

GILFORD BOARD OF SELECTMEN'S MEETING
June 10, 2009
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, June 10, 2009, at 6:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Gus Benavides, Kevin Hayes and John O'Brien. Also present were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

1. **Non-Public Session**– Selectman Hayes moved to enter Non-Public Session pursuant to RSA 91-A:3 II (a) (d) (c) to discuss employee compensation, the disposition of real property and property tax hardship abatements. Selectman O'Brien seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Gus Benavides, Kevin Hayes and John O'Brien. Also present were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

While in Non-Public Session, the Board discussed employee compensation with Deputy Police Chief Kevin Keenan, the disposition of real property with Town Clerk/Tax Collector Denise Morrisette and property tax hardship abatements. While in Non-Public Session, action was taken.

Selectman Hayes moved to exit Non-Public Session at 7:01 p.m. and seal the minutes. Selectman O'Brien seconded. Motion carried with all in favor.

Regular Session

Chairman Benavides reconvened the regular session of the meeting at 7:04 p.m.

Finance Director Geoff Ruggles and Library Director Katherine Dormody were also in attendance.

2. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
3. **Announcements** – none.
4. **Review/Approval of Minutes**
 - 4.1. Selectman Hayes moved to approve the minutes of the regular and non-public sessions of the May 27, 2009 meeting. Selectman O'Brien seconded. Motion carried with all in favor.
5. **Appointments**
 - 5.1. **Katherine Dormody – Library Update** – Library Director Katherine Dormody was in attendance to provide the Board with her quarterly update. She reviewed the circulation report and also updated the Board members on building improvements and summer programs.

Director Dormody also reviewed personnel changes. Brief discussion ensued on the effect of the School District's new flyer distribution policy on the Library's summer programs.
6. **Consent Agenda**
 - 6.1. Selectman Hayes moved to approve the Consent Agenda for the period May 25, 2009 through June 5, 2009. Selectman O'Brien seconded. Motion carried with all in favor.

<u>DOCUMENT</u>	<u>DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
	03/19/09	Change of Status - Sanborn	
	03/19/09	Change of Status - DeCoff	
	03/19/09	Change of Status - Langley	
	04/01/09	Change of Status - Craver	
	04/01/09	Change of Status - Horan	
	04/08/09	Change of Status - Farley	
	05/02/09	Abatement Denial -March	217-087.000
	05/11/09	Payroll Register	
	05/13/09	Accounts Payable Manifest	
	05/13/09	Tax Collector's Warrant - 2009 Water Rents	
	05/13/09	Tax Collector's Warrant - Water Rents	
	05/13/09	Abatement - Hoeker	227-001.030
	05/15/09	Payroll Register	
	05/18/09	Letter to Mark Mello - Gator Sign	
	05/18/09	Payroll Register	
	05/20/09	Accounts Payable Manifest	
	05/21/09	Letter to Wilkinson-Beane	
	05/22/09	Abatement Denial - Vita Trust	216-029.000
	05/22/09	Abatement Denial - Ready	218-024.000
	05/22/09	Abatement Denial - Parsons	241-083.000
	05/25/09	Notice of Intent to Cut Timber - Pierce	232-001.000
	05/25/09	Notice of Intent to Cut Timber - Morin	213-021.000
	05/25/09	Elderly Exemption - Downing	202-031.000
	05/25/09	Elderly Exemption - Fenton	201-009.082
	05/25/09	Elderly Exemption - Baker	224-049.010
	05/25/09	Elderly Exemption - Winn	227-174.000
	05/25/09	Elderly Exemption - Mudgett	201-009.012
	05/26/09	Payroll Register	
	05/27/09	Proclamation - Michael Nickerson	
	05/27/09	Accounts Payable Manifest	
	05/27/09	Abatement - 401 Gilford Ave, LLC	210-014.201
	05/27/09	Abatement - Leclerc	252-016.301
	05/27/09	Notice of Intent to Cut Timber - Williams	231-003.000
	05/27/09	Elderly Exemption - Murphy	203-081.000
	05/27/09	Elderly Exemption - Nachbaur	254-072.000
	05/27/09	Elderly Exemption - Harris	203-091.000
	05/27/09	Elderly Exemption - Scribner	201-009.032
	05/27/09	Elderly Exemption - Leroux	213-015.000
	05/27/09	Elderly Exemption - Lawrence	215-021.000

05/27/09 Elderly Denial 213-088.010
05/28/09 Change of Status - Kelley
06/03/09 Tax Deeds Refusal Letter to May 11, 2007 Tax Lien

7. **New Business**

7.1. **Perambulation of Town Line with the Town of Alton** – Chairman Benavides stated that a letter has been received from the Town of Alton for a perambulation of the town lines between Alton and Gilford. This matter will be turned over to DPW Director Sheldon Morgan. Selectman O’Brien will also participate.

7.2. **Timber Harvest Proposals for Town Property by Forest Land Improvement, Inc.** – Town Administrator Dunn informed the Board that a recommendation has been received from the Conservation Commission to accept the Timber Harvest proposal submitted by Tim Nolin, and to further authorize Mr. Nolin to proceed with the harvesting as outlined in his letter.

Selectman Hayes moved to accept the proposal of Forest Land Improvement, Inc., as recommended by the Conservation Commission for a selective harvest of Town property in accordance with the forest management plans for these properties. Selectman O’Brien seconded. Motion carried with all in favor.

7.3. **Entertainment Permit – Kelsey’s at the Grant** – Town Administrator Dunn stated that the assembly permit for Kelsey’s at the Grant limits them to 99 people. Brief discussion ensued regarding the requirement for physical walls, not ropes, to separate the lounge area from the rest of the building.

Selectman Hayes moved to approve the issuance of an Entertainment Permit to Kelsey’s at the Grant, subject to the conditions set forth by the Fire Department. Selectman O’Brien seconded. Motion carried with all in favor.

7.4. **Lakes Region Public Access Television** – Town Administrator Dunn stated a Municipal Public Access Agreement has been received from Lakes Region Public Access TV, as well as an invoice for services provided from July 1, 2009 through June 30, 2010. The invoice is broken down as \$4.85 per cable subscriber and this rate is the same for all towns within their franchise area.

Discussion ensued on the fact that this invoice is actually a pass-through for funds from Metrocast. Finance Director Ruggles stated that this method of payment was negotiated in the current franchise agreement and could be negotiated differently for the next one.

Selectman Hayes moved to authorize payment in the amount of \$19,366.05 to Lakes Region Public Access TV and to further authorize Town Administrator Dunn to sign the Municipal Public Access Agreement. Selectman O’Brien seconded. Motion carried with all in favor.

8. **Old Business**

8.1. **Meadows Project – Appeal of Alteration of Terrain Permit** – Conservation Commission Chairman John Goodhue provided an explanation of their recently submitted Notice of Appeal of Alteration of Terrain Permit WPS-8399 that has been issued to the School District for the Meadows Project. Mr. Goodhue stated that the Conservation Commission believes that NH DES was erroneous in their approval of the permit and did not properly address the Town’s concerns.

Chairman Goodhue further stated that the appeal was prepared by Conservation Commission member Carole Hall and Technical Assistant Stephanie Verdile-Philibotte. Although they did an excellent job with the appeal, they do not have any prior experience in preparing an appeal to NH DES and the appeal must be absolutely correct to be considered. For this reason, Chairman Goodhue asked the Board to authorize Attorney Jeffrey Meyers to review the appeal if any changes need to be made. If changes are required, they will be known within a week's time. He also stated that if all of the questions of the Conservation Commission can be answered, the appeal will be withdrawn. However, the Conservation Commission does have grave concerns with the Meadows property, given the history of violent storms that have adversely affected the area.

Selectman Hayes inquired about the wetland boundaries. He was present at the Conservation Commission meeting and thought those concerns had been addressed. Chairman Goodhue stated that the concerns have not been answered and their placement on the plan is not correct. Selectman Hayes stated that he wanted to make sure the appeal does not cover issues that have been resolved.

Chairman Benavides emphasized that the Board of Selectmen is not opposed to the Meadows Project, but feel they have a responsibility to the environment, residents and the lake. Altering the terrain at the Meadows must be done correctly.

Selectman Hayes further stated that it is his understanding that some members of the Conservation Commission are opposed to the project and could be using the environmental issues as their reasoning. He further stated that he is opposed to using funds from taxpayers to fight taxpayers. Chairman Goodhue stated that the Commission is not opposed to the project but has a responsibility to protect the environment.

Selectman Hayes moved to authorize the Conservation Commission to retain the services of Attorney Jeffrey Meyers for the appeal, if necessary. Selectman O'Brien seconded. Chairman Goodhue pointed out that the final date for any corrections to the appeal is June 18, 2009.

Selectman O'Brien asked if the Conservation Commission couldn't use some of their own funds to retain Attorney Meyers. Town Administrator Dunn stated that the fund is for land acquisition and they are very reluctant to use it for these legal fees. Further extensive discussion ensued on this matter. Following discussion, the motion carried with all in favor.

- 8.2. Review Gilford Fire-Rescue Permit Fee Schedule Amendments & Schedule Public Hearing** – Fire Chief Hayes has proposed amendments to the Department's Permit Fee Schedule regarding L.P. gas installations. The Board members did not have any questions or comments on the proposed changes. A public hearing was scheduled for Wednesday, June 24, 2009 at 7:00 p.m.
- 8.3. Gilford School District Flyer Distribution Policy** – Chairman Benavides asked Board members if they would like to take any further action regarding this policy. Selectman Hayes stated that he still has an issue with the policy since it has affected two Town departments. Selectman O'Brien feels that the School Board's decision is restricting children's activities and would like further explanation. Town Administrator Dunn will meet with Recreation Director Herb Greene and Library Director Katherine Dormody to compile further written comment on the policy. These findings will be presented at the June 24, 2009 Selectmen's meeting and the School Board will be invited to a subsequent meeting to review those findings.

9. **Public Input** – Mark Corry of Intervale Road stated that he is opposed to using taxpayer funds to fight taxpayers. Mr. Corry further stated that he was present at the Conservation Commission meeting last week and he does feel that some of the concerns in the appeal were addressed. Mr. Corry also feels that the Meadows project fulfills the Carye family’s vision to have the property utilized for recreational and educational purposes.

10. **Selectmen’s Issues** – Chairman Benavides suggested that the Board consider streamlining the budget process with Department Managers. He feels that two sets of budget figures are presented by the Department Managers and would like to see one complete budget presented to the Board of Selectmen. Town Administrator Dunn stated that the format for Department budgets was to segregate regular budget expenses from any new requests.

Extensive discussion ensued on budget “wants” vs. “needs”. Town Administrator Dunn stated that after he reviewed the Department budgets last year, he encouraged Department Managers to present their case to the Board of Selectmen if there were any line items that he reduced or cut. He feels that this is a healthy process. He further pointed out that an even more accurate view of Department expenses will occur in 2010 as benefits and budgeted within each Department, rather than a separate category. The CIP Committee will meet during the summer to prioritize major expenditures, making this information available early in the budget process.

11. **Administrator’s Report** – Town Administrator Dunn reported that he continues to have one or two Glendale issues to deal with each day. He also continues to work on a policy for the use of Town facilities. He will solicit input from Department Managers for this policy. Once completed, he will work on revising the parking regulations.

12. **Next Meeting** – Wednesday, June 24, 2009 at 7:00 p.m.

13. **Adjournment** – With no further business before the Board, the Board of Selectmen’s June 10, 2009 meeting was adjourned at 8:25 p.m.

Respectfully submitted,

John T. O’Brien
Clerk