

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**November 12, 2014**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, November 12, 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, DPW Operations Manager Mia Gagliardi, Police Chief Anthony Bean Burpee, Police Lieutenant Jim Leach, Fire Chief Steve Carrier and Executive Secretary Sandra Bailey.

- 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, (a)(b)(c), to discuss matters which would likely affect adversely the reputation of any person and personnel matters. 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 exit non-public session at 6:55 p.m. and seal the minutes. Selectman Grenier seconded. Motion carried on a roll call vote with all in favor.

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

- 3. Announcements/Presentations**

- 3.1. Chairman O'Brien** read the rules of the meeting and then announced that the Town Offices and Library will be closed on Thursday, November 27, 2014 and Friday, November 28, 2014, for the Thanksgiving holiday.

- 4. Review/Approval of Minutes**

- 4.1. Selectman Benavides** moved to approve the minutes of October 22, 2014, as presented. Selectman Grenier seconded. Motion carried with all in favor.

- 5. Consent Agenda**

- 5.1. Selectman Benavides** moved to approve the previously signed documents for the period October 20, 2014 through November 7, 2014 as listed. Selectman Grenier seconded. Motion carried with all in favor.

<b><u>DOCUMENT DATE</u></b>	<b><u>DOCUMENT</u></b>	<b><u>MAP/LOT #</u></b>
08/20/14	Change of Status - Ayer	
09/17/14	Change of Status - Godin	
09/29/14	Change of Status - Buckner	
10/08/14	Accounts Payable Manifest	
10/10/14	Payroll Register	
10/12/14	Change of Status - Wilson	
10/12/14	Change of Status - Skinner	
10/14/14	MS-1 Extension	
10/14/14	Payroll Register	
10/15/14	Change of Status - Suarez	

10/15/14	Change of Status - Tanner	
10/20/14	Payroll Register	
10/21/14	Accounts Payable Manifest	
10/21/14	Payroll Register	
10/22/14	Appointment Form - Edgar	
10/22/14	Appointment Form - Stinson	
10/22/14	Appointment Form - D. Mooney	
10/22/14	Appointment Form - Bray	
10/22/14	Appointment Form - Carey	
10/22/14	Appointment Form - Tinkham	
10/22/14	Appointment Form - Kolb	
10/22/14	Appointment Form - Nix	
10/22/14	MS-1	
10/22/14	Sewer Abatement - Klubben	227-169.000
10/22/14	Sewer Abatement - Smith & MacIver	266-095.000
10/22/14	TC Warrant - 2014 Capital Cost Betterment	
10/22/14	TC Warrant - 2014 Cherry Valley Condo Betterment	

## **6. Appointments**

**6.1. Chief Tony Bean Burpee Update** – Chief Bean Burpee stated that this update covers the period since June 11, 2014, with the last update being done by Lieutenant Leach. He began his update by reviewing personnel matters. Three new officers are currently attending the Police Standards and Training Council Academy and are doing very well and are in the top one-third of the class.

Chief Bean Burpee indicated that he also is attending the Academy to fulfill a requirement to take certain NH Law Package training classes. The Department is also in the process of hiring their 18<sup>th</sup> officer.

Lieutenant Kelley has been accepted in the next FBI National Academy class and will be leaving for Quantico, VA, in January, for ten weeks of training. Chief Bean Burpee reviewed other training activities and updated the Board on the status of the School Resource Officers.

The Department's radio project is underway and the expansion/renovation project continues to be a work in progress. The SOP's of the Department are being reviewed and updated and Chief Bean Burpee is looking into the process of developing a three to five year strategic plan. In addition, the Department's website has been updated.

Chief Bean Burpee is looking forward to beginning a series of "Coffee with the Chief" events, to be held at various times and locations throughout Gilford. Next, he reviewed patrol activity for 2014. He pointed out that K9 call-outs have decreased because K9 Ike is no longer the only K9 in Belknap County.

Under Department Programs, Chief Bean Burpee updated the Board on Park, Walk and Talk activities, the Police Explorers Program and the proposed Citizens Police Academy.

In closing, Chief Bean Burpee provided a brief overview of the Police Department's FY2015 Budget.

Selectman Grenier inquired if the Chief had begun the process of updating SOP's, to which Chief Bean Burpee replied yes. Selectman Grenier then requested that the Board be given an opportunity to review them ahead of time.

The Board thanked Chief Bean Burpee for his update.

## 7. Old Business

- 7.1. Lakes Region Public Access Television** – Chairman O'Brien stated that Belmont and Laconia have decided to fully support LRPA. Town Administrator Dunn reminded that Board that a letter has been sent to the Chair of the LRPA Board of Directors requesting that three things take place and there has not been enough time for action on the requests.

Selectman Benavides moved to table the matter of the annual contract and financial contribution to Lakes Region Public Access Television. Selectman Grenier seconded. Motion carried with all in favor.

- 7.2. Lake Winnipesaukee Sailing Association Tax Exempt Status** – LWSA President Kevin Hayes was in attendance. He stated that with the purchase of their new property, the organization is financially strapped, with tuition and some donations being their primary sources of income. Their goal is to develop a handicapped and disabled sailing program, including veterans. He updated the Board on the status of 2014 scholarships and added that, several handicapped students attended the program at no charge.

Chairman O'Brien disclosed that he is a member of the Winnipesaukee Yacht Club, who sponsors the organization. Kevin Hayes corrected Chairman O'Brien, that the Yacht Club does make a donation, but is not a sponsor.

Kevin Hayes further stated that the LWSA is looking for an abatement of their 2014 taxes and designation as a charitable organization. Selectman Benavides moved to approve the charitable tax exemption for the LWSA, making the disclosure that he is also a member of the Winnipesaukee Yacht Club. Selectman Grenier seconded. The motion carried by a vote of 2-1 with Selectman Grenier voting no.

- 7.3. Recycle Center Improvements** – Chairman O'Brien stated that improvements are being proposed for the office at the Recycle Center.

Selectman Benavides moved to approve the expenditure of up to \$7,650 for the construction and installation of a new Recycling Center Office, to be built by the Building Trades Division NH Department of Corrections. Selectman Grenier seconded. Brief discussion ensued regarding the huge savings being recognized by having the Department of Corrections construct the office.

Motion carried with all in favor.

## 8. New Business

- 8.1. Road/Traffic Sign Issues – Gunstock Acres** – Chairman O'Brien stated that, in addition to the other requests being made, he would like to see a stop sign added at the

end of Ryswick Street and to add a yield sign at Silver Street and Sagamore Road. Town Administrator Dunn stated that he would have these requests looked into by the Police Department and Department of Public Works. He added that a public hearing would be required for the installation of a new stop sign. Police Chief Bean Burpee pointed out that yield signs are intended for motorists to check to the left, so they would not work in some instances. He also pointed out issues that could arise with stop signs during the winter months.

Selectman Benavides moved to accept the staff recommendations and therefore make a motion to direct the Department of Public Works to install a Yield sign and replace an existing Stop Ahead sign with a Yield Ahead on Buckboard Drive; and to install a Dangerous Intersection sign on Cottonwood Trail and another Dangerous Intersection sign on Silver Street. Selectman Grenier seconded. Motion carried with all in favor.

- 8.2. Acceptance of PEG Access Support Grant (Unanticipated Revenue)** – Selectman Benavides moved to accept the MetroCast Technology Grant in the amount of \$2,148 as unanticipated revenue and to allow the expenditure of that amount for its intended purposes. Selectman Grenier seconded. Motion carried with all in favor.
- 8.3. Set Date for 2015 Deliberative Session** – The Board concurred to hold the 2015 Deliberative Session of Town Meeting on Tuesday, February 3, 2015 at 7:00 p.m.
- 8.4. Flexible Spending Account Year End Settlement** – Selectman Benavides moved to accept \$145.08 from the HealthTrust as unanticipated revenue and to authorize the expenditure of that amount as a supplement to the HealthTrust Health and Safety Grant. Selectman Grenier seconded. Motion carried with all in favor.
- 8.5. 2014 Town Report Bid Award** – Selectman Benavides moved to accept the bid of Country Press in the amount of \$4,259.70 for the printing of the 2014 Annual Town Report. Selectmen Grenier seconded. Motion carried with all in favor.
- 8.6. Approval of 2015 Holiday Schedule** – Selectman Benavides moved to approve the 2015 Holiday Schedule as presented. Selectman Grenier seconded. Motion carried with all in favor.
- 8.7. Personnel Policy Amendments** – Town Administrator Dunn stated that he is looking for feedback from the Board on the proposed changes. He added that he will draft language on late performance evaluations to be included in the personnel policy, as suggested by various Selectmen.

Following brief discussion on the proposal to increase the weekly cell phone stipend, the Board concurred to have the stipend remain at \$10.00 per week. As far as the Town's Smoking Policy is concerned, a proposed amendment would prohibit smoking in all Town vehicles and increase the distance of being able to smoke near a Town building from ten (10) feet to twenty-five (25) feet.

After Town Administrator Dunn explained the rationale for the changes to the Smoking Policy, extensive discussion ensued. Selectman Grenier asked DPW Operations

Manager Mia Gagliardi how many truck drivers smoke, to which she replied approximately one-half of them. She added that the vehicles of employees who do smoke in them are very clean. The Board concurred not to prohibit DPW employees from smoking in their vehicles when they are alone, as otherwise allowed in the current policy.

Some of the other proposals were briefly explained by Town Administrator Dunn. He added that many of these changes are the result of information he has received at personnel related conferences. The Board concurred that they would like to see the final draft of the changes reviewed by Town Counsel.

**8.8. Ordinance Regulating the Issuance of Entertainment Business Permits and Showman Licenses** – the Board concurred to table this matter.

**8.9. Lakes Region Café and Tavern Entertainment License** – Tom Lyons stated that he has no issues and the club has run smoothly since it opened. He is in attendance to make sure that the renewal of the license runs smoothly. Will Drew stated that, at this time, he will reserve comments for a later date. Kristin Zoosko stated that there are many employees of the Lakes Region Café and Tavern who rely on the license to support their families and hopes the Board will support them.

Zach Joseph, General Manager, stated that feedback to him indicates that the club is running well with the renovations and changes in policy made.

Peter Morrissette stated that he thinks the Town spends far too much time dealing with issues with this business. He thinks that the property should be brought up to proper standards and then left alone. Although he thinks that the matter of the jobs provided is important, he is of the opinion that the Board needs to make a decision so that issues are resolved one way or the other. Mr. Morrissette stated that the constant back and forth with the club is a waste of time and taxpayer money.

Will Drew responded that there is a problem when a business pays \$30,000 per year in taxes and is not allowed to be open. Funds are needed for renovations and other expenses to keep the business operating. He further stated that over the years, he has spent hundreds of thousands of dollars for fire safety issues and alarm systems. Statements he has read in the newspaper that it takes him years to correct violations are not true. Some issues have been created by different interpretations by the same Fire Department and Will Drew does not think that the monetary elements involved are being considered.

Brief discussion ensued regarding the Board extending the existing license, at no charge to the applicants, until the new Live Entertainment Permit is in effect. Town Administrator Dunn pointed out that there will be a public hearing on the new ordinance and he will provide Mr. Drew and Mr. Lyons with copies beforehand for them to review.

Selectman Benavides moved to extend the existing Live Entertainment License for the Lakes Region Café and Tavern until 30 days after the new ordinance comes into effect. Selectman Grenier seconded. Motion carried with all in favor.

Selectman Grenier moved to refund the \$600 fee to Lakes Region Café and Tavern for their new license. Selectman Benavides seconded. Motion carried by a vote of 2-1 with Chairman O'Brien voting no.

**8.10. Outdoor Special Events – Zoning Ordinance Amendment – Town**

Administrator Dunn explained that the current framework for special events falls under the Zoning Ordinance and there is a requirement that the Selectmen hold a public hearing with notice to abutters, prior to acting on the application. It is impossible to do this for events such as the Timberman Triathlon, which is a special event.

Town Administrator Dunn further stated that he is proposing that the Planning Board regulate events on private property and the Selectmen regulate them on public property. He is requesting that the Board make a recommendation to the Planning Board on how they would like to see the Ordinance re-worded. He added that the deadline for zoning amendments is in December.

The Board concurred with Town Administrator Dunn's proposed re-wording of the Special Events Ordinance. It will be forwarded to the Planning Board.

**8.11. Closure of Belknap Mountain Road for Candlelight Stroll – December 13, 2015 – Selectman Benavides moved to close Belknap Mountain Road to non-**

emergency, motor vehicle traffic between Potter Hill Road and Alvah Wilson Road for the Annual Candlelight Stroll on December 13, 2014 during the hours of 4:30 p.m. until 7:30 p.m. Selectman Grenier seconded. Motion carried with all in favor.

**8.12. Inter-Municipal Agreement – Regional Animal Control Officer – Town**

Administrator Dunn stated that he is looking for feedback from the Board on whether they would like this agreement to be in effect as of January 1, 2015 or April 1, 2015. Waiting until April 1, 2015 will ensure that Town Meeting funding has been approved, although the police chiefs involved would like to see it begin on January 1, 2015. The Board indicated they were satisfied with the concept of a regional ACO as proposed in the draft agreement.

Town Administrator Dunn also clarified that if the agreement is not approved at Town Meeting, the Agreement will cease and expenses incurred will be paid from the Town budget. Brief discussion ensued regarding the hours worked by the ACO. The Board concurred to have a January 1, 2015 start date for the Agreement.

**8.13. Request to Purchase Surplus Equipment – Chairman O'Brien stated that a**

request has been made by a Town employee to purchase a surplus computer, for parts, at a cost of \$20.00. Selectman Benavides moved to approve the request of Ty Wolfe and allow him to have the surplus computer at no charge, provided the hard drive is removed. Selectman Grenier seconded. Motion carried with all in favor.

**8.14. Directory Sign Replacement –Meadowbrook – Selectman Benavides stated that**

he is in favor of allowing Meadowbrook to install this sign. Town Administrator Dunn stated that the Building Inspector has given his interpretation that this sign does not

comply with the Zoning Ordinance regarding “Directory Signs”. However, since this sign will be located in the Town’s right-of-way, the Town is exempt from the Zoning Ordinance. Selectman Benavides stated that he would like to make sure that Meadowbrook is responsible for all costs associated with the sign.

Town Administrator Dunn further clarified that if the Board is inclined to rule that the sign is exempt from the Zoning Ordinance that they would have oversight on the illumination of the sign. Selectman Benavides moved that the directional sign be exempt from the Zoning Ordinance. Selectman Grenier seconded, although he expressed concern with the size of the sign and the illumination. Chairman O’Brien stated that this sign is an advertisement for Meadowbrook.

Selectman Benavides stated that we want to promote Meadowbrook and have people spend money within the Town of Gilford. He further stated that we want people to use the Lily Pond entrance, rather than tying up traffic at Route 11 and Route 11-B. Extensive discussion ensued, with Chairman O’Brien and Selectman Grenier agreeing that their main issue with the sign is the LED lighting. Chairman O’Brien proposed having the sign without the LED lighting and suggested the matter be tabled so that this can be further discussed with RJ Harding.

In closing, Town Administrator Dunn stated that if the motion were to fail, he would discuss the Board’s concerns with Meadowbrook, followed by a discussion with Emerson Aviation on the new sign. Board members then concurred to instead table this matter and have Town Administrator Dunn discuss the sign issue with Meadowbrook and Emerson Aviation.

**8.15.     Release of Property Tax Lien – Joseph Hoffman** – Selectman Benavides moved to sign the Release of Property Tax Lien as presented. Selectman Grenier seconded. Motion carried with all in favor.

**8.16.     Bank of NH ACH Agreement** – Finance Director Ruggles provided the Board with a brief explanation of why the agreement is necessary.

Selectman Benavides moved to approve the access resolution for certain Town Officials to exercise authority granted under the ACH agreement, and to authorize the Finance Director to execute the agreement as presented. Selectman Grenier seconded. Motion carried with all in favor.

**9. Other Business** – none.

**10. Public Input** – none.

**11. Selectmen’s Issues** – Selectman Grenier expressed concern with the recent parking issues at the election held on November 4<sup>th</sup> at the Gilford Youth Center, with the vast majority of parking spaces being taken by election workers and candidates. Following discussion, the Board concurred to have Town Administrator Dunn discuss this issue with the Town Moderator for a recommendation on how to correct this problem.

**12. Administrator's Report** – Town Administrator Dunn stated that a preliminary tax rate of \$18.30 was received today, which is the same as the 2012 tax rate.

The Town is currently soliciting proposals for a Clerk of the Works for the Police Station Renovation/Expansion project. The Police Station bids are currently due on November 24<sup>th</sup>, so it is Town Administrator Dunn's goal to present a recommendation to the Board at their December 3<sup>rd</sup> meeting.

Town Administrator Dunn attended the NHMA Annual Conference today and obtained new information on tax deeded properties and how Supreme Court decisions affect municipalities.

An inquiry regarding the Pawnbrokers Ordinance was recently received concerning the purchase and re-sale of used cell phones. Strict adherence to the Ordinance would require this party to have a Pawnbroker's license, so Town Administrator Dunn is considering amending the Ordinance to remove the purchase and re-sale of cell phones, since this does not fit the intent of the Ordinance, which is to prohibit the sale of stolen property.

Town Administrator Dunn advised the Board that he had intended to present insurance proposals and budget amendments to them at tonight's meeting; however, the proposals have not yet been received so he intends to present them at the next meeting.

Liberty Hill Road has been paved with a new shim coat as the project prepares to shut down for the winter. This was done at no expense to Gilford taxpayers.

The Budget Committee has been meeting every Thursday and have made very few changes to the Selectmen's budget.

**13. Next Meeting** – December 3, 2014.

**14. Adjournment** – With no further business before the Board, the Board of Selectmen's November 12, 2014 meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Richard Grenier  
Clerk