

**MINUTES OF SELECTMAN'S MEETING**

**TOWN OF GORHAM**

**MONDAY JULY 9, 2018, 6 PM**

**TOWN HALL CONFERENCE ROOM**

**GORHAM SELECTMEN PRESENT:** Mike Waddell, Judy Leblanc

**ALSO PRESENT:** Town Manager Mitch Berkowitz, Michelle Lutz, Denise Vallee, Tobey Reichert, Wally Corrigan Jr., Ben Raymond, Helen Beausejour, Richard Devoid, Arthur Perry, Diane Bouthot, Mary White, Adam White

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

**2. Appointments:**

a) **Ben Raymond-** (not yet present). Chairman Waddell asked that Agenda Item 4C, i, and ii, be discussed at this time. Town Manager Berkowitz updated the board that he had spoken with Eversource reference the third year extension agreement with Eversource advising the third year extension would be the final extension given. Town Manager Berkowitz also discussed the height restrictions imposed by Eversource. Town Manager received a proposal for an alternate snow storage site and requested authorization from the board to negotiate and present to the findings to the board for final approval.

**Selectman Leblanc made a motion to authorize the town manager to negotiate for an alternate snow storage site and present findings to the select board for their final approval. Motion was seconded by Chairman Waddell. Both voted in favor.**

Town Manager Berkowitz has spoken with the CMA office on the phone, but they have not met face to face yet. He is hoping to get in touch with them about the budget and timeline.

Ben Raymond arrived at this time and requested a motion to stop the future development of the 4 plus acres that were purchased. Chairman Waddell asked for clarification. Raymond replied he was talking about the estimated 4 acres behind their residences. Selectmen Leblanc did not want to take action such as that with a selectman missing from the meeting. Raymond also had questions about whether the town is continuing to meet with CMA and DES, and if the select board was aware that they intend to harm wetlands and cut trees with the snow storage plan. Chairman Waddell discussed the issue regarding the vernal pool and the plans that have been looked at. Chairman Waddell advised one of the things that CMA was going to be tasked with would be drainage. Raymond asked if there was anything the abutters could do to help the process. Town Manager Berkowitz explained that the steps Chairman Waddell outlined are in line with the motion that passed not to make any physical changes to the property and that they had agreed to help look at alternatives, which they will continue to do.

b) **Richard Devoid-** Devoid again advised he was there to ask that the end of Union Street be closed to snow machines and 4 wheelers. He advised Town Manager Berkowitz that John had not been to the



area to look at the issue. Town Manager Berkowitz advised him that the issue did come up during discussion of applying for another TAP grant for safety to get proper signage for where the trails are and aren't to encourage the people to stay on the trails. Town Manager Berkowitz advised he would visit the site tomorrow. Tobey Reichert advised he had no issues with the ATV club putting better signage.

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

**a) Joint Letter Regarding Education in the Valley Region-** Selectman Leblanc stated she hadn't reviewed it yet. Chairman Waddell advised it was going to publication soon and requested that she review it and speak with Town Manager Berkowitz regarding any concerns. Town Manager Berkowitz advised he has received a request for the letter to be made public and that now that the board has talked about it becomes public. Chairman Waddell advised he would sign the letter as a citizen, not a member of the board.

### **4. Old Business:**

**a) Spring Road Bridge/Culvert Project Update-** Town Manager Berkowitz advised he spoke with John Scarinza who believes he will have all the easements squared away. There are three left to obtain and all parties have been cooperative.

#### **b) FEMA Projects October 2017 Storm Event-**

**i. Stony Brook Road Update-** Town Manager Berkowitz met with HEB. There is an after the fact approval issue for access to the property. The current owners may approve an easement to allow access to the property so repairs can be made. Town Manager Berkowitz advised FEMA is reviewing it and the current owner should be on the easement. Chairman Waddell pointed out this discussion was about White Birch Lane.

Town Manager Berkowitz viewed the new and old sections of Stony Brook Road. Drainage and ditches need to be addressed and will be an expensive project. Town Manager Berkowitz suggested that at the time the remaining lots are sold, that the town set up a reserve from the taxes generated from those properties and that can be used to initially to off-set potentially a small bond to start the repairs. Chairman Waddell advised that FEMA had entertained a mitigation grant to repair the section that had washed out. Town Manager Berkowitz advised he will be asking public works to add ditches. FEMA will have to be pursued as a separate issue.

**ii. NRCS-Romano Property, Glen Road Update-** Town Manager Berkowitz advised they are just waiting on the final sign offs for reimbursement.

#### **c) Snow Storage at Town Garage-Update-** Discussed during item 2a.

**i. CMA Budget and Timeline on vernal pools**

**ii: Eversource Extension for 1 year and Alternatives**



**d) Woodland Park- Plowing and Road Termination-** Town Manager Berkowitz spoke with Jonathan but doesn't have anything to add

**e) Cascade Neighborhood Adjustment-** Chairman Waddell advised Town Manager Berkowitz that the Cascade neighborhood had a 100% increase in valuation. KRT is looking at more recent sales data to try to determine if a neighborhood adjustment would be warranted. Michelle Lutz advised she spoke with KRT this morning and they should have an answer by the end of the week.

**f) Gorham Paper & Tissue Tax Payments-Status-** Town Manager Berkowitz has been trying to make contact by phone before sending them a letter, but it's getting to the point where he may have to send one.

**g) Tax Deeded Properties-Gateway Trailers- Update of Time Line-** Town Manager Berkowitz advised there is someone who is interested in one of the trailers, but because they are under the town, they need to be disposed of by procedure that gives all parties the opportunity to buy them. John has advised him that as far as he could remember there are three that are not habitable. Town Manager Berkowitz explained the notification process the town has to follow for the owner, the lien process, and RSA 80:89. Town Manager provided the board and those present an example to explain the process. Town Manager Berkowitz requested a motion to demand and direct the town to comply with RSA 80:89.

**Selectman Leblanc made a motion to demand and direct the town to comply with RSA 80:89. The motion was seconded by Chairman Waddell. Both voted in favor.**

Wally Corrigan Jr. expressed concerns about being able to collect back rent for the trailer park for trailers taken by the town and requested notification when the lien process starts.

Carol Turcotte arrived to speak about the 2017 tax deeds that need to be recorded by July 12. Town Manager Berkowitz asked what happens if they are not recorded by the 12<sup>th</sup>. Turcotte explained they have a few days from the 12<sup>th</sup>, but if they are not recorded, and taxes for 2017 have not been paid, the town loses the opportunity to take the property in 3 years; the town would have to wait another year. An example was discussed. Turcotte advised that if the town manager does not authorize her to record the deeds she would request a statement in writing from the board of selectman ordering her not to record them.

**h) Cascade Truck Signage-** Nothing new

**i) Update Re: Police Lt. hiring process-** Town Manager Berkowitz advised that the process reported at the last meeting is progressing accordingly.

**h) Update Re: Town Manager hiring process-** There are two applicants and they are expecting a third which consisted of a resume and letter of interest.

## **5. Public Comment:**



Adam White expressed concern about renting space for snow storage and that the town would be at the whim of the property owner, and that a long term contract would be short sighted.

Mary White asked if there was going to be an opportunity for including in the agenda the longevity issue for non-police department staff that is being proposed for the personnel policy. Chairman Waddell advised once there was a more complete document it would be on the agenda.

Diane Bouthot asked if NHMA had been contacted yet to speak to the committees. Town Manager Berkowitz advised they had not been contacted yet, but that he would.

## **6. Other Business:**

### **a) Correspondence:**

**NHDOT- Temporary Driveway permits-Hydroelectric Dam Repairs-** The permit has been received for the pull out across from the old Currier Building for the work being done to the dam.

**Payment in lieu of Taxes- Dept. of Interior- \$2264-** Was received on June 29<sup>th</sup>. Chairman Waddell also confirmed with Michelle Lutz that the paperwork for the nine county class action suit had been sent out.

**DRA Review and report of 2017 Cyclical Revaluation and Assessment-** Chairman Waddell asked why applying the equalization ratio is always denied. Town Manager Berkowitz read portions of the letter from the DRA which included some results of the assessment. Michelle Lutz confirmed that the letter stated the town was back in compliance.

**NHMA Legislative Policy Report-** Town Manager Berkowitz directed the board to a letter received that contains policy issues relating to municipalities that they need to review and decide what they support or don't support.

Chairman Waddell asked that they discuss the abatements before getting to the Selectmen's Updates and requested they talk about the 4 that neither of them signed. Selectman Leblanc didn't sign them because she took issue with the denial reason which is the appraisal for refinancing. There was a difference of opinion between a refinance appraisal and a first mortgage appraisal. Selectman Leblanc advised she spoke with mortgage lenders from 3 banks who advised there is no difference between the two appraisals. There is a difference between the assessor's value and the appraiser's value.

Chairman Waddell had a couple concerns with the commercial side. Michelle Lutz presented the board with an updated spreadsheet. The total valuation has gone down \$1,881,000. Michelle advised that is if the town agrees with the assessor. If the town disagrees that number could go up or down and Michelle explained how the number could change.

Selectman Leblanc took issue with the discrepancies reported by the assessor. Michelle explained that data discrepancies can happen if people make changes to their property without a permit. Michelle also explained data errors that were listed on the spreadsheet and that the spreadsheet only showed her synopsis.

Chairman Waddell agreed with the assessors recommendations on the commercial abatements.

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**b) Selectmen's Updates-**

Selectman Leblanc did not have any updates.

Chairman Waddell spoke about a draft job description for the town manager's position. Selectman Leblanc agreed with the draft description. The proximity statement in the job description was discussed.

**c) Approval of Minutes (June 25, 2018)-** Not approved. Chairman Waddell had not reviewed them yet.

**d) Sign Manifests-** There were none.

**7. Non-Public Session:** RSA 91-a:3,II, b, e (if needed)

Selectman Leblanc made a motion to move into non-public session per RSA 91-a:3, II, b, e (if needed). The motion was seconded by Chairman Waddell. Selectman Leblanc-aye, Chairman Waddell-aye.

Selectman Leblanc made a motion directing the tax collector and town manager to continue collecting taxes on the 2015 delinquent properties up until July 13 at 4:30 pm, after which any properties not paid in full shall remain liened and shall be subject to the recording of deeds for delinquent 2016 taxes. The motion was seconded by Chairman Waddell. Both were in favor.

In addition the motion shall remain sealed until Friday July 13, 2018 at 4:31 pm after which it shall be subject to the Right to Know law. This motion reflects the board's efforts to develop a policy and procedure to determine what properties may not be tax deed.

Selectman Leblanc made a motion to come out of non-public session. The motion was seconded by Selectman Waddell. The board voted unanimously to come out of non-public session at 9:40 pm.

**8. Adjournment**

On a motion by Selectman LeBlanc, seconded by Selectman Waddell, the Board voted unanimously to adjourn the meeting at 9:40 pm.

