

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**October 10, 2012**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, October 10, 2012, at 7:00 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.

Staff members in attendance included Finance Director Geoff Ruggles, Police Lieutenant Jim Leach, Police Lieutenant Kris Kelley, Recreation Director Herb Greene, Library Director Katherine Dormody, Director of Planning and Land Use John Ayer and DPW Director Sheldon Morgan.

**1. Non-Public Session**

**1.1.** Selectman Hayes moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3,II, (c)(d)(e) to discuss matters which may adversely affect someone's reputation, pending litigation and conveyance of real estate. 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 was Town Administrator Scott Dunn.

Selectman Hayes moved to seal the minutes and 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**

**3.1.** Chairman Benavides asked Library Director Katherine Dormody to come forward for an announcement. Director Dormody presented the Board of the Selectmen with the distinction of the Gilford Public Library being named the 2012 Library of the Year. The commemorative plaque is hanging in the vestibule of the Library and she encouraged everyone to come see it. Chairman Benavides, on behalf of the entire Board, congratulated Director Dormody for this award and recognized that it was made possible by many dedicated staff members and volunteers. He also recognized Dick and Betty Persons, who made the construction of the Library building possible. Director Dormody indicated that Mr. and Mrs. Persons were present when the award was presented.

**4. Review/Approval of Minutes**

**4.1.** Selectman Hayes moved to approve the minutes of the September 26, 2012 meeting, as presented. 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 September 24, 2012 through October 5, 2012. Selectman O'Brien seconded. Motion carried with all in favor.

<b><u>DOCUMENT DATE</u></b>	<b><u>DOCUMENT</u></b>	<b><u>MAP/LOT #</u></b>
09/12/12	Abatement - Gaudet	224-075.013
09/12/12	Abatement - Murdock	243-006.000
09/12/12	Abatement - Misty Harbor	223-093.000
09/13/12	Payroll Register	
09/17/12	Change of Status - Godin	
09/17/12	Accounts Payable Manifest	
09/17/12	Sewer Abatement - Olson	242-200.000
09/17/12	Payroll Register(2)	
09/21/12	Appointment Form - Waitt	

09/21/12	Appointment Form - Carrier	
09/22/12	Deed - Luneau	201-009.005
09/24/12	Payroll Register	
09/25/12	Accounts Payable Manifest	
09/26/12	NOITC - Rogers	228-007.000
09/26/12	NOITC - Nutile	Various
09/26/12	Veteran's Tax Credit - Barry	263-026.000
09/26/12	Veteran's Tax Credit - Graves	264-004.100
09/26/12	Letter to Budget Committee	

## **6.0 Public Hearing**

**6.1 Expenditure of Unanticipated Revenue** – Chairman Benavides read aloud the Notice of Public Hearing on Expenditure of Unanticipated Revenue. He opened the public hearing at 7:04 p.m. and there being no public comment, closed the public hearing at 7:04 p.m.

Selectman Hayes moved to accept the \$110,000 from the sale of Town property at 43 Potter Hill Road, and to disburse this entire amount to the Library Trustees as authorized by a vote on Article 17 of the 2008 Annual Town Meeting; to be used to offset and/or repay the costs associated with construction of the new library, as authorized by vote on Article 13 of the 1994 Annual Town Meeting. Selectman O'Brien seconded. Motion carried with all in favor.

## **7.0 Appointments**

**7.1 John Ayer – Department of Planning and Land Use Update** – Director of Planning and Land Use John Ayer provided the Board members with a comparison of the year-to-date numbers of various permits for 2012 vs. 2011. This comparison shows an increase in activity, in some areas, over 2011. He added that the year-to-date building permit activity has increased values by \$4,676,522, or 73.08%.

The Planning Board is currently reviewing possible 2013 Zoning Ordinance Amendments and will be meeting with the Conservation Commission and Zoning Board of Adjustment. Director Ayer also provided the Board with an update on the status of the new development at the Wal-Mart Plaza.

The Board thanked Director Ayer for his update.

## **8.0 Old Business**

**8.1 Library Plumbing & Heating Contract** – Chairman Benavides stated that this item will be tabled.

**8.2 Acceptance of US Military Surplus Vehicles** – Chairman Benavides provided a brief overview of a memo prepared by Police Chief Keenan regarding the acquisition of surplus military vehicles. He then invited Police Lieutenant Kris Kelley to come forward and address the Board about the new vehicles.

Lieutenant Kelley stated that they were fortunate in being able to secure some vehicles that are in very good condition. He reiterated that the vehicles were made available to the Town at no cost and parts can be obtained from the Department of Defense, also at no cost.

Selectman Hayes moved to accept the following military surplus items: 2007 AM General Humvee, a Field Mechanic Response Vehicle Humvee, a John Deere 6-wheel Gator and a utility trailer for the purposes as requested by Chief Keenan. Selectman O'Brien seconded. Motion carried with all in favor.

## **9.0 New Business**

**9.1 Request for Street Name Change – High Point Lane to Seasons Pass** – Chairman Benavides stated that the Police Chief, Fire Chief, Director of Planning and Land Use and Director of Public Works have approved the name change. Selectman Hayes moved to sign the Return of Street Name

Assignment to approve a name change from High Point Lane to Seasons Pass. Selectman O'Brien seconded. Chairman Benavides asked Town Administrator Dunn if he had been able to reach out to the neighbors to verify their approval. Town Administrator Dunn responded that he had not been able to do that. At this time, abutter Neil Lovett came forward and stated that he has no objection to the proposed street name change. Also in attendance was Rick Hassler, who initiated the request for the name change. He relayed the problems he has encountered with having mail and packages delivered, with similarly named streets in Laconia and Alton.

Town Administrator Dunn stated that the next step would be for the Selectmen to sign a Return of Street Name Assignment, which will be filed with the Town Clerk's Office. This would make the name change official and Director of Planning and Land Use John Ayer would then re-assigning street addresses and conveying this information to E911 and the US Post Office.

A vote on the motion showed that it carried with all in favor.

**9.2 Fire-Rescue Grant Application** – Selectman Hayes moved to approve the application to NH Department of Safety for \$800.16 as reimbursement for Fire-Rescue Training costs, and to authorize the Town Administrator to sign the grant application. Selectmen O'Brien seconded. Motion carried with all in favor.

**9.3 November 6, 2012 General Election Warrant** – Selectman Hayes moved to sign the warrant as presented by the NH Secretary of State for the November 6, 2012 General Election. Selectman O'Brien seconded. Motion carried with all in favor.

**9.4 Gilford Rotary Club Fundraising Request – Village Field Flagpole Pavers** – Chairman Benavides stated that a request has been received from the Gilford Rotary Club to sell engraved pavers to replace the bricks currently around the flagpole at the Village Field. The fundraiser will also help the club to replace the funds they used in improving the area around the flagpole for the Bicentennial Celebration.

Selectman Hayes moved to approve the installation of Rotary Club sponsorship pavers (to be sold as fundraiser) around the flagpole at the Village Field. Selectman O'Brien seconded. Motion carried with all in favor.

**9.5 Wetlands Permit Application – Adder Hole Snowmobile Ramp** – Selectman Hayes asked Recreation Director Greene why this is the access for snowmobiles onto the lake. Director Greene stated that for some time, an area around the Adder Hole has been a primary access point for snowmobiles. From where the snowmobile trails end, the Gilford Beach area is the easiest access. In order to reduce erosion issues, the Recreation Commission wanted to give them a central location and last year the ramp was installed.

As far as DES permitting for the ramp, it appears to be a gray area but the Commission wanted to err on the side of caution, so they required the Belknap Snowmobile Club to acquire a permit from DES for this season. Director Greene also informed the Board that last week, Recreation Commission Chair Thom Francoeur, Town Administrator Dunn and he met with a representative from Primex at the Town Beach to review liability issues.

Primex informed them that as long as the Town is not installing the ramp, there is no direct liability issue for the Town, but of course we can still be sued. Their only concern was if the ramp is left in place during the summer months when the beach is open. They have recommended that it be restricted from the public in some way. Brief discussion ensued regarding whether or not the ramp should be left in place or removed each year.

At this time, Dave Glazier of the Belknap Snowmobile Club that the ramp in question is approximately five (5) feet wide by fifteen (15) feet long and is all one piece. The Club originally chose the Town Beach as an access location because it is one of the few areas without docks or

bubblers. In addition, ice fishermen use this as their access to the lake.

Selectman O'Brien stated that he still has some concerns with liability for the Town. Mr. Glazier responded that the Belknap Snowmobile Club carries \$2 million in liability and list all landowners on their policy. He also added that if the goal here is to eliminate erosion, he thinks that the ramp should be left in place. Selectman Hayes moved to authorize the Town Administrator to sign the Wetlands Permit Application for the Adder Hole Snowmobile Ramp on behalf of the Town. Selectman O'Brien seconded. Motion carried with all in favor.

**9.6 Request for Waiver of Minimum Road Standards – Driveway Width at 30 Feet on 81 Blueberry Lane** – Selectman Hayes moved to approve the waiver of the minimum road standards to allow a driveway apron from 30 feet to 24 feet at 81 Blueberry Lane. Selectman O'Brien seconded. Motion carried with all in favor.

**9.7 Lake Breeze Mobile Home Park Sewer Abatement** – Selectmen Hayes asked DPW Director Morgan if the sewer abatements over the past years are the result of problems within their infrastructure. Director Morgan stated yes, and their requests to have them make repairs have been unsuccessful. Selectman Hayes moved to deny the request for an abatement of sewer charges, pending proof and a receipt that indicates repairs have been made. Selectman O'Brien seconded. Motion carried with all in favor.

**9.8 Gilford Meadows Condo Association Sewer Abatement** – Chairman Benavides stated that a letter has been received from Ray Boelig, Treasurer of the Gilford Meadows Condominium Association, regarding an issue with their recent sewer bill. He asked DPW Director Sheldon Morgan to provide the Board with additional information. Director Morgan responded that he is not fully aware of the circumstances with this sewer bill; however, there have been times when the bills may have been estimated due to errors in reading the meter. Efforts are being made to take care of any faulty meters.

Chairman Benavides asked Director Morgan if he would like additional time to investigate this problem, to which he replied yes. Chairman Benavides then recognized Ray Boelig, as well as Mark Corry, who is President of the Gilford Meadows Condominium Association. Mr. Corry expressed concern with the fact that they were never notified that this matter was going to be discussed at tonight's meeting. Mr. Boelig then stated that he received correspondence from the Department of Public Works that their meter had not been read correctly for a period of two years and the bills they received were estimates.

Mr. Boelig added that there was nothing on the bills to indicate that they were estimates. Now that an actual read has been taken, the resulting bill is approximately three times that of previous bills and presents a staggering financial problem for the Association. Both Selectman Hayes and Selectman O'Brien suggested that this recent bill is the result of the reconciliation of the estimated bills and in the past, the Association was under-billed. Mr. Boelig reiterated that he sees no justification for having bills estimated for two years, to which Selectman Hayes agreed. Selectman Hayes did state that this matter would be taken care of internally.

Mr. Corry also expressed concern that the Association was never notified that their meter was defective, to which Selectman Hayes also agreed. Chairman Benavides then asked Mr. Boelig if, assuming this meter reading is accurate, they are asking for an abatement, to which Mr. Boelig replied yes. He feels justified in requesting an abatement because of the undue hardship that is being placed on the Association. In order to reconcile this bill, it would be necessary for the Association to place a \$100 special assessment on each condo owner.

The Board concurred to table this matter to the next meeting, pending further review by the Department of Public Works.

**9.9 Agricultural Easement – Construction of a Residential Dwelling** – Town Administrator Dunn stated that a request has been received from Jim Hutchins to determine if the Town has any objections to him purchasing and constructing a dwelling on a 20-acre parcel of property (comprised of three separate parcels) that is currently under an Agricultural Preservation Restriction. Approximately 1½ acres of land would be removed from current use for the construction of the dwelling. The Conservation Commission has recommended that the Board approve this request and it must also be approved by the NH Department of Agriculture. Selectman Hayes moved to allow the construction of a dwelling on a parcel of land that is under an agricultural easement. Selectman O’Brien seconded. Motion carried with all in favor.

**9.10 Lakes Business Park – Utility Reimbursement – Howard Precision** – Town Administrator Dunn stated that Mr. Howard submitted this request for reimbursement to the Board approximately three months ago. Prior to bringing the matter to the Board, Town Administrator Dunn brought it to the Lakes Business Park Board of Directors for their recommendation. Unfortunately, due to the lack of a legal quorum, the Business Park Board of Directors was unable to officially approve the request.

Because Town Administrator Dunn is confident of the intent of the Lakes Business Park Board of Directors, he would like to move the process along and have the Board approve the reimbursement. He added that this must also be approved by the Laconia City Council, and funds would be withdrawn from a trust fund.

Selectman Hayes moved to approve the reimbursement of \$9,207.97 to Howard Precision for costs incurred in locating the stub for underground power, such funds to come from the Lakes Business Park Trust Fund. Selectman O’Brien seconded. Motion carried with all in favor. Town Administrator Dunn advised Board members that the language in future Lakes Business Park purchase and sales agreements will reflect that all utility costs must be borne by the purchaser.

**10.0 Other Business** – none.

**11.0 Public Input** – none.

**12.0 Selectmen’s Issues** – none.

**13.0 Administrator’s Report** – Town Administrator Dunn stated that although the Society for the Protection of NH Forests has not provided a written response, a field visit has been made with them to view the proposed site of the flagpole at the parcel of land where the Warming Hut is located. In addition, the Conservation Commission has signed off on the location.

No response has been received from NH DOT regarding the Town’s request to have a “No Right Turn” sign installed on Route 11-A approaching Cat Path.

Town Administrator Dunn and DPW Director Morgan are currently updating the Winter Maintenance Policy. The Personnel Policies are also in the process of being updated.

There have been recent problems with the Town Hall’s water system and they are being addressed by Gilford Well.

As of this past Monday, the Channel 26 Bulletin Board is operating and is dedicated exclusively to Gilford residents.

A meeting was recently held at the Town Beach with Primex and some minor changes will be made to signage there.

**14.0 Next Meeting** – Regular Meeting – October 24, 2012 at 7:00 p.m.

**15.0** **Adjournment** – With no further business before the Board, the Board of Selectmen’s October 10, 2012 meeting was adjourned at 7:55 p.m.

Respectfully submitted,

John T. O’Brien  
Clerk