

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**February 27, 2013**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, February 27, 2013, 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 Chief Kevin Keenan, Police Lieutenant Jim Leach, Police Lieutenant Kris Kelley, Police Executive Secretary Tessa Stevens, Deputy Fire Chief Richard Andrews, Director of Planning and Land Use John Ayer and Police Officers Wes DeSousa, Adam VanSteensburg, Kris Kloetz, Eric Bredbury, Jim Callahan, Chris Jacques and Corey O'Connor.

1. **Non-Public Session** – Selectman Hayes moved to enter non-public session at 6:00 p.m., pursuant to RSA 91-A:3, II, to discuss consideration of pending litigation, hiring of personnel and matters that may adversely affect someone's reputation. 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 exit non-public session at 7:00 p.m. and seal the minutes. 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. Town and School District Elections will be held on Tuesday, March 12, 2013 at the Gilford Youth Center.
- 3.2. The Lakes Region Planning Commission will be hosting an Open House on Thursday, March 7 from 5:30-7:30 p.m. at their offices on 103 Main Street in Meredith.
- 3.3. Chairman Benavides then turned the meeting over to Police Chief Keenan for a presentation. Chief Keenan asked the Selectmen and Detective Jacques and his family to come forward. He announced that Detective Jacques is being promoted to the well deserved rank of Detective Sergeant. After receiving his new pins from his wife, Detective Sergeant Jacques was administered the oath of office by Executive Secretary Sandy Bailey. Detective Sergeant Jacques thanked everyone for being in attendance.
- 3.4. Chairman Benavides announced that effective Monday, March 11<sup>th</sup>, the Town of Gilford will be posting all of its Town roads to a maximum weight limit of 10 tons during the spring thaw, per RSA 231:190-191.

4. **Review/Approval of Minutes**

- 4.1. Selectman Hayes moved to approve the minutes of the February 13, 2013 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 February 4, 2013 through February 22, 2013, as listed. Selectman O'Brien seconded. Motion carried with all in favor.

<b><u>DOCUMENT</u></b>	<b><u>DOCUMENT</u></b>	<b><u>MAP/LOT #</u></b>
<b><u>DATE</u></b>		
10/01/12	Change of Status - Keenan	
01/01/13	Change of Status - Kelley	
01/28/13	Accounts Payable Manifest	
01/29/13	Payroll Register	
02/04/13	Payroll Register	

02/05/13	Accounts Payable Manifest	
02/05/13	Payroll Register	
02/06/13	Accounts Payable Manifest	
02/06/13	Notice of Lien - Danforth	201-009.007
02/11/13	Payroll Register	
02/12/13	Tax Collector's Warrant - Sewer Rents	
02/13/13	Accounts Payable Manifest	
02/13/13	Release of Lien - Corno	227-152.00
02/13/13	Veteran's Tax Credit - Mitton	227-184.000
02/13/13	Veteran's Tax Credit - Greene	224-046.037
02/13/13	Veteran's Tax Credit - Clement	224-074.025
02/13/13	Sewer Abatement - Muthersbaugh	
02/13/13	Sewer Abatement - Ellingson	203-003.000
02/13/13	Change of Status - Jensen	
02/13/13	Cartographics Tax Map Maintenance Contract	
02/13/13	Cartographics GIS Internet Maintenance Contract	
02/13/13	Corcoran Associates Contract	

## 6.0 Appointments

**6.1 John Ayer – Department of Planning and Land Use Update** – Director Ayer provided the Board with a comparison of permit activity between October 1, 2012 and February 27, 2013, as well as the same time period last year. Building activity has increased and is the highest it has been since the 2007-2008 time period, which is partially attributed to the development activity at the Wal-Mart Plaza. In addition, there have been seven (7) building permits issued for single-family homes, which is a sign that development is improving.

Next, he provided the Board with an overview of the recent activity at the Wal-Mart Plaza. He also explained the procedure that is in place for the jurisdiction of permitting, since the development is located within Gilford and Laconia. Work on the Wal-Mart expansion cannot begin until the existing stores are relocated to their new locations.

Director Ayer also reported that the roof of the Meadowbrook expansion area has been completed. He expects that the slab will be poured by the end of March.

Selectman O'Brien asked Director Ayer if there is a method for someone with a site plan approval to add something in or make changes. Director Ayer replied that it depends on what type of change or omission has taken place. In some cases, it would be required for them to return to the Planning Board for a site plan amendment. Minor changes could be addressed with clearance from the Department and corrections to the as-built plan. If the Department determines that an omission has occurred, they would notify the developer of the insufficiency.

The Board thanked Director Ayer for his update.

**6.2 Rae Mello-Andrews – Drug & Alcohol Task Force** – She began her presentation by stating that the Drug and Alcohol Task Force is a newly revitalized group consisting of representation from the Board of Selectmen, School District, Police Resource Officers, Gilford Youth Center and the GHS Nurse, as well as community members. One of their goals for this year is to have a survey completed by anyone who lives or works within Gilford, to determine what people think about drug and alcohol problems within Gilford. This data will provide them direction on what areas the group needs to address.

The DATF is also looking into funding to provide a drop box for unused medications. The box would require 24-hour video surveillance. Chairman Benavides assured Ms. Mello-Andrews that the Board of Selectmen supports their efforts.

**6.3 Geoff Ruggles – Financial Report** – Finance Director Ruggles briefly reviewed the monthly financial reports for the period ending January, 2013. Revenues continue to track slightly higher than anticipated and expenditures track slightly lower, although this is largely due to January 2012 having five pay periods, instead of the four in 2013.

The Board thanked Director Ruggles for his financial update.

## **7.0 Old Business**

**7.1 Winter Maintenance Policy** – Selectman Hayes moved to adopt the Winter Maintenance Policy, as presented. Selectman O’Brien seconded. Motion carried with all in favor.

**7.2 Finance Department Reorganization** – Finance Director Ruggles reported that part-time Account Clerk Sue Jensen has assumed the full-time position as Bookkeeper that was recently vacated by Elaine Willett. As a result, he also looked into reorganizing other aspects of the Finance Department operations, which includes streamlining some procedures. He noted that the Assessing Office is overcome by paper files and to alleviate this, he is proposing digitizing them. The procedure would entail scanning the files and indexing them.

Having the assessing records digitized would also make them available to other departments. Town Administrator Dunn stated that authorization is required by the Board to advertise for the open part-time position. He agrees with Director Ruggles with the transferring of responsibilities for Human Resources and Insurance Claims to the Town Administrator’s office. As far as moving the Appraisal staff into the Finance Department, he would like to hire a part-time employee and work on the digitizing of files, after which the issue of staff relocation could be reassessed.

Selectman Hayes moved to authorize the solicitation of applications for the position of Account Clerk; authorize the Finance Director to explore and implement a digital file consolidation project utilizing available budgeted funds; and transfer responsibilities for human resources and insurance functions from the Finance Office to the Town Administrator’s Office, effective immediately. Selectman O’Brien seconded. Motion carried with all in favor.

## **8.0 New Business**

**8.1 Appointment to Lakes Region Planning Commission** – Selectman Hayes moved to appoint John Morgenstern to the Lakes Region Planning Commission to fill the unexpired term of Richard Waitt ending on April 30, 2014. Selectman O’Brien seconded. Motion carried with all in favor.

**8.2 Meadowbrook Farm – Outdoor Special Events Request** – Dom DeCarli, Facilities Director for Meadowbrook, was in attendance to explain their request to have “tenting” sites available for their patrons, on a trial basis, during the 2013 season. The Planning Board referred Meadowbrook to the Board of Selectmen, after they recently asked them for the same permission to have tenting available on a trial basis during 2013. He emphasized Meadowbrook’s desire to provide a user-friendly patron experience, and as a result, if tenting were permitted they would be more likely to be able to book bands for two consecutive nights.

This would provide a positive financial impact for Meadowbrook, as well as other businesses within the Town of Gilford, such as restaurants. Meadowbrook would like to be able to have tickets on sale on March 9<sup>th</sup> for a major country show that they believe would benefit if tenting were available as part of the ticket package. Since Meadowbrook’s shows are during the peak tourist season, other camping areas within Gilford are often booked to capacity already.

If Meadowbrook determines that tenting is financially viable during 2013, they would then go about making an amendment to their site plan with the Planning Board. At this time, Dom is looking for direction from the Selectmen on how to proceed with having tenting available on a trial basis during 2013. In response to a question from Chairman Benavides, Dom showed where the proposed tenting area would be located on the Meadowbrook site plan.

Discussion ensued regarding addressing potential security issues. There will be a 12:30 a.m. curfew in the tenting area and a minimum of one security person for the entire night. Meadowbrook also needs to address security concerns of performers who are staying in their buses in the backstage area. Dom has spoken with Police Chief Keenan and Lieutenant Perkins from the Belknap County Sheriff's Department, regarding security issues, which was beneficial.

Selectman Hayes questioned if there would be a fee involved for tenting. Dom replied that this is being worked out now, but he anticipates it would be about \$20.00 per person. He provided an explanation that any revenue generated by Meadowbrook or the tour company is shared by each other, and this can be a complicated process. He also pointed out that having back-to-back shows is financially profitable for both Meadowbrook and the tour company.

Selectman Hayes then questioned how many shows would be involved in the trial tenting. Dom replied that they are looking at 3-5 shows for the trial tenting. He emphasized that if this trial does not work out, Meadowbrook will abandon the tenting amenity. Selectman Hayes stated that when he first saw this tenting proposal, he was against it, but at this point, he would be in favor of having tenting on a trial basis. Dom further stated that at the end of each season, Meadowbrook meets with the Police and Fire Departments to discuss any problems that may have occurred. If the trial is successful, they will amend their site plan and make all necessary improvements to the infrastructure.

Selectman Hayes also expressed concern with business being taken away from local hotels, if tenting is made available. Dom responded that while he understands this concern, the demographic that would elect to tent is not the same demographic that would be renting a hotel room. He added that Meadowbrook currently has "show and stay" packages with local hotels, particularly Misty Harbor.

Selectman O'Brien is still concerned with security and the ability of vehicles within the tenting area to be able to come and go during their stay. Dom responded that patrons purchasing the tenting package would be issued wristbands and they would be the only patrons permitted in the tenting area. He further stated that during a show, there are generally between 30-35 security personnel on duty, although this figure can be adjusted, based on the demographic of the show. Selectman O'Brien stated that he continues to have concerns with only one person handling any security concerns, to which Dom replied that this parking lot area is in a wooded area with only one way in and out.

Dom stated that Meadowbrook Security personnel have the ability to remove any intoxicated person from the venue. Selectman O'Brien asked if one of the tenting events is not successful, who would make that determination. Dom replied that Meadowbrook is not opposed to refunding money if it is determined that the tenting is not working out and they would not want to taint their name with an unpleasant experience.

At this time, Selectman O'Brien asked Police Chief Keenan for a recommendation. Chief Keenan responded that he is in favor of this proposal and will work with Meadowbrook so that they can move forward. Chairman Benavides reiterated the Board's position of working with local businesses.

Selectman Hayes moved to allow Meadowbrook the opportunity to have a 3-event tent experiment, on a trial basis, whereby the Town will defer enforcement of the Zoning Ordinance pending an evaluation of the process as a pre-requisite to filing for an amended site plan well in advance of the 2014 season, and further, a review of the first experiment be held the week following the event between Meadowbrook and Town officials. Selectman O'Brien seconded. Motion carried with all in favor. Selectman Hayes complimented Dom DeCarli on the presentation he made to the Board. The Selectmen then expressed an interest in having a tour of the Meadowbrook facilities. Dom replied that he could make sure that this was possible for them.

**8.3 Rubbish Removal Contract** – Selectman Hayes moved to award the trash removal contract for the period March 1, 2013 through February 28, 2015, to Casella Waste Services of Belmont, NH, in the

amount of \$11,845.55 per year. Selectman O'Brien seconded. Motion carried with all in favor.

**8.4 Asphalt/Road Construction Contract** – Selectman Hayes moved to waive the Town's Purchasing Regulations and award the 2013 Road Reconstruction contract to Wolcott Construction at the same prices as 2012 as set forth in the proposal dated February 19, 2013. Selectman O'Brien seconded. Motion carried with all in favor.

**8.5 Request for Abatement – Spindel** – Selectman Hayes moved to deny the request for an abatement from Elizabeth Spindel. Selectman O'Brien seconded. Motion carried with all in favor.

**8.6 Request for Abatement – Crowell** - Selectman Hayes moved to deny the request for an abatement from Gerow Crowell. Selectman O'Brien seconded. Motion carried with all in favor.

**8.7 Emergency Management Performance Grant** – Selectman Hayes moved to accept the \$2,500 grant from the NH Department of Safety under the terms of the EMPG grant agreement as presented for the purpose of updating the Town's Local Emergency Operations Plan at a total project cost of \$5,000, with 50% to be paid by the Town as a local match; and to authorize Fire Chief Stephen Carrier to sign the grant agreement on behalf of the Town of Gilford. Selectman O'Brien seconded and asked if the matching funds are already within the Department's 2013 budget. Town Administrator Dunn replied that he called Chief Carrier with the same question, but unfortunately he is on vacation this week. As a result, he is not sure where the match is coming from but assumes it is either in the 2013 budget or LRPC has made some sort of contribution. Motion carried with all in favor.

**8.8 Request for Abatement – Graf** - Selectman Hayes moved to deny the request for an abatement from Lynwood Graf. Chairman Benavides seconded. Motion carried by a vote of 2-1 with Selectman O'Brien voting no.

**9.0 Other Business** – none.

**10.0 Public Input** – Kevin Leandro stated that he wanted to address the most recent “letter to the editor” submitted by Selectman O'Brien. He disputed the information provided by Selectman O'Brien regarding the cost of fire truck repairs. He also claimed that the vehicle maintenance plan that is in place is a good start, but not adequate, and daily operator inspections should be required. Selectman O'Brien responded that he is offended by Mr. Leandro's comments because he has always expressed that the letters he has written are his own opinion.

**11.0 Selectmen's Issues** – Chairman Benavides wished Selectman Hayes “Happy Birthday”.

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

**13.0 Next Meeting** – March 13, 2013 at 7:00 p.m. at the Town Hall

**14.0 Adjournment** - With no further business before the Board, the Board of Selectmen's February 27, 2013 meeting was adjourned at 8:13 p.m.

Respectfully submitted,

John T. O'Brien  
Clerk