

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**September 10, 2014**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, September 10, 2014, 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 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, Recreation Director Herb Greene and Executive Secretary Sandra Bailey.

- 1. Non-Public Session – 6:00 P.M.** – Selectman Benavides moved to enter non-public session at 6:05 p.m., pursuant to RSA 91-A:3, II, (a)(b), to discuss the hiring and compensation of personnel. 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 hire Kathleen DeSalvo as part-time Assistant Town Clerk-Tax Collector at a rate of \$12.75 per hour, and Noreen Stewart as part-time Assistant Town Clerk-Tax Collector at a rate of \$12.75, both being effective upon successful completion background examination. Selectman Grenier seconded. Motion carried with all in favor.

Upon reviewing the job performance of the Town Administrator, the Board concurred with a 2 ½ % merit pay increase, for a new salary of \$1,858.33 weekly and \$96,633.16 annually, effective August 18, 2014. A future meeting will be held between Chairman O'Brien and Town Administrator Dunn to discuss the specifics of the evaluation.

Selectman Benavides moved to exit non-public session at 6:50 p.m. Selectman Grenier seconded. Motion carried with all in favor.

- 2. Non-Meeting** [Per RSA 91-A:2,I, (a)] (Not Needed)
  - 2.1.** Collective Bargaining Agreement
- 3. Pledge of Allegiance** – Chairman O'Brien led the assembly in reciting the Pledge of Allegiance.
- 4. Announcements/Presentations**
  - 4.1.** Chairman O'Brien read aloud a Proclamation in Recognition of an upcoming Historic Visit by the Grand Exalted Ruler of the Benevolent and Protective Order of Elks.
- 5. Review/Approval of Minutes**
  - 5.1.** Selectman Benavides moved to approve the minutes of August 27, 2014, as presented. Selectman Grenier seconded. Motion carried with all in favor.
- 6. Consent Agenda**
  - 6.1.** Selectman Benavides moved to approve the previously signed documents for the period August 25, 2014 through September 5, 2014 as listed. Selectman Grenier seconded. Motion carried with all in favor.

<u>DOCUMENT DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
01/30/14	Change of Status - Lafond	
07/01/14	Change of Status - Stevens	
07/21/14	Change of Status - Andrews	
08/07/14	Change of Status - K. Dormody	
08/11/14	Payroll Register	
08/19/14	Payroll Register(2)	
08/25/14	Deed Waiver - Dickerson	201-013.002
08/26/14	Accounts Payable Manifest	
08/26/14	Payroll Register	
08/27/14	Notice of Intent to Cut - NEFF	240-112.000
08/27/14	Notice of Intent to Cut - NEFF	240-112.002
08/27/14	Veteran's Tax Credit - Keith	238-003.000
08/27/14	Notice of Intent to Cut - Kelley	256-001.000
08/27/14	Veteran's Tax Credit - Smith	205-022.000
08/27/14	Veteran's Tax Credit - Peavey	203-007.000
09/01/14	Change of Status - Aselton	
09/07/14	Change of Status - Beverly	

## 7. Public Hearing

**7.1. An Ordinance to Permit “Permissible” Fireworks** – Selectman Grenier began by stating that he thinks this matter has consumed too much of the Board’s time and he would like to see something finalized tonight. Chairman O’Brien opened the public hearing at 7:05 p.m.

Jack Landow of Farmview Lane stated that giving untrained and inexperienced individuals the right to “play” with explosives does not make sense, regardless of how the Board votes tonight. In addition, because fireworks are associated with celebrations, which often include alcohol, the practice is dangerous and creates a fire risk. He asked the Board of Selectmen to maintain the ban on fireworks, as well as enforce it. Mr. Landow thinks that enforcement of the new ordinance, with time periods for allowing fireworks at certain times and not allowing them at others, will be even more difficult to enforce.

Chris Ray of Marjorie’s Walk stated that he respectfully disagrees. Although there are many dangerous activities out there, this is the “Live Free or Die” state. He thinks that July 4<sup>th</sup> is an important holiday that should be celebrated. He stressed that he is very capable of handling fireworks and always lets his neighbors know when they will be having a fireworks display.

Armand Bolduc relayed a recent incident where fireworks were discharged in the middle of the afternoon, causing a disruption to his farm animals. He is not opposed to fireworks at the 4<sup>th</sup> of July, but thinks that is where they should end. He is also concerned with fire danger.

David Haley of 2 Natalie’s Way relayed a couple of incidents where he has been negatively impacted by fireworks. He thinks that this ordinance will only benefit a few people and does not think that consideration has been given to the many other residents whose well-being will be affected by allowing fireworks. He urged the Board to consider the negative impact fireworks have on people and animals.

Luke Holmby of Alpine Drive also relayed an unpleasant experience he had with fireworks,

where sparks landed on the canvas roof of his boat, setting it on fire. He further stated that one of the problems in creating this ordinance is that one rule does not fit all situations.

Charlotte Landow of Farmview Lane stated that she has neighbors who set off fireworks every hour between 8:00 p.m. and 2:00 a.m. She thinks that fireworks should be left to professionals and urged the Board to reconsider the ordinance and be considerate of many other residents who do not want to have fireworks.

Chris Ray inquired if the Town has a history of fires being caused by fireworks. Fire Chief Carrier stated that the Town does not have history of fire damage related to fireworks, although across the State significant injuries have occurred.

At this time, Chairman O'Brien read aloud a letter from former Selectman Kevin Hayes, who is opposed to the proposed ordinance. He is also appalled that this matter has come up so soon after Board membership has changed. He urged that Board to allow the existing ordinance a few years to work before changing it.

There being no further comments, the public hearing was closed at 7:35 p.m.

Selectman Grenier responded to Kevin Hayes' letter. He clarified that he did not seek election to the Board of Selectmen over a fireworks issue – he ran to serve the community.

Selectman Benavides moved to approve the Ordinance to Permit Permissible Fireworks, as drafted. Selectman Grenier seconded. Motion carried by a vote of 2-1 with Chairman O'Brien voting no. Chairman O'Brien disclosed that, as a private citizen, he intends to pursue having a special warrant article at the next Town Meeting on this matter.

## **8. Appointments**

**8.1. Senator Andrew Hosmer** – Senator Hosmer stated that he requested this opportunity to update the Board on the highlights of the recent legislative session. He began by providing the Board with the status of the State budget, which is currently in year 2 of a 2-year budget plan. It is anticipated that the year will be completed with a balanced budget. Measures have been taken to help the business climate of NH by providing tax credits.

One of the highlights of 2014 has been the introduction of the 4.2% gas tax, all of which is earmarked for NH roads and bridges, 81% of which are considered to be in fair to poor condition. Although these funds will allow for the completion of the I-93 expansion, Senator Hosmer was also concerned with how the funds would benefit Gilford and the Lakes Region. He recently took NH DOT Commissioner Clement on a tour of the Lakes Region, so that he could see some of the road issues that need to be addressed. Senator Hosmer urged the Board to write regular letters to Commissioner Clement on the state of Gilford's roads, which will help move up projects in the queue.

The issues of healthcare and the expansion of Medicaid have also been addressed. This included additional funding for appropriate treatment of substance abuse and mental health issues.

Senator Hosmer has been involved in updating some of the legislation regarding the Winnepesaukee River Basin Project, where financing is a major consideration.

Senator Hosmer looks forward to being re-elected for the 2015-2016 term, where he will continue to strive for a balanced budget and make improvements in legislation regarding workers' compensation and diversifying energy sources.

Selectman Benavides stated that he appreciates Senator Hosmer's open door policy. Selectman Grenier expressed concern with the fact that if a medicated patient with mental challenges at the NH State Hospital assaults someone, that person is arrested and placed in the Merrimack County Jail. He would like to see this practice addressed at the State level. Senator Hosmer agreed that this is not the right care at the right time. He thinks that the State has fallen behind with mental health issues and needs to get caught up.

Senator Hosmer also recognized that State Representative Lisa DiMartino is in attendance at tonight's meeting. Ms. Martino stated that she would like to attend a future Selectmen's meeting with the other State representatives, since she had not planned to speak at tonight's meeting. She further stated that she is aware of the State's many mental health issues, which will take some time to address.

Town Administrator Dunn advised Senator Hosmer and Representative DiMartino that a very disproportionate increase has been set by the NH Retirement System for Group I employees. This increase will create a significant burden for taxpayers. Senator Hosmer stated that he would like to follow up with Town Administrator Dunn on this matter.

**8.2. Herb Greene – Parks and Recreation Department Update** – Director Greene stated that his last update to the Board was in April and the Department has been very busy throughout the spring and summer seasons. He began by stating that the shoreland replenishment project at Gilford Beach has been completed and he thanked the Department of Public Works for their assistance with the sand. He also pointed out that six trees blew down on the beach in early July during a storm.

Volunteers were instrumental in sprucing up the Concession Stand, Women's Bathroom and Lifeguard Towers. The back decking on the Bandstand at the Village Field was replaced in August.

Director Greene reviewed some of the statistics of another successful year at Gilford Beach, followed by highlights of spring and summer programming. He also noted that the weather at Gilford Old Home Day was cool and comfortable and as a result, a large crowd was still present in the afternoon hours. He thanked volunteers and Town departments for their much appreciated assistance.

In closing, Director Greene reviewed the upcoming fall programming.

The Board thanked Director Greene for his update.

## **9. Old Business**

**9.1. Potter Hill Road Traffic Data** – Police Chief Bean Burpee stated that the radar unit is still located on Potter Hill Road and relayed numerous statistics to the Board of Selectmen. These statistics did indicate that many motorists are exceeding the speed limit. Selectman Benavides commented that he was happy for the residents of Potter Hill Road that this data justifies their complaints over the years that speeding is occurring on the road.

Brief discussion ensued regarding the fact that if the times speeding occurs could be pinpointed, directed patrol could take place at that time.

Following a question from Selectman Grenier regarding vehicles travelling in the wrong direction on Cat Path, Chief Bean Burpee stated that some vehicles have travelled in the wrong direction, and during the first few days an effort was made to have an officer at the corner of Route 11-A and Cat Path to redirect motorists.

Chairman O'Brien inquired about the effectiveness of calming stripes. DPW Director Morgan responded that they produce an audible sound that suggests to motorists that they need to slow down. In addition, the placement of the stripes also has that effect.

Brief discussion ensued regarding the directional sign being placed near Route 11-B for the Gunstock Recreational Area, followed by discussion on the need to keep brush clear at the intersection of Route 11-A and 11-B to maximize motorist visibility.

Selectman Grenier asked about the funds that were budgeted for compactor pads at the Recycling Center. He noted that the new Solid Waste Supervisor has some good ideas on how to improve the area and thinks that these pads may be too permanent. Instead, Selectman Grenier suggested using the funds for a replacement shed. Brief discussion ensued.

- 9.2. Route 11-A Radar Signs** – Chairman O'Brien stated that a resident of Cherry Valley Road has offered to have the electric powered radar sign installed on his property, for westbound traffic, where a transformer is already located. Director Morgan stated that, unfortunately, the property line for this resident is approximately half-way up his driveway, which would not be visible for motorists. He also pointed out the costs associated with the installation.

Selectman Grenier stated that he does not think that a 5 mph drop in the speed limit warrants the use of the radar sign, in addition to the additional cost.

Brief discussion then ensued regarding the solar radar unit. Chief Bean Burpee anticipates it will be received tomorrow, with Director Morgan stating that it could be installed next week, barring any issues with NH DOT.

- 9.3. Police Station Improvement Project – Bid Specifications** – Town Administrator Dunn stated that he had nothing new to report.

## **10. New Business**

- 10.1. Driveway Permit Waiver – 64 Briarcliff Road** – Selectman Benavides moved to waive the Minimum Road Standards to allow a driveway apron to be 25 feet wide instead of the maximum 20 feet. Selectman Grenier seconded. Motion carried with all in favor.
- 10.2. FY2015 Budget Review Schedule** – The Board concurred with the proposed budget review schedule on Tuesday, September 23<sup>rd</sup>.
- 10.3. Collective Bargaining Agreement with AFSCME, Local 534** – Selectman Benavides moved to approve the AFSCME Collective Bargaining Agreement as presented. Selectman Grenier seconded. Motion carried with all in favor.

**10.4. Employment Contracts** – Selectman Benavides moved to approve the employment training agreement with Jordan Smith & Evan Carey, as presented. Selectman Grenier seconded. Motion carried with all in favor.

Selectman Benavides moved to approve the employment agreement with Scott Dunn as Town Administrator, as presented. Selectman Grenier seconded. Motion carried with all in favor.

**11. Other Business** – Selectman Benavides moved to approve the expenditure of \$667.30 for a dam door replacement in the Gunstock Brook, under the Belknap Mountain Road, from the Water Supply Capital Reserve Fund. Selectman Grenier seconded. Fire Chief Carrier further clarified that this purchase and installation is the beginning of a much larger project. Motion carried with all in favor.

**12. Public Input** – none.

**13. Selectmen’s Issues** – none.

**14. Administrator’s Report** – Town Administrator Dunn reported that he is very involved in the preparation of the FY2015 Town budget.

**15. Next Meeting** – September 24, 2014.

**16. Adjournment** – With no further business before the Board, the Board of Selectmen’s September 10, 2014 meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Richard Grenier  
Clerk