

GILFORD BOARD OF SELECTMEN'S MEETING
December 3, 2008
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, December 3, 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 Town Administrator Scott Dunn and Administrative Secretary Sandra Bailey.

1. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
2. **Announcements**
 - 2.1. A reminder that the Town is soliciting sealed bids for the purchase of land at 43 Potter Hill Road, with bids due at 2:00 p.m. on Thursday, December 4th.
 - 2.2. A reminder that Gilford property taxes are due by 4:30 p.m. on Monday, December 15th.
 - 2.3. All Town Offices will be closing at 12:00 noon on Wednesday, December 24 for the Christmas holiday and re-opening on Monday, December 29 at 8:00 a.m.
3. **Review/Approval of Minutes** – Selectman Hayes moved to approve the minutes of the regular and non-public sessions of the meeting of November 12, 2008. Chairman Grant seconded. Motion carried with Selectman Benavides abstaining.
4. **Public Hearing**
 - 4.1. **Proposed Gilford Fire-Rescue Inspection Fee Schedule**

Chief Hayes provided an overview of the proposed Fee Schedule, which is being proposed to generate revenue to offset the Fire Inspector's time. He emphasized that the schedule is based on the approximate time required for each inspection, as well as plan review if necessary.

The Fee Schedule is broken down into three categories – 1 & 2 Family Residential, Multi-family/Commercial and Specialty Permits. A comparison with NH communities indicates the proposed schedule to be on the "low" side. Selectman Hayes asked if the Fee Schedule could be reviewed in six (6) months. Chief Hayes replied yes.

Chief Hayes further explained that the annual inspections that are necessary for multi-family and commercial properties are not part of the proposed schedule.

There being no questions or comments from the public, Chairman Grant closed the public hearing at 7:15 p.m.

Selectman Benavides moved to approve the Proposed Gilford Fire-Rescue Fee Schedule as presented. Selectman Hayes seconded. Motion carried with all in favor.
5. **Appointments**
 - 5.1. **Chief Jim Hayes – Fire Department Update** – Chief Hayes provided the Board with his regular Department update that was postponed from the November 12th meeting. He stated that with winter coming, activity within the Department will increase. As far as vehicles and equipment are concerned, he advised the Board that the ambulance chassis has arrived at the factory in New Jersey. The Department's boat has been taken out of the water for the season and in the spring, the donated GPS unit will be installed by NH Marine Patrol. Department members will also receive training from Marine Patrol. He

also apprised the Board of progress with the forestry truck and recent accomplishments of Fire-Rescue personnel. Chief Hayes also pointed out the Department's involvement in the WLNH Children's Christmas Auction.

6. New Business

- 6.1. Disposition of Surplus Vehicle** – Chief Hayes briefly explained his memo of November 18, 2008, in which he has requested that the Board authorize the ownership of the 1989 Ford F350 chassis be transferred to Mr. Jamie O'Conner, in exchange for services rendered (painting of new chassis and body), once it has been removed from service. Chief Hayes considers this a very fair trade. Town Administrator Dunn stated that a Bill of Sale will be created indicating that the transfer is being done with no warranties.

Selectman Benavides moved to trade the 1989 Ford F350 chassis with Mr. Jamie O'Conner, in exchange for services. Selectman Hayes seconded. Motion carried with all in favor.

- 6.2. Advertising Christmas Eve Early Closing** – Town Administrator Dunn advised the Board that a request has been received to advertise the Christmas Eve early closing in the local newspapers. The Board concurred that this would not be necessary.

- 6.3. Donation Acceptance – Winnepesaukee Yacht Club** – As previously mentioned in Chief Hayes' monthly update, the Winnepesaukee Yacht Club has generously donated \$3,076.35 towards the cost of a GPS unit for the Fire-Rescue boat.

Selectman Benavides moved to accept the donation of \$3,076.35 towards the cost of a GPS unit for the Fire-Rescue boat, with the Board's deepest appreciation. Selectman Hayes seconded. Motion carried with all in favor. A certificate of appreciation was signed by the Board.

- 6.4. Police Department Directive – Use of Taser** – Deputy Chief Keenan was in attendance to request that the Board approve Departmental Directive 08-01, "Use of Taser". Brief discussion ensued on the status of the legal review of the document. Town Administrator Dunn advised the Board that he is not concerned with this aspect of the approval since the original policy was developed by NH Local Government Center and if any other changes are required, the policy can be amended.

Selectman Benavides moved to approve Police Department Directive #08-01 as presented. Selectmen Hayes seconded. Motion carried with all in favor.

- 6.5. Pole and Petition License – Curtis Road** – Town Administrator Dunn stated that he has been asking DPW Director Sheldon Morgan for a recommendation on these requests, to ensure that the location of the pole is not a concern for his Department.

Selectman Benavides moved to approve the Pole and Petition License as submitted. Selectman Hayes seconded. Motion carried with all in favor.

- 6.6. Fuel Oil Bid – Fred Fuller Oil Company** – Brief discussion ensued on the fact that the Board did not approve the fuel oil contract that is now being offered to be bought out. Town Administrator Dunn advised the Board that after having conversations with Finance Director Ruggles, DPW Director Morgan and Assistant School Superintendent Isabelle that they agree the potential immediate savings outweighs the risk of future

price increases. Selectman Benavides moved to accept the buy-out option offered by Fred Fuller Oil Company, for the market price plus \$0.50 per gallon mark-up. Selectman Hayes seconded. Motion carried with all in favor.

6.7. Tannery Hill Restoration Bridge Project – The Board acknowledged the Eagle Scout work of Michael Nickerson and signed a certificate of appreciation in recognition of his efforts. A certificate of appreciation will also be sent to Tim Andrews.

6.8. Resignation – Inspector of Elections – Rutha (Bette) Helfrich – Selectman Benavides moved to accept the resignation of Rutha (Bette) Helfrich with regret and appreciation. Selectman Hayes seconded. Motion carried with all in favor. The Board signed a certificate of appreciation.

6.9. Resignation – Inspector of Elections – Shirley Snow - Selectman Benavides moved to accept the resignation of Shirley Snow with regret and appreciation. Selectman Hayes seconded. Motion carried with all in favor. The Board signed a certificate of appreciation.

6.10. Resignation – Asst. Moderator - Wayne Snow - Selectman Benavides moved to accept the resignation of Wayne Snow with regret and appreciation. Selectman Hayes seconded. Motion carried with all in favor. The Board signed a certificate of appreciation.

6.11. Right of Way Permit – Thomas Barrett – Town Administrator Dunn explained the conditions of this request from Thomas Barrett to construct a driveway on Foxglove Road in a location which does not have conforming sight distance. The permit he has prepared for Mr. Barrett outlines some conditions regarding the Town's right-of way.

Selectman Benavides moved to approve a Right-of-Way Permit for Thomas Barrett to allow for the construction of a substandard driveway at 46 Foxglove Road, subject to the conditions set forth in the permit. Selectman Hayes seconded. Motion carried with all in favor.

7. Old Business

7.1. Amendments to Town's Safety Program Manual – Town Administrator Dunn pointed out that the updated Town's Safety Policy should only contain a reference to discipline as set forth in the Personnel Policies.

Selectman Benavides moved to approve and adopt the revised Safety Program Manual as submitted by the Joint Loss Management Committee, with additional amendments as presented by the Town Administrator. Selectman Hayes seconded. Motion carried with all in favor.

7.2. Cy Pres Petition – Town Administrator Dunn advised the Board that he has had a conversation with the grandson of Jean Harding Maxwell, who is acting as her lawyer in this matter. He stated that he would be providing the Town with a quitclaim deed relinquishing all claims to the old library property on the condition that the Town install a plaque to recognize the generous donation of Wilbur and Louise Harding.

Discussion ensued on the process of filing the petition and the fact that the heirs will be notified when this is done. Chairman Grant stated that the Board has had to make a

tough call with this situation but the petition needs to be filed because of the law and it's in the Town's best interest.

Selectman Benavides moved to authorize Town Counsel to file a Cy Pres Petition that will change the use of the charitable trust for the old library. Selectman Hayes seconded. Motion carried with all in favor.

- 7.3. School Resource Officers** – Chief Markland was in attendance to discuss the matter of funding the School Resource Officers. Chairman Grant stated that her motivation in having the School District fund a portion of the expense is so that the taxpayers are aware of where the cost lies. Chief Markland stated that he does see both sides of this situation. When asked about the necessity of School Resource Officers, he feels that since the Columbine incident it is absolutely essential.

Chief Markland also expressed concern for the job security of his officers if they became subject to funding by the School District, in light of a recent newspaper article indicating that the School District has cut two (2) positions. Chairman Grant asked Chief Markland what effect it would have on his Department if he did not have these two officers. Chief Markland stated that he would need to hire a juvenile officer, a detective and reorganize his existing staff. Selectman Benavides reiterated the Board's position that the rationale for their position is for the benefit of taxpayers to understand where their tax dollars are being spent.

Chairman Grant stated that she agrees with Town Administrator Dunn's recommendation to meet with the School Board on this matter, as well as others that may foster better relations between the two organizations. Town Administrator Dunn will schedule a meeting with the School Board in January 2009.

- 8. Public Input** – Skip Murphy stated that he feels the Board's position regarding the Harding heirs should be reconsidered. He feels that the Board is forcing an expense on the heirs for property that was lent to the Town. Selectman Benavides responded and provided him with a detailed explanation. He stated that this has been a very difficult decision for the Board and NH statute does not allow them to give Town property away. A letter that was sent to the heirs in October explained the situation and gave them an opportunity to make comments or ask questions.

Town Administrator Dunn stated that Charitable Trusts are regulated by the Attorney General's office and the law is quite clear that this property cannot be given away.

9. Selectmen's Issues

Selectman Hayes stated that the FPC is working hard to prepare a warrant article for 2009. The estimated cost is currently at \$1.58 million and a presentation will be made at the next Selectmen's meeting. Three dimensional renderings will be provided.

Selectman Benavides asked about the progress in having a crosswalk installed at the corner of Belknap Mountain Road and Route 11-A. Town Administrator Dunn stated that NH DOT is opposed to this crosswalk since they have issues with the sight distance. The State has specific criteria that they must adhere to with adding crosswalks. This is a very slow process and does not look promising.

Discussion then focused on the possibility of having a traffic light installed at the corner. It

was also suggested to have local legislators involved in this matter.

10. Administrator's Report

Town Administrator Dunn reported that the NH Bond bank will be issuing their fall rates on December 10th. It is their intention to finance \$1.2 million of the Police Station renovation and addition. He also stated that he would like to schedule two (2) work sessions this month to review the 2009 budget and proposed Personnel Policy. Work sessions will be scheduled for Wednesday, December 17, 2008 at 6:00 p.m. and Monday, December 29, 2008 at 6:00 p.m.

Town Administrator Dunn plans to have a Vendor Policy for review at the next Board meeting, to replace the existing ordinance from 1967.

11. Signatures

<u>DATE SIGNED</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
08/23/08	Change of Status - Cowing	
10/31/08	Change of Status - Hewitt	
11/01/08	Change of Status - Leach	
11/03/08	Payroll Register	
11/04/08	Accounts Payable Manifest	
11/05/08	Accounts Payable Manifest	
11/10/08	Payroll Register	
11/10/08	Abatement - Golden	213-013.206
11/12/08	Accounts Payable Manifest	
11/12/08	Abatement - Bigelow	224-049.123
11/12/08	Abatement - Clermont	242-198.005
11/12/08	Abatement - Curran	224-049.007
11/12/08	Abatement - Gilford Associates	213-075.000
11/12/08	Abatement - Lindlau	224-049.090
11/12/08	Abatement - Morse	224-049.002
11/12/08	Abatement - Northeast Self Storage	214-050.000
11/12/08	Abatement - Northern NE Telephone Operations	224-017.000
11/12/08	Abatement - Price	224-049.070
11/12/08	Abatement - Southeast Gas	214-027.001
11/12/08	Abatement - Jacques	224-049.015
11/12/08	Abatement - Walsh	213-088.012
11/12/08	Abatement - Whitcomb	224-049.018
11/12/08	Sewer Warrant	
11/13/08	Change of Status - Cutter	
11/17/08	Boat Agent Authorization Letter	
11/17/08	Payroll Register	
11/18/08	Notice of Lien - Morin	226-034.004
11/18/08	Accounts Payable Manifest	

11/19/08	Abatement - Seabeck 2005 Trust	212-057.000
11/20/08	Notice of Lien - Rowson	224-046.031
11/24/08	Payroll Register (2)	
11/25/08	Accounts Payable Manifest	
11/25/08	Abatement - Nault	202-036.000
11/26/08	2008 Equalization Certificate	
12/01/08	Notice of Intent to Cut Timber - Cail	217-034.000
12/01/08	Notice of Intent to Cut Timber - Lawless	228-001.000
12/01/08	Veteran's Tax Credit - Dearborn	203-054.000
12/01/08	Veteran's Tax Credit - Mikulis	226-007.000
12/01/08	Veteran's Tax Credit - Ellsworth	216-056.000
12/01/08	Veteran's Tax Credit - Moore	209-037.000
12/01/08	Veteran's Tax Credit - Hartigan	229-054.000
12/01/08	Veteran's Tax Credit - Bean	224-049.044
12/01/08	Veteran's Tax Credit - Corno	227-152.000
12/01/08	Veteran's Tax Credit - Faller	253-001.000
12/01/08	Veteran's Tax Credit - Martineau	216-066.100
12/01/08	Abatement - Luscher	254-009.100
12/01/08	Payroll Register	
12/03/08	Veteran's Tax Credit - Broom	212-016.012
12/03/08	Veteran's Tax Credit - Cantin	212-071.000
12/03/08	Veteran's Tax Credit - DeCato	256-002.000
12/03/08	Veteran's Tax Credit - Waite	253-012.000
12/03/08	Sewer Abatement - Golembewski	252-016.406
12/03/08	Sewer Abatement - LaBranche	213-083.000
12/03/08	Sewer Abatement - Swain	252-016.805
12/07/08	Change of Status - Campbell	

- 12. Next Meeting** – Wednesday, December 17, 2008 at 6:00 p.m. – Work Session
Wednesday, December 17, 2008 at 7:00 p.m. – Regular Meeting

- 13. Adjournment** – With no further business before the Board, the Board of Selectmen’s December 3, 2008 meeting was adjourned at 8:29 p.m.

Respectfully submitted,

Sandra J. Bailey
Administrative Secretary