

**MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, JUNE 2, 2014, 6:00 PM
GORHAM TOWN HALL**

Gorham Selectmen present: Jeff Schall, Bill Jackson, Grace LaPierre

Also present: Robin Frost, Town Manager; Kirsten Lukasak, Berlin Daily Sun; Carol Porter, Tax Collector; Jeff Stewart, Recreation Director

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

2. Appointments:

a) Michael Cummings – Gorham Paper and Tissue: Chairman Jackson announced that he was pleased to welcome Mike Cummings and Wayne Johnson of Gorham Paper & Tissue. Mike Cummings said that he had met with TM Frost a couple of times over the past few weeks but have not met the Board as of yet. Mr. Cummings thought it would be good to be able to answer any questions that Town may have with regard to where the plant stands. Mr. Cummings is the new Chief Executive Officer and reviewed his work history prior to the mill along with his time line with the mill. He introduced Wayne Johnson who is the new plant Chief Financial Officer. Mr. Johnson reviewed his work history with the Board as well. Mr. Cummings stated that the current mill operations are different, leaner in order to work on keeping the organization going. They have had mountains of challenges, but have been making it. Selectman LaPierre thanked Messrs. Cummings and Johnson for attending the meeting and said that she appreciates all that the mill has done over the years for the Town. Selectman Schall said that he appreciated that they came in and presented an update to the Board. Selectman Schall also stated that he would like to extend the Town's hand and make sure that if there is anything that the Town can do to help, please let us know. Mr. Cummings thanked the Board and stated that TM Frost has been a great conduit between the mill and the Town to date. Chairman Jackson stated that he was happy to see them and that he was glad to have Ms. Tilton take the reigns over for the mill.

b) Jeff Stewart – ArtWalk: RD Stewart stated that the ArtWalk Committee is once again looking for permission to close Exchange Street for the two ArtWalks scheduled for this summer. He stated that last year the street was at about 4:00 pm. However, the vendors stated that it was not quite long enough to get their booths set up. The committee would like to close the street earlier, at 3:00 pm, to leave the vendors ample time to set up their booths. He has spoken with the local businesses on Exchange Street, and noted that Evolve and Peak Health were concerned with closing the street that early. The business owner asked if a portion of the street (from Main Street to the parking lot adjacent to Evolve) so that customers would be able to access parking for their business. RD Stewart suggested that maybe the Town allow two-way traffic for that small portion, but suggested that traffic only be allowed to exit southbound on Main Street. Further discussion took place with regard to signage and notification that would be needed to allow two-way traffic on the noted portion of Exchange Street, for the ArtWalk scheduled days only. Selectman LaPierre asked what the dates were for the ArtWalk. RD Stewart stated that they are scheduled for July 15 and August 12. Selectman Schall asked if RD Stewart had spoken with Chief Cyr with regard to the street closure. RD Stewart stated that he was involved in the activity and street closure last year.

Selectman Schall made a motion to approve the closure of Exchange Street between the hours of 3:00 pm and 9:00 pm on July 15 and August 12 for the purpose of the ArtWalk activities, with final

input from Chief Cyr of the Police Department with regard to traffic flow/direction, seconded by Selectman LaPierre, voted unanimously.

RD Stewart stated one of the aspects of the ArtWalk is to bring business into town. One of the things that the Committee did this year was to move the ArtWalk from Wednesday to Tuesday so the local Farmers Market could be involved. RD Stewart felt that another activity/point of interest that could be added to the festivities could be wine and cheese tasting. He has spoken with five local wineries to see if they would be interested in participating in the wine and cheese tasting activity. He has heard from three out of five, two are interested one is not. The Board stated that if the NH Liquor Commission grants permission, they approve of adding this activity to the ArtWalk. They did, however, request RD Stewart to keep TM Frost apprised of this matter.

c) Carol Porter, Tax Collector – Update on Tax Deeding Process: TC Porter stated that she was there to present deeds to property in which the registered owners did not pay property taxes for 2010 and prior. TC Porter stated that for visual purposes she copied tax maps and highlighted each parcel individually, she then presented the Board with the following tax deeds:

Marshall James Bradstreet for property located at 16 Proposed Pellerin Drive, at Map U24, Lot 44D, which includes outstanding taxes for the years 2006, 2007, 2008, 2009 and 2010. **Selectman LaPierre made a motion to accept the Tax Collector Deed for property owned by Marshall James Bradstreet located at 16 Pellerin Drive, Map U24, Lot 44D, seconded by Selectman Schall, voted unanimously.**

Sajid R. Chaudhry and Fouzia C. Sajid Chaudhry for property located at 26 Spruce Street, at Map U8, Lot 65, which includes outstanding taxes for the years 2008, 2009 and 2010. **Selectman LaPierre made a motion to accept the Tax Collector Deed for property owned by Sajid R. Chaudhry and Fouzia C. Sajid Chaudhry located at 26 Spruce Street, Map U8, Lot 65, seconded by Selectman Schall, voted unanimously.**

Currier Sales & Service for property located at 459 Main Street, at Map U9, Lot 10A and 1 Tees Road, at Map U10, Lot 11, both lots include outstanding taxes for the years 2007, 2008, 2009 and 2010. **Selectman LaPierre made a motion to accept the Tax Collector Deed for property owned by Currier Sales & Service located at 459 Main Street, Map U9, Lot 10A and 1 Tees Road at Map U10, Lot 11, seconded by Selectman Schall, voted unanimously.**

Robert W. Gauthier Heirs for building only at 2 Brookside Drive, mobile home, located Map U18, Lot 1-27, which includes outstanding taxes for the year of 2010. TC Porter stated that this property is not occupied and has little or no value. TC Porter also presented the deed for Brenda Tibbetts for building only at 7 Corrigan Street, mobile home, located at Map U18, Lot 1-46, which includes outstanding taxes for the years 2009 and 2010. TC Porter stated that this mobile home is in worse shape than Robert W. Gauthier Heirs' and has little to no value. She has spoken with the owners of the park they have agreed to not charge the Town lot rent and remove the homes from the lots. TC Porter stated that knowing the Town would not see money for these homes; she would like them removed from the books as well as allow the park owner to get new homes in the park. **LaPierre made a motion to accept the Tax Collector Deed for building only owned by Robert W. Gauthier Heirs located at 2 Brookside Drive, Map U18, Lot 1-27 and building only owned by Brenda Tibbetts at 7 Corrigan Street, Map U18, Lot 1-46, contingent upon the park owner not charging the Town of Gorham lot rent, seconded by Selectman Schall, voted unanimously.**

James K. Sieczkiewicz and Renee A. Sieczkiewicz for property located at 9 Proposed Country Road, Map U24, Lot 42E, 11 Proposed Country Road, Map U24, Lot 3L, 13 Proposed Country Road, Map U24, Lot 3M, which includes outstanding taxes for the year 2010. **Selectman LaPierre made a motion to accept the Tax Collector Deed for property owned by James K. Sieczkiewicz and Renee A. Sieczkiewicz for property located at 9 Proposed Country Road, Map U24, Lot 42E, 11 Proposed Country Road, Map U24, Lot 3L and 13 Proposed Country Road, May U24, Lot 3M, seconded by Selectman Schall, voted unanimously.**

Darlene A. Towle for property located at 15 Main Street, Map U2, Lot 39, which includes outstanding taxes for the years of 2008, 2009 and 2010. **Selectman LaPierre made a motion to accept the Tax Collector Deed for property owned by Darlene A. Towle for property located at 15 Main Street, Map U2, Lot 39, seconded by Selectman Schall, voted unanimously.**

Daphne P. Witt for property located at 10 Proposed Mountain View Road, Map U24, Lot 38E, which includes outstanding taxes for the years 2009 and 2010. **Selectman LaPierre made a motion to accept the Tax Collector Deed for property owned by Daphne Witt for property located at 10 Proposed Mountain View Road, Map U24, Lot 38E, seconded by Selectman Schall, voted unanimously.**

After the presentation of the Tax Deeds, Chairman Jackson assigned the recording of the deeds to the Tax Collector's office. TM Frost stated that there was one other set of properties that needed to be reviewed, which is the property owned by Harold and Marilyn Munce, located at 611 Main Street, 614 Main Street, 615 Main Street, 616 Main Street, 619 Main Street and 437 Main Street. She said that given that, the Munce properties noted have the potential of environmental issues and a company has filed an injunction against the Town in the Coos County Superior Court and won, the Board should consider rejecting the deeds. She went on to say that making a motion to reject the deeds does not change the lien on the properties. The attorney for the insurance company that is holding a bond on the properties requested a temporary restraining order, which buys them an additional 30 days.

Chairman Jackson made a motion that pursuant to RSA 80:76, II, that the Gorham Selectboard, as the governing body of the town of Gorham, notify the Tax Collector that the Town will not accept the deed because acceptance may subject the municipality to potential liability as an owner of property under CERCLA (the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. section 6901 et seq., RSA 147-A and 147-B), and any other federal or state environmental statute which imposes strict liability on owners for environmental impairment of the real estate involved, prior to being seconded, the motion was discussed. The Board expressed concern over accepting this motion because of the unpaid taxes. TM Frost stated that TC Porter can present the deeds at any time to the Board. TC Porter stated she is concerned with the language of the motion and if there are any environmental concerns, the owners should be held accountable. The Board stated that they would revisit the matter in 30 days if National Grange does not pay. TC Porter expressed her concern stating that if the Board reject the Tax Deeds the properties will remain in the of the current owner with no potential to receive and tax money and stated that she thought the environmental issues had been taken care of. TM Frost stated that the reason the Bankruptcy Court dismissed the Munce's case is because they did not follow through with clearing up the environmental issues noted by the NHDES. **Chairman Jackson withdrew the previous motion, and**

it was noted that it had not been seconded, and was moot. Chairman Jackson made a motion not to accept the Tax Collector Deeds pending the outcome of the restraining order, seconded by Selectman Schall, voted unanimously.

3. New Business

a) Neighborhood Petition – 2 Glen Road: TM Frost presented the Board with a copy of a neighborhood petition for property located at 2 Glen Road. She stated that she has written a letter to this property owner a couple of years ago and had been cleaned up some. TM Frost stated that she would forward another letter to the homeowner. The Board asked TM Frost to make sure that she noted the previous letter and to cite RSA 47 in the letter.

b) July 4th Fireworks Approval: TM Frost presented the Board with the State of NH Application for Permit for the annual fireworks. Chairman Jackson asked if any of the property owners in the neighborhood of where the fireworks are set off, such as Promenade Street have ever complained about ashes. TM Frost stated that to date she did not know of any such complaints. The Board agreed to have Chairman Jackson sign on behalf of the Town/Board.

c) Town Hall Windows: TM Frost stated that we have been putting plastic on the windows in the building in various offices. She asked FD Vallee to go back to the window company that worked on them when the building was renovated and asked for a quote to repair jamb liners and anything else so they are almost back to new. The price came in at \$19,000. Selectman Schall asked if the price included any warrantee. TM Frost stated the quote did not specify any warrantee. TM Frost stated that at this time the Town does not have the money. The office is currently working on a grant for the roof on the Public Works garage. This grant requires a public hearing. She anticipates that we will hear if the grant is awarded in the fall. Chairman Jackson stated that he is opposed to spending money at all on the window noting that \$20,000 is too much. We should be looking at caulking the windows. Unless there is an emergency, he feels that the windows do not need to open and can be sealed up. He suggested that maybe we call out to local talent to see if someone could help the Town with this.

d) OHRV Letter to the State: Chairman Jackson said that at last meeting we ended up with the thought that the State needs to step up on enforcement of current regulations at the Lancaster Road trail access and they should seriously consider the Moose Brook State Park as trail access for OHRVs. He went on to say that, the State needs to realize that they created this situation and they need to be open to dealing with this. TM Frost wrote a letter to the State on behalf of the Board. She did a good job with it. The Board asked TM Frost to sign the letter that she is sending on behalf of the Board of Selectmen.

4. Old Business

a) Overnight Truck Parking: TM Frost stated that as asked at the last meeting, she called York Land Services to see if they had any information on this matter in their files. The only item in their file was the survey of the area. It was agreed to request the Planning Board to put this matter on their agenda for further review because of residents' concerns of noise.

b) Security Update: TM Frost stated that the price for the two additional panic buttons, which are for her office and FD Vallee's office, came to \$633.00. Half of the price is due at the start of the

project with the balance due at the end. This price also includes and expansion module so the two additional buttons can be accommodated plus leaves room for future use if needed. TM Frost stated that the cost would be covered out of the Building and Repair CRF, which has a current balance of approximately \$135,000. The Board asked TM Frost to get Pope Security to give a breakdown between material and labor for the costs. It was agreed to pass over approval until the next meeting so TM Frost could obtain the complete breakdown from Pope Security.

c) Netting on the Common: Chairman Jackson received an update on the netting proposal from Superintendent Paul Bousquet, which covered the questions that the Board had asked about specifics on the projects. The update price of \$2,735.00 includes the concrete and installation. The school is requesting that the town pay one-half or \$1,367.50. The Town's portion of the cost will be paid out of the Recreation Revolving Fund. **Chairman Jackson made a motion to approve the payment of \$1,367.50 to the School for the Town common fencing as presented by Superintendent Paul Bousquet, that being the Town's 50% share of the project and that, the storage of the netting and poles when not in use be dealt with by the School, seconded by Selectman LaPierre, voted Jackson – Aye; Shall – Nay; Lapierre – Aye.**

d) Boston Post Cane Replica: TM Frost stated that the replica canes can be purchased individually. The cost per cane is \$140.00. It was agreed to get information on engraving and research who is the Town's eldest resident.

e) Appalachian Trail Community: Chairman Jackson stated at the last meeting Selectman Schall had suggested a list of potential committee members and he was asked to check if they might be interested in being members. TM Frost stated that she had been getting in contact with the people and is waiting for responses.

Chairman Jackson asked TM Frost for an update on the Public Safety Development Committee's meeting. TM Frost stated that they met a week ago Friday and talked about several things that the Board would need to come up with formulas. The Committee will be meeting again Friday to talk with Sheriff Marcou. At this time, the agreement for the County would have the most question marks on it because of the unincorporated areas, and what is to be included and not included. The Town of Shelburne indicated that they could be available to meet during the week of June 16. The Committee would like to meet with the Randolph and Shelburne separately. TM Frost said that she reminded the Towns that the purpose of the Committee is to gather information for the Board.

Chairman Jackson asked TM Frost about the status of the Easement Deed for the Multi-Modal Trail. TM Frost stated that Gorham Land Company had a meeting and would like a clause added to the deed that specifically states that no OHRV traffic is allowed.

Chairman Jackson asked TM Frost if she had received any prices on the signs to date. TM Frost indicated that she is still waiting to hear from them. It was agreed to check with Albrite Signs for pricing as well.

5. Public Comment

6. Other Business

a) Town Manager's Update: TM Frost stated that she attended the DARE graduation and as always Lt. Lemoine did a great job. The Board asked TM Frost to let Lt. Lemoine know that they are proud of her and the job she does with the program.

TM Frost presented abatement forms for the James Couhie and Sheryl Stephenson trailer lots that no longer have trailers on them but are still being taxed. TM Frost said that the trailers had been removed a couple of years ago, no Tax Deeds were done and the Town never abated them. If the Town abates them, the tax collector can remove them from the books. The Board signed the abatement forms.

TM Frost stated that AC Lutz had given her a letter that that she had written to Nicholas Rano of 28 Wilson Street. Mr. Rano had been receiving the Veteran's credit for several years. AC Lutz has been reviewing DD214's for these credits and noted that Mr. Rano did not qualify for the credit based on RSA 72. The Board signed the letter.

TM Frost presented the Board with the application for a Highway Safety Grant in the amount of \$4,059.12 for DWI patrol. This grant is for man-hours for patrol only, not for the radar equipment. The Board agreed to have Chairman Jackson sign on behalf of the Board/Town.

TM Frost asked the Board if it was okay to schedule the public hearing for the Public Works Garage Roof Grant at 6:00 pm on June 16th prior to their regularly scheduled meeting. The Board agreed to allow the public hearing prior to the next meeting.

b) Selectmen's Update: Selectman LaPierre stated that she saw Don King last week and asked if when Mr. King was done as Town Treasurer, if the office did anything for him. TM Frost stated that she thought FD Vallee had, but she would have to check with her. Selectman LaPierre also stated that at the Library where the plaques are recognizing those that gave to the Library, there was nothing there for the Kings, even though they had donated the building to the Town. Selectman LaPierre stated that she just wanted to let the Town know that there is animosity there.

Selectman Schall said that the new signs that the State has put up on Route 16 just north and south of the Stony Brook entrance has Stony Brook spelled at "Stoney", where the Town's street sign is spelled "Stony". TM Frost said that she would check to see which spelling is correct based on the actual site/survey plan on file.

Chairman Jackson stated discussions have been ongoing since Glen Eastman, Yves Zornio and Mike Waddell were on the Board with regard to home inspections for building permits. When originally discussed by that Board, they made the original determination that the Town does not do home inspections for building permits. Chairman Jackson said he feels that the Town cannot overlook inspections and should be doing them. TM Frost stated that she had asked CEO Scarinza to become certified as a building inspector. CEO Scarinza said that he currently has a lot on his plate and asked if they could discuss it again this fall. It was agreed by the Board that the Town should be looking at moving in this direction, and that the fee structure for permits may need to be looked at again.

c) Approval of Minutes (May 19, 2014): After review of the draft minutes of May 19, 2014, the Board unanimously decided to pass over approval of them.

d) Sign Manifest: All manifests were signed.

e) Sign Abatements and Exemptions (if necessary): There were none presented.

7. Non-Public Session: RSA 91-a:3, II a-e: On a motion by Chairman Jackson, seconded by Selectman LaPierre, the Board voted unanimously by roll call to move into non-public session at 8:25 pm under the provisions of RSA 91-A:3,II(e). Jackson – Aye, Schall – Aye, LaPierre – Aye.

On a motion by Chairman Jackson, seconded by Selectman Schall, the Board voted unanimously by roll call to come out of non-public session at 8:35 pm. Jackson– Aye, Schall – Aye, LaPierre – Aye.

8. Adjournment: The meeting was adjourned at 8:36 PM.

REVIEWED AND APPROVED:

William H. Jackson

Jeff Schall

Grace LaPierre