

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**January 8, 2014**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, January 8, 2014, at 7:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Kevin Hayes, John O'Brien and Gus Benavides. Also present was Town Administrator Scott Dunn.

Staff members in attendance included Finance Director Geoff Ruggles, DPW Director Sheldon Morgan, Acting Police Chief Jim Leach, Acting Deputy Police Chief Kris Kelley, Fire Chief Steve Carrier and Executive Secretary Sandra Bailey.

- 1. Non-Public Session (6:00 p.m.)** Selectman O'Brien moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3, II, (b)(c)(d)(i) to discuss the hiring of a public employee, the conveyance of real property, matters which would likely adversely affect the reputation of any person and consideration of matters related to emergency functions. Selectman Benavides seconded. Motion carried on a roll call vote with all in favor. Present were Kevin Hayes, John O'Brien and Gus Benavides. Also present was Town Administrator Scott Dunn.

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

- 2. Pledge of Allegiance** - The Selectmen recited the Pledge of Allegiance.

- 3. Announcements/Presentations**

- 3.1.** The Budget Committee's final meeting will be on Thursday, January 9, 2014 at 6:30 p.m. at the Town Hall.

- 3.2.** The Budget Committee Public Hearings will be held on Tuesday, January 14, 2014 at 6:30 p.m. at Gilford High School (School Budget) and Thursday, January 16, 2014 at 6:30 p.m. at Gilford High School (Town Budget).

- 3.3.** The Town Hall and Library will be closed on Monday, January 20, 2014 for Martin Luther King, Jr. Day.

- 3.4.** There will be a Special Primary Election for Executive Councilor on Tuesday, January 21, 2014, from 7:00 a.m. to 7:00 p.m. at the Gilford Youth Center.

- 3.5.** The filing period for Town Offices is from Wednesday, January 22, 2014 through Friday, January 31, 2014.

- 4. Review/Approval of Minutes**

- 4.1.** Selectman O'Brien moved to approve the minutes of December 18, 2013, as presented. Selectman Benavides seconded. Motion carried with all in favor.

## 5. Consent Agenda

- 5.1. Selectman O'Brien moved to approve the previously signed items for the period December 16, 2013 through January 3, 2014 as listed. Selectman Benavides seconded. Motion carried with all in favor.

<u>DOCUMENT DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
10/01/13	Change of Status - Weeks	
11/23/13	Change of Status - VanSteensburg	
12/10/13	Payroll Register (2)	
12/10/13	Sewer Abatement - Fee	203-075.000
12/14/13	Change of Status - Tidd	
12/16/13	Payroll Register	
12/16/13	Change of Status - Fasshauer	
12/17/13	Payroll Register	
12/17/13	Accounts Payable Manifest	
12/18/13	Change of Status - Parker	
12/18/13	Boat Agent Appointment - Gator Signs	
12/18/13	Sewer Abatement - Peacock	252-016.329
12/18/13	Investment & Credit Card Policy	
12/18/13	Abatement - Perron	224-046.050
12/18/13	Acquisition Approval - Gage Conservation Easement	
12/18/13	Conservation Easement Deed - Gage	
12/18/13	Merit Pay Memorandum	
12/19/13	Change of Status - Stiegler	
12/24/13	Change of Status - C. Dormody	
12/30/13	Change of Status - Oberg	

## 7. Appointments (Taken out of sequence)

- 7.1 Kent Hemingway – SAU #73 – Superintendent Hemingway thanked the Board for the opportunity to provide an update to the Board of Selectmen on the Gilford School District. He stated that the District is currently in the second year of a 3-year Strategic Plan that focused on four areas: student learning, resource management, families and communities and buildings and facilities. Superintendent Hemingway further stated that the summary he passed out to Board members is from his December monthly message, available on the School District's website. He also emphasized that the website contains a wealth of other current and interesting information regarding the District.

He began by highlighting the importance of personalized learning for students. Next, he provided a review of the Gilford School District's recent role at the 2013 Christa McAuliffe Technology Conference and announced that the Gilford Middle School has become a "paperless" learning environment.

As far as the 2014-2015 Budget is concerned, the final meeting with the Budget Committee will take place tomorrow, January 9<sup>th</sup>. The budget reflects a 2.75% increase and reflects the first year of a 3-year teachers' contract. He added that this also reflects a \$156,000 decrease in health insurance costs, thanks to the hard work that took place during negotiations between the teachers' union and School Board.

Superintendent Hemingway stated that close to \$400,000 has been earmarked in the 2014-2015 Budget for improvements to buildings and facilities. This includes the replacement of the auditorium seating, which is now 40 years old. Next, he highlighted

some of the recent involvement that has taken place with local organizations, on the part of the School District.

Upcoming events include a 4 Way Speech Contest, being sponsored by the Gilford Rotary Club, and various S.T.E.M. (Science, Technology, Engineering and Math) initiatives.

Selectman Benavides commended Superintendent Hemingway for the strong communication between the School District and parents. Selectman O'Brien asked about commercial events in the auditorium, where the District is planning to replace the seating. Superintendent Hemingway responded that the District has an active rental policy and various rooms are frequently in use. Brief discussion ensued regarding upcoming plans for the Meadows property. Chairman Hayes questioned if female students are considered to be weak in mathematics. Superintendent Hemingway replied he has found this to be about 50/50, with the most strength leaning towards female students. He also pointed out that the entire Science Department is comprised of only female instructors.

## **6. Public Hearing**

### **6.1 Community Development Block Grant Project – Old Lakeshore Cooperative –**

Chairman Hayes stated that this item consists of three separate public hearings, and invited Donna Lane, representative from CBDG, to come forward and go through the process. Chairman Hayes declared the first public hearing open and Ms. Lane proceeded to read the required information on the project, which is for private water and wastewater system improvements.

Chairman Hayes inquired if the engineering has been completed on the project, to which Ms. Lane replied that the preliminary engineering has been done. She also explained how a lien would be placed on the property to protect the grant, in the event the property did not benefit low and moderate income persons. There is no co-sharing of costs on the part of the Town.

There being no public comment or questions, the public hearing was closed at 7:28 p.m.

Ms. Lane stated that the second public hearing is the Housing and Community Development Plan, which is required for federal CDBG funds to be awarded. Gilford has previously been awarded CDBG funds, but two new policy statements need to be added to the Plan, which she read aloud.

There being no public comment or questions, the public hearing was closed at 7:30 p.m.

The third public hearing concerns the adoption of the Residential Anti-Displacement and Relocation Assistance Plan. Ms. Lane clarified that this does not pertain to this project because no one is being displaced. However, it is required to be adopted with CDBG funding.

There being no public comment or questions, the public hearing was closed at 7:31 p.m.

Selectman O'Brien moved to adopt the Housing and Community Development Plan, as

amended. Selectman Benavides seconded. Motion carried with all in favor.

Selectman O'Brien moved to adopt the Residential Anti-Displacement and Relocation Assistance Plan, as drafted, and authorize Chairman Hayes to sign the Certification statement. Selectman Benavides seconded. Motion carried with all in favor.

Selectman O'Brien moved to approve the submittal of the Community Development Block Grant application and authorize Chairman Hayes to sign the application and execute any documents which may be necessary as related thereto. Selectman Benavides seconded. Motion carried with all in favor.

## **6.2 Issuance of Bonds or Notes in Excess of \$100,000 – Police Station Improvements –**

Alan Yeaton of the Amoskeag Architectural Group began by presenting the most recent set of plans and costs for the project. He anticipates that this property would handle the capacity and needs of the Department for a period of 20-25 years. The project will also provide a separate entrance to the Police Department, without having to go through the Town Hall lobby. He proceeded to present floor plans of the existing and proposed space, explaining how each space would be utilized.

The proposed plan will increase security, improve the closed parking area and enlarge the locker rooms and storage areas. There will also be a secure access Emergency Operations Center, which can also be used as a conference or training room. The balance of the upper floor will be utilized for administrative offices, records room, copier room, safe room and interview room. The exterior of the Police Station will match the materials being used in the current Town Hall renovations. Mechanical, cooling and electrical systems will also be upgraded.

Mr. Yeaton stated that the budget for the project will hold until spring of 2014, assuming the project is approved and construction begins in the spring-summer. Chairman Hayes then announced that the Police Department has prepared a PowerPoint presentation on the proposed renovation and addition and would like to hold questions until after that time.

Lt. Kris Kelley (Acting Deputy Police Chief) stated that he has been involved with various proposals to renovate and expand the Police Station over the past several years. He prepared a PowerPoint presentation that illustrates the history of the Department, current and proposed floor plans, the purpose of the various rooms, shortage of space for supplies and records and security concerns for both officers and the public. He emphasized how law enforcement has changed significantly since the building was originally constructed in 1988.

A complete set of the PowerPoint slides is attached to these minutes.

Following Lt. Kelley's presentation, Chairman Hayes opened the public hearing for questions and comments from the public. Dave Horvath inquired about the present and proposed square footage of the building. Alan Yeaton responded that the current Police Station is 4,800 square feet and the proposal is for a total 10,500 square feet. Dave Horvath further asked about the cost per square foot, which Town Administrator Dunn

responded is \$165 per square foot. Town Administrator Dunn added that the project would go out to bid in the fall of 2014, if it is approved at Town Meeting. No contractor has yet been chosen, but Town Administrator Dunn would prefer a general contractor.

Dave Horvath asked what the \$82,000 budget figure for “everything else needed” includes. Lt. Kelley replied that this is mostly for lockers, furniture, appliances, etc. Brief discussion ensued regarding the provision in the budget for permits and fees and the function of the Emergency Operations Center.

Allen Voivod asked how this Police Station would be able to meet the needs of the Department over the next ten years. Lt. Kelley replied that the plans allows for additional officers in the locker room and officers’ room, as well as additional storage for evidence and records. These are the areas that the Department feels the most constraints.

Phil Cook asked how this plan differs from previous plans. He also suggested that the new Police Chief be hired prior to undertaking this project. Town Administrator Dunn stated that in 2009, a proposal was submitted for plans with the same footprint, in the amount of \$1.56 million. This vote required 60% approval and received 59% approval. The reduction in cost is due primarily to the elimination of the geothermal heating and cooling system. He further stated that the design for the building has taken into account input from all police officers. It addresses the overall needs of the Department and although the Police Chief may have some input, it is not critical for one individual to come in and reconfigure a project that has been six years in the making.

The public hearing was closed at 8:40 p.m.

## **8. Old Business**

**8.1 Proposed Permissible Fireworks Ordinance** – Fire Chief Carrier provided background information on the existing status of fireworks discharge within the Town of Gilford. A proposed “Permissible Fireworks Ordinance” has been prepared, as a result of meetings between Chief Carrier, Acting Police Chief Leach, Selectman O’Brien and Town Administrator Dunn. At this point in time, the ordinance has been developed to regulate the use of permissible fireworks, which can either be adopted or the Town can revert back to the ban on all fireworks. Chief Carrier added that with increased use of fireworks, complaints have also increased.

Chief Carrier introduced Chris Wyman, a representative from the State Fire Marshall’s Office, who is an expert on pyrotechnics. Chairman Hayes began by asking Mr. Wyman to define Class C fireworks. Class C fireworks are “consumer” fireworks, which can be purchased in a retail store. Class B fireworks would be for professional display, and much stronger and therefore, more dangerous than Class C.

Selectman Benavides asked about the legal age of purchase for fireworks, to which Chief Carrier responded that it is 21, unless the person is on active military duty. Chris Wyman added that the age of 21 pertains to the purchase, possession and discharge of fireworks. Brief discussion then ensued regarding residents only purchasing fireworks from licensed NH retailers, as well as only purchasing fireworks needed for each permitted display. Chris Wyman elaborated on the potential danger in storing fireworks.

Selectman Benavides then addressed #8 in the proposed procedure to obtain a fireworks permit. This item states that fireworks shall be ignited a minimum of 50 feet from any structure, overhead utilities or woodlands. While Selectman Benavides understands this requirement for safety purposes, he does not think it is practical. Chief Carrier responded that this is also the requirement for any outdoor fire. He thinks that the 50 foot minimum is a reasonable requirement, in that fireworks do not always go up straight, nor come down straight.

Town Administrator Dunn clarified that this proposal ordinance is a major departure from the status quo, which prohibits all fireworks, but is violated consistently. Fire Chief Carrier has attempted to construct a framework for the Board to consider, where fireworks would now be allowed. Chris Wyman expanded on the provision within NH RSA 160-C:6, which allows for a local option in deciding whether or not fireworks are permitted within a community. He also stated that this statute has a provision for civil liability.

After Selectman O'Brien pointed out that many aspects of this ordinance require common sense, Selectman Benavides did not disagree with him but urged the Board to think through the effects of passing such an ordinance. Selectman O'Brien pointed out that most of the language used in this ordinance has come from other communities, so this should not be a hardship for the Town of Gilford. When questioned by Selectman O'Brien what percentage of the State prohibits fireworks, Chris Wyman guessed that it would be approximately 20%. He added that NH fireworks retailers are required to prominently post the list of communities that do not permit fireworks.

Brief discussion ensued regarding injuries relating to fireworks.

Selectman O'Brien recommended that the process move forward with a finalized version of the ordinance that will be acceptable to the Board. Chief Carrier reiterated that this draft ordinance was intended to provide the Board with a starting point in preparing a final ordinance. To summarize, Town Administrator Dunn stated that there will not be a warrant article on this issue and the Board is moving toward the direction of allowing permissible fireworks. If the Board were to decide to take no action, the status quo would prevail and fireworks would continue to be banned within the Town of Gilford.

**8.2 Teamsters Union Contract** – Selectman O'Brien moved to ratify the terms and conditions as proposed, contingent upon approval of the cost items by the 2014 Annual Town Meeting. Selectman Benavides seconded. Motion carried with all in favor.

**8.3 Town Hall Lighting – Capital Reserve Fund** – Selectman O'Brien moved to approve the expenditure of \$67.95 from the Building Maintenance Capital Reserve Fund for the purchase of flood lights as part of the Town Hall renovations. Selectman Benavides seconded. Motion carried with all in favor.

**8.4 2014 Default Budget** – Selectman O'Brien moved to approve a FY2014 Default Budget in the amount of \$10,845,564. Selectman Benavides seconded. Motion carried with all in favor.

**9. New Business**

**9.1 Pine State Elevator Company Service Contract** – Town Administrator Dunn stated that DPW solicited bids in September and the low bidder is the current vendor, Pine State Elevator Company. It has been proposed to reduce the fee by having contracted inspections done every other month, rather than every month. Selectman O’Brien moved to approve a 3-year agreement (1/1/14 – 12/31/16) with Pine State Elevator Company for \$130 bi-monthly at the Town Hall and Library, for a total of \$260 bi-monthly, and to authorize the Town Administrator to sign the contracts. Selectman Benavides seconded.

Town Administrator Dunn clarified that on the off month that an inspection is not conducted, Town Hall staff will complete a documented phone test. Motion carried with all in favor.

**10.0 Other Business** – Chairman Hayes provided a reminder for the January 21<sup>st</sup> Special Primary Election and encouraged everyone to come out and vote.

**11.0 Public Input** – none.

**12.0 Selectmen’s Issues** – Selectman Benavides asked that e-mail blasts be sent from the Town website to remind residents about the January 21, 2014 Special Primary Election.

**13.0 Administrator’s Report** – Town Administrator Dunn stated that the final day for accepting petition warrant articles for the 2014 Town Meeting is Tuesday, January 14, 2013 at 5:00 p.m.

**14.0 Next Meeting** – Wednesday, January 22, 2014 at 7:00 p.m. at the Town Hall

**15.0 Adjournment** – With no further business before the Board, the Board of Selectmen’s January 8, 2014 meeting was adjourned at 9:18 p.m.

Respectfully submitted,

Gus Benavides  
Clerk