

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**August 13, 2014**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, August 13, 2014, at 7:10 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were John O'Brien, Gus Benavides and Richard Grenier. Also present was Town Administrator Scott Dunn.

Staff members in attendance included Finance Director Geoff Ruggles, Fire Chief Steve Carrier, DPW Director Sheldon Morgan, DPW Operations Manager Mia Gagliardi, Police Chief Anthony Bean Burpee, Police Lieutenant Jim Leach, Town Clerk/Tax Collector Denise Gonyer and Executive Secretary Sandra Bailey.

**1. Non-Meeting – 6:00 P.M.** [Per RSA 91-A:2, I, (a)(b)]

**1.1. Legal Consultation**

**2. Pledge of Allegiance** – Chairman O'Brien led the assembly in reciting the Pledge of Allegiance.

**3. Announcements/Presentations**

**3.1.** Chairman O'Brien announced that the Timberman Triathlon will be held this weekend on August 16 & 17, 2014.

**3.2.** Chairman O'Brien announced that Old Home Day will be held on Saturday, August 23<sup>rd</sup>, with the parade commencing at 10:00 a.m.

**4. Review/Approval of Minutes**

**4.1.** Selectman Benavides moved to approve the minutes of July 23, 2014, as presented. Chairman O'Brien seconded. Motion carried with Selectman Grenier abstaining.

**5. Consent Agenda**

**5.1.** Selectman Benavides moved to approve the previously signed documents for the period July 21, 2014 through August 8, 2014 as listed. Chairman O'Brien seconded. Motion carried with all in favor.

<b><u>DOCUMENT DATE</u></b>	<b><u>DOCUMENT</u></b>	<b><u>MAP/LOT #</u></b>
05/02/14	Change of Status - Proulx	
06/01/14	Change of Status - Ainsworth	
07/01/14	Change of Status - Dominic DeCarli	
07/15/14	Accounts Payable Manifest	
07/15/14	Eviction Notice	203-064.000
07/24/14	Change of Status - Fabian	
07/26/14	Change of Status - MacKinnon	
07/26/14	Change of Status - Beliveau	
08/02/14	Change of Status - Edson	
08/04/14	Deed Waiver - Rand	267-002.000
08/06/14	NOITC - First Methodist Church	211-005.000
08/06/14	NOITC - Sanfacon	211-006.000
08/13/14	Abatement - Lien	223-408.200

**6. Appointments**

**6.1. Audra Tassone – Timberman Triathlon Update** – Ms. Tassone stated that this is the 14<sup>th</sup> year for the Timberman Triathlon. There will be 700 athletes competing on Saturday and 2,300 competing on Sunday. She further pointed out that the Timberman is also a fundraiser

and, to date has raised over \$280,000 for the Make-A-Wish Foundation.

Brief discussion ensued regarding the use of the loudspeaker in the early morning. Ms. Tassone stated that they will begin announcements at 6:30 a.m. at low volume and turn the music on at 7:00 a.m. Town Administrator Dunn reminded Ms. Tassone that this is the last year of a 3-year permit.

**6.2. Greg Goddard – Gunstock Recreation Area Update** – As previously mentioned by Ms. Tassone, the Timberman Triathlon is scheduled for this weekend at Gunstock. This is following a very successful Soulfest weekend. Mr. Goddard did briefly describe some problems that occurred on the Town’s portion of Area Road. However, in the spirit of cooperation, the problems were quickly addressed. He reminded Board members that Area Road is used as the ingress and egress for Alpine Ridge Camping and the VIP parking lot.

Sunday, August 24<sup>th</sup> is scheduled to be another Belknap County Day. During this time, there will be free chairlift rides for residents of Belknap County, as well as discounts on other attractions.

On Monday, September 15<sup>th</sup>, interviews will be conducted for candidates who are seeking appointment to the Gunstock Area Commission. There is one 5-year position that becomes open each year. Robert Durfee, the incumbent, has indicated he will re-apply.

The Board thanked Greg Goddard for his presentation.

## **7. Old Business**

**7.1. Cat Path Traffic Issues** – Chairman O’Brien began by reading a letter aloud from Tom and Valerie Drouin of 73 Cat Path. This letter expressed concern with the ongoing safety concerns on Cat Path. Chairman O’Brien further stated that the residents of Cat Path were invited to attend this meeting to provide input on possible solutions to the safety issues.

Susan Leach provided the Board with a brief history of Cat Path, which was not opened for traffic until 1963. In addition, once the road was paved, traffic increased substantially, due in part to the year-round attractions at Gunstock and the increasing use of GPS. She recommended the installation of a sign in the area of Henderson Road that would direct Gunstock visitors to continue on Route 11-B to the intersection of Route 11-A, and not use Cat Path as a shortcut.

She also expressed concern that the State of NH will not allow the installation of a “No Right Turn” sign on Route 11-A where it accesses Cat Path. Town Administrator Dunn noted two attempts were made to request this but NH DOT would not approve.

Tom Dipace suggested a number of measures that would deter traffic, including striping the road and adding stop signs. When questioned about which direction he takes during the winter months, Mr. Dipace stated that he always goes down the hill.

Town Administrator Dunn outlined some of the options that are available to the Board, including the drafting of a new ordinance, followed by a public hearing. To close off the top of the road would require a Town Meeting vote. Speed bumps could also be installed if the Board votes to do so tonight.

Brief discussion ensued regarding State regulation of signage on Routes 11-A & 11-B, followed by discussion on installing speed bumps on Cat Path. Director Morgan stated that year-round speed bumps would be a concern, given that they would most likely be damaged during plowing. Because of the potential for difficulty for vehicles losing speed when ascending the road during snow events, Director Morgan indicated that he would try to place them on flat areas in the middle of the road.

Extensive discussion ensued regarding possible signage and speed bump options, as well as making Cat Path a one-way street going up the hill.

Selectman Benavides moved to authorize the Department of Public Works to install two speed humps at relatively flat locations on Cat Path and to authorize the installation of a directional sign to Gunstock on Henderson Road. Selectman Grenier seconded. Motion carried with all in favor.

The Board concurred to authorize Town Administrator Dunn to prepare a "One Way" ordinance for Cat Path and schedule a public hearing.

- 7.2. Fireworks Ordinance** – Selectman Grenier stated that he asked for the Fireworks Ordinance to be placed on the agenda because he was inclined to agree with Selectman Benavides' position that all fireworks should not be banned. He suggested tying it to a noise ordinance and permitting process.

Chairman O'Brien pointed out that one half of the towns in New Hampshire have prohibited fireworks. He proceeded to review some of the points that were brought out when the Ordinance was approved in March, including fire hazards, quality of life issues and safety concerns. He also pointed out that regular public fireworks displays take place in the Lakes Region during the summer months.

Selectman Grenier asked Police Chief Bean Burpee if, based on the statistics provided to Chairman O'Brien, this is a widespread problem within Gilford. Chief Bean Burpee then reviewed statistics on fireworks calls over the past three years. He pointed out that many calls end up being unfounded since the officer is not able to locate where the fireworks originated.

Selectman Grenier asked Chief Bean Burpee if it would be best to tie this to a noise ordinance. Town Administrator Dunn pointed out that noise ordinances are historically unenforceable, due to the difficult process involved in proving the noise violation.

Selectman Grenier then asked Fire Chief Carrier about a permitting process for fireworks. Chief Carrier responded that one of the first drafts of the fireworks ordinance called for a permit system. He pointed out that they are in use in other communities, but he was not in favor of this. Following further discussion, Chief Carrier further advised the Board that professional shooters are available who can discharge permissible Class "C" fireworks. Chairman O'Brien stated due to safety and noise concerns, he thinks it is best to ban fireworks.

Susan Leach stated that she disapproves of the residue left on Gilford Beach after fireworks are discharged. Chief Bean Burpee added that he received a complaint today regarding the phosphorus from fireworks that pollutes the lake.

Town Administrator Dunn reminded Board members that during the last fireworks ordinance process, several drafts were created before one was adopted. Selectman Benavides stated that he would be in favor of re-addressing this ordinance to see if a better one could be drafted.

Town Administrator Dunn further stated that an ordinance can be drafted to accomplish any objective that the Board would like to achieve, specifically to regulate the hours fireworks can be displayed and establish a permit process. Chief Carrier stated that, as a public safety official, he cannot say that he is in favor of the public having fireworks and being able to shoot them off without some type of regulation. He further stated that if he were to sign a fireworks permit that resulted in injury or property damage, he does not know what his standing would be.

Chief Carrier suggested re-establishing the Committee that looked into the fireworks ordinance and after giving them further direction, have the permit process reviewed again. Town Administrator Dunn suggested, as an alternative, that fireworks be permitted at certain dates and times. Selectman Grenier stated that he would be in favor of setting certain times and dates for fireworks, with a permit process, and eliminate the complete prohibition of fireworks. Discussion ensued regarding what direction, if any, should be given to a committee. Town Administrator Dunn clarified there was no formal committee, it was a staff group. He said that he would review previous drafts and ordinances to submit a proposal for the Board to consider.

**7.3. Flagpole Dedication** – Following brief discussion by the Board on when to hold a Flagpole Dedication, Gary Kiedaisch of Potter Hill Road pointed out that Gary Allen donated this property to the Town on October 14, 1994. The Board then set the time and date for the flagpole dedication as Tuesday, October 14<sup>th</sup> at 4:00 p.m.

**7.4. Police Station Expansion** – Town Administrator Dunn stated that there are currently two issues regarding the project. First, the mechanical portion of the bid specifications will not be completed for a couple of weeks. Therefore, the bid specifications will not be presented to the Board at their August 27<sup>th</sup> meeting, but at the September 10<sup>th</sup> meeting.

Secondly, Town Administrator Dunn is seeking authorization from the Board to solicit proposals for a clerk of the works for the project. The Board concurred with this authorization.

**7.5. Route 11-A Radar Sign** – Town Administrator Dunn stated that, in order to have PSNH to install the transformer and wiring, it will take three more weeks and cost \$5,300.00. He further stated that, at this point, it would be cheaper to purchase a solar unit for \$4,545 and then the Town would have two units. Town Administrator Dunn further clarified that not all locations would require a transformer for the hardwired unit.

Discussion ensued regarding the fact that the original intent of the purchase of the radar sign was to have speed enforcement on Route 11-A in Gilford Village. Selectman Grenier moved to purchase the solar unit at a cost \$4,545 and sell the hardwired unit. Chairman O'Brien seconded. Selectman Grenier then amended his motion to include the stipulation that the hardwired unit be sold at a cost of \$4,545. Selectman Benavides seconded. The amendment carried with all in favor. Returning to the main motion, it carried with all in

favor.

- 7.6. Potter Hill Road Traffic Issues** – Director Morgan stated that he spoke recently with Lakes Region Striping and they will do their best to have the “words” completed by next Tuesday. The centerline stripe has been completed. Chief Ben Burpee reported that the Department’s covert unit is in place on Potter Hill Road and will be there for two weeks. Brief discussion ensued regarding the large number of vehicles using Potter Hill Road, which may have been attributed to the recent construction taking place on Route 11-A. The data indicates a large number of vehicles exceeding the posted speed limit.

Gary Kiedaisch of Potter Hill Road offered to gift a plaque to the Town to commemorate the 20-year anniversary of the land donation from Gary and Lucille Allen.

He commended the Board for their efforts on behalf of the residents of Cat Path. He also pointed out that he thinks the intersection of Potter Hill Road and Route 11-A has a very dangerous blind spot. He offered to purchase trees for the Town to block off part of the intersection. Mr. Kiedaisch encouraged the Town to consider installing speed bumps on Potter Hill Road, which he is also happy to gift to the Town.

- 7.7. Scenic Drive – Pavement Complaint** – Town Administrator Dunn stated that he and Director Morgan visited Scenic Drive and spoke with the resident who made the complaint. The road is scheduled for rehabilitation in 2019.

## **8. New Business**

- 8.1. Revised School Resource Officer Job Description** – Selectman Benavides moved to repeal the previous job description for the position of School Resource Officer and to adopt the new job description as presented. Selectman Grenier seconded. Motion carried with all in favor.
- 8.2. Memorandum of Understanding – Radio Transmitter at Gunstock** – Selectman Benavides moved to approve the Memorandum of Understanding with the Gunstock Area Commission for the installation of a radio transmission tower on Rowe Mountain as presented. Selectman Grenier seconded. Motion carried with all in favor.
- 8.3. Liberty Elm Tree Adoption Program** – Brief discussion ensued regarding what should be done with the unsold elm trees. Town Administrator Dunn stated that they need to be planted as soon as possible and he plans to incorporate some into the design of the new Police Station area. The Board concurred with this course of action.
- 8.4. Live Entertainment License – Contigiani’s Catering at Ellacoya State Park** – Selectman Benavides moved to approve the Live Entertainment License for Contigiani Catering on August 16 & 17 at Ellacoya State Park. Selectman Grenier seconded. Motion carried with all in favor.
- 8.5. CAI Technologies Tax Map Updates and Query Contract** – Selectman Benavides moved to approve the three contracts with CAI Technologies for up to \$5,000 for tax map updates with GIS services. Selectman Grenier seconded. Motion carried with all in favor.
- 8.6. NH DOT Signage Projects for Gilford** – Selectman Benavides moved to authorize the Town Administrator to send a written letter of support to the NH Department of

Transportation on behalf of the Board of Selectmen to install signs along horizontal curves on State high risk rural roads. Selectman Grenier seconded. Motion carried with all in favor.

**8.7. Award Bid for Demolition of Tax Deeded Property** – Selectman Benavides moved to award a contract to All Demolition & Asbestos Services, in the amount of \$4,999, for the demolition of a tax deeded mobile home. Selectman Grenier seconded. Following brief discussion on the possibility of disposing of the property in some other way, the motion carried with all in favor.

**8.8. Shore Road Extension – Right-of-Way Permits** – Selectman Benavides moved to approve the two right-of-way permits requested from DMC Surveyors, on behalf of Joseph Bradley, to do work within the Shore Road right-of-way. Selectman Grenier seconded. Town Administrator Dunn provided a plan for the Board, which he briefly reviewed. Motion carried with all in favor.

**9. Other Business** – Selectman Benavides moved to accept the resignation of Jack McDevitt from the CIP Committee and authorize the Town Administrator to post a vacancy for the position. Selectman Grenier seconded. Motion carried with all in favor.

Selectman Benavides moved to approve a letter to the New Hampshire Municipal Association supporting a legislative policy for consideration regarding charging fees for postage or shipping costs provided as a convenience to the public. Selectman Grenier seconded. Motion carried with all in favor.

Town Administrator Dunn stated that the 2015 budget process will be commencing soon and asked the Board if they would like to continue to meet with Department Managers on the third Tuesday in September. The Board concurred with this schedule.

**10. Public Input** – Susan Leach stated that she thinks the visibility problem still exists when entering Route 11-A, from Schoolhouse Hill Road. The removal of the stone wall was cut from the final plan, which still limits visibility. Town Administrator Dunn stated that NH DOT indicated that there are two trees which still need to be removed. Brief discussion ensued regarding the finished project.

**11. Selectmen's Issues** – Chairman O'Brien asked Town Administrator Dunn to look into the installation of a Town Hall sign that is visible from Route 11-A.

**12. Administrator's Report** – Town Administrator Dunn stated that discussion have begun with neighboring towns to look in the possibility of having a regional Animal Control Officer.

Two responses have been received from residents of Scenic Drive thus far, both of which would allow trees to be cut to return the scenic vista.

The Town will soon be going out to bid for insurance and audit services.

The grant process for the Old Lakeshore Cooperative is progressing.

Five proposals have been received from engineering firms for the repair to the Route 11-B river

scar. This grant was obtained by the Belknap County Conservation District.

**13. Next Meeting** – August 27, 2014.

**14. Non-Public Session** – Selectman Benavides moved to enter into non-public session at 9:09 p.m., pursuant to RSA 91-A:3, II, (a)(b)(d) to discuss personnel matters and the consideration of the sale or acquisition of real property. Selectman Grenier seconded. Motion carried on a roll call vote with all in favor. Present were John O'Brien, Gus Benavides and Richard Grenier. Also present was Town Administrator Scott Dunn.

Selectman Benavides moved to authorize the hiring of Evan Carey (effective 8/17/14) and Jordan Smith (effective 8/24/14) as Police Officers, at a starting rate of pay of \$18.99. Selectman Grenier seconded. Motion carried with all in favor. The Board concurred to allow Evan Carey to reside in Derry, NH until February 1, 2015.

Selectman Benavides moved to appoint James Glover as an alternate member of the Recreation Commission, with a term to expire on April 30, 2015. Selectman Grenier seconded. Motion carried with all in favor. (It was noted this matter was inadvertently passed over during public session.)

The Board concurred to advertise a vacancy for Highway Superintendent and to also authorize the DPW Director to solicit applications for a Highway Laborer.

Selectmen Benavides moved to refuse the tax deeds of Louise Dickerson and Mark Antonucci. Selectman Grenier seconded. Motion carried with all in favor.

Selectman Benavides moved to exit non-public session at 9:45 p.m. Chairman O'Brien seconded. Motion carried on a roll call vote with all in favor.

**15. Adjournment** – With no further business before the Board, the Board of Selectmen's August 13, 2014 meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Richard Grenier  
Clerk