

**MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, JULY 13, 2015 6:00 PM
GORHAM TOWN HALL**

Gorham Selectmen present: Jeff Schall, Grace LaPierre, Terry Oliver

Also present: Robin Frost, Town Manager; Kirstan Lukasak, Berlin Daily Sun; Mike Waddell, Henry Sanschagrin, Eric Cornish, Dennis Arguin, Norma "Lisa" Wheeler, Jamie Berthelette

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

2. Appointments:

a) Keith Roberge – OHRV Use on Town Roads: Chairman Schall stated that while Mr. Roberge was not able to attend this evening's meeting. As such he submitted the following email message to TM Frost:

To the Town Manager and the Town Selectmen,

I am writing this request to get written permission from the town to access the ATV trails via Brook Road now that Jimtown Road is open. I am looking to have permission to drive down Jimtown Road and turn onto Crestwood Drive then to Brook Road where I will then access the trail system from Gerry Marcou's property. I am looking for this permission for my small business to succeed. I have permission from Gerry to use his property because of my liability policy for my guide service. This permission is essential for my business to succeed and grow as my clients meet me at my residence for tours and hunts. I also hold a special use permit through the state of NH in order to guide on state property and this limitation on ATV trail access is limiting my ability to provide the best services for my clients. I have already had to drive to Berlin to do an ATV tour because there was no parking in the parking area off of route 2. I am asking for a decision on this matter ASAP. If permission is denied I would like to know what the reasons are. Thank you for your time.

Selectman LaPierre asked what if anything has been received by the State. TM Frost stated that to date she has not received anything in writing. She only knows the verbal information that she shared with the Board at the previous meeting. Selectman LaPierre suggested that the Town's portion of the Jimtown Road/Crestwood Street be opened as well as the Cascade Flats/Hill area because of the upcoming ATV Festival. Further discussion took place between the Board, TM Frost and the public regarding this matter. Chairman Schall felt that at this time the Board should not be taking any actions on these streets until such time as information has been officially received from the State. As the Board did not present any motions on Mr. Roberge's request, the matter had been tabled.

3. New Business

a) Dispatch Agreement - Randolph: TM Frost presented the Board with the 2015 Dispatch Agreement between Randolph and Gorham. The Board signed the Agreement. TM Frost said that thus far, the Town has not heard back from the Town of Shelburne.

b) Panhandling: Chairman Schall stated that the Board's packets included information on the Town Code as it relates to Hawkers and Peddlers permitting in the Town. Selectman Oliver stated that he asked for this item to be added to the agenda. Selectman Oliver, when driving by the entrance/lights for WalMart, has seen people on the median asking for money from vehicles that are waiting to proceed onto Route 16. He would like to address this issue as he does not feel that the Town residents need to be approached. He said that he has spoken with

Officer Brian Lamarre and that Officer Lamarre stated that Nashua has a good procedure in place regarding panhandling. Selectman Oliver would like to discuss and start the process to get a procedure in place to keep this from happening in the future. Mike Waddell stated that he thought that there was already something in the Town Code to address this issue, however, the Town Code only includes special permits for door to door soliciting. It does not include actual panhandling. Chairman Schall asked TM Frost to speak with Police Chief Cyr to see what types of laws are out there for panhandling.

4. Old Business

a) John Ellis Memorial Update: TM Frost spoke with Selectman Oliver and informed him that after reviewing the new site location, the Water & Sewer Department expressed that this was not a convenient location as it relates to snow removal around the fire hydrant. After further discussion regarding the location that the monument, the Board decided that the monument would be placed where it was originally slated to be placed behind home plate, noting that they felt there was ample space for the hydrant snow removal process.

b) Public Works Roof Project Update: TM Frost stated that the roof project work is on schedule. The contractor works from noon until about dusk.

c) Tinker Brook Project Update: TM Frost noted that there is a change to the scope of work for the engineering contract, and will raise the amount of that contract \$6,500. This change does not change the overall amount of the project, just changes the responsible party for the bridge test boring. Mr. Waddell presented the Board with the DES application that was executed by the Conservation Commission. TM Frost stated that the project is still on track.

d) Riverbank Memo Review: TM Frost stated that at the last meeting she had shared a memo that Chad Miller prepared on the status of the Town's riverbanks and hoped that the Board has had the opportunity to review it. Mr. Miller stated that he prepared a list of areas of concern that he is currently aware of. He said that while pulling the information together, he spoke with Mike Waddell and Reuben Rajala. One of his top areas of concern is the culvert on Spring Road. If the culvert failed completely during a storm, residents on the other side of the culvert would have no alternate means of egress. A letter of request/interest was sent to Homeland Security for grant monies for assistance with the Spring Road culvert and river banks. According to information received, Mr. Miller states that the culvert work ranks higher on the grant request scale versus river bank work. The Board, Mr. Miller and Mr. Waddell discussed areas of concern, which included the Androscoggin River, Moose Brook, Moose River, Peabody River as well as other areas that have previously been a concern. Mr. Miller stated that some of the recommendations that he would make at this time include river bank stabilization, development of a flood warning system for the Town, development of a regional swift water rescue team, portable pump placement for water and sewer along with a plan for effective mitigation of problem areas.

Selectman Oliver asked if the Town can repair river bank areas and/or the berm, referring specifically to the area that effects Dennis Arguin's property during severe rain storms, if we do not enter the water without getting a permit from DES. While DES has stated previously that the Town may enter the river as long as it is not with a bulldozer, a permit is needed regardless if work is completed in the river or along the river bank. TM Frost stated that she stopped the Engineer from moving forward with the project after reviewing the findings.

Mr. Waddell stated that the Spring Road application is long overdue. He expressed his concern regarding other areas around Town as well as the area that Mr. Arguin is concerned about. He said that the Board needed to keep in mind that at some point in time, when the berm fails completely, the river will likely flood several streets

in that area as well as move to Main Street. Therefore, he reminded the Board there is concern that this is currently affecting private property, it will end up affecting public property as well.

The Board requested that Mr. Miller move forward with Spring Road and the berm that affects Arguin's property. Mr. Miller suggested that congressional pressure may be needed to get grant assistance with the berm. Selectman Oliver stated that people think that the Board does not make decisions, and therefore, he would like to see Mr. Miller search for grant monies for these two projects concurrently, noting that this is the moment for the Board to make a decision and move forward.

5. Public Comment:

Kirstan Lukasak wanted clarification on the decision for Mr. Roberge's request. Chairman Schall stated that no motion was presented, therefore, the matter was tabled.

Henry Sanschagrín questioned the Board on a few items that he noted in the minutes of the May 11th meeting. He stated that Chairman Schall mentioned that the local ATV club needed to step up with proper trail signage. Mr. Sanschagrín stated that the club can only put up signage that is approved by the State. Mr. Sanschagrín also noted that it was mentioned that there should be a buffer between the trail and the Crestwood Drive residents. Mr. Sanschagrín stated that there is already a tree line buffer in place. He also asked the Board about court information that he had read in the paper recently with regard to a third offense DWI case was dropped because the Town did not have a prosecutor at the hearing. He went on to ask if the Town lost a prosecutor and expressed his concern that a person is still driving after a third offense DWI. The Board and TM Frost assured Mr. Sanschagrín that they would look into the matter. Lastly, Mr. Sanschagrín stated that he recently there was an ambulance call on Potter Street. While some houses had street numbers on them, there were some that did not. He felt that this must be hard on the emergency response people when trying to locate a particular home. Mr. Sanschagrín wondered if maybe it shouldn't be mandated that every home have a street number identifier on it in a street visible location. The Board and TM Frost said that they would look at the Town Code to see if there is any information on this matter.

Jamie Berthelette said that Messrs. Ron and Dan Dagesse asked her to come in before the Board to see what steps would need to be taken if they were to put up a 140 room hotel. The Board and TM Frost stated that they should start with speaking to Code Enforcement Officer John Scarinza and suggested calling AC Lutz to set up an appointment.

Norma "Lisa" Wheeler said that she came in before the Board to clear up misconceptions with regard to the letter that the Board sent to the Water & Sewer Department as it relates to the water/sewer lines on Prospect Terrace. Ms. Wheeler stated that at no time did she or her attorney tell the property owners that they needed to remove their lines from her property. In fact, they had been offered easements for the lines, but the property owners did not accept the offer. Ms. Wheeler went on to note to the Board that some things are not what they may think. The Board thanked her for coming in.

6. Other Business

a) Town Manager's Update: TM Frost stated that she only had information for non-public session.

b) Selectmen's Update: Selectman LaPierre where the Boston Post Cane stood. TM Frost stated that nominations had been coming into the office. Selectman LaPierre mentioned that Irene Markovitch recently

passed away. Ms. Markovitch had been Selectman LaPierre's deputy in the Town Clerk/Tax Collector's office and just thought the Board would like to know.

Chairman Schall stated that during the July 4th holiday weekend, he took advantage of the information booth restrooms. He said that the remodel looks great, but that the floor should be repainted.

Selectman LaPierre asked what is going on at the McDevitt building. TM Frost stated that Steel Elements is currently renting the garage area.

c) Approval of Minutes (June 29, 2015): Selectman Oliver made a motion to approve the Minutes of June 29, 2015, seconded by Selectman LaPierre, voted unanimously.

d) Sign Manifest: All manifests were signed.

e) Sign Abatements and Exemptions (if necessary):

7. Non-Public Session: RSA 91-a:3, II a-e: On a motion by Chairman Schall, seconded by Selectman LaPierre, the Board voted unanimously by roll call to move into non-public session at 7:34 pm. Schall – Aye, LaPierre – Aye, Oliver – Aye.

On a motion by Chairman Schall, seconded by Selectman LaPierre, the Board came out of non-public session by unanimous roll call vote at 7:46 pm. Schall – Aye, LaPierre – Aye, Oliver - Aye.

8. Adjournment: The meeting was adjourned at 7:46 PM.

REVIEWED AND APPROVED:

Jeff Schall

Grace LaPierre

Terry Oliver