

GILFORD BOARD OF SELECTMEN'S MEETING
April 25, 2012
Town Hall

The Board of Selectmen convened in a regular session on Wednesday, April 25, 2012, at 7:00 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Gus Benavides, John O'Brien and Kevin Hayes. Also present were Town Administrator Scott Dunn and Executive Secretary Sandra Bailey.

Staff members in attendance included Police Chief Kevin Keenan, DPW Director Sheldon Morgan, Town Clerk/Tax Collector Denise Gonyer, Firefighters Nick Mercuri and Frank Latosek and Fire Engineers Don Spear and Bill Akerley.

1. **Non-Public Session – 6:00 p.m.** - Selectman Hayes moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3, II (c) to discuss matters that would likely affect adversely the reputation of any person. Selectman O'Brien seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Gus Benavides, John O'Brien and Kevin Hayes. Also present was Town Administrator Scott Dunn.

The Selectmen discussed candidates for appointments to boards and committees and a legal matter. No decisions were made during non-public session.

Selectman Hayes moved to exit non-public session at 7:00 p.m. Selectman O'Brien seconded. Motion carried with all in favor.

2. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
3. **Announcements/Presentations** – Chairman Benavides made the following announcement: Residential Spring Cleanup Days will be held from Saturday, April 21st through Sunday, April 29th, 2012.
4. **Review/Approval of Minutes**
 - 4.1. Selectman Hayes moved to approve the minutes of the April 11, 2012 meeting. Selectman O'Brien seconded. Motion carried with all in favor.
5. **Consent Agenda**
 - 5.1. Selectman Hayes moved to approve the previously signed items for the period April 9, 2012 through April 20, 2012. Selectman O'Brien seconded. Motion carried with all in favor.

<u>DOCUMENT DATE</u>	<u>DOCUMENT</u>	<u>MAP/LOT #</u>
02/18/12	Change of Status - Stiegler	
03/01/12	Change of Status - Doucette	
03/29/12	Abatement Denial - Aichinger	221-007.000
03/29/12	Abatement Denial - Aichinger	221-007.001
03/30/12	Abatement - Johnson	237-009.000
03/30/12	Abatement - Meehan	242-280.012
04/02/12	Change of Status - Mini	
04/02/12	Accounts Payable Manifest	
04/02/12	Payroll Register(2)	
04/05/12	Change of Status - Callahan	
04/05/12	Notice of Lien - Talbot	224-074.209
04/10/12	Accounts Payable Manifest	

04/11/12	Veteran's Tax Credit - LeBrun	201-009.025
04/11/12	Veteran's Tax Credit - Wermers	252-168.000
04/11/12	Veteran's Tax Credit - Grant	242-280.034
04/11/12	Release of Lien - Carlson	201-009.042
04/11/12	Letter to Metrocast Cablevision	
04/16/12	Change of Status - Shea	
04/30/12	Change of Status - Heney	
06/03/12	Change of Status - Bettez	

6. Appointments

- 6.1. Sheldon Morgan – Public Works Department Update** – Director Morgan began by passing out a summary of his spring update, as well as a comparison of winter maintenance costs over the past three years and a status report of major 2012 projects. He advised the Board that 23% of the 2012 ice control budget has been spent to date, leaving them in favorable position for next winter.

The Department is currently utilizing two work release inmates daily, for free community service, which has worked out well for the Town. The Police Department assists by providing their transportation to and from the jail.

A 10-Year Road Maintenance Plan will be available shortly, outlining their long term goals and commitments.

Director Morgan advised the Board that the City of Concord backed out of helping the COOP with their single stream recycling efforts. The COOP has not yet met as a group since Concord announced their withdrawal.

As Health Officer, he is focusing on alerting the public to the need to be especially alert for ticks this season. This is also true of mosquitoes.

Selectmen Hayes inquired as to the status of the Alvah Wilson Road Bridge.

In closing, Director Morgan thanked the Board for the recent surprise celebration of his 40-year anniversary with the Town. Selectman O'Brien advised Director Morgan that he appreciates the recycling efforts put forth by the Town, as well as the restoration of the Warming Hut.

The Board thanked Director Morgan for his update.

7. Old Business

- 7.1. Selectmen's Goals and Objectives** – Selectman Hayes move to approve the 2012 Selectmen's Goals & Objectives as presented, with the understanding that these goals be kept open-ended throughout the year. Selectman O'Brien seconded. Motion carried with all in favor.
- 7.2. Fire Engine 4 Repairs** – Chairman Benavides turned the meeting over to Chairman of the Board of Fire Engineers Bill Akerley. Chairman Akerley began his presentation with an accounting of the recent events with Engine 4. At the Board of Selectmen's meeting on March 28th, they approved \$11,000 for pump repairs to be completed by Lakes Region Fire Apparatus. Since that time, it has been determined that it will cost \$34,019 to replace the pump because it is damaged and pitted. He introduced Shawn Mulcahy, Service Manager at LRFA.

Chairman Akerley stated that together with Chief Carrier and Deputy Chief Andrews, he went to LRFA on Friday, April 13th, to view the mechanical issues found with the truck. They found serious brake issues, which were more than just average maintenance issues, making the truck unfit for the road. A State trooper was asked to come to LRFA, as an impartial third party, to inspect the truck. As a result, the truck was red-flagged and had to be towed back to Gilford.

Selectman O'Brien inquired who asked for the trooper to inspect the truck. Chairman Akerley replied that it was the representatives from the Gilford Fire-Rescue, as well as Mr. Mulcahy.

Chairman Akerley stated that Engine 4 is vital to the Department's fleet because each truck has their own role. Engine 2 and Engine 4 are designated as attack trucks and the Town of Gilford has had at least two attack trucks since the 1950's. Without Engine 4, the Department will need to look at rebuilding existing apparatus to accommodate more hose lines, different equipment and more personnel. He reminded everyone that Engine 4 did fail their 2011 pump test. In addition to pump issues, it has been determined that problems exist with the radiator, springs, brakes, cab mounts (custom), electrical system, light bar and tires.

At this time, Mr. Mulcahy proceeded to explain the issues with the pump housing, which was recently dismantled. The extensive corrosion shows pieces of it breaking away and he estimates that the pump housing alone will cost approximately \$11,000, with additional costs for freight and labor. Mr. Mulcahy pointed out that LRFA specializes in emergency equipment and sometimes damage is not visible. He emphasized that if he does see any issues, he follows up with them with the Department that owns the vehicle.

Brief discussion ensued regarding the fact that another repair business, which recently inspected Engine 4, missed these issues. Mr. Mulcahy also pointed out that if a vehicle passes an inspection, he cannot withhold a sticker. He also elaborated on the issues that are present with the brakes. Kevin Leandro stated that the brakes could be fixed and it was not a reason to replace the vehicle. Mr. Mulcahy proceeded with an explanation of the problems with the cab mounts.

Chairman Akerley stated that the Fire Engineers have concerns with the numerous issues affecting the entire truck. They are concerned with the cost of repairs and do not think that repairing Engine 4 is a viable option. He also pointed out that the cost of wiring and new tires is not reflected in LRFA's estimate. Chairman Akerley also emphasized that it is not the responsibility of firefighters to perform maintenance on the trucks and thinks that the issues with Engine 4 should not be trivialized.

The estimate from LRFA for the pump replacement, radiator replacement, springs, brakes and cab mounts is \$49,769.00 and this does not include all of the other issues with Engine 4. The Fire Engineers recommend purchasing a new truck and were trying to avoid an emergency purchase. He emphasized the importance of replacing equipment in accordance with a schedule. The Fire Engineers need the Board of Selectmen to decide how to handle this dilemma.

Extensive discussion ensued on the issues related to the pump failure.

At this time, Chairman Benavides allowed the public to ask questions or make comments, but asked that it be done in a professional and courteous manner.

Dave Osmond inquired if the truck were to be repaired, how long would it be out of service and are there any hidden costs? Shawn Mulcahy replied that ordering the pump requires approximately four weeks and another 2-3 weeks of labor. Selectman Hayes inquired why this would take so long, to which Mr. Mulcahy replied that he has estimated 94 hours of labor because the pump is located over the transmission. There is also the possibility of finding other issues with leaks, wiring, etc.

Tim Sullivan of Bedford Avenue stated that the Fire Department needs adequate equipment to do their job. He considers Engine 4 “a piece of junk” and confirmed that pumps do wear out. He is sorry at the outcome of the Town meeting vote to not replace Engine 4. He also thinks that spending 20% of a replacement cost for repairs to a 25-year old truck is not cost effective. He recommends buying a new truck and paying for it in one year’s time.

Kevin Leandro stated that he and Pat Labonte examined Engine 4 today and the pump is worn through and needs to be replaced. He does not understand this, though, because the pump was rebuilt in 2006. He also suggested that calling NH DOT to examine Engine 4 at LRFA was a ploy to grab headlines. Chairman Benavides cautioned Mr. Leandro regarding this type of comment. Mr. Leandro pointed out that Engine 2 is also suffering from corrosion and may soon be faced with issues similar to Engine 4. At this time, Mr. Leandro passed out samples of Daily Log Sheets, which are required by NH DOT to be filled out each day for each truck. He also thinks that the Board of Fire Engineers gambled with their “all or nothing” approach with Engine 4. He proceeded to read excerpts from Fire Engineer meetings and Budget Committee Sub-committee notes regarding Gilford Fire-Rescue.

Mr. Mulcahy explained that NH DOT was asked to inspect Engine 4 at LRFA so that an impartial outside opinion could be made.

Pat Labonte spoke regarding several maintenance issues with Engine 4, as well as explaining how repairs were made in the past. He suggested that the electrical issues are due to improper grounding. Shawn Mulcahy emphatically stated that he is not willing to re-wire Engine 4 and is not sure who would be willing to do so.

Ron Skinner asked Shawn Mulcahy if, in his opinion, Engine 4 is worth repairing, to which Mr. Mulcahy replied no.

Skip Murphy pointed out that he has heard a lot about a lack of routine maintenance and would like to know if the Board of Selectmen is doing something so that it doesn’t happen again. Chairman Akerley responded to this question by stating that Mr. Leandro has brought up some good points and the Department has plans in place to make sure these problems are not repeated. He admitted that the method of recordkeeping could be better, but reiterated that it is not the responsibility of firefighters to grease trucks. This is done by the Department of Public Works or outside agencies.

Chairman Akerley again stated that a replacement schedule is in place for fire equipment and their efforts to replace Engine 4 were hurt by the fact that the Board of Selectmen did not recommend the purchase. Skip Murphy suggested that a rigorous maintenance plan be in place before purchasing any more vehicles. Chairman Akerley again stated that the Board of Fire Engineers is in a quandary with this situation because they do not think Engine 4 is viable.

Mark Corry stated that he respects the opinion of Shawn Mulcahy that Engine 4 is not worth

repairing. He urged the Board of Selectmen to make a supportive decision. At this time, Chairman Benavides stated some of the options that are available to the Board of Selectmen and discussed the procedure for requesting and holding a special town meeting.

Selectman O'Brien asked to convey some of a recent conversation he had with Chief Carrier, who was not at the meeting. Chief Carrier pointed out that although the press frequently reports instances of fire damage, they rarely report "saves", of which there are many. Selectman O'Brien also learned that Engine 4 was purchased in 1987 in conjunction with a dual purchase with the City of Laconia. This proved to not be a good buy, as evidenced by the fact that the manufacturer was out of business two years later.

Selectman O'Brien also learned about the big picture with Gilford's development of specialized equipment. Each truck is designed to provide ten minutes of water supply and Gilford has had three attack pumpers designed that way. This allows 25-30 minutes to develop a water source.

Selectman Hayes moved to authorize the Town Attorney to prepare a draft petition to superior court for permission to have a special town meeting for the purpose of purchasing a replacement fire truck. Selectman O'Brien seconded. Chairman Akerley reminded that Board that Engine 2 is now approximately ten years old. He also stated that research is being done to look into the option of renting a fire truck until this is resolved, feeling strongly that there cannot be a void for such a long period of time. Motion carried with all in favor. Town Administrator Dunn stated that a date for the special town meeting and the start of the process can occur at their meeting on May 9, 2012.

7.3. Amendments to Personnel Policies – Selectman Hayes moved to approve the amendments to the Town's Personnel Policies as presented. Selectman O'Brien seconded. Motion carried with all in favor.

7.4. NH House Districts – Town Administrator Dunn stated that Attorney Peter Millham is willing to represent the Town in any legal action. Selectman Hayes moved to authorize Attorney Millham to research and represent the Town as deemed necessary. Selectman O'Brien seconded. Motion carried with all in favor.

7.5. Wesley Woods Non-Profit Charitable Housing Tax Exemption – The Board concurred to table this matter to the May 9, 2012 meeting.

7.6. NH Routes 11A & 11B – NH DOT Discontinuance – Selectman Hayes moved to approve and sign the petition to the Commissioner of the NH Department of Transportation as presented. Selectmen O'Brien seconded. Motion carried with all in favor.

8. New Business

8.1. Lincoln Park – Memorial Bench Requests – Discussion ensued regarding two requests that have been received for the placement of memorial benches at Lincoln Park. The Board concurred that benches should be a consistent design and approval would be based upon receipt of this specific information. Selectman Hayes moved to support the erection of the two benches at Lincoln Park, subject to the approval of Recreation Director Herb Greene and DPW Director Sheldon Morgan, provided that plans are submitted and the full cost, including a concrete base, is borne by the party requesting the bench. Selectman O'Brien seconded. Motion carried with all in favor.

The Board also discussed the matter of the removal of trees at Lincoln Park, which have

almost completely eliminated the view of the lake. Town Administrator Dunn quoted the NH DES Fact Sheet, which states that lots that were legally developed before July 1, 2008, with existing beaches, can be maintained as they have been in the past. DPW Director Sheldon Morgan did express concern with the root systems and feels they should be left intact to prevent erosion. He is also concerned with the reaction of DES with the removal of these trees. The Board concurred to have Director Morgan and Town Administrator Dunn reach out to NH DES to confirm that this interpretation is correct.

8.2. Kimball Wildlife Forest – Wildlife Restoration Project – Selectman Hayes moved to approve a contract with Martin Forestry Consulting LLC in an amount not to exceed \$8,000 for wildlife habitat restoration at the Kimball Wildlife Forest, under the supervision of County Forester Andy Fast, with funds to come from the Kimball Wildlife Forest Trust Fund; and to authorize the application for \$600 from the NH Fish & Game Department Private Lands Habitat Improvement Program. Selectman O'Brien seconded. Motion carried with all in favor.

8.3. Forest Fire Warden Appointments – Selectman Hayes moved to appoint Stephen Carrier as the Town's Forest Fire Warden for 2012 and to appoint Brian Clarenbach, Nathaniel Hanson and Nathan Lemay as Deputy Forest Fire Wardens for 2012. Selectman O'Brien seconded. Motion carried with all in favor.

8.4. Appointments to Boards and Committees – Selectman Hayes moved to approve the following re-appointments to Boards and Committees:

Conservation Commission:

John Goodhue to expire 4/30/15
Everett McLaughlin to expire 4/30/15
Donald Sibson (Alt.) to expire 4/30/13
John Jude (Alt.) to expire 4/30/13

Planning Board:

John Morgenstern to expire 4/30/15
Dale "Chan" Eddy to expire 4/30/15
Wayne Hall (Alt.) to expire 4/30/13
Dennis Corrigan (Alt.) to expire 4/30/13

Recreation Commission:

Richard Nelson to expire 4/30/15
Sue King to expire 4/30/15
Lisa Manz-Buckley (Alt.) to expire 4/30/13
Vickie Carrier (Alt.) to expire 4/30/13

Zoning Board of Adjustment:

J. Scott Davis to expire 4/30/15
Stephan Nix to expire 4/30/15
Ellen Mulligan to expire 4/30/15
William Knightly to expire 4/30/15

Historic District – Heritage Commission:

Carole Hopper to expire 4/30/15

Chairman Benavides seconded. Motion carried by a vote of 2-1 with Selectman O'Brien voting no.

8.5. Discharge of Firearms in Compact Neighborhoods, Parks, Playgrounds and Other Public Places (HB1341) - Selectman Hayes moved to oppose HB 1341 and to authorize Recreation Director Herb Greene and Police Chief Kevin Keenan to express opposition to this bill on behalf of the Gilford Board of Selectmen. Selectman O'Brien seconded. Motion carried with all in favor.

9. **Public Input** – Kevin Leandro continues to have concern with the cost of a new fire truck and does not think that this is an emergency situation. He still thinks that Engine 4 should be repaired.

Skip Murphy offered to speak to NH DES for the Board of Selectmen regarding the removal of trees at Lincoln Park. The Board thanked him for his offer but declined.

Doug Lambert is opposed to single stream recycling and passed out a news article to the Board regarding it being wasteful and expensive. Kevin Leandro agreed with Mr. Lambert.

10. **Selectmen's Issues** – none.

11. **Administrator's Report** – none.

12. **Next Meeting** –Regular Meeting – Wednesday, May 9, 2012

13. **Adjournment** – With no further business before the Board, the Board of Selectmen's April 25, 2012 meeting was adjourned at 9:24 p.m.

Respectfully submitted,

John T. O'Brien
Clerk