

**MINUTES OF SELECTMAN'S MEETING
TOWN OF GORHAM
MONDAY, JULY 11, 2016 6:00 PM
MEDALLION OPERA HOUSE/TOWN HALL CONFERENCE ROOM**

Gorham Selectman present: Grace LaPierre, Patrick Lefebvre

Also present: Robin Frost, Town Manager; Kirstan Knowlton, *Berlin Daily Sun*; Chief PJ Cyr; Jeff Schall; Michael Waddell; Diane Holmes; Eric Cornish; Gary Davis; Shawn Costine; Howie and Susan Wemyss; Mark Belanger, Chamber of Commerce Director; and others.

1. Call to Order: The meeting was called to order by Chairman LaPierre at 6:02 pm.

PUBLIC HEARING

OHRV Use on Jimtown Road

A petition to open trail access for Jimtown Rd and connecting streets for residents that was submitted by Eric Cornish was discussed at length. The petition requested that Jimtown Road and connecting streets be opened to allow access via Moose Brook State Park to the ATV trail network during the Jericho ATV Festival the weekend of August 5-7, 2016. The petition is strictly for residents of Jimtown Road and connecting streets with no intentions of extending the agreement beyond the festival dates.

Eric Cornish advised the public as to what he and the other petitioners were requesting and that this same request was approved in 2014 by the Selectmen.

Chief PJ Cyr suggested that it be an annual application in case things should change from year to year. Keith Roberge disagreed, stating that as long as the state keeps Jimtown Road open, it should be allowed every year without having to reapply. Diane Bouthot asked if the residents of Jimtown Road would have access to Lancaster Road and she was advised that they would not, they would be travelling to Moose Brook for trail access, not Lancaster Road.

Joel Fortier stated that there needed to be a dialogue between the town and residents about ATV use. He said that there are problems, but they are not insurmountable, there are solutions.

Keith Roberge suggested that better signs would help to make people aware of where the trails are and where the ATV's should be, especially at the intersection by Moe's Variety and on Route 16.

Eric Cornish reminded the group that he was not looking to further the trail system, just to open the town portion of Jimtown Road for the ATV Festival so that residents could access the trails.

Ray Bergeron asked how the parking was on Lancaster Road. Joel Fortier advised that holiday weekends are constant traffic, which all originates at the Lancaster Road. He reminded everyone that it is a residential neighborhood, and that the noise and constant traffic are an issue. Bergeron advised that relocating the trail parking is a vision for the club, and that Fish and Game will be aggressively enforcing noise violations. Chairman LaPierre asked if the gate at the west end of the lot was open. Bergeron advised that they are waiting on one approval before it can be.

Chief Cyr stated that the town has to be fair and consistent, and that since other town roads that are accessible to the trails are open to ATV use, the request for Jimtown Road should be granted for access through Moose Brook.

Frank Edmundson suggested that opening Jimtown Road for use for the residents would cut down on the parking issue and congestion on Lancaster Road, as those residents would no longer be trailering their ATV's to the parking area.

Diane Holmes asked how non-residents would know that Jimtown Road was not open for public use, but for residents only. Keith Roberge again suggested that better signage would help with the problem. The trail and road could be labeled as use for campers and residents only.

Abbie Evankow stated that she understood the request was only for three days, but that signs do not work, and this is a residential neighborhood.

Diane Holmes asked if a decision in favor of opening the road would set a precedent for future requests. Chairman LaPierre and Selectman Lefebvre advised that the request would be reconsidered each year.

Abbie Evankow also asked at what point do we stop opening roads, as at some point it will become unpoliceable.

Brian Ruel mentioned that residents of Lancaster Road should expect noise, as big trucks and motorcycles also travel that route. Joel Fortier stated it was not the occasional issue with noise, such as you get with trucks or motorcycles, but the volume and concentration of ATV's in the neighborhood. He stated that it is constant.

Rene Boutin addressed the issue of nonresidents using Jimtown Road. He stated that once riders realize the trail goes nowhere, they will not return. Riders are not looking to ride on dead end streets, but are looking for trails that loop.

Eric Cornish stated that he and others will do their best to educate other riders about access being only for residents and to be sure that others obey the rules.

Ray Bergeron suggested that Berry Farm Road be posted as "Local Access Only".

Closing Mechanic Street to OHRV Traffic

A petition signed by some Mechanic Street residents, to remove Mechanic Street from the list of approved ATV access routes was received from Gary Davis.

Davis advised that the school deciding not to allow parking at the high school lot will help with cutting down on the use of ATV's on Mechanic Street. Conrad from the Royalty Inn advised that since the school's decision, he has been working to find alternate overflow parking for the motel.

Randy Messineo suggested a "Dead End" and "No Parking" sign be placed at the entrance of Mechanic Street to discourage ATV use of the street.

Both Brian Ruel and Ryan Carrier spoke in favor of keeping the street open so that residents could have access to the trails. Ruel stated that many people have bought homes in the area because of the ATV access, and they should be allowed to use it.

Mrs Sheridan of Bangor Street shared a concern that if the petition is granted for Mechanic Street, what is to stop residents from petitioning to close down every street.

Reuben Rajala also spoke against closing the street, stated that the ATV use is no worse than high school students driving up and down the street.

Keith Roberge again suggested that signs would help, and it should be posted "Local Access Only". It was also mentioned that signs only work if they are enforced.

Answering the question posed by Diane Holmes about what the town has appropriated money for the Chamber of Commerce to do, Mark Belanger of the Androscoggin Valley Chamber of Commerce spoke about the need for a diversified tourist base, but that ATV's have been the first real economic development this area has seen in years.

A question was raised about liability in the case of an ATV accident on town roads. Steve Clorite advised that town roads would be covered by town insurance and state roads are part of the trail system and would be covered by the state's insurance.

Dry Camping

Chief Cyr advised that the town has already decided that they would not allow camping on municipal property, and he would recommend that the town not allow camping in residential areas, only commercial.

Mike Chabot asked if there was a plan in place and asked why it was on the agenda for a public hearing. He was advised that the board is looking for input from the residents before implementing a plan.

Diana Nelson suggested that camping only be allowed in places where there is trail access.

Steve Clorite stated that the Berlin-Gorham Road should be used for parking only, not camping, unless there is direct trail access.

Bob Langlands of White Birches Campground stated that there needs to be a written plan in place and it needs to be enforced. Temporary places for dry camping should be held to the same rules as campgrounds.

Joel Fortier asked if the common was considered as a place to allow camping. Both selectmen advised that it was not, along with any of the Recreation Department properties.

Diane Holmes asked if there were any prior ordinances or rules pertaining to camping that the Town had to go on. Chairman LaPierre advised there were not.

Mike Chabot asked if the camping rules would be addressed on a yearly basis and reviewed, and Chairman Lapierre advised they would be.

Abbie Evankow asked if abutters would have input into whether or not their neighbors would be allowed to offer dry camping.

Steve Sheridan asked if the ordinance would cover just these two events. He was advised that it would.

Bill Hatch advised that it is hard to prepare for an event not knowing how many people to expect. Mark Belanger stated that Polaris did their due diligence in looking at the area within a 75 mile radius. They

chose Berlin as the location for the event. Steve Clorite advised that the people coming to the event will be dispersed over a large area and will be mainly at Jericho State Park during the event.

Chairman LaPierre made a motion to close the Public Hearing and adjourn to the regular meeting at 7:30pm.

2. Appointments: There were no appointments scheduled.

3. New Business:

a) Sign MS 535 – Financial Report of the Town – Chairman LaPierre asked why the Recreation Department expenditures were so much higher than the appropriation as they have a revolving fund. TM Frost advised that the expenditures include disbursements from all funds, including special revenue or capital project funds. The report was signed by Chairman LaPierre and Selectman Lefebvre.

b) Summer Meeting Schedule – TM Frost suggested that the next meeting date be August 8, due to vacation schedules. Both Selectmen agreed.

c) Interim Fire Chief – Goals and Expectations – TM Frost was asked about the Return to Work Policy and she advised that it is to be sure members are cleared to come back to work after an injury. Selectman Lefebvre asked if there would be an option for light duty and TM Frost advised that it could be part of the policy. TM Frost advised that the interim position will be through the end of October. **On a motion by Chairman LaPierre to accept the Goals and Expectations for the Interim Fire Chief, seconded by Selectman Lefebvre, the board approved the Goals and Expectations.**

d) Selectman Lefebvre made a motion to approve the petition for ATV access for the residents of Jimtown Road, which was seconded by Chairman LaPierre. Both voted in favor.

e) Selectman Lefebvre made a motion to deny the petition to close Mechanic Street to ATV use, which was seconded by Chairman LaPierre. Both voted against the petition.

f) Dry Camping – Selectman Lefebvre requested a workshop to figure out which properties would be suitable in town for dry camping. TM Frost suggested a meeting with the department heads and the selectmen. Chief Cyr advised that enforcing rules about camping would be a code enforcement, not a law enforcement issue. Chairman LaPierre asked about parking rules, as the Berlin ordinance is a bit unclear on this topic. TM Frost will schedule a public meeting on July 20 at 6:00 pm to address the issues of dry camping and parking.

4. Old Business/Updates:

a) Tinker Brook Bridge – TM Frost advised that the project is coming along fine. The bridge is scheduled to be here on July 21, and will be installed at that point.

b) Cascade Railroad Crossing – TM Frost advised that there is a pre-hearing conference scheduled for July 27 in Concord and she will be attending.

c) Recreation Building – TM Frost advised that they have not yet closed on the property. Water and electricity are on, the interior carpentry is in progress, and the exterior work will begin after the interior is complete. Exterior painting should begin in September. Chairman LaPierre asked when the Recreation Director will move into the building and TM Frost advised that she would check with him on that.

5. Public Comment:

Michael Waddell asked about the Public Works building. TM Frost advised that the lowest bidder did not have some of the paperwork that the USDA required, which may disqualify them. If they are allowed to do the work, the town will negotiate with them. Waddell asked if the selectmen have met with the architect to ask about the cost and specs for the building. Chairman LaPierre advised they had not. Waddell advised that the cost per square foot is well above average. TM Frost will ask the architect to come to the meeting on August 8 to answer questions the selectmen may have about the project.

Waddell also asked about the Fire Chief position and the goals and expectations for the interim position. Robin read the Goals and Expectations, which had been voted on earlier in the meeting. Waddell asked who would be responsible for making sure the goals were met and TM Frost advised that she would be. Waddell asked if an outside agency assisted in making the decision as to who was hired for the position, and he was advised that the outside agency recommended three candidates, the selectmen chose a candidate, and that TM Frost was responsible for making the final decision. Waddell shared concerns about the process not being open. Selectman Lefebvre advised that he was asked to not be part of the decision since he was an applicant. Selectman Oliver had asked the municipal association if Lefebvre was allowed to be part of the decision and they advised he could be involved, but that it was not recommended. Chairman LaPierre advised that the board and the TM had come to a consensus on the hiring of Chad Miller as the interim Fire Chief until the end of October. Chief Cyr asked if Miller would be compensated for his additional duties and TM Frost advised that he would not be. Shawn Costine stated that the decision on the Fire Chief position is an important topic of conversation at the Fire Station, and also stated that the lack of a decision is taking a toll on the department. Diane Holmes asked if Miller is not made the Fire Chief after the interim position is up in October if the process would start all over again. TM Frost advised that there are two other candidates who may still be considered if this was to happen. Eric Cornish asked if there was a statute of limitations on applications for a position like this and he was advised there was not.

6. Other Business:

a) Town Manager's Update – TM Frost advised that Gorham Paper and Tissue have made their first two payments toward back and current taxes. TM Frost also advised that the state made a mistake on the grant agreement that was signed at the last meeting, and requested that the selectmen sign the revised copy. Both Chairman LaPierre and Selectman Lefebvre signed the new agreement. TM Frost advised that Abbie Evankow brought it to her attention that her objection to ATV's on Jimtown Road was not included in the minutes from June 13. Chairman LaPierre approved adding that to the minutes and TM Frost will update them.

b) Selectmen's Updates – Selectman Lefebvre asked about the curb cuts in front of Couture's building and Pizza Hut. TM Frost advised letters have been sent, but she will follow up with a call to them to see when they will be fixed.

Selectman Lefebvre also asked about the property that Steve Grone is interested in on Railroad Street. TM Frost advised that there has been no progress on this yet.

Selectman Lefebvre asked why the town paid HEB to go with the public works department to look at the road in Stoney Brook to determine which sections are the worst. Selectman Lefebvre felt that the public works department was capable of determining which sections of the road were most in need of repair. TM Frost advised that it has been two years since HEB was at the site and that conditions have changed in that time. In order for them to give us an estimate to fix just the bad spots, the needed to be on site.

Selectman Lefebvre requested that HEB and GPW attend the next meeting to discuss the road work that needs to be done. In discussing roads that are in need of repair, TM Frost advised that Libby Street was resurfaced by the public works department, and that Ray Street will be done jointly by public works and the water department.

Selectman Lefebvre asked who the new superintendent of the Water Department was and TM Frost advised that Jeff Tennis has assumed that position.

c) Approval of Minutes (June 27, 2016) - On a motion by Chairman LaPierre, the Board unanimously approved the minutes of June 27, 2016 with one correction of race week being in Loudon, not Laconia.

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

TM Frost advised there were no abatements or exemptions.

7. Non-public Session: RSA 91-a:3, IIa

TM Frost advised there was no non-public session needed.

8. Adjournment: On a motion by Chairman LaPierre, seconded by Selectman Lefebvre, the Board voted unanimously to adjourn the meeting.

The meeting was adjourned at 8:35 pm.

REVIEWED AND APPROVED:

Grace LaPierre

Terry Oliver

Patrick Lefebvre