

GILFORD BOARD OF SELECTMEN'S MEETING
February 22, 2012
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, February 22, 2012, 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, Police Chief Kevin Keenan, Police Lieutenant Jim Leach, Town Clerk/Tax Collector Denise Gonyer, DPW Director Sheldon Morgan and Deputy Town Clerk/Tax Collector Jenn Mooney.

1. **Non-Public Session – 6:00 p.m.** - Selectman Benavides moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3, II (c) (a) to discuss matters that would likely affect adversely the reputation of any person and the dismissal, promotion or compensation of public employee. Selectman Hayes seconded. Motion carried on a 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. **Public Hearings** – Joint Public Hearings of the Board of Selectmen and School Board were held regarding Petition Warrant Articles on the Budget Committee being responsible for the preparation of the default budget, setting a 0% tax cap and changing the Town Meeting/School District Meeting date from March to May.

Chairman O'Brien welcomed members of the public to the Joint Public Hearings. He reviewed the rules of the meeting and stated that these public hearings are required by State statute. After introducing the Board of Selectmen, Town Administrator and Executive Secretary, he turned the meeting over to School Board Chair Kurt Webber for introductions of those present from the School District, including Board members Paul Blandford, Karen Thurston, Rae Mello-Andrews and Susan Allen, and Superintendent Kent Hemingway.

Chairman O'Brien then opened the public hearing. Barbara Aichinger of Edgewater Driver stated that she was the responsible for the petitions, which were brought about by frustration of the increasing tax rate. She read a statement from local resident and realtor John Goodhue, who stated that Gilford's high tax rate is killing the value of waterfront properties. Ms. Aichinger stated that submitting petition warrant articles is a tool that petitioners have available to use.

Kevin Roy stated that a tax cap is not necessary as the Board of Selectmen and School Board have done a good job with their budgets, with limited increases. The Finance Department and Budget Committee have also done a good job. He pointed out that members of the Budget Committee who have been expressing their opinions on certain matters are representing themselves as individuals, not the Budget Committee as a whole.

Kevin Leandro referred to "budget talking points", taken from the SAU 73 website, regarding the School Board's position on the petition warrant articles. He disputed some of the information put forth in the School Board's statement and thinks that the School District's budget has increased over the past few years, despite a reduction in enrollment. He also stated that he thinks a May Town Meeting will result in greater voter participation.

Skip Murphy read a prepared statement regarding “unaccountable bureaucrats”, mostly pertaining to the Federal government. He also emphasized that the people have lost trust with the government in Gilford and brought up the matter of the School Board having full-day kindergarten, despite the vote by the people to not have it. He is in favor of the petitions because governing is being done “to” the people, rather than “for” them.

Dale Dormody is opposed to the Budget Committee preparing the default budget because the same body should not be preparing both the proposed budget and default budget. He also has concerns that the Budget Committee will not follow the same process as the Town and School District. He does not agree with a statement by Kevin Leandro that voter participation will be better with a May Town Meeting.

Doug Lambert supports the tax cap and also stated that he is a candidate for the School Board. He stated that the tax cap will force the governing bodies to base the budget on the cap and build around it. The power with a tax cap is with the taxpayers at the Deliberative Session.

Paul Blandford replied that the power has always been in the hands of the taxpayers.

Terry Stewart does not think that the default budget process utilized by the School District is “black and white”, since it seems to have additional money added to it. He thinks that the Budget Committee should prepare the default budget and further, stated that he is frustrated when the proposed budgets are increased at the Deliberative Session.

Alexandra Fraser thinks that people are losing the big picture and the children have to pay the price. She is concerned that with a tax cap, if the State reduces its revenue to the Town, where would this money come from?

Barbara Aichinger stated that there have not been enough budget cuts to equal the reduction in assessments and we need to protect our real estate value.

Sandy Morrissey is opposed to all six petition warrant articles and would like to allow elected officials to do their job. She further stated that the “loss of trust” previously stated is on the part of the petitioners only. She also thinks that the School Board gives much thought to their decisions and does what is best for the students.

Dave Horvath cited a quote from Ronald Reagan – “trust, but verify”. He cited the all day kindergarten as an example of voter mistrust. The voters did not approve full-day kindergarten but the School Board implemented it anyway. He suggested that the voters should put their trust in another body and allow the Budget Committee to prepare the default budgets. He further stated that the School Board seeks input, but only the input that they want. He urged voters to take a hard look at the compensation and benefits for employees and does not understand why the School Board defies the will of the people.

School Board Chair Kurt Webber responded to their decision regarding full-day kindergarten. The article in question called for additional expense to operate it on a full-day basis. When the full-day kindergarten was implemented, it was done at a cost savings and enabled children to be better prepared to succeed. He stated that if this is considered to be arrogance and mistrust, that it is their decision to see it that way.

Paul Blandford also responded that he was on the Board at the time full-day kindergarten was implemented and it was voted down because of the expense. It is a worthwhile educational component of the school and also saved money by eliminating a mid-day bus route.

Dale Dormody stated that he also likes the quote from Ronald Reagan – “trust, but verify”. However, he thinks that the verification is the voting process for elected officials.

Terry Stewart stated that he has no issues with the merits of kindergarten. He also stated that he thinks the tax cap is irrelevant but necessary to bring people out to the Deliberative Session. In response to School Board Chair Webber’s comment, he stated that it is arrogance to ignore the voters and they need to examine their people skills.

Deb Laliberte stated that she is a huge fan of Gilford and very proud of its quality of life. She is concerned that the consequences of the petitions by this core group could be very far reaching and would affect the quality of life.

Scott Hutchinson has been a teacher for 25 years and is proud of that fact. He is disappointed by the rhetoric he has heard tonight and commented that changing the Town Meeting to May would make the School District non-competitive, since hiring is done in April. He pointed out that the School Board trimmed \$1 million from the budget before it went to the Budget Committee. He added that this trimming is painful, but responsible.

Kevin Leandro countered that the School Board cut very little from their budget because there is nothing to cut. The contracted employees can’t be touched and he thinks that all employees should be at will, without contracts, and pointed out that this would not hurt the children.

Kurt Webber responded that the School Board’s budget is \$1.3 million less than last year and there was approximately \$700,000 that they had not control over. They have also cut 6.8 positions.

There being no further comments, the Public Hearings were closed at 8:05 p.m.

4. **Announcements/Presentations** – Chairman O’Brien made the following announcement:
 - 4.1. Town Meeting and School District Voting – Tuesday, March 13, 2012 from 7:00 a.m. to 7:00 p.m. at Gilford Middle School.

5. **Review/Approval of Minutes**
 - 5.1. Selectman Benavides moved to approve the minutes of the January 24, January 25, January 27, January 31 and February 7, 2012 meetings. Selectman Hayes seconded. Motion carried with all in favor.

6. **Consent Agenda**
 - 6.1. Selectman Benavides moved to approve the previously signed items for the period January 23, 2012 through February 17, 2012. Selectman Hayes seconded. Motion carried with all in favor.

<u>DOCUMENT DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
08/25/11	Change of Status - Doris	
10/22/11	Change of Status - Hewitt	
11/01/11	Change of Status - Leach	
11/12/11	Change of Status - DuVerger	
11/13/11	Change of Status - Andrews	
11/19/11	Change of Status - Denver	
11/21/11	Change of Status - Madon	
11/30/11	Change of Status - Wall	
12/05/11	Change of Status - Stuart	
12/14/11	Change of Status - Silva	
12/28/11	Change of Status - O'Neill	
12/31/11	Change of Status - Pendergast	

12/31/11	Change of Status - Tokarz	
01/09/12	Payroll Register	
01/09/12	Change of Status - Fabian	
01/10/12	Accounts Payable Manifest	
01/13/12	Change of Status - Fasshauer	
01/17/12	Accounts Payable Manifest	
01/17/12	Payroll Register	
01/19/12	Abatement - Sawyer	223-591.015
01/19/12	Abatement - Connelly	229-009.000
01/19/12	Abatement - Salanitro	236-001.000
01/23/12	Change of Status - Vansteensburg	
01/23/12	Notice of Intent to Cut - Kimball Forest	247-371.001
01/23/12	Payroll Register	
01/24/12	Veteran's Tax Credit - Barrett	223-001.000
01/24/12	Current Use Land Use Change TC Warrant-Buitendag	263-021.000
01/24/12	3rd Amendment to P & S Agreement - GVK	
01/24/12	TC Warrant - Excavation Tax	232-002.001
01/24/12	Accounts Payable Manifest	
01/25/12	Current Use Application - Mountain View Housing	213-013.000
01/25/12	Notice of Intent to Excavate	232-002.001
01/25/12	Cartographics Maint. Agreement	
02/02/12	Abatement - Murakami	239-002.000
02/06/12	Abatement - Olsen	217-016.000
02/07/12	NOITC - Town of Gilford	232-002.000
02/07/12	Abatement - Owners Unknown (3)	240-086.000
02/10/12	Current Use Application - Blue Sky Enterprises	205-025.001
02/10/12	Current Use Application - Blue Sky Enterprises	205-025.002
02/10/12	NOITC - Rogers	228-007.000
02/10/12	Veteran's Tax Credit - Pandolph	263-014.000
02/10/12	Veteran's Tax Credit - Merriam	252-053.011

7. Appointments

7.1. Denise Gonyer – Town Clerk/Tax Collector Update – TC/TC Gonyer began by asking the Board if she could be involved in Agenda Item 9.8, which is scheduled for later in the meeting, regarding a staffing study of the Town Clerk/Tax Collector’s Office. The Board responded affirmatively.

TC/TC Gonyer stated that the Department is busy sending out absentee ballots and notices for dog registrations. Their single line check system is in place and they are preparing for the upcoming Town Meeting voting on March 13th.

The Board thanked TC/TC Gonyer for her update.

7.2. Geoff Ruggles – Financial Update – Finance Director Ruggles reported that January 2012 revenues show an increase of almost \$13,000 over the same period last year. Expenditures are down by approximately \$250,000, which is partially due to fewer weather related events and reduced personnel. In addition, half of this amount is in the Sewer Fund due to a delayed payment of State operating costs.

Property tax receipts were up by about \$70,000 over the same period last year, which may be due to the lateness of the mailing of the bills. Cash flow is slightly above last year’s levels and expected to continue to be strong.

The Board thanked Director Ruggles for his presentation.

- 7.3. **Sheldon Morgan – NH Cooperative Recycling Facility Update** – Responding to a request from Selectman Hayes, DPW Director Sheldon Morgan provided the Board with an update on the status of the Coop’s efforts to finance and build a single stream recycling center.

Brief discussion also ensued regarding the status of surplus salt and posting of roads.

8. **Old Business**

- 8.1. **Quitclaim Deed – Mountain View Yacht Club – Unit E-31** – Selectman Benavides moved to sign the quitclaim deed on Unit E-31 at the Mountain View Yacht Club, at a cost of \$44,000. Selectman Hayes seconded. Motion carried with all in favor.

- 8.2. **Warranty Deed – Lakes Business Park Lot** – Selectman Benavides moved to authorize the Town Administrator to sign a Warranty Deed for Lot 8 of the Lakes Business Park to Joseph Howard Realty, LLC of Gilford NH. He noted that the Town’s estimated proceeds from this sale are \$13,617. Selectman Hayes seconded. Motion carried with all in favor.

- 8.3. **Revised Inter-Municipal Agreement – Lakes Region Cable Television Consortium** – Selectman Benavides moved to approve the revised Lakes Region Cable Television Consortium Inter-Municipal Agreement as presented and authorize the Town Administrator to sign the Agreement. Selectman Hayes seconded. Motion carried with all in favor.

9. **New Business**

- 9.1. **Acceptance of Donation – D.A.R.E.** – Selectman Benavides moved to accept the donation of \$200 from Laconia Savings Bank with thanks and to authorize the expenditure of these funds on the Police D.A.R.E. program. Selectman Hayes seconded. Motion carried with all in favor.

- 9.2. **Request for Abatement - Hanlon** – Selectman Benavides moved to approve an abatement in the amount of \$37.46 for penalty and interest on a tax bill that was somehow lost for David and Kellie Hanlon of 345 Weirs Road. Selectman Hayes seconded. Motion carried with all in favor.

- 9.3. **Request for Abatement - Boyd** – Selectman Benavides moved to approve an abatement in the amount of \$24.58 for penalty and interest on a tax bill that was somehow lost, for Shelly Boyd of 1 Hatch Drive. Selectman Hayes seconded. Motion carried with all in favor.

- 9.4. **Police Booking Room Modifications/Use of Building Maintenance Capital Reserve Fund** - Selectman Benavides moved to approve the expenditure of \$2,890 for glass work to be performed by Granite State Glass of Gilford, NH, with funds to come from the Building Maintenance Capital Reserve Fund for the purpose of installing a safety window in the Police booking room. Selectman Hayes seconded. Motion carried with all in favor.

- 9.5. **Highway Safety Committee Appointments/Grand Fund Applications** – Selectman Benavides moved to affirm the appointments of Police Chief Kevin Keenan, Public Works Director Sheldon Morgan and Fire Chief Stephen Carrier as members of the Gilford Highway Safety Committee, by virtue of their job descriptions. Selectman Hayes seconded. Motion carried with all in favor.

- 9.6. **Fourth Amended and Restated Co-op Agreement – CRSW/RRD** – Selectman Benavides moved to authorize Sheldon Morgan, as the Town of Gilford representative to the Concord Regional Solid Waste Resource Recovery Cooperative, to vote in favor of the amended and restated Co-op Agreement as presented in the February 2, 2012 materials. Selectman Hayes seconded. Motion carried with all in favor.

9.7. Selectmen's Position Statement on Petition Warrant Articles – Selectman Benavides moved to table this matter until he has had time to review it further. Selectman Hayes seconded. Motion carried with all in favor. The final version will be distributed via e-mail.

9.8. Office of Town Clerk – Tax Collector Staffing Study – Chairman O'Brien stated that he requested this study following the \$12,200 that was added to the budget at the Deliberative Session, for the purpose of funding a part-time position in the Town Clerk/Tax Collector's Office. He thinks that this type of study should be performed every few years and will justify if the need is there for the part-time position.

At this time, TC/TC Gonyer passed out a portion of the 2004 MRI Report that pertains to staffing in the Town Clerk/Tax Collector's Office. In response to a question on how her staffing needs are determined, TC/TC Gonyer indicated that whenever the size of her staff changes, she does extensive research on it and always receives approval from the Board of Selectmen. She also advised the Board that the MRI study does not take into account the time spent on phone calls and e-mails.

TC/TC Gonyer stated that her staffing level is currently below that in the 2004 MRI Study and \$2,000 does not need to be spent to further study it. She stated that she has 25 years of experience in the department and is aware of her needs for staffing.

Chairman O'Brien moved to table this matter. Selectman Hayes seconded. Motion carried with all in favor.

10. Public Input – Police Chief Kevin Keenan advised the Board that at 9:00 p.m. on the previous night, the weather created very hazardous conditions, resulting in a multi-car accident on Route 11-A, closing the road. Assistance from Gilford DPW was immediate, but NH DOT took 1½ hours to respond. Chief Keenan does not think that this response time is acceptable, given the fact that they were advised that the road was closed and they needed immediate assistance.

Chief Keenan stated that he would be in touch with the Commissioner of the NH DOT on this matter, which the Board of Selectmen unanimously supported.

Mark Corry asked the Board why they were preparing a position statement on the petition warrant articles, as indicated in Agenda Item 9.7. Selectman Hayes responded that they would like the public to know why they have taken the position that they have and will be presenting it to the media.

11. Selectmen's Issues – none.

12. Administrator's Report – Town Administrator Dunn reported that he has been primarily working on the RSMS with LRPC, drafting a pawnbroker's ordinance and working on the LRCTVC agreement with Metrocast.

Regarding the Liberty Hill Disposal Site, Town Administrator Dunn advised the Board that the Town's Motion to Intervene was granted on February 16, 2012.

The Laconia Airport Authority is seeking a member-at-large, scheduled for appointment in April 2012.

The 2011 Town Reports have been delivered and the on-line version has been posted to the website.

New Beginnings has applied for a Parade Permit to conduct a 5K Road Race on Saturday, May 5, 2012, beginning at 7:30 a.m. Selectman Benavides moved to approve the parade permit. Selectman Hayes seconded. Motion carried with all in favor.

Selectman Benavides moved to appoint Richard Andrews as the Town's Deputy Emergency Management Director, effective March 1, 2012. Selectman Hayes seconded. Motion carried with all in favor.

Selectman Benavides moved to declare Car 3, a 2007 Ford Crown Victoria from the Fire-Rescue fleet, as a surplus vehicle and authorize the Department of Public Works to solicit bids for the sale of the vehicle. Selectman Hayes seconded. Motion carried with all in favor.

13. Next Meeting –Regular Meeting – Wednesday, March 14, 2012

14. Adjournment – With no further business before the Board, the Board of Selectmen's February 22, 2012 meeting was adjourned at 8:40 p.m.

Respectfully submitted,

J. Kevin Hayes
Clerk