

GILFORD BOARD OF SELECTMEN'S MEETING
June 13, 2012
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, June 13, 2012, at 7:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Gus Benavides, John O'Brien 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 and Police Lieutenant Kris Kelley.

1. **Non-Public Session – 6:00 P.M.** - Selectman Hayes moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3, II (a)(b)(c)(d)(e) to discuss personnel matters, matters that would likely adversely affect someone's reputation, legal issues and acquisition or sale of real property. Selectman O'Brien seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Gus Benavides, John O'Brien and Kevin Hayes. Also present were Town Administrator Scott Dunn, Town Clerk-Tax Collector Denise Gonyer and Deputy Town Clerk-Tax Collector Jenn Mooney.

Selectman Hayes moved to accept the resignation of Bonnie Malin with deep regret, effective June 22, 2012, and to hire Gayle Cook at 26 hours per week effective June 25, 2012 at \$15.15 per hour, with credit for prior service as of December 20, 2004 for leave purposes and waive the probationary period. Selectman O'Brien seconded. Motion carried with all in favor. Town Clerk-Tax Collector Gonyer and Deputy Town Clerk Tax-Collector Mooney then exited non-public session.

The Board concurred to establish a new position in the Department of Public Works to do body work and other tasks, in lieu of two other full-time positions that have not been filled.

While in non-public session, other matters were discussed.

Selectman Hayes moved to exit non-public session at 6:55 p.m. and seal the rest of the minutes. Selectman O'Brien seconded. Motion carried with all in favor.

2. **Pledge of Allegiance** - The Selectmen recited the Pledge of Allegiance.
3. **Announcements/Presentations**
 - 3.1. Chairman Benavides announced that the Bicentennial Opening Day Ceremony will be held on Saturday, June 16, 2012, beginning at 10:00 a.m.
 - 3.2. Chairman Benavides announced that the Bicentennial Beach and Boat Parade will be held on Saturday, July 23, 2012, beginning at 10:00 a.m.
4. **Review/Approval of Minutes**
 - 4.1. Selectman Hayes moved to approve the minutes of the May 23, 2012 meeting as presented. Selectman O'Brien seconded, with one spelling correction. On Page 3, paragraph 4, the name Phil "Cook" should be changed to Phil "Kuc". Selectman Hayes agreed with the amendment and the motion carried with all in favor.
 - 4.2. Selectman Hayes moved to approve the minutes of the May 30, 2012 meeting as presented. Selectman O'Brien seconded. Motion carried with all in favor.

- 4.3. Selectman Hayes moved to approve the minutes of the June 4, 2012 meeting as presented. Selectman O'Brien seconded. Motion carried with all in favor.

5. **Consent Agenda**

- 5.1. Selectman Hayes moved to approve the previously signed items for the period May 21, 2012 through June 8, 2012 as listed. Selectman O'Brien seconded. Motion carried with all in favor.

<u>DOCUMENT DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
03/11/12	Change of Status - Merrill	
04/18/12	Change of Status - Ferreira	
05/14/12	Change of Status - Tanner	
05/14/12	Payroll Register	
05/14/12	Accounts Payable Manifest	
05/21/12	Tax Collector's Warrant - Jeopardy Tax Doherty	242-167.017
05/21/12	Payroll Register	
05/22/12	Accounts Payable Manifest	
05/23/12	Tax Collector's Warrant - 2012 Property Taxes	
05/23/12	Change of Status - Phelps	
05/23/12	Change of Status - Tropf	
05/23/12	MS-5 (3)	
05/23/12	Memo to TC/TC on Tax Lien Notices	
05/23/12	Appointment Form - Craver	
05/23/12	Appointment Form - Hopkins	
05/23/12	Appointment Form - Kiely	
05/30/12	Timber Tax Levy 2012	
05/31/12	Change of Status - Heinz	
06/01/12	Change of Status - S. Dobbins	

6. **Appointments**

- 6.1. **Kevin Keenan – Police Department Update** – Chief Keenan, who was awaiting the arrival of Lieutenant Kelley, offered to have the Commissioners' update at this time.

- 6.2. **Belknap County Commissioners** – Commissioner Ed Philpot introduced Commissioners John Thomas and Stephen Nedeau, as well as Belknap County Delegation Chair Alida Millham. Commissioner Philpot stated that the County made these community “conversations” a part of their goal setting in 2009 and they have been visiting Belknap County towns once a year since that time. He added that the Commissioners also have “conversations” with the Belknap County employees. Commissioner Philpot further stated that since the community conversations have begun, they have noticed a positive change, in that member communities are referring to the county as “we”.

Discussion ensued regarding the need for a new county jail and the need to have the right facility to address the needs of the community. It was emphasized that there is a need for better programming, not just additional space.

Some of the other highlights addressed by Commissioner Philpot included developing a County CIP, maintaining the same budget rate as that in 2008, improved communication with the Belknap County Delegation and being more active regarding legislation and improvements to the courthouse, sheriff's dispatch center and nursing home laundry room.

Chairman Benavides stated that he appreciates the openness of the County.

Brief discussion ensued regarding the County dispatch system. Selectman O'Brien commented that he also appreciates hearing communities refer to the County as "we". The Board thanked the Commissioners for their update.

6.1 Chief Keenan's Police Department Update – Chief Keenan began his presentation by providing statistics on their calls for service, which were 9,239 at this time in 2011 and currently stand at 9,990 for the same period this year. Motor vehicle stops have been reduced from 2011, due in part to the pro-active approach being taken by the officers in the Department. Unfortunately, instances of domestic abuse and drug use have increased since 2011.

Chief Keenan reported the total number of motor vehicle accidents down significantly from 2011, due largely to the excellent care of roads being taken by the Gilford DPW and NH DOT.

Chief Keenan provided the Board with an overview of the Department's new canine officer, Ike, and the status of the recently purchased motorcycle and cruiser. Fuel savings are anticipated through the purchase of both of these vehicles.

Chief Keenan expressed concern with the ability of the Department to manage its overtime budget with increased time being spent in court. He also suggested that he would like to be able to work with the Budget Committee's Police Sub-committee during the entire year so that they are aware of what is occurring during the course of the year. He also expressed concern with potential radio replacements, but noted grant funds have been made available for up to \$30,000.

Brief discussion ensued regarding the police officers that are currently enrolled in the Police Academy. Chief Keenan stated that it is fortunate with the timing of their enrollment that the two School Resource Officers are available to take patrol shifts during the summer.

Chairman Benavides commended Officer Doug Wall for how he recently handled a difficult situation. Brief discussion then ensued regarding the possibility of once again having police "baseball" cards.

The Board thanked Chief Keenan for his update.

8.4 LESO Federal Equipment Acquisitions – Lieutenant Kris Kelley provided the Board with an explanation of the Department's recent affiliation with the Law Enforcement Support Office of the Federal government. This program enables police departments to receive excess property of the US military, which are either no longer in use or needed by the Federal government.

Lieutenant Kelley stated that he is particularly interested in acquiring a HMMWV motor carrier (Hummer), which could be used in specific situations. There is no cost to the Town except for the cost of shipping the vehicle. Additionally, tires would be available at no cost. Spare radios and lights are available to outfit the vehicle.

Selectman O'Brien stated that this program is a great idea and wants the public to recognize that this vehicle would be available to the Town at no cost. Chairman Benavides commended Lieutenant Kelley for finding this program that will be a cost savings to the Town and asked that the Board be kept informed on this matter.

Selectman Hayes moved to authorize the Police Department to apply for such items as deemed necessary, through the Law Enforcement Support Office. Selectman O'Brien seconded. Motion carried with all in favor.

8.15 Unlicensed Dog Warrant – Chief Keenan stated that prior to any action being taken with the Unlicensed Dog Warrant that Technical Assistant Horan would make phone calls first to address the unlicensed dogs and save costs for the Town.

Selectman Hayes moved to approve and sign the Unlicensed Dog Warrant issued to Police Chief Kevin Keenan as presented. Selectman O'Brien seconded. Motion carried with all in favor.

7. **Old Business**

7.1. Route 11A/11B Triangle – Chairman Benavides stated that NH DOT has responded to the Town's recent petition to discontinue a portion of the highway right-of-way at the intersection of Routes 11A/11B. They have suggested that a meeting take place between the Town and NH DOT to discuss the State's concerns and consider next steps. The Board concurred with Selectman Hayes' suggestion to hold this meeting, which he requested that he be able to attend.

7.2. Conservation Commission Acquisition of Pike Property – Selectman Hayes moved to approve the Conservation Commission acquisition of land owned by Gail Pike Tracy, at tax map 208, lot 005, for conservation purposes, and to abate the 2012 property taxes in the amount of \$32.00. Selectman O'Brien seconded. Motion carried with all in favor.

8. **New Business**

8.1. Acceptance of D.A.R.E. Donation – Selectman Hayes moved to accept a \$500 donation from the Wal-Mart Foundation for the D.A.R.E. program, with sincere appreciation, and to approve the use of these funds for the intended purposes. Selectman O'Brien seconded. Motion carried with all in favor.

8.2. Request for Abatement – Gunstock Acres Village Water District – Selectman Hayes moved to approve an abatement of water and sewer fees for the Gunstock Acres properties at 20, 39 & 41 High Point Lane, in the amount of \$300.00. Selectman O'Brien seconded and commented that the properties were billed in error because the sewer lines do not extend to these properties yet. Motion carried with all in favor.

8.3. Request for Abatement – Waterway Realty – Selectman Hayes moved to deny the request for an abatement from Waterway Realty for costs and interest that have accrued since 2004, totaling approximately \$11,000. Selectman O'Brien seconded. Motion carried with all in favor.

8.4. LESO Federal Equipment Acquisitions – previously covered after 6.1.

8.5. Request to Purchase Unused Platform at Recycling Center – Chairman Benavides briefly explained this request. Selectman Hayes moved to accept the offer of Timothy Cutter to purchase the unused platform for the sum of \$100, with the condition that it be removed before June 30, 2012. Selectman O'Brien seconded. Motion carried with all in favor.

8.6. View Easement Request – Penny Pitou Residence – Selectman Hayes moved to allow Penny Pitou to remove certain trees on the Potter Hill Sledding Area, at no expense to the

Town, under the supervision of the Director of Public Works. Selectman O'Brien seconded. Motion carried with all in favor.

8.7. Approval of Parks and Recreation 2012 Beach Manual – Selectman Hayes moved to approve the Parks and Recreation 2012 Beach Manual as presented. Selectman O'Brien seconded. Motion carried with all in favor.

8.8. Appointment to Zoning Board of Adjustment (Alternate Member) – Selectman Hayes moved to appoint Ann Montminy as an alternate member of the Zoning Board of Adjustment, for a term to expire on April 30, 2012. Selectman O'Brien seconded. Motion carried with all in favor.

8.9. Agreement for Voluntary Payment in Lieu of Taxes (PILOT) – Gunstock Mountain Resort – Town Administrator Dunn explained that the Town would be unduly burdened by having their contracted assessing services provide semi-annual inspections and property value assessments to privately owned campers and recreational vehicles. He has worked with Gunstock General Manager Greg Goddard to develop a PILOT Agreement, where Gunstock would assess a yearly fee of \$250.00 per unit that would be remitted to the Town. Selectman Hayes moved to approve the PILOT Agreement with Gunstock as presented. Selectman O'Brien seconded. Motion carried with all in favor.

8.10. Right-of-Way Permits

(a) 562 Edgewater Drive – septic system pipe – Selectman Hayes moved to approve a right-of-way permit for Stephen and Janice Joy to install a septic system pipe underneath Edgewater Drive, upon completion of the permit application, under such terms and conditions as may be deemed appropriate by the Director of Public Works, in addition to the standard conditions set forth on the permit application. Selectman O'Brien seconded. Motion carried with all in favor.

(b) 12 Ridgeline Loop – granite curbing – Selectman Hayes moved to approve a right-of-way permit for William Littlefield, Jr., to install granite curbing within the Ridgeline Loop right-of-way, upon completion of the permit application, under such terms and conditions as may be deemed appropriated by the Director of Public Works, in addition to the standard conditions set forth on the permit application. Selectman O'Brien seconded. Motion carried with all in favor.

8.11. Sale of Tax Deeded Property to Former Owner – Chairman Benavides stated that the Town is pleased to be able to return a tax deeded property to Adalberta Manning, who has fulfilled her obligations to the Town in repayment of all funds due on her mobile home. Selectman Hayes moved to sign a deed to convey ownership in Unit 13 at the Old Lakeshore Coop, Inc. to the previous owner, Adalberta Manning. Selectman O'Brien seconded. Motion carried with all in favor.

8.12. NH-DRA Form PA-28 – Selectman Hayes moved to not use the PA-28 Form (taxpayer inventory blank) in 2013, and to sign the necessary form as submitted by the NH Department of Revenue Administration. Selectman O'Brien seconded. Motion carried with all in favor.

8.13. Safety Program Amendments – Finance Director Ruggles provided the Board with a brief explanation of the amendments to the Town's Safety Program Manual. The addition of possible tasks that can be assigned to an employee who is returning to work on Temporary Alternate (light) Duty will satisfy one of the requirements of the Prime

certification from our Workers Compensation carrier Primex, which qualifies the Town for a discount.

Selectman Hayes moved to approve and accept the amended Safety Program Manual as presented by the Joint Loss Management Committee. Selectman O'Brien seconded. Motion carried with all in favor.

- 8.14. Live Entertainment License – China Bistro** – Selectman Hayes moved to approve the Live Entertainment License for China Bistro for the period July 1, 2012 through June 30, 2013, conditioned upon compliance with the Plan for Live Entertainment Application dated August 10, 2011, and provided further that adult entertainment shall be limited to bikini contests and wet t-shirt contests during bike week in 2013 only, unless they receive authorization from the Planning Board as part of the site plan approval process. Selectman O'Brien seconded. Selectman Hayes commented that there has been improvement at the China Bistro over the past year. Selectman O'Brien expressed concern with the notation made by Director of Planning and Land Use John Ayer regarding the lack of approval by the Planning Board for adult entertainment to take place.

Town Administrator Dunn clarified that if the bikini contests and wet t-shirt contests take place at any time other than Motorcycle Week, that Planning Board approval would be required. Selectman O'Brien then amended the motion with the condition that all entertainment must take place inside and no outside entertainment would be permitted. Selectman Hayes agreed with this amendment. Motion carried with all in favor.

- 8.15. Unlicensed Dog Warrant** – previously covered after 6.1.

9. **Public Input** – none.

10. **Selectmen's Issues** – Chairman Benavides inquired about the status of the Boston Post Cane. Town Administrator Dunn stated that he would solicit applications from potential recipients.

11. **Administrator's Report** – Town Administrator Dunn stated that he has received a request from the Lake Winnepesaukee Sailing Academy for an island boat decal for one of its boats. Following brief discussion, Selectman Hayes asked Town Administrator Dunn to obtain some additional information before making a decision on the decal.

A list of tax deeds has been received from Tax Collector Gonyer. Town Administrator Dunn explained that these properties have unpaid taxes going back to 2009 and he typically sends them a letter prior to taking action on the deeds. He will have this list for the Board at their next meeting.

Town Administrator Dunn stated that the staff on the upper floor of the Town Hall is currently trying out new copier machines. In addition, he has recently learned that the photocopiers located in the Parks & Recreation Office and Police Department are no longer supported by a maintenance contract.

Town Administrator Dunn will soon be preparing an RFP for custodial services at the Library, as well as an RFP for plumbing and HVAC town-wide.

Town Administrator Dunn attended a third day of hearings regarding the liquor license of Kelsey's at the Grant today.

Town Administrator Dunn has met with the Conservation Commission and Recreation Commission regarding Lincoln Park. The Conservation Commission determined that they would like to see a plan of any proposed cutting, so Town Administrator Dunn has entered into a contract with Belknap Landscape to prepare a plan.

Additionally, although a choice has been made for the granite benches at Lincoln Park, one of the families requesting a bench is not satisfied with the selection. Following brief discussion, the Board concurred that it would be acceptable to have one bench with a back and one without, as long as the design of the bench is the same except for that one feature.

The Lakes Region Cable TV Consortium has spent the last four months preparing a proposal for Metrocast. Unfortunately, it does not deal with the issues of fees or programming because the Town has no authority over these matters under Federal law.

Town Administrator Dunn will be attending an Employment Law Seminar tomorrow at LGC.

Town Administrator Dunn is still working on preparations for an auction of surplus electronic equipment and copiers.

The Town has received notification that the NH Department of Revenue Administration has disallowed the Fire Training Facility Capital Reserve Fund, which was established by 2012 Warrant Article #20. Corrective action regarding this article can be done at the 2013 Town Meeting or 2012 Special Town Meeting, upon approval of NH DRA.

The petition for a special town meeting will be filed in court tomorrow, having met the 10-day waiting period for posting of the petition.

Town Administrator Dunn attended the hearing on redistricting held at the Supreme Court on June 6th.

Town Administrator Dunn reported that a date has not yet been set for the 2012 Summer Town Forum. The Board concurred to hold the Summer Town Forum on Wednesday, August 8, 2012 at 6:00 p.m.

12. **Next Meeting** –Regular Meeting – Wednesday, June 27, 2012
13. **Adjournment** – With no further business before the Board, the Board of Selectmen's June 13, 2012 meeting was adjourned at 8:34 p.m.

Respectfully submitted,

John T. O'Brien
Clerk