

**MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, FEBRUARY 24, 2014, 6:00 PM
GORHAM TOWN HALL**

Gorham Selectmen present: Jeff Schall, Paul Robitaille, Bill Jackson
Also present: Robin Frost, Town Manager; Michelle Lutz, Assessing Clerk; Deb Thornblad, Berlin Daily Sun; Ronald Donato, Robert Balon, Carol Fish, Robert Demers

1. Call to Order: The meeting was called to order at 6:03 pm by Chairman Robitaille

2. Appointments:

a) Ronald Donato – Complaint re: Town Manager's letter: Mr. Donato stated that he wanted to speak to the Board regarding the letter that he had received from TM Frost and read it to the Board:

Dear Mr. Donato,

It has been brought to my attention that today, January 9, 2014, you went to the Gorham Public Works facility and insinuated yourself into the work space of the office manager. According to the report I received, you insisted that you be able to see what she was doing. Mr. Donato, your actions were inappropriate, rude and constitute harassment. Your behavior will not be tolerated and this letter serves as a warning that if you ever act in this matter at any of the Town workplaces, appropriate action will be taken by the Town. If you have any questions about salaries, pay rates, hours, or benefits, you may ask those of me and I will gladly answer them. Please do not continue to harass any Town employees when all your inquiries should be directed to me. I appreciate your cooperation in this serious matter.

Sincerely,

Robin L. Frost
Town Manager

Mr. Donato stated that he finds this letter and event discerning at best. He said that he speaks to Lisa White and that the talks are cordial at best. On that particular day, he said that he asked to see her computer screen and that she turned the screen so he could see it and after looking at it commented to Ms. White that there are only icons on the screen. She replied yes for now. Mr. Donato stated that he did not have any idea that he was harassing her. He also stated that he would have liked to have seen Lisa at the meeting so he could face her regarding the situation. Mr. Donato went on to say that, he did not realize that he had done anything wrong and noted that he was a "curious fella". Mr. Donato went on to express his concern regarding this matter and letter he received and further read the definition of harassment pursuant to RSA 91-A:4. He also stated that he feels like the letter that TM Frost wrote made him seem like a devil, and said that he feels that the letter was not even close to being correct with what happened.

Selectman Jackson stated that the Board does not know what happened from Ms. White's perspective, noting that the Town Manager is in charge of the department heads and she makes decisions based on what she receives. He went on to say that it is not in the Board's purview to know exactly what transpired. Selectman Jackson went on to say that while he has known Mr. Donato for a long time and does not have any problems with him, he also stated that he could come on strong. Selectman Jackson apologized to Mr. Donato that he feels the way that he feels about

the situation, noting that it did not need to be as publicized as it was and put on Face Book. Mr. Donato stated that the letter also been left in the open on Ms. White's desk. He went on to say that he felt since Ms. Frost had been the Town Manager, he feels as though he cannot speak to anyone and is a target. Mr. Donato stated that he would like the Town to renege the letter.

Selectman Schall stated that the language is direct and may seem harsh. He said that he does not understand exactly what transpired and feels that there is more to the story.

TM Frost stated that Ms. White felt very intimidated and very uncomfortable with Mr. Donato's actions and noted that she has never heard anything from Ms. White previously. TM Frost stated that she should never feel that way in her workplace.

Chairman Robitaille stated that he works with women all the time, and said that sometimes it does not take much to make them feel intimidated. He went on to say that knowing the Town employee involved, in his opinion she felt threatened.

Mr. Donato stated that if we were in a court of law, this matter would not hold up. When I asked her to see her computer, she moved the computer and backed off. I did not find her to be any different.

Further discussion took place regarding this matter and the Board instructed Mr. Donato write a letter to the Town noting that he disagrees with the TM Frost's letter and stated what he would like to see take place regarding the matter. Mr. Donato again expressed that he would like the Town to renege the letter. He went on to state that the damage had already been done with regard to his character and felt that a letter in a file is not sufficient. TM Frost expressed that she reacted to a complaint and that the letter was in no way a personal attack.

Mr. Donato then asked the Board if he could speak with Ms. White regarding this matter. After further discussion, it was agreed that Mr. Donato could speak with Ms. White, but that he needed to set up a time so that TM Frost could be present.

3. New Business

a) Tax Map Maintenance Contract: TM Frost presented the Board with the annual Tax Map Maintenance Proposal from Cartographic Associates, Inc. stating that this was the standard contract. She informed the Board that the price had increased \$200 this year to \$1,950. She also stated that the contract had been \$1,750 for several years.

Selectman Schall asked how much do they typically do for the Town annually. Assessing Clerk Lutz stated that there are approximately 8 – 10 Warranty Deeds per month that are recorded and reviewed. She went on to say that while not all deeds require any changes that need to be made, CAI insures that the transactions are accurate. Further discussion took place regarding the contract. **Selectman Jackson made a motion to approve and sign the one year contract with Cartographic Associates, Inc., seconded by Selectman Schall, voted unanimously.**

b) Proposed Amendment to Personnel Policy – Holidays: TM Frost stated that she was approached by PWD Holmes regarding two holidays in January and February that the Public Works Department runs into issues and the rotation of work that needs to be completed. He would like to

have those two holidays be available as floating holidays. TM Frost stated that this winter has been a hard winter with regard to snow removal and that the department has had staff out on light duty, therefore it has been difficult to be able to maintain the trash/recycling schedules because of these issues. It is proposed that if a PW employee would like to take the holiday that they can, however, if they would like to take those two days later in the year that is available to them. TM Frost noted that the floating holiday option is only available to the Public Works Department and must be used prior to September 1st in that year. Further discussion took place regarding this policy change. **Selectman Jackson made a motion to approve those two holidays as floating holidays for the Public Works Department, seconded by Selectman Schall, voted unanimously.**

c) Public Works Garage Roof Estimates: TM Frost presented the Board with two proposals from Shanes Roofing out of Littleton. She said that the preferred proposal would be for the heavier roof be approved/completed, noting that the roofing material is a commercial grade product. TM Frost also stated that of the four companies that were contacted for estimates, three did not respond. Selectman Schall asked what the warrantee is for the two material options. She was also asked what the "R" factor was for the spray foam insulation. Further discussion took place regarding the proposal and it was decided to table the matter until TM Frost could get the warrantee and "R" factor rating information.

d) Portland Pipe Line 2011 Appeal: TM Frost stated that Portland Pipe Line's appeal for the 2011 taxes has been schedule in late July with the BTLA. TM Frost wanted to inform the Board that Attorney Upton has approached them to see if they would agree to a continuance until the outcome from the Supreme Court case has been received.

4. Old Business

a) Aviation Proclamation: TM Frost stated that as per the previous meeting, she has prepared a Proclamation to note March as Aviation Month. Further discussion took place regarding the proclamation. **Selectman Schall made a motion to approve/sign the Proclamation as presented, seconded by Chairman Robitaille, voted unanimously.**

b) Coos County Public Safety Contract: TM Frost presented the Board with the proposed Coos County Public Safety Contract. She stated that all actual unincorporated areas that the Town is currently servicing have been added to the contract. The charge per area had been changed from \$1,800 to \$5,000, and \$1,200 for Pine Mountain services had been added into the contract, which brings the total contract amount to \$36,200 annually. After further discussion regarding some of the areas that may not be easily accessible and could possibly put the Town's emergency rescue staff in danger, the Board asked TM Frost to word the contract to state in the opening that the Town will provide "roadside" emergency rescue. **Selectman Jackson made a motion to approve the Town of Gorham contract with Coos County with "roadside" inserted in the language, seconded by Selectman Schall, approved unanimously.**

c) Ambulance Contracts: TM Frost stated that the proposal for the Ambulance Contracts for the Towns of Shelburne and Randolph would be to use a population-based computation. The information/calculation for each Shelburne and Randolph had been previously presented to the Board. TM Frost proposed a four-year contract for the Towns, which would increase annually 25% until the full amount (during the fourth year) is reached. She stated that this would ease the Towns of Randolph and Shelburne into the amount rather than an initial "sticker shock". She further stated

that the Town is not out to hurt either of the other two Towns but knows that Gorham needs to do something different from what we have been doing over the years. Selectman Schall agreed that it is time to do something different. Selectman Jackson stated that he feels that we need to present them with the costs as it is, noting that we are not phasing in the County. He went on to say that, if the Town does elect to phase them in that it should be a shorter term. Selectman Schall stated that it is what it is and feels that the Town needs to do it. Selectman Schall stated that Gorham could not afford to continue subsidizing them. TM Frost agreed, but stated that she wanted to work with them. Chairman Robitaille expressed that the monetary amounts of the contracts have been where they are for several years and agrees that the full amount should be phased in. Further discussion took place regarding the contracts. **Selectman Schall made a motion to have the proposed contracts state 100% of the amount presented, seconded by Selectman Jackson, voted Jackson – Aye; Schall – Aye; Robitaille – Nay.**

5. Public Comment

Bob Demers complimented the Board for handling the proposed Ambulance Contracts as they did stating that the surrounding areas that use our services need to share the cost with Gorham. He applauded the Board for making the decision.

6. Other Business

Prior to going forward with her updates, TM Frost asked the Board if they would take the time to review abatements.

a) Sign Abatements and Exemptions (if necessary): AC Lutz spoke to the Board about the abatement request for 111 Glen Road, noting that this is the property sale that was used for the 2012 values. She stated that the property sold in 2010 for \$394,000 and that the current value for the property is \$357,300. She informed the Board that she met with the property owner, Carol Fish and Rich Dorsett and discussed a current market analysis, which showed a current value of \$315,000 to \$330,000. AC Lutz stated that she feels that the current assessed value of \$357,300 should remain in effect. Further discussion took place regarding what it would cost the Town to continue on to BTLA. Selectman Jackson asked AC Lutz if form PA34 was available in her files for this property. AC Lutz stated that she would obtain a copy of it from DRA. She explained to Mrs. Fish that this form would give the Town more data on the property sale. Mrs. Fish stated that when she initially purchased her home in 2010 her taxes were approximately \$6,800 and that it is now \$11,426. She feels that the process is not fair because she does not have a brand new home and it is not perfect. After further discussion, the Board asked AC Lutz to inform BTLA that the Town and Mrs. Fish have not come to an agreement so that the Board will have time to review the form PA34 and discuss it more.

AC Lutz stated that the Kardells agreed to the Town's counter offer of \$340,000 as an assessed value.

Twin Light Properties rejected the Town's counter offer and that matter will move on to BTLA.

b) Town Manager's Update: TM Frost stated that she had been contacted by the Family Resource Center with regard to the 21st Century After School Program asking the Town for their support with a resolution stating:

RESOLUTION OF THE GORHAM BOARD OF SELECTMEN

Regarding:

APPLICATION OF THE FAMILY RESOURCE CENTER AT GORHAM TO THE NH DEPARTMENT OF EDUCATION FOR FUNDING UNDER THE 21ST CENTURY COMMUNITY LEARNING CENTER PROGRAM TO PROVIDE AN AFTERSCHOOL PROGRAM FOR GORHAM CHILDREN

Whereas, the **GORHAM BOARD OF SELECTMEN** is the elected governing body for the Town of Gorham, New Hampshire;

Whereas, Education of our youth is a major goal of all parents, educators, and public officials at every governmental level;

Whereas, the Family Resource Center has run a widely acclaimed and successful Afterschool Program in the both the Gorham Middle School and three of the Berlin schools for over ten years;

Whereas, Gorham, New Hampshire is located in Coos County, the most northern county of New Hampshire, bordering on Canada;

Whereas, Coos County, New Hampshire is the most economically depressed county in NH, with the highest levels of unemployment, high levels of family dysfunction, and other problems;

Whereas, the children of Gorham, NH are served by School Administrative Unit 20, known as the Gorham Randolph Shelburne Cooperative School District;

Whereas, Gorham children attend the Ed Fenn Elementary School from Kindergarten through Grade 5, and then attend Gorham Middle School, Grades 6-7-8, located at the Gorham Middle High School; and,

Whereas, there is a comprehensive all inclusive afterschool program available for children in whom attend both the Ed Fenn Elementary School and the Gorham Middle School that is affordable for all families at very little cost through a grant program known as the 21st Century Community Learning Center.

WHEREFORE,

BE IT RESOLVED THAT THE GORHAM BOARD OF SELECTMEN hereby proclaims its strong support for this program and urges that the Family Resource Center and the Gorham

Randolph Shelburne Cooperative School District be awarded this program based upon its documented record of success and the urgent need for this program in the community

Selectman Jackson made a motion to approve the resolution as presented, seconded by Selectman Schall, voted unanimously.

TM Frost informed the Board that Cathy Conway of NCIC had contacted her regarding an EDA Grant for a liquid natural gas facility in Groveton to include a fueling site at Gorham Paper & Tissue to assist with stabilizing gas prices. Further discussion took place, and the Board asked TM Frost to get more information regarding the amount and location of the storage area. The Board also asked TM Frost to prepare a letter of support for the Board's signature.

c) Selectmen's Updates: The Board did not present any updates.

d) Approval of Minutes (February 10, 2014): Selectman Jackson made a motion to approve the Minutes of February 10, 2014, as presented, seconded by Selectman Schall, voted unanimously.

e) Sign Manifest: All manifests were signed.

7. Non-Public Session: RSA 91-a:3, II a-e: On a motion by Selectmen Jackson, seconded by Selectman Schall, the Board voted unanimously by roll call to move into non-public session at 7:32 pm under the provisions of RSA 91-A:3,II(e). Robitaille – Aye, Jackson – Aye, Schall – Aye.

On a motion by Selectmen Jackson, seconded by Selectman Schall, the Board voted unanimously by roll call to come out of non-public session at 7:58 pm. Robitaille – Aye, Jackson – Aye, Schall – Aye.

8. Adjournment: The meeting was adjourned at 8:00 PM.

REVIEWED AND APPROVED:

Paul Robitaille

William H. Jackson

Jeff Schall