputy Police Chief Kevin Keenan, Police Sgt. Jim Leach, Detective/Sergeant Kris Kelley, Detective Chris Jacques and Director of Planning and Land Use John Ayer.

1. Non-Public Session (6:30 p.m.)

- 1.1. Selectman Benavides moved to enter non-public session at 6:30 p.m., pursuant to RSA 91-A:3, II (c) to discuss matters which may adversely affect someone's reputation. Selectman Hayes seconded. Motion carried on roll call vote with all in favor. Present were Selectmen John O'Brien, Gus Benavides and Kevin Hayes. Also present was Town Administrator Scott Dunn.

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

2. Pledge of Allegiance – The Selectmen recited the Pledge of Allegiance.

3. Announcements/Presentations

- 3.1. Chairman O'Brien announced that a staff member of Senator Jeanne Shaheen will hold office hours on Wednesday, May 18, 2011, from 10:00 a.m. to 12:00 p.m. at the Gilford Town Hall.
 - 1.1. Selectman Hayes read aloud a proclamation from the Board for a zero tolerance policy for the consumption, possession or presence of drugs and alcohol at upcoming school-related social events. He moved to endorse the proclamation as written. Selectman Benavides seconded. Motion carried with all in favor.
 - 1.2. Chairman O'Brien announced that the Memorial Day commemoration will take place on Monday, May 30, 2011, with the parade commencing at 9:30 a.m. at the Gilford Community Church Parking Lot.

2. Review/Approval of Minutes

- 2.1. Selectman Benavides moved to approve the minutes of the regular session of April 27, 2011. Selectman Hayes seconded. Motion carried 2-0 with Selectman Hayes abstaining.

3. Consent Agenda

- 3.1. Selectman Benavides moved to approve the previously signed items for the period April 25, 2011 through May 6, 2011. Selectman Hayes seconded. Motion carried with all in favor.

<u>DOCUMENT DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
01/29/11	Change of Status - Willett	
03/06/11	Change of Status - Carrier	
03/11/11	Change of Status - Merrill	
04/01/11	Change of Status - Aselton	
04/15/11	Abatement - Bryar	240-012.000
04/15/11	Abatement - Newquist	212-006.000
04/18/11	Payroll Register	
04/18/11	Abatement - Swift	210-007.000
04/19/11	Accounts Payable Manifest	
04/20/11	Abatement - Lovett	254-074.004
04/25/11	Change of Status - Borges	

04/25/11	Sewer Warrant	
05/02/11	Elderly Exemption	252-016.185
05/02/11	Elderly Exemption	213-013.322
05/02/11	Elderly Exemption	228-021.000
05/02/11	Veteran's Exemption - Anderson	209-039.000
05/02/11	Veteran's Exemption - Finnegan	252-035.004
05/02/11	Veteran's Exemption - Eveskcige	224-074.217
05/02/11	Veteran's Exemption Denial - Ferreira	216-075.025
05/02/11	Veteran's Exemption - Berridge	254-080.000
05/02/11	Veteran's Exemption - Fountain	254-036.000
05/02/11	Veteran's Exemption - Kolb	204-006.000
05/02/11	Veteran's Exemption - Lavin	252-016.158

6.0 Appointments

6.1 Deputy Chief Kevin Keenan – Police Department Update – Deputy Chief Keenan advised the Board that their 2011 budget figures look good. He also advised them of two upcoming maternity leaves which will require some adjustments to the schedule. In addition, they have devised a schedule that will reduce the proposed over-time pay during Motorcycle Week.

Deputy Chief Keenan stated that the Department has been extremely busy with 7,186 calls to date. This is an increase of 1,978 over the same time period last year. Motor vehicle accidents have declined and their training schedule is running smoothly, allowing some officers to take advanced training.

He reported that a subject has been arrested yesterday in Brookline, MA for the string of burglaries that took place this past winter in Gunstock Acres. He praised Detective/Sergeant Kris Kelley and Detective Chris Jacques for the tremendous effort put forth in investigating the burglaries and linking the evidence to the suspect.

Selectman Benavides asked if the Police Department has issued any speeding citations for Route 11-A in Gilford Village, where the radar trailer has recently been located. Deputy Chief Keenan stated that citations are issued if the violation meets their guidelines. At this time, there is no data available from the radar trailer.

The board thanked Deputy Chief Keenan for his presentation and praised Detective/Sergeant Kelley and Detective Jacques for their expertise in solving the Gunstock Acres burglaries.

7.0 Old Business

7.1 Re-establishment of Highway Superintendent Position/Elimination of Highway Foreman Position – Selectman Benavides moved to delete this item from the agenda. Selectman Hayes seconded. Motion carried with all in favor.

7.2 Bridge Rehabilitation/Deck Replacement – US Route 3/11 Bypass over NH Route 11-A – Selectman Benavides stated that he was in favor of having the construction take place for five consecutive 12-hour weekdays, in order to minimize the disruption to Gilford residents. Selectman Hayes agreed with this, but also questioned if the contractor shouldn't have flexibility in getting the work completed. Town Administrator Dunn stated that the Board does have the power to decide what time increments would be used in completing the work during the detour. He also stated that the contractor will choose the exact dates of the construction and it will be done with relatively short notice. Selectman Benavides then suggested that the work take place over 60 straight hours, to minimize the impact to residents even further. Town Administrator Dunn pointed out that this would mean that jackhammers could be heard all night.

Selectman Benavides moved to express a preference that the work be completed in five consecutive 12-hour weekdays. Selectman Hayes seconded. Chairman O'Brien stated that he was in favor of this option. Extensive discussion ensued, with Selectman Hayes indicating that he would like the

contractor to have some options. Town Administrator Dunn reminded Board members that this project will utilize rapid construction techniques, which will already reduce the time involved in the project significantly. He pointed out that the construction on the Winnisquam Bridge lasted for three months. Selectman Hayes then stated that he would like the construction to take place over 60 straight hours.

Selectman Benavides withdrew his previous motion and Selectman Hayes withdrew his second. Selectman Benavides moved to express a preference that the work be completed in 60 straight hours, from a Friday evening to a Monday morning. Selectman Hayes seconded. Motion carried with Chairman O'Brien voting no.

8.0 New Business

8.1 Appointments to Police Department Mission Statement Committee – Selectman Benavides moved to keep the application process open for one more month, in an effort to secure one more member of the Committee, and to appoint Manuel Nunez to the Police Department Mission Statement Committee for a term to expire upon acceptance of the final report by the Board of Selectmen. Selectman Hayes seconded. Motion carried with all in favor.

Selectman Benavides asked for clarification that “Leo” Murphy and “Lee” Murphy was the same person. After determining that it was, he moved to appoint Leo Murphy to the Police Department Mission Statement Committee for a term to expire upon acceptance of the final report by the Board of Selectmen. Selectman Hayes seconded. Motion carried with all in favor.

8.2 Request for Waiver of Minimum Road Standards – Driveway Permit – 83 Harris Shore Road – Selectman Benavides moved to grant a waiver of the Town’s Minimum Road Standards that require driveways to be no wider than 20 feet with a minimum setback of 15 feet from the side property lines, and approve the 30 foot width for a paved driveway at 83 Harris Shore Road and waive the minimum 15 foot setback requirements, as depicted on the plan attached to the driveway permit application. Selectman Hayes seconded. Motion carried with all in favor.

8.3 Entertainment Permit – China Bistro – Selectman Benavides moved to deny the request from China Bistro for an Entertainment Permit. Selectman Hayes seconded.

Town Administrator Dunn stated that there are many issues with China Bistro and this was an appropriate motion. Those issues include lack of compliance with site plan approval, noise and sign violations, noise issues with outside entertainment and a new request for Unusual Entertainment, in order to be able to hold events such as wet tee shirt contests.

Selectman O'Brien asked Deputy Police Chief Keenan if he had any information to add to this and he replied that Town Administrator Dunn had covered it.

Selectman Benavides stated that the Board likes to work with local businesses, but needs to ensure that all of the Town’s requirements are being met. Selectman Hayes read through several pages of police reports and highlighted some of the issues that exist at China Bistro.

8.4 Approval of Notice of Limits of Responsibility and Liability – 27 High Point Lane – Selectman Benavides moved to approve the Notice of Limits of Responsibility and Liability for property situated at 27 High Point Lane. Selectman Hayes seconded. Motion carried with all in favor.

8.5 Request for Use of Glendale Docks – NH Lake Host Program 2011 – Selectman Benavides moved to authorize the Lake Hosts to voluntarily staff the Glendale Docks during weekends and holidays from June through Labor Day. Selectman Hayes seconded. Motion carried with all in favor. Selectman Benavides commended the NH Lakes Association for their efforts in preventing the spread of milfoil to and from the lake.

8.6 Request for Use of Glendale Docks – Lady of the Lakes Study – Adrian Poole from Wolfeboro was in attendance representing his daughter, Stephanie Poole. Ms. Poole has requested permission to use

the Glendale Docks from August 12 – 19, 2011 to dock a pontoon boat that will be part of dive operations daily during that period. The boat will be gone from the early morning to evening and will only be docked overnight. Brief discussion ensued on the historical value of having this wreck site documented.

Selectman Benavides moved to allow Stephanie Poole permission to dock a pontoon boat at the Glendale Docks between August 12 – 19, 2011, for the purpose of conducting a study of the wreck of the “Lady of the Lakes” for her master’s thesis. Selectman Hayes seconded. Motion carried with all in favor.

8.7 Approval of CAMA Software Support Contract – Selectman Benavides moved to approve the CAMA contract renewals with Tyler Technologies in the amount of \$8,300. Selectman Hayes seconded. Motion carried with all in favor.

9.0 Public Input – Deputy Chief Keenan asked the Board what the denial of the Entertainment Permit means for China Bistro. Town Administrator Dunn replied that the permit expires on May 14th and as of May 15th, no live entertainment will be permitted, including DJ’s.

Fred Clausen of Eastern Shore Condominiums thanked the Board for their decision. Alex Garabedian inquired if the club would be open, to which the response was that it would be open but not have live music or DJ’s. Selectman Hayes added that this would be until further notice.

10.0 Selectmen’s Issues – none.

11.0 Administrator’s Report – Town Administrator Dunn stated that he recently met with residents of Cat Path, who have traffic concerns on their street. They will have a proposal for the Board’s review at their next meeting on May 25th.

The draft Memorandum of Understanding for the Winnepesaukee River Basin Advisory Board has been reviewed by NH DES, who has provided them with a counter-proposal. The memorandum still needs a few tweaks but has made significant progress.

The Cable TV Consortium will meet again on May 12th.

12.0 Next Meeting – Regular Meeting – May 25, 2011 at 7:00 p.m.

13.0 Adjournment – With no further business before the Board, the Board of Selectmen’s May 11, 2011 meeting was adjourned at 7:57 p.m.

Respectfully submitted,

J. Kevin Hayes
Clerk