

GILFORD BOARD OF SELECTMEN'S MEETING
June 11, 2008
Town Hall

Prior to the official business portion of the Selectmen's Meeting, the Board participated in the Gilford Police Department's Employee Recognition at 6:00 p.m.

The Board of Selectmen then convened in a regular session on Wednesday, June 11, 2008, at 7:00 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. Chairman Grant announced that the meeting would be videotaped and broadcast on Lakes Region Public Access TV.
2. **Review/Approval of Minutes** – The Board of Selectmen approved the minutes of the May 28, 2008 Work Session and the regular minutes of the meeting of May 28, 2008.
3. **Appointments**
 - 3.1. **Brian Stokes** – Mr. Stokes was in attendance on behalf of Mr. and Mrs. Siepka of 19 Dockham Shore Road. Mr. Stokes has been informed that as their landscape contractor, he would need to obtain permission from the Board of Selectmen to place cobblestone pavers within the Town's right-of-way.

Selectman Hayes inquired about the height of the pavers and Mr. Stokes replied that they would be 3/8" below grade. Selectman Benavides asked DPW Director Morgan if he had any problems with similar pavers that the residents at 15 Dockham Shore Road had installed. Director Morgan replied that it has been no problem for the Town.

Selectman Hayes recommended that Town Counsel produce a release for the Siepkas to sign, relieving the Town of any responsibility for damage to the pavers. Interim Town Administrator Shackett clarified that the Siepkas need the written permission of the Board to have this type of work performed within the Town's right-of-way. Chairman Grant feels that this should be allowed, as long as there is no obstruction within the Town's right-of-way.

Selectman Hayes moved to grant permission for the Siepkas of 19 Dockham Shore Road to have cobblestone pavers installed within the Town's right-of-way, and for Town Counsel to prepare a document for their signature releasing the Town of any liability for damages. Selectman Benavides seconded. Motion carried.

3.2. Andy Howe, ZBA Chairman – ZBA Chairman Howe was in attendance to clarify what happened at the last Board of Selectmen’s meeting. He stated that now that the case has been decided he is at liberty to discuss more details, however he is mostly concerned with the process. He proceeded with his explanation, stating that only a portion of the lot in question had an approved site plan by the Planning Board. The Zoning Board assumed that this implied approval of the entire lot, although they never actually asked this question. Chairman Howe feels that this information was vital in determining the hardships of the case.

Mr. Howe stated that the ZBA made a mistake and it concerns him because of the need to have consistent standards for each applicant. He further explained how the Zoning Board is there to provide relief for applicants who cannot comply with the Zoning Ordinance.

Mr. Howe also expressed concern that Selectman Hayes recused himself voting on this matter, but then spoke on the matter, swaying the Board in their decision. He stated that on the ZBA, once a person has recused themselves, they don’t speak. He feels that the Board has set a bad example in this situation and the process should be more black and white. He suggested that the Board contact Town Counsel for guidance.

Chairman Grant responded to Chairman Howe, stating that she would like to find a solution with the process so that this does not happen again. Chairman Howe further stated that he does not usually vote unless there is a tie and in this case, he did vote to break a tie, resulting in the approval of the variance. Chairman Grant thanked Mr. Howe for his hard work and dedication to the Town of Gilford.

4. New Business

4.1. Summer Town Forum – Brief discussion ensued on when to hold the Annual Summer Town Forum. The Board decided that it will be held on Wednesday, August 13, 2008 at 7:00 p.m. The regular Board meeting will be held on Wednesday, August 13, 2008 at 5:00 p.m.

4.2. Richard Tebbetts Driveway Application – Jerry Gagnon was in attendance representing Mr. Tebbetts. He provided a letter from the abutters, Mr. and Mrs. Wood, who have no objection to the right-of-way being used as a driveway for a home to be constructed on the back lot. Mr. Gagnon also provided the three conditions under which a building permit can be issued on a back lot.

DPLU Director John Ayer provided further information on this matter, that the Board must determine this right-of-way to be a private road and built to private road standards. Discussion also ensued on the issue of the Department of Public Works issuing a driveway permit. Sheldon Morgan provided further information regarding the driveway permit.

Interim Town Administrator Shackett stated that since the back lot has no frontage, it requires the approval of the Board of Selectmen and must be built to private road standards. Selectman Hayes inquired if there was an easement in place and Mr. Gagnon stated that it has been in existence since the 1800's.

Discussion then ensued on whether or not the access could be constructed to driveway standards, rather than private road standards. DPLU Director Ayer stated that the Minimum Road Standards have allowed public roads to be constructed at a reduced width. Further discussion ensued on why this matter has come before the Board of Selectmen and not the Zoning Board.

Pursuant to RSA 674:41, Selectman Benavides moved to approve the request of Richard Tebbetts to authorize the issuance of building permits on the road giving access to Tax Map and Lot #208-008.000 at 118 Young Road, finding that said road is a private road, subject to the following conditions:

The private road shall be developed to the Town's minimum standards for private roads, subject to a recommendation from the Fire Department.

The Town of Gilford neither assumes responsibility for maintenance of the private road nor liability for any damages resulting from its use.

Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought.

Selectman Hayes seconded. Motion carried.

- 4.3. Charge for Tax Information** – Town Clerk/Tax Collector Morrissette was in attendance seeking the Board's approval to charge the First American Tax Service a flat fee charge of \$25.00 for electronic files on tax information. She has done research and determined that this is what other towns are charging. Brief discussion ensued on what types of requests this fee would apply to.

Interim Town Administrator Shackett advised the Board that there is currently in place a policy for electronic files for a flat fee of \$25.00, which was approved by the Board in 2006. Therefore, it is not necessary for the Board to vote on this item, but they did offer their support on the policy.

- 4.4. Jet Rodder/Vacuum Trailer** – DPW Operations Manager Dustin Muzzey explained that two bids have been received for the purchase of this piece of equipment. The amount that was budgeted for the equipment is \$85,000.

Selectman Hayes moved to authorize the purchase of a jet rodder/vacuum trailer from New England Municipal Equipment of Bristol, CT, in the amount of

\$79,675. Selectman Benavides seconded. Motion carried.

4.5. Swing Equipment RFP Recommendation – Following brief discussion, the Board concurred to table this matter to the next regular meeting and have Recreation Director Herb Greene in attendance, since they need some additional information.

4.6. Gilford Warm-Up Hut Restoration Project – Selectman Benavides moved to accept a donation in the amount of \$152.18 from Patrick’s Pub & Eatery, for the proceeds from a benefit dinner held there. Selectman Hayes seconded. Motion carried.

5. Old Business

5.1. Health Officer – This matter will be postponed until the next regular meeting.

6. Public Input – Chairman Grant read the guidelines for members of the public who wish to speak during this portion of the meeting.

Resident Joe Hoffman stated that the Health Inspector should do an on-site inspection of the Two Pines Mobile Home Park. He also commented on the driveway and building permit situation of Richard Tebbetts, which was discussed under 4.2.

7. Signatures

<u>DATE SIGNED</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
01/30/08	Change of Status - Lafond	
04/25/08	Change of Status - Ferreira	
05/22/08	Land Use Change Tax - Tax Collector's Warrant	229-058.000
05/27/08	Payroll Register	
05/27/08	Abatement - Watson	201-009.109
05/27/08	Accounts Payable Manifest	
05/28/08	Change of Status - Brown	
05/28/08	Change of Status - Wood	
06/02/08	Sewer Abatement - Idle Inn Condo (2)	216-002.000
06/02/08	Change of Status - Bettez	
06/02/08	Abatement - Mertinooke	266-102.023
06/03/08	Ambulance Hardship Write-offs	
06/03/08	Tax Collector's Warrant - Jeopardy Tax - Gerner	224-046.006
06/04/08	Notice of Intent to Cut Timber (Bolduc)	212-003.000
06/04/08	Application for Current Use - Lanigan	244-103.000
06/04/08	Sewer Abatement - Rigney	203-168.000
06/05/08	Letter to K. Dami	
06/05/08	Abatement - Scannell	224-075.013

06/06/08	Sewer Abatement - Gagnon	203-010.000
06/06/08	Veteran's Tax Credit - Horvath	227-064.000
06/07/08	Change of Status - McMahon	
06/07/08	Change of Status - Cappello	
06/10/08	Notice of Intent to Cut Timber (AP Sanborn Farm)	232-003.000

8. Selectmen Issues – None.

- 9. Administrator's Report** – Interim Town Administrator Shackett provided her regular update to the Board, which primarily focused on the selection of a citizen panel for the Town Administrator search. Each Board member will review the candidates' letters of interest and come to the next meeting with five (5) recommendations.

Interim Town Administrator Shackett also advised the Board that the Local Government Center is going forward with advertising for the Town Administrator position.

10.0 Non-Public Session RSA 91-A:3 II (b)

The Board of Selectmen on a roll call vote entered Non-Public Session at 8:29 p.m. Present were Selectmen Connie Grant, Gus Benavides and Kevin Hayes. Police Chief John Markland entered non-public session at 8:35 p.m.

While in Non-Public Session, Chief Markland outlined his terms regarding the Interim Town Administrator position. While in Non-Public Session, no action was taken.

The Board exited Non-Public Session at 9:05 p.m.

Selectman Hayes moved that the Town appoint Chief Markland as Interim Town Administrator, beginning on June 23, 2008, for a daily stipend of \$200. Selectman Benavides seconded. Motion carried with all in favor.

11.0 Next Meeting – Wednesday, June 25, 2008 at 7:00 p.m.

- 12.0 Adjournment** – With no further business before the Board, the Board of Selectmen's June 11, 2008 meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Sandra J. Bailey
Administrative Secretary