

**MINUTES OF SELECTMEN'S MEETING  
TOWN OF GORHAM  
MONDAY, JULY 14, 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; Dennis Arguin, Eric Cornish, Henry Sanschagrin, Michael Scala

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

**2. Appointments:**

**a) Mike Scala – Senator Kelly Ayotte's Office:** As part of his annual visit, Mr. Scala stated that he came in before the Board to see if the Board/Town needed assistance on any federal issues. He asked the Board how the Town's constituents responded to the new flood maps. The Board stated that for the most part the residents have been coming in to see if their property is within the new floodplain area. Mr. Scala told the Board if they needed any further information from FEMA to let him know and he would assist. Chairman Jackson stated that the Board/Town had been dealing with an issue that we could use assistance with. He stated that there was a project done in the 1920's on the Moose River where it enters the Androscoggin River. Chairman Jackson stated that he had been told by some of the "old timers" that the Army Corps of Engineers did the project and while he does have a contact that he had asked to get information on the project, he has yet to receive anything. He wondered if Mr. Scala could assist with getting information on the project. Mr. Scala stated he would see what he could find. Chairman Jackson stated that the Board does not know what to do about the current tax rate. The Town has applied for TIGER Grants in the past, but to no avail. At this time, the Town cannot keep up with its roads/streets, especially in the Stony Brook neighborhood, which has been estimated at approximately \$2,000,000 for repairs. Mr. Scala stated that these grants are very competitive and NH gets very little money allotted for these grants. Selectman Schall asked if it would be possible to get a larger PILOT payment from the National Forest. Mr. Scala stated that he thought that was well funded and the Town was receiving what it should be getting. The Board thanked Mr. Scala for coming in.

**b) Eric Cornish – Use of Jimtown Road during ATV Festival:** Mr. Cornish told the Board that the reason for his visit to request that the Town allow ATVs to travel Jimtown Road during the ATV Festival so the residents can access the trail system through Moose Brook State Park as the State will have trail access open through the Park for the festival only. After the festival Mr. Cornish hopes that maybe access through the Park can remain open for the Jimtown area residents. Chairman Jackson stated that Representative Hatch attended a meeting not that long ago and stated that the State had rejected future use of access through Moose Brook State Park. Selectman Schall suggested that if the Board was going to open Jimtown Road, the ancillary streets be open as well. The Board further discussed this matter and noted that if they approved opening the Town's portion of Jimtown Road along with the ancillary streets, the State would need to approve their portion of Jimtown Road as well as the access through Moose Brook State Park. **Selectman Schall made a motion to approve the opening of Jimtown Road along with its ancillary streets for the ATV Festival, as long as the State approves access to the State portion of Jimtown Road as well as access the trail system through Moose Brook State Park, seconded by Selectman LaPierre, voted unanimously.**

Keith Roberge stated that he had recently attended a meeting and had spoken with some State employees regarding ATV trail access for the Jimtown Road neighborhood/residents. He asked the Board if they would request the State to hold a public hearing so the rail trail could be opened from Jimtown Road to the Route 2 parking lot so that they could have access to the trail system. Henry Sanschagrín said that the local club would work with the Town on this matter. **Selectman Schall made a motion to request TM Frost prepare a letter on the Board's behalf requesting consideration of use of the rail bed from Jimtown Road to the Route 2 parking area, seconded by Selectman LaPierre, voted unanimously.**

### **3. New Business**

**a) 2015 Budget:** Chairman Jackson stated that this year he would like to see the Board have the budget by November 1<sup>st</sup> so there is ample time to review it. Both Selectmen Schall and LaPierre thought that it would be a good idea as well. TM Frost stated that while not all final information will be available at that time, i.e. insurance, etc.; she feels that the information should be able to be put together for that date.

**b) Balon Legal Suit:** Chairman Jackson stated that he put this matter on the agenda so the public at large was informed of a suit that Mr. Balon has filed in Superior Court against Austin "Buddy" Holmes, Public Works Director. This suit is the third suit that Mr. Balon has filed against individual people involved with the Town. Chairman Jackson stated that while it is hard to estimate the stress level on employees, it is getting to be a bit much. These three suits do not include actions taken against the Town. To date, all suits filed by Mr. Balon have failed. Chairman Jackson stated that he felt it was time that the residents of the Town hear it from the elected Board. He went on to say that the Town will vigorously defend the employees of the Town. Employees need to be able to do their job without having to look over their shoulder. The Town and its employees will not be intimidated by anyone including through the use of social media. Selectmen LaPierre and Schall agreed with Chairman Jackson. TM Frost said that she assured Mr. Holmes that the Town would take care of things and has forwarded it to the insurance company.

Prior to moving on to the next item, Chairman Jackson spoke to Mr. Arguin with regard to the Moose River issues. He told Mr. Arguin that while Mike Scala was in to see the Board earlier, he had asked if he could help out with getting information on the 1920's Army Corps of Engineers project along the river. TM Frost told Mr. Arguin that Chad Miller, Emergency Management, was working on getting more sand bags put back for future use.

**c) Revenue/Expense Report Questions:** Chairman Jackson asked TM Frost about a few revenue line items. TM Frost clarified those items. The Board and TM Frost also discussed the legal line item. The Board asked TM Frost to get a breakdown of the legal line. Chairman Jackson also expressed concern regarding the Welfare Assistance line noting that the budget's remaining balance was only 39%.

**d) NHMA Legislative Policy Recommendations:** The Board and TM Frost discussed that the NHMA meeting conference is in September and that the floor policies will be taken care of August 16<sup>th</sup>. TM Frost stated that in order to give the Board time to review the proposed policies, the matter will be placed on the August 11<sup>th</sup> meeting agenda.

#### 4. Old Business

**a) Munce Properties:** TM Frost said that as the Board knows, the court case was retracted since the Town had agreed to notify the party prior to taking any Munce owned property. She stated that the Town's Attorney, Lynn Sabeau exercised the Town's right to know with NHDES. Attorney Sabeau is currently working on the matter, and will get in touch with her as soon as she has information.

**b) Report on Public Safety Contract Development Committee:** TM Frost stated that Police Chief Cyr is out of the office until August 21<sup>st</sup> and asked the Board to pass over this item as well as the "Street Light Survey" agenda item. She did state, however, that the Committee has asked for more information from department heads. Further the Committee and Board feel that at this time, the Town should be proposing to offer a full public safety contract, as fire/police/ambulance departments are intertwined and is important to make sure the Town's employees are safe when answering calls.

**c) 2 Glen Road Update:** TM Frost stated that she finally received the "green card" from the certified mail. She said that she has spoken with residents that are neighbors to that property and the property owners have in fact started cleaning up the property some, and are planning to do some remodeling this year.

**d) Ambulance Billing Hardship Policy:** TM Frost stated that EMS Director Miller and Cagney Hatch are still working on the policy to make sure that it follows the format of the Town Code. She hopes to have this matter placed on the next agenda.

**e) Street Light Survey:** See above "b) Report on Public Safety Contract Development Committee".

**f) Tax Deeded Property Update:** TM Frost stated that "no trespassing" signs have been put up and locks have been changed on the Currier property. The Town will need to go through an eviction process with the original owners. TM Frost is not sure of the time line for this process. She stated that Dennis Currier came in to see if he could continue parking his truck there for the time being. Chairman Jackson said that he feels that the Town needs to keep the eviction process moving forward and that he should not be parking his truck on the lot, and he should remove the three additional trailers that he has on the property. The Board also stated that if Absolute Power Sports has any equipment parked on 1 Tees Road that it should be removed as well. TM Frost stated that EMS Director Miller and Fire Chief Eichler will be going through the Towle property. The Board agreed that it would be in the best interest of the Town to keep all the Pellerin Properties, whether contiguous or separate as is and to not resell/auction the parcels of land. TM Frost stated that while she has not spoken with either Wally or Janet Corrigan directly, she understands that they are willing to remove and dispose of the two trailers in the park. The Town and Gateway just need to prepare an agreement stating such. The Town will need to send out notices to the Chaudhry's for that property as well. TM Frost recommends auctioning the three properties – Currier, Towle and Chaudhry. She said that the former owners and mortgagees notices will go out and they have a 30 day window to reclaim ownership. TM Frost said that Attorney Boutin has been assisting with this matter.

**g) Multi-modal Route Easement:** TM Frost stated that the Easement has not been filed yet, as York Land Services has not provided the Mylar. She will call and ask what the status of it is.

**h) Boston Post Cane:** Chairman Jackson stated that at the last meeting it was suggested that there was a resident who could be given the cane. However, things have changed and it was suggested to look for the next oldest resident.

## **5. Public Comment**

Henry Sanschagrín stated that he was concerned that the Board's meeting minutes had not been uploaded to the Town's website in some time. Mr. Sanschagrín was informed that while the minutes are not on the website, they are available in the office. They will be put up as soon as possible. He also stated that he sent an email to TM Frost on June 4<sup>th</sup> requesting a copy of the letter that she sent to the State and to date he has not heard back from her. TM Frost apologized to Mr. Sanschagrín noting that she did not receive the email. Mr. Sanschagrín expressed concern that the Town was not keeping the OHRV Club in the know with regard to the Town and State's workings. Chairman Jackson stated that the OHRV Club is a private entity and the Town cannot notify all private parties involved with regard to this matter. He suggested that Mr. Sanschagrín go in and speak with the Town Manager, noting that her door is always open. Selectman Schall stated that he is welcomed any time to go into the office and ask questions and/or get copies of documents, and told Mr. Sanschagrín that there is no conspiracy taking place.

Mr. Arguin asked the Board if they would meet with him at the site that they have been discussing so the Board could see for themselves what his concerns are. The Board members took Mr. Arguin's phone number so they could schedule times that were convenient for themselves and Mr. Arguin to meet with him.

## **6. Other Business**

**a) Town Manager's Update:** Rob Pharr, Walmart Tax Representative, is available on July 28<sup>th</sup> and wondered if he could be placed on the Board's agenda. The Board stated that would be fine.

TM Frost stated that she received a letter from the Police Union to open negotiations on the contract. She said that she believes that the earliest they can start negotiations will be in August. The last negotiation process included Chief Cyr, FD Vallee and TM Frost. The Board asked that one of them be included in the negotiation process this time. Selectman Schall volunteered.

TM Frost received paperwork for a Predisaster Mitigation Grant that will expire next May. The Grant covers \$6,000 towards updating the mitigation plan. The Town's match for the Grant is \$2,000. While the paperwork looks good to go, the grant requires a public hearing. The public hearing will take place prior to the start of the July 28<sup>th</sup> meeting.

**b) Selectmen's Update:** There were no updates.

**c) Approval of Minutes (June 30, 2014):** Selectman Schall noted that on the bottom of page 2 of the June 30<sup>th</sup> minutes, there is an "is is" that needed to be corrected. **Selectman Schall made a motion to approve the minutes of June 30, 2014, with the clarification as noted, seconded by Selectman LaPierre, approved 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:** Non-public session was not necessary.

**8. Adjournment:** The meeting was adjourned at 8:10 PM.

**REVIEWED AND APPROVED:**

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**William H. Jackson**

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**Jeff Schall**

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**Grace LaPierre**