

**MINUTES OF SELECTMEN'S MEETING  
TOWN OF GORHAM  
TUESDAY, MAY 31, 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; Jeff Stewart, Recreation Director; Jennifer Stewart; Roger LaJoie; Lorraine LaJoie; Mike Waddell

**1. Call to Order:**

The meeting was called to order by Chairman LaPierre at 6:00 pm.

**PUBLIC HEARING: Acceptance of donation of property by Dagesse and Olson Families**

Chairman LaPierre opened the public hearing by explaining that the Dagesse and Olson families had purchased the properties at 27 and 33 Exchange Street to be donated to the Town for recreation purposes. This is a very generous donation and much-needed as the trailer that the Recreation Department has been using is in disrepair. The building at 33 Exchange Street will be repaired as needed (new heating system, drywall, partitions, flooring, etc.) and then used for various recreation purposes.

Mike Waddell asked about the plans for disposal of the old trailer, ramp and septic tank. Jeff Stewart stated that the Water and Sewer Department will take out the septic tank. We will advertise the trailer and ramp for bids. He also asked what the grand plan for the new building would be. RD Stewart stated that his office will be in there, as well as an office for other staff. He will also be forming a focus group to bring forward ideas for the building other than the offices of the Recreation Department. Mr. Waddell asked if the parking lot would be reconfigured and RD Stewart stated that there were no plans for that.

Chairman LaPierre stated that she was concerned about the way the proposals for repairs were solicited. This project was not put out for general bids. TM Frost explained that the project was broken down into separate jobs, such as replacement of the heating system, carpentry, flooring, etc. Each of these items were less than the \$10,000 threshold for general bid advertisement. The Board was reminded that they had given the go-ahead at the last meeting and RD Stewart had confirmed with the contractors that the project was moving forward. Selectman Lefebvre stated that he had sent an email that said he was uncomfortable with the way the bids were solicited. TM Frost stated that since Selectman Oliver indicated that he was fine with the project moving forward and Chairman LaPierre did not respond to the email, the project was moved forward.

TM Frost stated that since the Board has expressed a concern, the procedure will be changed for any future projects.

**On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board voted**

**unanimously to accept the donation of 27 and 33 Exchange Street, pending a successful title search and deed transfer, which is in progress.**

**2. Appointments:** There were no appointments scheduled.

**3. New Business:**

**a) Capital Reserve Transfer for New Ambulance** – TM Frost stated that the new ambulance is ready for delivery. The Selectmen need to approve the transfer of \$128,200 from the Ambulance Capital Reserve Fund to the General Fund so we can prepare the check. **On a motion by Chairman LaPierre, seconded by Selectman Oliver, the Board voted unanimously to approve the transfer of \$128,800 from the Ambulance CRF to the General Fund to complete the purchase of the new ambulance and take delivery this week.**

**b) Request for Return of Building Permit Cost** – There are two requests for refunds of the building permit fees. In the case of Sue Whitehouse, the permit was issued for a 28 x 38 garage on June 18, 2014. Mrs. Whitehouse states that they only built a 24 x 24 garage, though the Town is unable to corroborate the measurements because the property is posted “No Trespassing.” Mrs. Whitehouse would like a refund of the difference between a permit for a 28 x 38 garage and a 24 x 24 garage, which totals \$48.40. TM Frost does not recommend a refund of these fees due to the time factor and not being able to verify the dimensions. Selectman Lefebvre stated that Mrs. Whitehouse had called him to talk about her request. He said that he has known her for a long time and she told him that they just could not afford to build a larger garage at the time. Chairman LaPierre asked for Mrs. Whitehouse’s telephone number so that she could speak with her. She has also known Mrs. Whitehouse for a long time and wants to speak with her personally before making a decision. The Board decided by consensus that they would table this item until the next meeting.

Tim and Alison Bernier are also asking for a refund of their building permit fee which totaled \$625. They would like a full refund, but TM Frost stated that some work was performed by CEO John Scarinza for which the Town should be compensated. TM Frost suggests refunding \$500 of the \$625. The Board members were concerned that the property owners should have known before they applied for the building permit what the problems would be going forward. The Bernier’s should not have applied for the permit without knowing whether they could build or not. TM Frost stated that this is not an expense to the Town, but rather a refund of the permit fee on a project that never came to fruition. Roger LaJoie stated that this is like a restocking fee when you return an item to a store. The Board said that a policy needs to be developed to deal with these situations. **On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the Board voted unanimously to refund \$500 to Tim and Alison Bernier and to direct the Town Manager to develop a policy to address these requests moving forward.**

**c) Letter from Commissioner Rose re. Rail Trail to Jimtown Road** – The Town received a letter from Commissioner Rose of NH Department of Resources and Economic Development in response to a request to open the rail trail from the Route 2 parking lot to Jimtown Road. He is declining to open that stretch of the rail trail at this time, opting to wait until a study, with which he is actively involved, has been completed. The study will map the current recreational trail

systems in the area and create a strategic plan for future expansion of those systems.

The Board accepted the letter as read. It was noted that the OHRV Club has worked hard to try to alleviate the concerns of abutters to the trail by placing speed bumps on the trail, as well as signage and a road block at the trailhead parking.

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

**a) Fire Chief Hiring Process** – TM Frost reported that eight resumes went to MRI who will then review them and proceed with scheduling interviews with five or six of the applicants. The report from Primex, which was the result of the meeting held on Tuesday, May 17<sup>th</sup>, also went to MRI so they can tailor their questions to find the best fit for the Town of Gorham. TM Frost asked if the Board was willing to negotiate the response time requirement with any candidate that rose to the top, if that candidate did not currently meet the requirement. Selectman Lefebvre started to answer the question and was told again that since he is an applicant in the process, he must refrain from participating in any discussions. He said that he had made the original motion, but was reminded that he could not participate. Chairman LaPierre and Selectman Oliver both said that the 20 minutes response time was a rule they would not negotiate.

**b) Public Works Office Building** – The project has been advertised for bids as of Saturday. It will be publicly noticed and bid packages will also be sent to all inquirers. A mandatory walk-through is scheduled for June 9<sup>th</sup> at 3 pm.

**c) Bathrooms at Libby Pool** – Construction of the building has begun.

**d) Spring Road Culvert** – FEMA has taken pictures of the trees during their site visit and we should be hearing back from them any day. We can then continue with the engineering that was previously started. Josh McAllister of HEB Engineers is ready to move on this project as soon as we get the final approval.

**e) Tinker Brook Bridge** – Work has begun on the project, though a bit later than anticipated. The contractor had to wait for delivery of a pipe, but since the notice had gone out in the paper about the road closing, we decided to close it on that schedule. The concern with the detour signs has been addressed by placing an arrow pointing traffic to the northern entrance of Cascade Flats. The pipe was delivered, has been welded and is being tested. Since there is a suggested second testing, TM Frost has contacted Dave Patry to see if the Water and Sewer Departments will cover that cost.

**f) Cascade Railroad Crossing** – TM Frost stated that she followed up the letter to the State, regarding exempting this crossing, with a phone message to the Administrator of Railroads and Public Transportation. She is waiting for a response.

**g) Evans Street** – Our attorney, Ed Boutin, sent an opinion letter regarding this matter. TM Frost forwarded the letter to Roger and Lorraine LaJoie. It was asked if just a driveway permit could be issued and then there is no need to do anything else. Mike Waddell said that this has happened in a couple of other areas of Town on the advice of the same attorney. TM Frost will

pose that question to the attorney to get his opinion on this specific situation.

Selectman Lefebvre asked if the DPW had taken care of the road in Stony Brook as requested by Jeff Schall. TM Frost responded that the DPW had placed material in the area as requested.

Selectman Lefebvre mentioned the trucks parking in Cascade Flats. These are trucks waiting to go into the mill, but they are parking right next to “No Parking” signs. He asked that Chief Cyr step up patrol there. He also reiterated that DPW Director Holmes needs to make sure he stays on top of any potholes that happen as a result of increased use of the north end of the road.

**5. Public Comment:** There was no further public comment at this time.

**6. Other Business:**

**a) Town Manager’s Update:** TM Frost distributed information, given to her by DPW Director Holmes, about the business entrances and an estimate to pave over the rough part of the sidewalk on Lancaster Road. The Board decided that the money to repave the sidewalk, \$5000, is too much to pay for something that will not fix the problem. The sidewalk really needs to be rebuilt. It was decided to look for grant money to help with the reconstruction of sidewalks. Selectman Lefebvre asked about the list of business entrances and how to move forward. TM Frost said that she will contact the property owners to have them repair the entrances, noting that there were few with significant deficiencies.

TM Frost presented the Board with the July 4<sup>th</sup> fireworks contract from Atlas Pyrotechnics for signing. The contract was signed.

A Board member is needed for a discussion with officers of Gorham Paper and Tissue, as well as our assessor and attorney, on June 3<sup>rd</sup>. Selectman Lefebvre will be available for that meeting.

An abatement of taxes for Portland Pipe Line was brought forward. This is pursuant to the agreement that was reached by negotiation. **On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the Board unanimously approved the abatement for Portland Pipe Line on the 1st half billing for 2016.** The Board signed the abatement form.

**b) Selectmen’s Updates:** Selectman Lefebvre stated that there are about 35-60 junk cars on the Byrnes property on Morin Drive. He would like the Code Enforcement Officer to look into this. There is also a property on Park Street that needs to be reviewed. Additionally, there is a property across from Mary’s Pizza that is in disrepair and vacant. It needs to be addressed again.

Selectman Oliver asked whether Mr. Pizza would need to do anything to hold an event in their parking lot. The restaurant would still be open, but they would close their parking lot. People would have to park on the street, and they would expect the event to last about an hour. This needs to be researched.

**c) Approval of Minutes (May 16, 2016) – On a motion by Selectman Oliver, seconded by Selectman Lefebvre, the Board unanimously approved the minutes of the meeting of May**

**16, 2016.**

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

**7. Non-Public Session:** RSA 91-a:3, II a-e - No non-public session was necessary.

**8. Adjournment**

The meeting was adjourned at 8:10 pm.

**REVIEWED AND APPROVED:**

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**Grace LaPierre**

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**Terry Oliver**

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**Patrick Lefebvre**