

GILFORD BOARD OF SELECTMEN'S MEETING
April 9, 2008
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, April 9, 2008, at 3:00 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.

1. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
2. **Review/Approval of Minutes** – The Board of Selectmen approved the minutes of the March 28, 2008 Special Session and the regular and non-public minutes of the meeting of March 26, 2008.
3. **Appointments** – None.
4. **New Business**

- 4.1. **D.A.R.E. Donation** – Chief Markland was in attendance to request that the Board accept a donation from Wal-Mart in the amount of \$1,000.00 for the D.A.R.E. Program.

Selectman Benavides moved to accept a donation in the amount of \$1,000.00 from Wal-Mart for the D.A.R.E. Program. Selectman Hayes seconded. Motion carried.

- 4.2. **2008 Roadway Improvements** – DPW Operations Manager Dustin Muzzey was in attendance to review the 2008 Contract Documents and Specifications for Roadway Improvements for the Board. He pointed out that this is a proposal, not a bid, and the language is the same as it was last year.

Discussion ensued on the matter of having to make reductions in the contract due to budgetary constraints. Interim Town Administrator Shackett suggested that, in light of the budget review at the last meeting, the Board consider making drastic cuts to the amount of the contract. It was recommended that all contractors be advised, from the beginning, that the amount could be reduced. DPW Director Sheldon Morgan indicated that this will be disclosed at the pre-bid conference with contractors.

Selectman Hayes moved to approve the Contract Documents and Specifications for 2008 Roadway Improvements and allow DPW to advertise and receive proposals for consideration. Selectman Benavides seconded. Motion carried.

- 4.3. **Jet Rodder/Vacuum Trailer** – DPW Operations Manager Dustin Muzzey briefly explained the Request for Bid - Jet Rodder/Vacuum Trailer. He also explained how this piece of equipment would be used and that it would be funded one half by the Sewer Department and one half by the Highway Department. The Town currently uses Laconia's equipment and men when they have need for this type of equipment and is billed for it.

Selectman Hayes moved to authorize the Department of Public Works to accept bids for the purchase of a jet rodder/vacuum trailer. Selectman Benavides seconded. Motion carried.

- 4.4. Barbara Kelly – Correspondence re: Planning Board Application** – Chairman Grant recused herself from this matter and asked Vice Chairman Benavides to stand in for her.

Interim Town Administrator Shackett advised the Board that the correspondence before the Board from Mrs. Kelly is solely for the Board to consider the matter of the current use tax. She further advised them that they can grant a full or partial abatement, a tax deferral or denial. It is her recommendation that the Board not grant an abatement or deferral, since there is no evidence of hardship.

Interim Town Administrator Shackett also stated that this property has incorrectly been in current use for many years and it is now being correctly taxed, since the acreage is less than 10 acres. Therefore, it does not qualify for current use.

Selectman Benavides moved to deny an abatement for Barbara Kelly's current use tax. Selectman Hayes seconded. Motion carried. Chairman Grant abstained.

- 4.5. Old Home Day Race** – Interim Town Administrator Shackett stated that this 5K Road Race is part of the Old Home Day festivities and has been conducted for many years. There is no requirement for police presence at this event.

Selectman Hayes moved to approve the 5K Road Race, sponsored by the Gunstock Nordic Association, to be held on August 23, 2008. Selectman Benavides seconded. Motion carried.

- 4.6. Lake Winnepesaukee Relay Race** – Interim Town Administrator Shackett stated that this event has also taken place for many years and has followed the recommendations for traffic information and safety requirements that have been set by the Gilford Police Department.

Selectman Hayes moved to approve the Winnepesaukee Relay Race, sponsored by the North Medford Club, to be held on September 20, 2008, subject to the recommendations of the Gilford Police Department for traffic and safety requirements. Selectman Benavides seconded. Motion carried.

- 4.7. GCV Holdings** – Interim Town Administrator Shackett stated that a request has been received from Jeff Caley of GCV Realty Holdings to release a portion of his construction bond for High Point Lane. The Department of Public Works and Fire Department would each like \$20,000 retained for asphalt and firefighting requirements.

Selectman Benavides moved to release \$200,983 and retain \$40,000. Selectman Hayes seconded. Motion carried.

5. Old Business

- 5.1. Conservation Commission Alternates** – Applications have been received from Rudi Lehr and Don Sibson to be re-appointed as alternates to the Conservation Commission.

Selectman Benavides moved to re-appoint Rudi Lehr and Don Sibson as alternate members of the Conservation Commission. Selectman Hayes seconded. Motion carried.

- 5.2. Updated Board/Commission Openings** – Chairman Grant read the open Board/Commission positions for the public. These openings will be placed on the Town's website.

- 5.3. Election Results** – The discussion of the 2008 Town Warrant voting results focused on the funding of outside agencies. Interim Town Administrator Shackett advised the Board that the outside agencies are already calling for funding the 2009 budget.

Discussion ensued on the matter of future warrant articles – would they be submitted by the Board of Selectmen or by petition? Interim Town Administrator Shackett stated that she recommends that outside agencies submit their requests as they ordinarily do, and it will be later determined how the requests will be handled. It was also pointed out that the two outside agencies that were approved for funding for 2008 are not guaranteed to be funded for 2009.

- 5.4. Cybertron Contract** – Interim Town Administrator Shackett briefly updated the Board on the signing of the 2008 Cybertron Contract.

- 5.5. Change in Meeting Time** – Selectman Hayes suggested that the Board change their meeting time to 4:00 p.m. Selectmen Benavides stated that he is more in favor of 6:00 p.m. Chairman Grant stated that if the meeting were to be in the evening, 7:00 p.m. would be better for her.

Selectman Benavides moved to change the Board's regular meeting time from 3:00 p.m. to 7:00 p.m., for a three month trial period, starting with the April 30th meeting. Selectman Hayes seconded. Motion carried.

6. Public Input

Russ Dumais stated that he has a concern with the matter of the termination of Evans Juris. He would like the Board to take an "open door" policy and keep citizens informed. Chairman Grant stated that she will ask Town Counsel if any information can be disclosed.

Mr. Dumais also spoke against the recent suggestion to increase the number of Board members from three to five. He suggested that this would not be a good idea and increasing the size of the Board would create more controversy and make it less likely that agreement could be reached.

Dennis Doten echoed Mr. Dumais' sentiments. He feels that it is a disservice to the Town of Gilford and Evans Juris not to make the reasons for their actions clear. Mr. Doten is also opposed to increasing the size of the Board.

Mr. Doten also stated that the Board has had nighttime meetings before. He does not see the need for them since the meetings are televised on LRPA TV. He also reminded those in attendance that the Selectmen's meetings are not public hearings.

Mr. Doten then made a plea to the Board to consider Gilford Village Knolls' request to acquire the Potter Hill Road lot for expansion. He feels that since there is such a need for affordable senior housing, that this would be a win/win situation.

Bill Johnson agreed with Mr. Doten's comments on Gilford Village Knolls. He pointed out that their issue with any bid process is the lengthy process of securing financing.

Mr. Johnson also urged the Board to clarify the situation with Evans Juris as soon as possible, since the lack of information causes harmful speculation.

7. Signatures

<u>DATE SIGNED</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
03/01/08	Change of Status - Barrett	201-009.042
03/13/08	Change of Status - Shackett	
03/15/08	Ambulance write-off	
03/17/08	Blind Exemption - Endee	227-227.000
03/17/08	Veteran's Tax Credit - Schmid	242-157.000
03/17/08	Veteran's Tax Credit - Sullivan	252-016.404
03/17/08	Payroll Register	
03/19/08	Accounts Payable Manifest	
03/24/08	Payroll Register	
03/28/08	Appointment Form - Lehr	
03/28/08	Appointment Form - Sibson	
03/28/08	Change of Status - Dinan	
03/28/08	Accounts Payable Manifest	
03/31/08	Abatement Denial - Bixby	224-049.072
03/31/08	Abatement Denial - Brulotte	224-074.006
03/31/08	Payroll Register	
04/01/08	Abatement - Land	253-335.000
04/02/08	Accounts Payable Manifest	
04/02/08	Payroll Register	
04/03/08	Payroll Register	
04/03/08	Abatement Denial - Hoffman	242-155.000
04/03/08	Pole & Petition License - Maple Street	
04/04/08	Letter to Alice Boucher	
04/04/08	Abatement Denial - Aichinger	221-007.000
04/07/08	Change of Status - Tanner	

04/08/08	Change of Status - Buckner	
04/09/08	Rowe House Lease	
04/09/08	Veteran's Tax Credit - Gorman	201-009.070
04/09/08	Veteran's Tax Credit - Murphy	203-081.000
04/09/08	Service Disability Credit - Velmure	203-259.000
04/09/08	Intent to Excavate - Palanchian	263-036.000
04/09/08	Intent to Excavate - Warren	232-002.001
04/09/08	Veteran's Tax Credit - Bartlett	213-033.000
04/09/08	Veteran's Tax Credit - Waugh	203-180.000
04/09/08	Veteran's Tax Credit - Carder	201-011.001
04/09/08	Veteran's Tax Credit - Giguere	201-009.011
04/09/08	Veteran's Tax Credit - Simoneau	224-049.012
04/09/08	Veteran's Tax Credit - Marcotte	213-013.341

8. **Selectmen Issues** – Selectman Benavides brought up the matter of the Town’s lot on Potter Hill Road. Selectman Hayes asked if the Town could offer the Potter Hill Road lot to Gilford Village Knolls. Discussion ensued on the need for affordable senior housing, but the ramifications of taking the land off the tax rolls for a non-profit agency. The pros and cons of making the property available to Village Knolls were discussed, as well as the pros and cons of the sale of the property to a private citizen.

Interim Town Administrator Shackett explained the process the Town must go through, under RSA 41:14, to gain authority to sell the property. Public hearings must be held by the Planning Board, Conservation Commission and Board of Selectmen.

Also discussed was how this matter could be handled with a special town meeting. Interim Town Administrator Shackett pointed out that a special town meeting does have costs associated with it.

It was the consensus of the Board to hold two public hearings, on April 30, 2008 and May 14, 2008, at 6:00 p.m. to ask the public for their input on how to handle the disposition of the property.

Selectman Benavides also suggested closing the Town Hall on Friday so that employees can attend former Fire Chief Michael Mooney’s funeral. After brief discussion, the Board decided to keep the Town Hall open and hoped that all employees who want to go are able. ** (See Administrator’s Report)

Selectman Hayes stated that the FPC is looking for endorsement from the Board of Selectmen to negotiate with Horne Construction. Chairman Grant stated that she feels they need to have a complete set of plans first. Selectman Hayes replied that the plans are 75-80% completed and they only need to acquire mechanical and electrical plans.

He continued, stating that this is a \$1-\$2 million addition that he feels could be done through the construction management method, going with the low bid. Chairman Grant expressed concern that this method would not be thorough enough, since there is no way to compare with other builders. She reiterated her previously stated position that a

complete set of plans is necessary, since the taxpayers want to see what the building will look like.

Interim Town Administrator Shackett indicated that Peter Stewart felt that the “process” was 98% complete. Selectman Benavides asked Selectman Grant when he thought complete drawings would be available if they are re-done. Selectman Hayes guessed that it would be July 2008. Extensive discussion followed. FPC member Andy Howe stated that he feels a new architect will cost the Committee a lot of time. He did state, however, that the Committee is relying on the Gilford Building Inspector and Fire Inspector to assist with various matters. Mr. Howe also stated that energy issues have been delegated to the Gilford Energy Committee, which will help streamline the process.

Chairman Grant moved to charge the Facility Planning Committee with developing a complete set of plans and a new RFP for an architect. Selectman Benavides seconded. Motion carried with a vote of 2-1. Selectman Hayes was opposed.

9. Administrator’s Report

9.1 Size of Board of Selectmen – Selectman Hayes stated that concerns with right-to-know issues would be alleviated with a 5-member Board. Selectman Benavides also felt that additional Board members would assist with accountability because the Board members were aware of the workload when they ran for office. Chairman Grant feels there would be a greater cross-representation of Gilford citizens with a larger Board. Selectman Benavides stated that the Board does not need to do anything to implement this change. It is up to the registered voters to submit a petition for an increased number of Board members.

9.2 Library Land

This matter has already been discussed under Section 8.0.

9.3 General Update – Interim Town Administrator Shackett provided a general update for the Board regarding the past two weeks. She also brought up the issue of Selectmen signatures, since documents for the Appraisal, Finance and Administrative offices are being delayed. Interim Town Administrator Shackett will try to schedule a meeting with Town Counsel Walter Mitchell at 5:00 p.m. on April 30th, rather than the 2:00 p.m. that was originally scheduled.

**At this time, Chairman Grant asked TC/TC Morrissette what time her office would be closed on Friday for Chief Mooney’s funeral. TC/TC Morrissette replied that it would be closed from 9:00 a.m. to 12:00 noon. She also asked the Board to consider closing the Town Hall so that all employees could attend the funeral. Chairman Grant explained that the Town Hall would be open, but with minimal staffing. TC/TC Morrissette urged the Board to reconsider their decision and close the Town Hall.

9.4 Non-Public Session RSA 91-A:3 II (a)

The Board of Selectmen on a roll call vote entered Non-Public Session at 5:10 p.m. Present were Selectmen Connie Grant, Gus Benavides and Kevin Hayes.

Also present were Interim Town Administrator Debra Shackett and Administrative Secretary Sandra Bailey.

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 5:45 p.m.

10.0 Next Meeting – Wednesday, April 30, 2008 at 7:00 p.m., public hearing at 6:00 p.m.

11.0 Adjournment – With no further business before the Board, the Board of Selectmen's April 9, 2008 meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Sandra J. Bailey
Administrative Secretary