

**GILFORD BOARD OF SELECTMEN'S MEETING**  
**April 10, 2013**  
**Town Hall**

The Board of Selectmen convened in a regular session on Wednesday, April 10, 2013, at 7:03 p.m., at the Gilford Town Hall, 47 Cherry Valley Road, Gilford, NH. Selectmen present were Kevin Hayes, John O'Brien and Gus Benavides. 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, Fire Chief Steve Carrier, Public Works Director Sheldon Morgan, Recreation Director Herb Greene and Town Clerk-Tax Collector Denise Gonyer.

1. **Non-Public Session** – Selectman O'Brien moved to enter non-public session at 6:30 p.m., pursuant to RSA 91-A:3, II, to discuss consideration of pending litigation and matters which may adversely affect the reputation of any person. Selectman Benavides seconded. Motion carried on a roll call vote with all in favor. Present were Selectmen Kevin Hayes, John O'Brien and Gus Benavides. Also present was Town Administrator Scott Dunn.

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

2. **Pledge of Allegiance** – The Selectmen recited the Pledge of Allegiance.
3. **Announcements/Presentations** – none.
4. **Review/Approval of Minutes**
  - 4.1. Selectman O'Brien moved to approve the minutes of the March 27, 2013 meeting, as presented. Selectman Benavides seconded. Motion carried with all in favor.
5. **Consent Agenda**
  - 5.1. Selectman O'Brien moved to approve the previously signed items for the period March 25, 2013 through April 5, 2013, as listed. 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>
12/17/12	Change of Status - Hanson	
01/01/13	Change of Status - Dom DeCarli	
03/13/13	MS-2 (4)	
03/19/13	Payroll Register	
03/19/13	Accounts Payable Manifest	
03/21/13	Accounts Payable Manifest	
03/22/13	Release of Lien - Duquette	224-046.030
03/25/13	Payroll Register	
03/27/13	Abatement - NE Deaconess	various
03/27/13	Payroll Register	
03/27/13	Accounts Payable Manifest	
03/28/13	Order to Transfer Funds	

- 6.0 **Appointments**
  - 6.1 **Denise Gonyer – Town Clerk-Tax Collector's Office Update** – TC-TC Gonyer stated that her last update to the Board was in November 2012. The Department has been working on purging, and the TC-TC noted that last year they shredded 970 pounds of documents and already have 423 pounds shredded to date in 2013. They have also purchased and installed new shelving.

As far as Town Meeting voting is concerned, the recent election at the Gilford Youth Center was very well received. The only issue that arose was a problem with vehicles traveling in two directions at the first entrance to the parking lot. TC-TC Gonyer spoke with Police Chief Keenan about this issue and they will consider changing it to one-way for future elections.

TC-TC Gonyer does have some concern with the volume of residents who participate in larger elections, but recommended that a consistent location be decided upon for the convenience of voters and also the need to have a separate phone line in place for use during State or Federal elections.

The Department's Town and State audits have been completed and their records are quite orderly, and only one decal out of approximately 15,000 was unaccounted for.

Members of the Department received training on boat registrations from their software company last month and are now on-line with the State of NH. Gilford is the third town with an on-line boat registration pilot program with the State. This program will result in substantial time savings for the TC-TC Office.

The Department has continued their efforts to e-mail dog owners about upcoming license renewals, which results in time and postage savings. Delinquent tax notices were sent out in February for unpaid 2012 taxes, as part of the lien process. After receiving payment on approximately half of these bills, the remaining unpaid taxpayers received another notice last week regarding the May 6, 2013 lien date. The next step in the process is the June 14, 2013 tax deeding date.

Chairman Hayes asked TC-TC Gonyer if she has received feedback from the public on the use of the Gilford Youth Center for voting. She replied that feedback was positive, largely due to the fact that the Youth Center was set up in the same manner as the Middle School Gymnasium was set up.

The Board thanked TC-TC Gonyer for her update.

## **7.0 Old Business**

**7.1 Sewer Meter Test for Wayne Swanson** – Mr. Swanson advised the Board that he thanked DPW Director Morgan for having his sewer meter tested. He further stated that he has been taking daily meter readings and as a result, estimates his quarterly usage will be between 5,900 – 6,000 gallons.

Mr. Swanson reiterated his previously stated concern that the bills are not indicated as being estimated, if a radio reading did not occur. Mr. Swanson further stated that it is not his problem if someone made an error in estimating his sewer usage.

Both Chairman Hayes and Selectman Benavides attempted to explain to Mr. Swanson how it would be unfair to other sewer users if he did not pay for the service that he used. Mr. Swanson then objected to the terminology used by Board members that his second quarter 2012 sewer bill was to "catch-up". He further stated that he finds this billing totally unacceptable.

Selectman Benavides reiterated to Mr. Swanson that the bill needs to be paid and the Board offered an abatement of 12,000 gallons, which Mr. Swanson did not accept. In turn, Mr. Swanson suggested that after seeing the sewer usage for the second quarter of 2013, he would pay the same amount for the 2012 second quarter bill. The Board declined this suggestion.

Chairman Hayes advised Mr. Swanson that he used this service and now is the time to pay for the service. If he does not pay for the service, the Board will do what they need to do to protect the interests of the Town. Mr. Swanson again declined the abatement.

Selectman O'Brien moved to deny the original abatement of 12,000 gallons. Selectman Benavides seconded. Motion carried with all in favor.

**7.2 Police Department Personnel Physical Fitness Program** – Selectman Benavides moved to approve the Police Department Personnel Physical Fitness Program and allow one grand prize winner per year to receive a personal day off with pay, subject to the approval of the department manager to ensure there is no additional cost to the Town for shift coverage. Selectman O’Brien seconded.

Police Chief Keenan asked the Board to once again announce that the “26 for 26 Marathon Relay Race” will take place on Sunday, April 14<sup>th</sup>. Although it will be very congested in Gilford Village on Sunday morning, there are no road closures taking place.

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

**7.3 2013 Selectmen’s Goals and Objectives** – Selectman O’Brien moved to approve the 2013 Selectmen’s Goals and Objectives, as presented. Selectman Benavides seconded. Motion carried with all in favor.

**7.4 Town Hall Improvements** – Alan Yeaton of the Amoskeag Architectural Group was in attendance to present his proposal to perform architectural services for the Town Hall improvements. He stated that he will be working closely with Town Administrator Dunn to make sure that the materials chosen are appropriate for the project. With the Board’s approval, he is looking to move forward with soliciting bids so that the renovations can begin this summer.

Mr. Yeaton further stated that the Town has a certain amount of funds set aside for this project and a list of goals they would like to accomplish. This needs to be taken into account throughout the project. He intends to move forward with the “wish list” provided to him last fall, and then go from there.

Chairman Hayes inquired about scheduling, to which Mr. Yeaton responded that he intends to have bid solicitations out by Memorial Day, with bids due in early June. Once the Board approves a contract, the renovations should be able to begin within a couple of weeks. A strict goal has been set of having all outside work completed by the middle of October. He added that there are a lot of contractors who are looking for work.

Selectman O’Brien made a motion to approve the proposed contract with Amoskeag Architectural Group, in the not to exceed amount of \$19,982. Selectman Benavides seconded. Motion carried with all in favor.

## **8.0 New Business**

**8.1 Approval of Encroachment at Lincoln Park** – Selectman O’Brien moved to approve the consent form as presented and authorize the Town Administrator to sign on behalf of the Town. Selectman Benavides seconded. Motion carried with all in favor.

**8.2 Electronic Voting Machine** – Town Clerk-Tax Collector Gonyer advised the Board that this is a rare opportunity to purchase a used ballot machine from the Town of Bedford for \$2,000. She added that, in addition to this cost, there is an additional \$200 per year for a maintenance agreement. Selectman O’Brien questioned why a used ballot machine is available, to which TC-TC Gonyer replied that due to redistricting, they did not need the ballot machine anymore. She further stated that the machine is approximately six years old and has a full warrantee.

Brief discussion ensued regarding the benefits of purchasing this ballot machine, particularly during Federal elections.

Selectman O’Brien moved to authorize the Town Clerk-Tax Collector to purchase a used ballot machine for \$2,000, in lieu of the planned purchase of voting booths, in the amount of \$1,200. Selectman Benavides seconded. Motion carried with all in favor.

- 8.3 Entertainment Permit – Contigiani’s Catering** – Selectman O’Brien moved to approve the Entertainment Permit for Contigiani Catering at Pheasant Ridge Golf Course for the period May 15, 2013 through May 14, 2014. Selectman Benavides seconded. Motion carried with all in favor.
- 8.4 Final Rates for Medical Benefit Renewal from LGC** – Selectman O’Brien moved to contract with the NH Local Government Center for health and dental insurance coverage for the period July 1, 2013 through June 30, 2014, in accordance with rate guarantees as set forth in the renewal documents; and to authorize the Town Administrator to sign on behalf of the Town. Selectman Benavides seconded. Motion carried with all in favor.
- 8.5 Tennis/Basketball Court Resurfacing Bid Recommendation** – Selectman O’Brien moved to accept the low bid of \$9,650 from Tennis Courts of NH, and that these funds be paid from the Recreation Facilities Maintenance Capital Reserve Fund. Selectman Benavides seconded. Motion carried with all in favor.
- 8.6 Appointment of Board/Committee Members** – no action was taken.
- 8.7 Rowe House Lease Agreement** – Selectman O’Brien moved to approve a one-year lease agreement with Thompson-Ames Historical Society to continue to occupy the Rowe House pending Town Meeting approval in 2014 for a multi-year agreement. Selectman Benavides seconded. Motion carried with all in favor.
- 9.0 Public Input** – none.
- 10.0 Selectmen’s Issues** – Chairman Hayes asked Town Administrator Dunn to check with other Town Administrators on how they handle the matter of evictions for Town-owned property. He asked Finance Director Ruggles when the Town audit would be received, to which he replied it would be approximately 4-6 weeks.
- 11.0 Administrator’s Report** – Town Administrator Dunn advised the Board that at some point, a decision will need to be made regarding a permanent location for Town elections. If the Board chooses to keep elections at the Gilford Youth Center, both the Youth Center’s Board of Directors and Town Moderator would need to become involved in the decision. The Board concurred to have Town Administrator Dunn move forward with the process for keeping Town elections at the Gilford Youth Center.

The Town Building Inspector has issued a violation notice to the owners of the Kimball Castle, giving them the option of tearing down the building or installing a fence. Before tearing down the buildings, the owners must receive permission from the Town, the Charitable Trust Division of the Attorney General’s Office and Belknap County Superior Court. Town Administrator Dunn outlined some of the options that are available to the Board with this matter.

Town Administrator Dunn further explained that the roof has totally collapsed on the carriage house and the castle walls are bowing outward, causing an imminent safety hazard to the public. The cost of tearing down the buildings is estimated at approximately \$25,000 and is most likely less than the cost of installing a fence around the property. It is also more of a permanent solution.

Town Administrator Dunn further stated that after his extensive involvement with the Kimball Castle, it was the Town’s intent when the property was acquired and sold to find a party to invest a significant amount of money into the castle or tear it down. He added that even if the castle is torn down, the mortgage payments to the Town will continue until the debt is satisfied.

Selectman O’Brien moved to authorize the owners of Kimball Castle Properties, LLC, to demolish the structures as may be necessary to comply with the order of the Gilford Code Enforcement Officer issued on March 14, 2013. Selectman Benavides seconded. Motion carried with all in favor.

Town Administrator Dunn reminded the Board that in January, they deferred payment of the NH Local Government Center's dues because the Attorney General determined that it could not be a condition of having health insurance coverage with Healthtrust. He conveyed to LGC that the bill for dues would be paid when there is an indication that the Healthtrust's Board of Directors has some "new blood". As of this date, this has not happened. The Board concurred to continue to withhold payment for the 2013 dues.

The next item is the matter of mortgagee research for the 2012 tax lien. In the past, this has been done by an outside firm but last year, it was done in-house as an experiment. TC-TC Gonyer stated that this research has typically been done by an outside firm, who would be insured if there is a problem. The cost for the mortgagee research is borne by the taxpayer. In addition, the Tax Collector's Association does not recommend the research be done in-house.

TC-TC Gonyer suggested that a line item could be put in her 2014 budget for legal expense, so that the cost of the research would be included in her budget. She added that some firms will also take over the mailing of the notices, which would be a relief for the TC-TC Office, which is always very busy at that time of year. She further stated that referring back to Wayne Swanson, he is aware that he has a May 6<sup>th</sup> deadline to pay for or have his sewer bill adjusted - otherwise it will go to lien. Further discussion ensued regarding the liability issue with the mortgagee notice research.

Selectman Benavides moved to contract with an outside firm for mortgagee deed research. Receiving no second to the motion, the motion failed.

Progress with Metrocast franchise agreement negotiations is going well.

Town Administrator Dunn advised the Board that he granted permission for the School District to use the Town Hall parking lot for overflow parking at the "26 for 26 Marathon Relay Race" that is being held this Sunday.

Town Administrator Dunn stated that he spoke with the auditors as they were completing their recent audit and they had praise and appreciation for the work done by Finance Director Ruggles in preparation of the audit and the manner in which our records are kept. He thanked him for his efforts, to which the Board concurred.

**12.0** Next Meeting – Wednesday, April 24, 2012 at 7:00 p.m. at the Town Hall

**13.0** Adjournment – With no further business before the Board, the Board of Selectmen's April 10, 2013 meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Gus Benavides  
Clerk