

GILFORD BOARD OF SELECTMEN'S MEETING
March 28, 2008
Town Hall

The Board of Selectmen convened in a special session on Friday, March 28, 2008, at 4:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Connie Grant, Gus Benavides and Kevin Hayes. Also present were Interim Town Administrator Debra Shackett and Administrative Secretary Sandra Bailey.

Pledge of Allegiance – The Selectmen recited the Pledge of Allegiance.

Vice Chairman Grant opened the meeting, the purpose of which was to determine if McDonald Morrissey Associates of Concord should be hired to provide an independent review of the Liberty Hill Coal Tar Disposal Site reports prepared by consultants for Keyspan and NH DES. Interim Town Administrator Shackett stated that Attorney Jeff Meyers has recommended that McDonald Morrissey Associates be retained. She reviewed a letter and schedule of charges from McDonald Morrissey.

Selectman Hayes moved to retain the legal services of Attorney Jeffrey Meyers and the consulting services of McDonald Morrissey to assemble and file comments on Remedial Action Plan RAA5, not to exceed \$30,000. Selectman Benavides seconded.

Selectman Hayes began the discussion on spending \$30,000 in order to file comments with NH DES. He feels it is a sound investment since this amount already represents between two (2) and two and a half (2 ½) years of lost income for the Town in taxes, due to a reduction in valuations of the affected area. In addition, the taxpayers are in favor of 100% removal. He feels that the Town should build their case and file their comments.

Discussion ensued between Selectmen Benavides and Hayes regarding 100% removal of the contaminated soil. Chairman Grant stated that she thought that Attorney Meyers would have 3-4 consultants from which the Board could make a choice for their consultant. Selectman Benavides also would like to have the names of additional consultants prior to selecting a firm for Liberty Hill.

Interim Town Administrator Shackett briefly reviewed an e-mail she received from Attorney Meyers. He pointed out that due to a limited timeframe and number of qualified consultants, he would like the Board to make a decision by next Wednesday (April 2, 2008) as to who they wish to retain as consultants. Interim Town Administrator Shackett also pointed out that Jim Tarr is still available and she sent his information to Attorney Meyers.

Extensive discussion ensued on the issue of being able to have a second bid to compare rates. Interim Town Administrator Shackett stated that Attorney Meyers did not make his recommendation for McDonald Morrissey based on their rates. Chairman Grant stated that if the Board could determine that McDonald Morrissey's rates were comparable to other firms, she would be in favor of retaining them since they would be working with Attorney Meyers.

More discussion ensued on the matter of choosing McDonald Morrissey over CEI (Jim Tarr's firm). Interim Town Administrator Shackett stated that Attorney Meyers indicated that CEI's expertise is more in the area of underground tanks. After a brief review of CEI's rate schedule, it was determined that they are on par with McDonald Morrissey.

Interim Town Administrator Shackett also pointed out that any monies for Liberty Hill attorneys or consultants were not budgeted for 2008. Selectman Benavides stated that with the significant revenue loss to the Town, as well as the fact that lives are worth more than \$20,000 and this is something that the Town has to do. A vote on the motion showed all in favor – motion carried.

Selectman Benavides would like to meet with a representative from McDonald Morrissey next week, if possible.

Chairman Grant stated that she would like to discuss the direction of the Facility Planning Committee. She expressed concern with the status of Peter Stewart, in regards to the preparation of a set of plans. She further stated that even though he suggested a smaller committee, she feels that they should keep all the members and divide into sub-committees and keep focused on details.

Chairman Grant stated that it would be most efficient to continue using the services of Peter Stewart. She also pointed out the value of the Energy Committee in evaluating the use of geothermal energy. She stressed the importance of FPC decisions being made at their meetings and a vote being taken at meetings, prior to any member going to an outside agency on behalf of the Committee.

Chairman Grant stated that the FPC is looking for a charge. She also suggested that Kevin Hayes be the Chairman. Discussion ensued with Selectman Hayes feeling that he should not be the Chairman, but rather the force behind spearheading the Committee. Brief discussion ensued on Monday's scheduled FPC meeting.

The Board of Selectmen on a roll call vote entered Non-Public Session under RSA 91-A:3 II (a) at 4:45 p.m. Present were Selectmen Connie Grant, Gus Benavides and Kevin Hayes. Also present was Interim Town Administrator Debra Shackett.

While in Non-Public Session, the Board discussed personnel matters. While in Non-Public Session, no action was taken.

The Board exited Non-Public Session at 4:55 p.m.

Adjournment – With no further business before the Board, the Board of Selectmen's March 28, 2008 special session was adjourned at 4:55 p.m.

Respectfully submitted,

Sandra J. Bailey
Administrative Secretary