

GILFORD BOARD OF SELECTMEN
MEETING MINUTES
January 24, 2012

The Board of Selectmen convened a public budget work session on Tuesday, January 24, 2011 at 9:00 a.m. in the Selectmen's Office at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH.

Selectmen present were: John O'Brien, Chairman, Gus Benavides, Vice-Chairman, and Kevin Hayes, Clerk. Also present were Town Administrator Scott Dunn, Executive Secretary Sandra Bailey, Chairman of the Board of Fire Engineers Bill Akerley, Fire Chief Steve Carrier, Superintendent of Schools Kent Hemingway, Asst. Superintendent for Business Scott Isabelle and School Board member Sue Allen.

Review Warrant Articles

Discussion began with Articles 8 and 9, pertaining to the purchase of a new fire engine and repairs to the existing fire engine. Fire Engineer Akerley stated that the Fire Engineers are seeking approval from the Board to apply approximately \$71,000 in surplus funds from their 2011 budget towards the purchase of the fire engine. This is in response to a recent inquiry from Selectman Hayes to reduce the cost to under \$400,000, therefore reducing the debt to the taxpayers.

Selectman Benavides inquired that although he is personally in support of purchasing the new fire engine, is there any way that the purchase can be delayed? He also asked what the Department would do if the article for the new purchase was defeated. Fire Engineer Akerley stated that the Fire Engineers think that the need for the new engine has been well justified and documented. He pointed out that, contrary to other reports, the pump in Engine 4 did not pass inspection and they are concerned that this could indicate a future catastrophic failure or the need for an emergency purchase.

Fire Engineer Akerley further stated that the Department has made budget sacrifices for the purchase of a new engine. The firefighters voluntarily reduced their callback time to one hour, the position of Fire Inspector has been eliminated and the Secretary's position has been changed from full-time to part-time. He reiterated that, if the fire engine does not last, the potential is there for extensive repair costs for the pump.

Chairman O'Brien asked about the PAR Report. Fire Engineer Akerley responded that the report is from 1994 and none of the proposed changes were ever implemented. Like the recent personal comments from the Budget Committee, this report was requested by two members of the Budget Committee who had concerns with Chief Mooney. Most of the findings have been refuted, while some findings were already taken care of before the report was released. Fire Engineer Akerley further stated that the persons who wrote the report were only in the Fire Station for a period of two hours.

Discussion ensued regarding NFPA standards for truck replacement, stressing that maintenance of existing trucks is the main factor in prolonging their life.

Fire Engineer Akerley then stated that the Fire Engineers do not want Article 9 to appear in the warrant at all. They do not want to provide the voters with a fallback position instead of

purchasing a new engine. Chief Carrier reiterated this position that the Department is prepared to make tough decisions if the truck fails.

At this time, Town Administrator Dunn outlined some of the ways that the surplus funds request could be handled, including the option of having the warrant article state that the payments for the new engine would be made from the fund balance. Selectman Hayes then asked about the repair estimates for Engine 4. Chief Carrier responded that the truck has been to three businesses for evaluation of needed repairs. He stressed that these are not simple repairs, as have been indicated by some people. He also pointed out that any pump issues would need to be taken care of separately from any truck issues.

Chief Carrier further stated that Engine 4 has been in a position for the last year where it has needed repairs, but with the pending purchase of a new engine, they did not want to expend funds for this. Selectman Hayes asked where the money would be coming from for repairs to Engine 4 if the new purchase is defeated and the Article 9 does not appear in the warrant. Chief Carrier responded that repairing Engine 4 would be "throwing good money after bad" and if Article 9 appears in the warrant and passes, it would force the Department to repair the truck, which has already been refurbished.

Further discussion ensued regarding the gamble that exists with the lifespan of and cost of repairs for Engine 4. Chairman O'Brien commented that if the economy were more favorable, they would probably not be considering repairs to it. Selectman Hayes would like to see the three estimates for repairs and table this matter until such time as they are received. Chief Carrier estimated that pump repairs alone would cost approximately \$20,000.

Chairman O'Brien asked what would happen to the existing Engine 4 if the new engine is purchased. Chief Carrier responded that it can be advertised, but there is very little market for used fire trucks. Selectman Benavides reiterated his position to have Article 9 removed from the warrant.

The Board concurred to conduct another work session on Friday, January 27, 2012 at 6:30 p.m. in order to sign the 2012 Town Warrant.

The next section of the warrant to be discussed was Article 25, one of the petition warrant articles submitted by Barbara Aichinger. Town Administrator Dunn provided the Board with an explanation of how the default budget is currently calculated and if this article passes, the control for this function would be turned over to the Budget Committee. He also pointed out that the Board of Selectmen has the legal responsibility to govern the Town, not the Budget Committee. Past inquiries to DRA have resulted in the Town being advised that the content of the default budget is a local decision.

Assistant Superintendent Isabelle commented about the perception that the default budget should always be lower than the proposed budget. However, further discussion ensued regarding the actions of the Board of Selectmen and School Board to continually lower the budget each year, which is not consistent with this perception.

Selectman Benavides moved to support Article 25. There being no second, the motion failed. Selectman Hayes moved to not support Article 25. Chairman O'Brien seconded.

Motion carried by a vote of 2-1 with Selectman Benavides voting no.

Moving onto Article 26 regarding a 0% tax cap, Selectman Benavides moved to not support it. Selectman Hayes seconded. Motion carried with all in favor.

Selectman Benavides moved to not support Article 27 regarding a change in Town Meeting dates. Selectman Hayes seconded. The Board asked Superintendent Hemingway why they School District opposed the change, to which he replied there is a hiring problem, where contracts are typically issued during April and May. With a later Town Meeting, this would not be able to occur. Also, it makes receiving bids for summer projects very difficult with the later date. Motion carried with all in favor.

Selectman Benavides moved to not support Article 28 which provides for approval of all non-union employee contracts by the voters. Selectman Hayes seconded. Motion carried with all in favor.

Selectman Benavides moved to not support Article 29 regarding changes to the Town Personnel Policies. Selectman Hayes seconded. Town Administrator Dunn suggested that this be amended at the Deliberative Session to state that the Board of Selectmen continues to adopt the Town's Personnel Policies. He also pointed out that the Town Attorney has said a Town Meeting vote has no authority to change the Personnel Policies, but if the article is approved the Board could be subject to the same criticism as the School Board has endured regarding the hiring of a Superintendent, if the Selectmen do not comply. Assistant Superintendent Isabelle suggested that an amendment could be made to develop a study committee on the matter.

Extensive discussion ensued with the Board concurring that they wanted to take a stand on all of these articles. Town Administrator Dunn reiterated his recommendation for the Selectmen to amend this article at the Deliberative Session. A vote on the motion showed it carried with all in favor.

Moving onto Article 9, following brief discussion, the Board concurred to wait for the estimates from Chief Carrier before reviewing making any possible changes. Town Administrator Dunn did state that the sentence regarding the amount of time that the engine would be out of service should be deleted from the article. He also pointed out that if the Board changes the dollar amount of the recommendation that it would need to be re-visited by the Budget Committee. Therefore, he recommended amending it at the Deliberative Session.

On Article 23, the final sentence needs to be deleted regarding the acceptance of privately donated gifts. Town Administrator Dunn stated that the plan for Article 24, regarding the discontinuance of a portion of Harris Shore Road, is ready and was dated January 18, 2012. Under the terms and conditions as the Selectmen may deem to be in the best interest of the Town, the costs associated with the discontinuance and conveyance should be passed onto the abutting landowners, Leo and Madeline McGrath.

Town Administrator Dunn recommended that at the Deliberative Session, the Board disclose to the public the fact that the bottom line budgets of the Budget Committee and Board of Selectmen are the same, but not all department totals are the same. It is the

authority of the Board of Selectmen to determine how the money is allocated, not the Budget Committee.

Audit Contents in Town Report

The Board discussed the recent correspondence from auditors Vachon Clukay & Company regarding the publishing of the 2010 audit in the 2011 Town Report. Their letter states that if the audit is to be published in our town report that we must publish it in its entirety and receive written permission to do so. Town Administrator Dunn stated that it is his understanding that the Town purchased the audit report and should not have to receive permission to publish a portion of it. Selectman Benavides inquired if the Board agreed to this condition when they contracted with Vachon Clukay. Town Administrator Dunn stated that he has asked Finance Director Ruggles about the contract and is awaiting his response.

February Meeting Schedule

The Board concurred to cancel their February 8, 2012 regular meeting, since the School District is holding their Deliberative Session on that night. At the recommendation of Town Administrator Dunn, the Board concurred to request that Town Counsel be present at this year's Deliberative Session.

Other Business

Selectman Benavides moved to enter non-public session at 10:37 a.m. pursuant to RSA 91-A:3, II (a) to discuss the dismissal and compensation of public employees. Selectman Hayes seconded. Motion carried on a roll call vote with all in favor. Present were Selectman John O'Brien, Gus Benavides and Kevin Hayes. Also present was Town Administrator Scott Dunn.

While in non-public session, no action was taken.

Selectman Benavides moved to exit non-public session at 10:48 a.m. Selectman Hayes seconded. Motion carried with all in favor.

Adjournment

With no further business before the Board, the Board of Selectmen's January 24, 2012 special budget work session was adjourned at 10:48 a.m.

Respectfully submitted,

J. Kevin Hayes, Clerk