

**MINUTES OF SELECTMEN'S MEETING  
TOWN OF GORHAM  
MONDAY, JUNE 13, 2016 6:00 PM  
TOWN HALL CONFERENCE ROOM**

Gorham Selectmen present: Grace LaPierre, Terry Oliver, Patrick Lefebvre

Also present: Robin Frost, Town Manager; Kirstan Knowlton, *Berlin Daily Sun*; Chad Miller, EMS Director; Chief PJ Cyr; Jeff Stewart, Recreation Director, Diane Bouthot, Arthur Perry, Adam White, Howie Wemyss, Sue Wemyss, Roger LaJoie; Lorraine LaJoie; Eric Cornish; Liz Jackson; Diane Holmes; Abby Evankow; and others.

**The Board met at 5:30 to present the Boston Post Cane to the oldest citizen of Gorham, Ed Reichert, at his home in front of family and friends. No decisions were made at this event.**

**1. Call to Order:** The meeting was called to order by Chairman LaPierre at 6:00 pm.

**2. Appointments:**

**a) Sharon Glover – Intersection of Glen Road and Route 2 –** Ms. Glover did not attend the meeting.

**b) Gary Davis – OHRV Access - Mechanic Street –** Mr. Davis brought a petition to the Board to not allow any camping at the High School and no parking for ATVer's vehicles on Mechanic Street. He feels this should just be a residential area. Chairman LaPierre stated that the Board of Selectmen has no jurisdiction over the school parking lot. Randy Messineo stated that he has spoken with Superintendent Paul Bousquet and he was unaware that there was camping in that parking lot last year. The noise is terrible. Mr. Messineo feels that they should not be allowed in that parking lot or on Mechanic Street. The town should find a less residential neighborhood to park the ATV's. Mr. Messineo asked that a sign be posted at the end of Mechanic Street so people know there is no parking. It was also suggested that there should be a dead end street sign on Mechanic Street. Joel Fortier stated that this whole ATV issue was created with a lack of planning and discussion. Chief Cyr stated that when people see violations, they need to be reported. It is still tough to enforce the regulations because the ATV can be off on the trail by the time law enforcement gets there. Mr. Fortier stated that he is not against the ATV's, but he thinks we are not controlling it well. Diane Holmes said that she thinks we can and should backtrack a bit. Allowing ATV's on the roads was done without much input, even though a public hearing was held. It is time to put a hold on this issue. The Board should not consider opening the municipal parking lots for camping and overnight parking. Selectman Lefebvre stated that people should definitely call when they see violations, even though they don't want to bog down the police department with the ATV calls. Abby Evankow said that we are inviting a group to town that causes us to spend more money and resources on the problem. Won't that increase the tax rate? Mr. Messineo asked if there was a way to funnel ATV traffic into one route so as not to have them all through the neighborhoods. Al Bergeron lives adjacent to the parking area on Route 2. He has a new neighbor who is using the rail trail and when he asked them about it, they told him that a deputy sheriff told them they could use the trail. They hear

these machines all day long and even up until 10:00 pm. Mr. Fortier feels that he is not getting anywhere with the State. The dirt bikes are way too noisy and the State regulations are too loose on this. Keith Roberge stated that the group of law enforcement personnel who are meeting on June 16<sup>th</sup> are also concerned about the noise of the dirt bikes. Howie Wemyss asked what the mechanism is there for the residents to have their roads closed to ATV access. TM Frost stated that a petition to the Board of Selectmen to close certain roads would generate a public hearing, if the Board so chooses. Adam White said that a study that would say what kind of economic impact this would have would be interesting. He said when he first came to town, the motels were ready to shut down. Now they are always busy. A study should be done street by street to help manage this better.

There were several other comments about the use of OHRV's on Town roads and Main Street, as well as Lancaster Road. Most people in attendance were concerned that this use has grown very fast and the Selectmen need to take a step back and re-evaluate how they want the Town to look, feel and be perceived.

**c) Eric Cornish – OHRV Access Jimtown Road for ATV Festival** – Mr. Cornish is looking for the Board to open up Jimtown Road to the residents of that road so they can get to Berry Farm Road and access the trails through Moose Brook State Park for the ATV Festival. TM Frost called the park and has since received an email from them acknowledging their willingness to allow the residents of Jimtown to access the trails through the park for the ATV Festival only. There is a concern that the State portion of Jimtown Road may not still be open at that time. It was decided that Mr. Cornish should petition the Board to open the Town's portion of Jimtown Road to OHRV travel and to ask the State to keep their portion open for that time frame as well. The Board will hold a public hearing on July 11<sup>th</sup> to receive input on this matter.

### **3. New Business:**

**a) Spring Road Culvert Upgrade Grant – Agreement Execution** – The documents for the Spring Road Culvert Upgrade HMPG Grant were presented to the Board for signature. **On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board unanimously approved the HMPG Grant in the amount of \$213,289.** The Town would be responsible for \$71,096 in addition to the grant amount, which will come from a capital reserve fund, as well as in-kind services. The documents were signed and initialed by the Board and will be returned to the State for processing. TM Frost told the Board that Josh McAllister of HEB Engineers is working on a proposal for the engineering piece of the project.

**b) Request for Return of Building Permit Cost – Whitehouse** – Chairman LaPierre stated that she spoke with Mrs. Whitehouse and she is willing to have the assessors come out to the property and measure the garage that they built. This will clear up any question of the dimensions. **On a motion by Selectman Lefebvre, seconded by Chairman LaPierre, the Board unanimously approved returning the portion of the building permit fee that represents the difference in dimension from the application and what was actually built.**

**c) 1<sup>st</sup> Issue Tax Warrant - On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board unanimously approved and signed the 1<sup>st</sup> Issue Tax Warrant in the**

**amount of \$3,868,194.15.**

**d) Railroad Street Abutter Request** – TM Frost was approached by Steve Grone regarding Railroad Street as it travels near his property. The road shows on the tax map with a dotted line that then depicts where the travelled way actually is. There is a triangle of property that sits in between the road and the Grone property. He was wondering if the Town would be willing to dispose of that piece of property as it is useless to the Town. **On a motion by Selectman Lefebvre, seconded by Selectman Oliver, the Board voted to entertain selling the property to Mr. Grone following the proper legal procedure and asked TM Frost to give them a fair market value of the property.**

**e) Complaint re. Exchange Street Business** – The Board received a letter from Dr. Paul Schoenbeck of North Country Dental with regard to the new vape shop that has opened up on Exchange Street. The Board wondered why this hadn't gone through the Planning Board and TM Frost explained that she had spoken with CEO John Scarinza about this business and he indicated that right now, at least, it is simply a retail store, which is not a change of use. Therefore, no permits or approvals would be needed. Currently, there is no place for people to use the products on site.

#### **4. Old Business/Updates:**

**a) Fire Chief Hiring Process** – TM Frost reported that the panel interviewed four candidates on Friday and she will report the results to the Board in non-public session.

**b) Public Works Office Building** – TM Frost reported that the walk-through was well-attended with about 10 contractors represented. The bids are due on June 24<sup>th</sup> at 5 pm and will be opened at that time and announced. No decision will be made until they have been reviewed by the Town Manager, DPW Director, Architect and Board of Selectmen.

**c) Bathrooms at Libby Pool** – Recreation Director Jeff Stewart stated that construction is moving forward with the roof and shingles going on. The target date to open the pool is this weekend. Additionally, the park program will start on June 27<sup>th</sup>.

**d) Tinker Brook Bridge** – TM Frost said that construction is ongoing on this project and there is a progress meeting scheduled for Tuesday, June 21<sup>st</sup>. There are no issues to date.

**e) Cascade Railroad Crossing** – We are still waiting for a review by the State of this request.

**f) Evans Street** – The Town has received a subsequent letter from Attorney Boutin that addresses the driveway question. The concern is whether the property has the required frontage on a Town road. This could be addressed at a ZBA hearing.

**g) 33 Exchange Street** – The Board received a packet of information from Recreation Director Jeff Stewart with regard to the bidding process for the work that needs to be done at this property. The Board reiterated that they want to make sure all work of this nature goes out for public bid and not just solicited bids. Both TM Frost and RD Stewart said that they understand

the Board's direction and all work will be publicly bid in the future.

**5. Public Comment:** Jeff Stewart addressed the Board with his displeasure about the way the meeting has been run. He felt that there was too much discussion off topic and that the Chairman should have kept the comments to the subject matter on the agenda.

**6. Other Business:**

**a) Town Manager's Update:** TM Frost asked the Board to approve and sign the Tax Map Maintenance Contract with CAI, which is an annual contract that incorporates any dimensional changes of lots into the tax maps. The fee for this contract is \$2100. **On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board approved the Tax Map Maintenance contract with CAI.**

TM Frost asked the Board to approve the contract for the new administrator of our HRA and FSA programs, Benefit Strategies. **On a motion by Chairman LaPierre, seconded by Selectman Lefebvre, the Board approved the contract with Benefit Strategies to administer these benefits.** The cost of this is less than the previous contract administrator.

TM Frost also spoke about the upcoming Camp RZR and the request of the Chamber/Camp RZR Committee to consider allowing dry camping in Gorham. This was met with concerns from the public present at the meeting. Again they feel that this is moving way too quickly to prepare sufficiently. The Board said that they will take public input on this issue at the July 11<sup>th</sup> Public Hearing as well. In the interim, **on a motion by Selectman Lefebvre, seconded by Chairman LaPierre, the Board voted unanimously to allow no camping on municipal property.**

**b) Selectmen's Updates**

Chairman LaPierre reported that the Board presented the Boston Post Cane to the oldest citizen of Gorham, Ed Reichert, at his home tonight before the regular meeting. Mr. Reichert was appreciative of the honor and was given a replica of the cane to keep.

Selectman Lefebvre stated that representatives from NH Department of Environmental Services were in Cascade last week to investigate complaints of odor from the Mill lagoons. They met with all of the complainants and stated that unless the permits issued to the Mill were violated, they would not take any action. This means that the odor could continue when the weather turns hot again.

Selectman Lefebvre asked TM Frost if she had contacted the businesses who have curbcuts that need repair. TM Frost stated that she had not had a chance to complete this notification, but would get that done as soon as possible.

He also asked about a grant opportunity for sidewalk reconstruction and repair. TM Frost stated that a Letter of Intent is going into the program by July 1<sup>st</sup> as required.

**c) Approval of Minutes (May 31, 2016): On a motion by Chairman LaPierre, seconded by**

**Selectman Oliver, the Board unanimously approved the minutes of May 31, 2016 as prepared.**

**d) Sign Manifest; Abatements and Exemptions (if necessary):**

There were several abatements on which to make decisions. The results were as follows:

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the abatement requests of Eversource and Fairpoint were both denied.**

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the abatement request of MacGregor at 20 Glen Road was approved unanimously.**

**On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the abatement request of Martin at 7 Willis Place was approved unanimously.**

**On a motion by Selectman Oliver, seconded by Chairman LaPierre, the abatement request of Northway Bank was approved unanimously.**

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the abatement request of Lead Mountain, LLC was approved unanimously.**

**On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the abatement request of Berlin City/Summit Automotive at 471 Main Street was approved unanimously.**

**On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the abatement request of Berlin City/Summit Automotive at 485 Main Street was approved unanimously.**

**On a motion by Chairman LaPierre, seconded by Selectman Lefebvre, the abatement request of Lavigne at 27 Fieldstone Road was approved by a vote of 201 (Oliver).**

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the abatement request of Berlin City/Summit Automotive at 545 Main Street was approved unanimously.**

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the abatement request of Gorham House of Pizza at 12 Lancaster Road was approved unanimously.**

**7. Non-Public Session: RSA 91-a:3, II a & e: On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board voted unanimously by roll call to move into non-public session at 9:00 pm. Lefebvre – Aye, Oliver – Aye, LaPierre – Aye.**

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board voted unanimously by roll call to move out of non-public session back to regular session at 9:30 pm. Lefebvre – Aye, Oliver – Aye, LaPierre – Aye.**

**8. Adjournment: On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the**

**Board voted unanimously to adjourn the meeting.**

The meeting was adjourned at 9:32 pm.

**REVIEWED AND APPROVED:**

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**Grace LaPierre**

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**Terry Oliver**

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**Patrick Lefebvre**