

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**May 12, 2010**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, May 12, 2010, 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 were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

Staff members in attendance included Finance Director Geoff Ruggles, Recreation Assistant Tracie Bettez and Director of Public Works Sheldon Morgan.

1. **Non-Public Session** – Selectman O'Brien moved to enter Non-Public Session at 6:01 p.m., pursuant to RSA 91-A:3 II (b)(d)(a)(c), to discuss the hiring/promotion/compensation of Town employees, consideration of the acquisition, sale or lease of real property, amendments to AFSCME Collective Bargaining Agreement and matters which, if discussed in public, would likely affect adversely the reputation of any person. Selectman Benavides 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, Executive Secretary Sandra Bailey, Fire Chief John Beland and Fire Engineers Bill Akerley, Phil Brouillard and Don Spear.

- 1.1. **Hiring/Promotion/Compensation of Town Employees [RSA 91-A:3 II(a)(b)]**

- 1.1.1. The Board met with the Fire Engineers and Chief Beland to discuss the proposed rate of pay for Chief Beland. Chairman Akerley stated that the Fire Engineers were attempting to close the gap in salaries, based on figures in the 2009 Town Report. They were agreeable to a starting salary of \$74,100, which is Step 1, with reviews at six months and one year. Following brief discussion, Chairman Akerley stated that the Fire Engineers will rescind their previous action, which was incorrect due to a mathematical error.

Chief Beland brought up the matter of the Fire Training Center. He stated that the Fire Department Relief Association has obtained a line of credit to be able to continue working on the project. This line of credit will enable the containers for the training facility to be purchased and then paid back with fundraising monies. Chief Beland also inquired about the funds that will be forthcoming for the used breathing apparatus. Chairman Akerley pointed out that this equipment was purchased with grant money. Brief discussion ensued regarding the procedure for accepting unanticipated funds.

Chief Beland briefed the Board regarding LGC's search for a Deputy Fire Chief, after which he and the Board of Fire Engineers exited Non-Public Session.

- 1.1.2. The Board reviewed a request from Parks & Recreation Director Herb Greene to increase the length of Tracie Bettez's workweek from 30 hours to 32.5 hours. Extensive discussion ensued regarding the increase in unbudgeted health insurance costs to the Town with this increase. Selectman O'Brien moved to deny the request for a change in the workweek hours of Tracie Bettez. Selectman Benavides seconded. Motion carried with all in favor.
- 1.1.3. Selectman O'Brien moved to appoint Jacqueline Feehily as a full-time Communications Specialist at \$15.11 per hour effective May 23, 2010 and Mark Better as a seasonal enforcement attendant at \$10.50 per hour effective May 21,

2010. Selectman Benavides seconded. Motion carried with all in favor.

**1.2. Consideration of the Sale of Real Property – [RSA 91-A:3 II(a)(b)]**

**1.2.1.** The Board discussed the upcoming auction of tax deeded real estate. Legal opinion has been received that 90 days notice must be provided to the deceased former owners and their heirs for the sale of the property located at 29 Old Lakeshore Road. Town Administrator Dunn reported that, in light of this legal opinion, the auction will be re-scheduled for Saturday, August 21, 2010.

**1.2.2.** The Board briefly discussed the pending tax deeds. The Board agreed that all deeds will be refused pending additional review.

**1.3. Amendments to AFSCME Collective Bargaining Agreement – [RSA 91-A:2, I, (a)]**

**1.3.1.** Selectman O'Brien moved to approve Amendment #1 to the Collective Bargaining Agreement, concerning a 2% reduction to the employee share of health insurance costs. Selectman Benavides seconded. Motion carried with all in favor.

**1.3.2.** Selectman O'Brien moved to require that AFSCME employees pay 1% for dental insurance as of July 1, 2010. Selectman Benavides seconded. Motion carried with all in favor.

**1.4. Matters which may adversely affect someone's reputation [RSA 91-A:3, II, (c)]**

– The Board discussed the applications received for various board/committee openings, including the Facility Planning Committee. Chairman Hayes recommended that the Board of Selectmen prepare the proposal for the project, which would involve both the CIP Committee and Budget Committee. Discussion ensued regarding the ability of the Board to be able to market the proposal. Chairman Hayes pointed out that if the Board were to regularly report on the status of the project during their meetings, that the press would be in attendance to “get the word out”. As a result, the Board will not be selecting resident members for a new Facility Planning Committee.

The Board also briefly reviewed applicants to the Employee Benefits Committee and Bicentennial Committee. The Board directed Town Administrator Dunn to prepare a mission statement for these two committees and table the matter until the June 9, 2010 Selectmen's meeting.

**1.5. Other Topics** – The Board briefly discussed the amount of uncollectable ambulance fees that have been a result of medical calls to Gunstock. Town Administrator Dunn stated that the amount for 2008 is 4.5% (\$2,100) and the amount for 2009 is 17% (\$9,500), showing that it is not a majority of the uncollected fees. The Board recommended that the Town ask the County to increase their donation under “PILOT”, to help address uncollected fees.

Selectman O'Brien moved to exit Non-Public Session at 6:59 p.m. Selectman Benavides seconded. Motion carried with all in favor. There was no portion of the Non-Public Session minutes to be sealed.

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

**3. Announcements** – Chairman Hayes read aloud a notice of a Household Energy meeting to be held in Laconia on May 19, 2010 at the Belknap County Complex. He also read

aloud the press release that was prepared for the 2010 Memorial Day Commemoration.

**4. Review/Approval of Minutes**

**4.1.** Selectman O'Brien moved to approve the minutes of the regular and non-public sessions of April 21, 2010. Selectmen Benavides seconded. Motion carried with all in favor.

**5. Consent Agenda**

**5.1.** Selectman O'Brien moved to approve the Consent Agenda for the period April 19, 2010 through May 7, 2010. Selectman Benavides seconded. Motion carried with all in favor.

<b><u>DOCUMENT DATE</u></b>	<b><u>DOCUMENT</u></b>	<b><u>MAP/LOT #</u></b>
01/01/10	Change of Status - Morrissette	
02/18/10	Change of Status - Stiegler	
03/03/10	Abatement - Moynihan	254-025.000
03/03/10	Abatement - Moynihan	266-009.000
04/01/10	Change of Status - Craver	
04/01/10	Change of Status - Aselton	
04/08/10	Change of Status - Shute	
04/12/10	Payroll Register	
04/13/10	Accounts Payable Manifest	
04/14/10	Payroll Register	
04/15/10	Abatement Denial - Hardin	268-009.000
04/15/10	Abatement Denial - Dionne	217-007.000
04/16/10	Letter to CNHHMRT	
04/18/10	Change of Status - Ferreira	
04/19/10	Payroll Register	
04/20/10	Notice of Intent To Cut Timber - Doloff	204-078.000
04/20/10	Forest Fire Warden Appointment Form - Beland	
04/20/10	Veteran's Tax Credit - Machain	267-211.037
04/20/10	Notice of Intent to Cut Timber - Lyman	228-081.000
04/20/10	Veteran's Tax Credit - Nachbaur	201-009.029
04/20/10	Elderly Exemption - Daigle	254-027.000
04/20/10	Accounts Payable Manifest	
04/21/10	Abatement - Sherwood Mortgage Group (2)	214-046.001
04/21/10	Letter to M. McCluskey - NH DES	
04/21/10	Abatement - Marden	224-049.016
04/21/10	Abatement - Sargent	201-011.002
04/26/10	Change of Status - Borges	
04/26/10	Payroll Register	
04/27/10	Accounts Payable Manifest	
04/30/10	Accounts Payable Manifest	
05/03/10	Abatement- NES Trust	266-014.000
05/03/10	Payroll Register	
05/03/10	Letter - W. Knightly	
05/03/10	Letter - D. Eddy	
05/03/10	Letter - H. Epstein	
05/03/10	Letter - C. Scattergood	
05/05/10	Accounts Payable Manifest	
05/05/10	Notice of Lien - Arsenault	253-287.000

05/05/10	Release of Lien - Moynihan	254-025.000
05/05/10	Notice of Lien - Bettez	213-020.000
05/05/10	Release of Lien - Miller	217-023.000
05/05/10	Release of Lien - Cyr	
05/06/10	Application for Current Use - Napjus	226-013.000
05/06/10	Elderly Exemption Denial - Burgos	224-046.012
05/06/10	Elderly Exemption - Ireland	209-003.000
05/06/10	Veteran's Tax Credit Denial - Patridge	203-029.000
05/06/10	Veteran's Tax Credit - Pryzby	227-042.000
05/06/10	Veteran's Tax Credit - Dawson	241-093.000
05/06/10	Veteran's Tax Credit - Bean	211-024.001
05/06/10	Elderly Exemption - Welsh	223-541.201
05/06/10	Elderly Exemption - Fuller	213-013.019
05/17/10	Change of Status - Maheux	
05/17/10	Change of Status - Heney	
06/01/10	Change of Status - Trendell	
06/14/10	Change of Status - J. Horan	

## 6. **Public Hearing**

**6.1. Revised Parking Regulations** – Chairman Hayes asked Town Administrator Dunn to provide a brief summary of the proposed changes to the Parking Regulations, prior to the opening of the public hearing. Town Administrator Dunn reported that the revised Parking Regulations are primarily housekeeping language changes, although the minimum fines would also be changed by increasing them from \$10 to \$50. Following Town Administrator Dunn’s presentation, Chairman Hayes opened the public hearing at 7:10 p.m.

Selectman O’Brien expressed concern with such a large increase in the minimum fine, given the economic climate. He also asked if a “no idle zone” had been considered during this review of the ordinances. Town Administrator Dunn replied no. Brief discussion ensued regarding 24.4.1 (2), regarding the parking of any vehicle within twenty (20) feet of the walls or entrances in a public parking lot.

There were no questions or comments from the public, so Chairman Hayes closed the public hearing at 7:22 p.m. Selectman O’Brien moved to approve the revised Parking Regulations, as presented. Selectman Benavides seconded. Motion carried with all in favor.

**7. Geoff Ruggles – Finance Department and Budget Update** – Finance Director Ruggles was in attendance to provide a department update, as well as the April 2010 budget report. He provided the Board with some Finance Department statistics – so far in 2010 they have processed over 1,600 invoices, and issued 950 accounts payable checks and 1,700 payroll checks. The auditors were here recently and that went well, with some minor adjusting entries. Finance Director Ruggles further stated that he plans to prepare an RFP soon for audit services.

Finance Director Ruggles also presented information to the Board regarding the financial software, followed by brief discussion concerning that RFP process. Further updates were provided on the Assessing and Technology Departments.

Finance Director Ruggles then reviewed the Budget Summary and Analysis for April 2010. Revenues continue to fall short of estimates due to vehicles being registered of

lesser value. Winter Maintenance costs are less than anticipated and due to the favorable paving contract, all of the projects proposed for 2010 will be able to be completed, despite a reduction in the budgeted amount.

## **8. Old Business**

**8.1. Repairs to Glendale Dock #1** – Sheldon Morgan reported that Winnepesaukee Marine Construction would like to defer this repair work until the fall, due to high water levels. It is estimated that the work would finish around October 15<sup>th</sup>.

Selectman O'Brien moved to amend the reconstruction contract with Winnepesaukee Marine for a new completion date of November 30, 2010. Selectman Benavides seconded. Motion carried with all in favor.

**8.2. Tree Pruning and Removal Request** – This matter was tabled from the April 21, 2010 meeting. Town Administrator Dunn stated that despite a deed restriction, it seems to be fairly easy to meet. No stumps are to be removed but all brush must be removed.

Selectman O'Brien moved to approve the request from Z.D. Tree Service, on behalf of Thomas Kelley, to prune a small number of live trees and cutting of dead trees, provided all trees are to be cut are clearly marked and approved by the Director of Public Works; and that no stumps are removed but all brush is removed, conditioned upon receipt of a completed "request to use municipal facility" form and an insurance certificate by the logger, with all costs borne by the Z.D. Tree Service/Thomas Kelley. Selectman Benavides seconded. Motion carried with all in favor.

Selectman O'Brien reported that there are many concerns in Gunstock Acres regarding tree cutting and actual ownership of this land. Following brief discussion on these concerns, Selectman O'Brien moved to withdraw his motion and table the matter to the May 26, 2010 meeting. Selectman Benavides seconded. Motion carried with all in favor.

**8.3. Board/Committee Appointments** – The Board reviewed applications received for participation in various boards and committees. As far as the Police Station & Town Hall Facility Committee, the Board concurred to take no action. The Board did direct Town Administrator Dunn to prepare mission statements for the Employee Benefits Committee and Bicentennial Committee.

## **9. New Business**

**9.1. Planning Board Alternate Resignation** – Selectman O'Brien moved to accept the resignation of Andrew Garfinkle as an alternate member of the Planning Board, with regret. Selectman Benavides seconded. Motion carried with all in favor.

**9.2. Entertainment Permit – China Bistro** – Selectman O'Brien moved to approve the Entertainment Permit for China Bistro for a DJ and live bands. Selectman Benavides seconded. Motion carried with all in favor.

**9.3. Request to Use Glendale Gazebo for Cookbook Distribution** – Selectman O'Brien moved to approve a request from Lake Winnepesaukee Cuisine to distribute cookbooks at the Glendale Gazebo. Selectman O'Brien seconded. Motion carried

with all in favor.

**9.4. Request for Outdoor Function – Kitchen Cravings** – Chairman Hayes read a request from Kitchen Cravings to have a motorcycle event during Bikeweek 2010. Selectman O'Brien moved to approve the request for an outdoor function at Kitchen Cravings, provided that the total number of participants be monitored and reported for future consideration. Selectman Benavides seconded. Motion carried with all in favor.

**9.5. Disposal/Request to Purchase a DPW Surplus Motor** – DPW Director Sheldon Morgan briefly described a request from a DPW employee to purchase a decommissioned motor that has been in storage for several years. The scrap value of the motor is approximately \$35.00.

Selectman O'Brien moved to allow the purchase of a decommissioned motor by Ty Wolfe from the Town of Gilford for \$35.00. Selectman Benavides seconded. Motion carried with all in favor.

**9.6. Acceptance of Donations** – Selectman O'Brien moved to accept donations in the amount of \$600 for the Fire Training Center and \$45.00 for Old Cemetery Restoration, with sincere thanks. Selectman Benavides seconded. Motion carried with all in favor.

**9.7. Swim Dock Bid Award** – Selectman O'Brien moved to accept the bid of Aqua Greens of Laconia, not to exceed \$25,200.00, for construction of a new swim dock, with funds to come from the Recreation Capital Reserve Fund. Selectman Benavides seconded.

Selectman Benavides asked Recreation Assistant Tracie Bettez if they had any issue with the other bidder, other than the fact that the bid was not submitted on time. Ms. Bettez stated that Aqua Green offered a composite decking, while Docks Unlimited offered "Thru-Flow" decking. In addition, Docks Unlimited did not offer the preferred material for the ladder and did not provide any type of warranty, which was a huge factor in the decision. Motion carried with all in favor.

**9.8. Entertainment Permit – Ellacoya Barn and Grille** - Selectman O'Brien moved to approve the Entertainment Permit for the Ellacoya Barn and Grille. Selectman Benavides seconded. Motion carried with all in favor.

**10. Public Input** – none.

**11. Selectmen's Issues** – Selectman Benavides thanked the Public Works employees for the excellent service they provided during spring cleanup week. They were very organized, professional and efficient. Selectman Benavides requested the Town Administrator Dunn write a letter to the DPW employees, to be signed by the Board of Selectmen, expressing their thanks. Selectman O'Brien stated that they demonstrated excellent customer service.

Chairman Hayes also commended the Department of Public Works for their efforts in preparing the site for the Fire Training Facility. He also inquired about the shed located on the Library property. DPW Director Sheldon Morgan replied that the stairs are closed for safety reasons, but the installation of a handrail would take care of the problem.

Chairman Hayes also inquired about the status of the Potter Hill Road traffic review. Director Morgan replied that he is currently awaiting the report.

Brief discussion ensued regarding the possibility of planting a liberty tree near the Town's bandstand. Town Administrator Dunn stated that the Recreation Commission will be making a recommendation on this tree. Chairman Hayes inquired about the plaque for the old library and Town Administrator Dunn replied that it was ordered yesterday.

- 12. Administrator's Report** – Town Administrator Dunn reported that he and Building Inspector Dave Andrade will be out on Tuesday, May 18<sup>th</sup>, enforcing the new sign regulation.

He has recently spent a great deal of time working on the new telephone system and tax deed matters. The new phone system will better serve the public and should be operative June 23<sup>rd</sup> and 24<sup>th</sup>. There should be a minimal affect on services and the goal is for no disruption of Police Department services.

Town Administrator Dunn is leaving for vacation on May 21, 1010 and will not be in attendance at the May 26<sup>th</sup> meeting.

Town Administrator Dunn read aloud the various board/committee openings that are still available.

- 13. Next Meeting** – Regular Meeting – May 26, 2010 at 7:00 p.m.

- 14. Adjournment** – With no further business before the Board, the Board of Selectmen's May 12, 2010 meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Gus Benavides  
Clerk