

## **MINUTES OF SELECTMAN'S MEETING**

**TOWN OF GORHAM**

**MONDAY JUNE 25, 2018, 6 PM**

**TOWN HALL CONFERENCE ROOM**

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

**ALSO PRESENT:** Town Manager Mitch Berkowitz, Denise Vallee, Tobey and Danielle Reichert, Ben Raymond, Tim Bradstreet, Helen Beausejour, Rick Devoid, Diane Bouthot, Michelle Lutz, Arthur Perry

**1. Call to Order:** Chairman Waddell called the meeting to order at 6:00.

### **2. Appointments:**

**a) Helen Beausejour-** Beausejour advised that she had made the appointment, but Tim Bradstreet would be speaking. Tim had questions about whether the DES had the site plans yet, if the site plan would be available for public view, if the engineers were aware of the abutters concerns, and if the engineer had been given a timeframe to have the site plans available. Bradstreet also had questions about whether the towns zoning laws would be followed. Chairman Waddell discussed the issues Bradstreet was concerned with.

**b) Rick Devoid-** Devoid asked if Union Street could be closed to snow machines coming off the power lines on Union Street from the stop sign to the end. There are only two people who live in that area, so there is no reason for snow machines to be there. Devoid advised the town piles snow at the end of the street so the snow machines need to go through his yard because the snow machines can't make it over the bank. The board discussed the issued and Selectman Lefebvre suggested some communication with the state over the issue. Tobey Reichert, the landowner, advised he doesn't have any objection to the state putting up better signage. Chairman Waddell suggested having John look into it. Selectman Lefebvre suggested having John work with the state, Mr. Devoid, the Reicherts, and Gorham Land Trust Company since they are all involved with that area.

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

**a) Abatement Requests-** Michelle Lutz had several abatement requests and advised the board that KRT's recommendations were the first page in each file. Chairman Waddell asked that the

files be left in the town office for them to review and if there were concerns, those could be brought to a meeting.

**Selectman Lefebvre made a motion that the selectmen would review the abatements, initial the folder to show it had been reviewed, and that two signatures would be needed to approve the abatement. The motion was seconded by Selectman Leblanc. Selectman Lefebvre-aye, Selectman Leblanc-aye. The motion passed.**

**b) Property Foreclosures FY 2015-** Town Manager Berkowitz advised there are 16 properties that by the statutes have the ability to go to foreclosure. Town Manager Berkowitz outlined the concerns and procedures the board should look into when making the decision. Hazardous material inspection for those properties was also discussed. The selectmen and the town manager also discussed having the selectmen view the properties and having the code enforcement officer and fire chief inspect the buildings for hazards. Town Manager Berkowitz recommended the board go look at the properties.

**c) Personnel Policies-Recommended Updates-** The board received a recommendation from the director of finance and administration and needed time to look at it. Town Manager Berkowitz recommended one of the selectmen work through the process with Denise. Selectman Lefebvre volunteered to work with Denise on the personnel policy updates. Chairman Waddell felt that the vacation accrual policy needed to be looked at along with what can be carried over to the next year. Chairman Waddell also expressed concern with the appeal process that is in the policy now.

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

**a) Execute Engagement Letter for Special Counsel RE: Walmart Case-** Town Manager Berkowitz requested authorization from the board to execute the engagement letter for special counsel for the Walmart case.

**Selectman Lefebvre made a motion to authorize Town Manager Mitch Berkowitz to execute the Engagement Letter for Special Counsel regarding the Walmart case. The motion was seconded by Selectman Leblanc. All were in favor.**

**b) Spring Road Bridge/Culvert Project Update-** Town Manager Berkowitz advised the board that he viewed the area with Buddy. Chairman Waddell asked if the easements had been received. Town Manager Berkowitz advised he had not yet worked on the easements. Chairman Waddell reviewed the easements that still needed to be done.



**c) FEMA Projects October 2017 Storm Event-**

- i. Stony Brook Road Update-** Town Manager Berkowitz viewed the area.
- ii. NRCS – Romano Property, Glen Road Update-** The draft re-imbursement agreement is being reviewed.

**d) Snow Storage at Town Garage-Update-** No further discussion

**e) Woodland Park – Plowing and Road Termination-** Easements have not been received yet. Chairman Waddell requested Town Manager follow up on that.

**f) Cascade Neighborhood Adjustment-** Chairman Waddell is hoping to hear something after the abatements have been handled.

**h) Gorham Paper & Tissue Tax Payments-Status-** Town Manager Berkowitz reviewed that Gorham Paper & Tissue had entered into an agreement for weekly tax payments on overdue taxes. It was found that they were making payments as agreed up until April 15<sup>th</sup> of this year. There have been 9 weeks without any payment, totaling \$225,000. The agreement was that once all payments were full and complete, the interest would be waived. If payments were not received the town would go back to collecting interest first and applying the rest to the balance. Chairman Waddell asked that a phone call be made to the mill first.

**i) Tax Deeded Properties – Gateway Trailers- Update of Time Line-** No discussion.

**j) Cascade Truck Signage-** Nothing to report.

**k) Update Re: Police Lt. hiring process-** Town Manager Berkowitz met with Chief Cyr. MRI received 6 applications of which 4 were persons of interest. Of those 4, there were 2 who would be asked to participate in an oral board. Chief Cyr will be putting together a board of 3 different levels of law enforcement personnel, the Fire/EMS Chief, and has asked Town Manager Berkowitz to participate in the oral board as well. Chief Cyr will be there as an observer and will be having a planning meeting before the board. Town Manager Berkowitz asked that if the select board had questions they would like to ask, to get them to Chief Cyr. The training for the oral board will take place on July 9 or 10, with the oral board happening the week after.

Selectman Lefebvre asked where Chief Cyr was in the process of purchasing new firearms. Chief Cyr decided the PD would not be purchasing the Sig Sauers, and instead purchasing Glocks. Town Manager Berkowitz wanted to make sure the last motion authorized him to do so. Selectman Lefebvre advised the motion was for a dollar amount that the chief had budgeted for and should not need approval to purchase a different brand. Town Manager Berkowitz read a memo from Chief Cyr stating that the capital reserve expenditure would be \$3729.

**Chairman Waddell made a motion to approve the updated capital reserve request for the purchase of firearms for the police department. The motion was seconded by Selectman Leblanc. The motion passed.**

**l) Update Re: Town Manager hiring process-** One person has inquired about the position. Town Manager Berkowitz advised there was no description, but has written one and it was given to the board for their review.

#### **5. Public Comment**

Tobey Reichert wanted to make a note that there was a possibility of the town being able to dump snow at the old JML site behind Berlin City. Ron McCauley spoke with the manager of the property. Helen Beausejour advised she gave a letter to Town Manager Berkowitz regarding this. Town Manager Berkowitz advised there was an ad placed requesting proposals from landowners.

Helen Beausejour asked if anyone had reached out to Eversource about raising the lines so snow could still be dumped in the current location. Town Manager Berkowitz advised he spoke with Shawn Southworth. There will eventually be a meeting between the town and Eversource to possibly get an extension for dumping snow at the current site.

#### **6. Other Business:**

**a) Correspondence-MDOT Road Closure policies and procedures, Permits, Request for notification-** Town Manager Berkowitz read part of a letter from NH DOT advised NH DOT is having a meeting and want to be notified if the town is doing anything.

**b) Selectmen's Updates-** Chairman Waddell asked if the other board members received the email about the governor being in Berlin. Chairman Waddell advised he was going to make a strong effort to be there. Selectmen Lefebvre and Leblanc pointed out that only one member can go or it is considered a meeting. Town Manager Berkowitz advised it could be posted that



more than one member may be there as a social function; no votes will be taken, no business will be conducted. The board requested that be posted.

Selectman Lefebvre advised Town Manager Berkowitz that he emailed him a request to have NHMA come to do another seminar so all the boards were aware of their duties and responsibilities. Dates were discussed and it was decided other communities would be invited as well. Selectman Lefebvre also stated that emails sent to the board become public knowledge once they are received by the selectman in their personal email. The possibility of other email options was discussed.

Selectman Leblanc asked if there would be any restrictions on the forest acquisition with the grant money that was discussed at the last meeting. The restriction is non-development. Selectman Leblanc also asked if the town manager had heard anything about the NBRC grant. Denise Vallee advised it had been submitted.

**c) Approval of Minutes (June 11, 2018)**

Selectman Leblanc made a motion to accept the minutes from June 11, 2018. The motion was seconded by Selectman Leblanc. The minutes from June 11, 2018 were accepted.

Selectman Lefebvre made a motion to accept the minutes from the non-public session on Monday June 4, 2018. The motion was seconded by Selectman Leblanc. The non-public minutes from June 4, 2018 were accepted.

**d) Town Manager's Report-** Town Manager Berkowitz advised he received a letter from Skip Sansoucy ref the lawsuit the town is part of at the Bureau of Tax and Land Appeals dealing with Public Service of NH. The town's share of the billing is 1.51%. Skip has provided an update that it is moving ahead and there are several communities involved.

NH Fish and Game Grant- Town Manager Berkowitz read a portion of a memo from Chief Cyr advising that the motion from a previous meeting was misworded and requested a new motion.

Selectman Lefebvre made a motion to approve Chief PJ Cyr to have signature authority and enter into the 2018-2019 NH Fish and Game Law Enforcement Grant contract on behalf of the town.

The motion was seconded by Selectman Leblanc. The board of selectmen voted unanimously to approve Chief PJ Cyr to have signature authority and enter into the 2018-2019 NH Fish and Game Law Enforcement Grant contract on behalf of the town.

Town Manager Berkowitz read the board information the town received on a class action suit that has started with communities that accept payments in lieu of taxes and requested a motion authorizing him to provide basic background information under the condition that at no time is the town liable for any payments or charges of any kind.

Selectman Lefebvre made a motion authorizing Town Manager Berkowitz to provide basic background information under the condition that at no time is the town liable for any payments or charges of any kind. The motion was seconded by Selectman Leblanc. The motion passed unanimously.

e) **Cards of Appreciation from the Class of 2019-** Town Manager Berkowitz provided the board with cards received from the Class of 2019.

e) **Sign Manifest; Abatements and Exemptions (if necessary)**

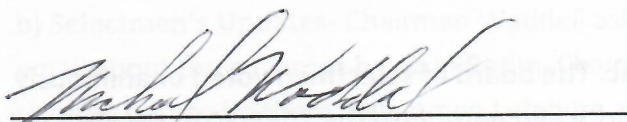
**7. Non-Public Session:** RSA 91-a:3, II, b, e

Selectman Lefebvre made a motion to go into non-public session under RSA 91-a:3,II, b, e. The motion was seconded by Selectman Leblanc. The board voted unanimously to go into non-public session under RSA 91-a:3, ii, b, e

Selectman LeBlanc made a motion to come out of non-public session under RSA 91-a:3,II, b, e. The motion was seconded by Selectman Lefebvre. The board voted unanimously to come out of non-public session.

**8. Adjournment**

On a motion by Selectman LeBlanc, seconded by Selectman Lefebvre, the Board voted to adjourn the meeting at 10:45 pm.



Michael Waddell



MINUTES OF SELECTMAN'S MEETING  
TOWN OF GORHAM

CONFERENCE ROOM

GORHAM SELECTMEN PRESENT: Patrick Lefebvre, Mike Waddell

  
Judy Leblanc

Leah's Vetter, Kelly and Danielle Reichert, Tim Bradstreet, Helen Beaudouin, Rick Devold, Diane Bouvier, Michelle Lutz, Arthur Perry

1. Call to Order: Chairman Waddell called the meeting to order at 6:00.

2. Appointments:

a) Helen Beaudouin- Beaudouin advised that she had made the appointment, but Tim Bradstreet would be breaking. Tim had questions about whether the DEC had the site plans yet, if the site plan would be available for public view, if the engineers were aware of the shutters concerns, and if the engineer had been given a timeframe to have the site plans available. Bradstreet also had questions about whether the transmission laws would be followed. Chairman Waddell discussed the issues Bradstreet was concerned with.

b) Rick Devold- Devold asked if Union Street could be closed to snow machines coming off the power lines on Union Street from the stop sign to the end. There are only two people who live in that area, so there is no reason for snow machines to be there. Devold advised the town piles snow at the end of the street so the snow machines need to go through his yard because the snow machines can't make it over the bank. The board discussed the issues and Selectman Lefebvre suggested some communication with the state over the issue. Tobey Reichert, the landowner, advised he doesn't have any objection to the state putting up Reiter signage. Chairman Waddell suggested having John look into it. Selectman Lefebvre suggested having John work with the State, Mr. Devold, the Reicherts, and Gorham Land Trust Company since they are all involved with that area.

3. New Business:

a) Abatement Requests- Michelle Lutz had several abatement requests and advised the board that KRT's recommendations were the first page in each file. Chairman Waddell asked that the