

**MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, JUNE 17, 2013, 6:00 PM
GORHAM TOWN HALL**

Gorham Selectmen present: Bill Jackson, Jeff Schall, Paul Robitaille

Also present: Robin L. Frost, Town Manager; PJ Cyr, Police Chief; Jeff Stewart, Rec Director; Lisa Kardell, Henry Sanschagrin, Steve Gauthier, Gail Scott, Berlin Daily Sun; Edith Tucker, Berlin Reporter

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

2. Appointments:

a) Recreation Director Jeff Stewart – Fountain on Common: RD Stewart presented the Board and TM Frost with photos and information on possible fountain ideas for the Town Common. RD Stewart went on to tell the Board that he preferred the fountain that included the flowerbed around the outer edge of the actual water fountain portion, stating that it was a hybrid of the existing fountain/flower garden. RD Stewart went on to say that, the intention would be to tear down the existing fountain and rebuild the entire fountain. Selectman Jackson stated that he did like the idea of the flowerbed being included with the fountain, but felt that the picture indicated that the water portion was not dramatic enough. Selectman Schall also stated that he felt the water portion of the fountain should be able to be seen from the road. RD Stewart told the Board that he felt that the issue could be accommodated. Further discussion took place and it was agreed to have RD Stewart keep moving forward, and to get solid pricing on the project. Selectman Robitaille asked if the cost for the fountain would be borne by the Booster Club. RD Stewart stated that the Booster Club would pay for at least a portion of the cost.

3. New Business:

a) OHRV Enforcement Grant Authorization: Chief Cyr told the Board that the department had not taken advantage of this grant over the past few years, however, based on the increased activity of OHRVs in the area, the department is this year. Further discussion took place regarding the necessity of training Officers on OHRV operation. Selectman Jackson asked how the department was planning on patrolling. Chief Cyr stated that the department has gotten together and talked about maybe using some of their own private ATV's if they needed to get onto trails that were not accessible via vehicle. However, it was their intention to use handheld radar guns to enforce speed in areas where it is accessible. Further discussion took place regarding the issue of liability and payment for the use of personal ATVs for patrol. Chief Cyr went on to explain to the Board that Officers will be paid an overtime rate and then the Department will bill the State for the hours that are being spent on patrol to get reimbursed from the State at \$45 per hour. Further discussion took place regarding the Grant and the issue that the Town may need to look at investing in an ATV for patrol purposes. **Selectman Schall made a motion to approve the Grant and authorize Chief PJ Cyr to sign the agreement on behalf of the Town, seconded by Selectman Jackson, voted unanimously.**

b) Pine Mountain Repeater Lease Agreement: It was agreed to table this Agreement so it could be forwarded to the Towns attorney for review.

3. Old Business:

a) Finish 2012 Abatements: The Board and TM Frost agreed to discuss Twin Light Properties and the Kardells before the Schall property because Selectman Schall would need to recuse himself from the Board for his property. Selectman Jackson began conversation on Twin Light Properties stating that he was not satisfied with

the report provided by KRT Appraisers, specifically on Twin Light Properties. Selectman Jackson felt that a reduction of \$108,300 seemed excessive based on the information provided. Further discussion took place regarding this property. **Selectman Jackson made a motion to deny the requested abatement, seconded by Selectman Schall, voted unanimously.**

Lisa Kardell presented information to the Board with regard to her property. Selectman Jackson stated the he felt the Board needed more time to review information. Further discussion took place regarding the information received from KRT Appraisers and the current condition of the home. Selectman Jackson went on to say that while he does not agree with the requested deduction, he feels the Board needed to do their due diligence. The Board agreed that they needed more time to review the matter in order to do their due diligence. TM Frost suggested that the Town have KRT come back and visit the property. This could be done with ample time for the applicant to still file with BTLA if unsatisfied with the outcome. It was agreed to ask KRT Appraisers to come back up to look at the property both inside and out. Further discussion took place on the time line of the deadline for decisions as well as the timeline for bringing the matter before the BTLA. **Selectman Jackson made a motion to issue a “no decision” ruling on the Kardell abatement, seconded by Selectman Schall, voted unanimously.**

At this time, Selectman Schall recused himself from the Board to discuss his abatement request. Mr. Schall presented the Board with the spreadsheet of comparables that he had prepared, stating that he felt his property was overvalued. Selectman Robitaille asked how many acres is his property. Mr. Schall stated that his property is a total of 5 acres; however, almost 1 acre of it is just big enough for the driveway, which is gravel. TM Frost suggested handling Mr. Schall’s property in the same manner that the Board did for the Kardell property. Further discussion took place, **Selectman Jackson made a motion to issue a “no decision” ruling on the Schall property abatement, seconded by Selectman Robitaille, voted unanimously.**

b) Multi Modal Trail Update: TM Frost asked the Board for some direction with regard to plans, stating that while she had not been able to locate the exact plan that Howie Wemyss is looking for, our contract engineering firm, VHB, is looking in their files. Selectman Jackson said that he would be willing to review the stored files, if he can have some assistance.

5. Public Comment: Edith Tucker, Berlin Reporter, asked if the fountain project will go out to bid. The Board informed her that while it is not certain at this time because the project is only in the beginning stages, usually the Town does in fact put projects like this out to bid.

6. Other Business:

a) Town Manager’s Update: TM Frost informed the Board that the Welcome to Gorham sign located at the top of Gorham Hill will be moved to the bottom of Gorham Hill just past the truck ramp. Further discussion took place regarding the sign’s repairs that need to take place. TM Frost presented the Board with the solid waste study contracts for signature, noting that they had been previously approved but needed signatures.

b) Selectmen’s Updates: Selectman Schall indicated that he was still looking for the ball field file. TM Frost said that she would get that file to him.

c) Approval of Minutes (June 3, 2013, June 10, 2013): Selectman Jackson took note of an error on the June 10 minutes, stating that the vote on the Muddy Paws motion was not a unanimous vote, but that both he and Selectman Schall voted in the affirmative, while Chairman Robitaille voted against. **Selectman Jackson made a motion to approve the June 3 and June 10 minutes with the correction noted above, seconded by Selectman Schall, voted unanimously.**

d) **Sign Manifest:** All manifests were signed.

e) **Sign Abatements and Exemptions (if necessary):** None were presented.

7. Non-Public Session: RSA 91-a:3, II e: On a motion by Selectman Jackson, seconded by Chairman Robitaille, the Board voted unanimously by roll call to move into Non-Public Session at 6:57 pm. Jackson –aye, Robitaille – aye, Schall - aye.

On a motion by Selectman Jackson, seconded by Chairman Robitaille, the Board voted unanimously by roll call to return to Public Session at 7:00 pm. Jackson –aye, Robitaille – aye, Schall - aye.

There were no decisions made as a result of the non-public session.

8. 7:00 pm Public Hearing – ATV Usage on Public Roads (Medallion Opera House):

Chairman Robitaille opened the public hearing by outlining procedure. Chairman Robitaille went on to let the public know that there would be a two-minute time limit on comments, whether for or against. Chairman Robitaille then turned the meeting over to Chris Gamache of the NH Trails Bureau. Mr. Gamache stated that the proposed trail would be from the Route 2 parking down to the intersection of Routes 2 and 16, and then would progress on Route 2 down to Bangor Street. Mr. Gamache went on to state that the purpose of this public hearing is to receive input from the public as well as the blessing from the Gorham Select Board. He continued saying that the Ride the Wild trail system has been established in communities in the North Country to include Pittsburgh, Stewartstown, Dixfield, Colebrook and Groveton. The State did look into using the multi-modal trail, but there are restrictions in place on that trail by the Federal Department of Transportation, as it relates to the funding used to build the trail. Mr. Gamache also stated that if the Town of Gorham wants to be tied into the trail system that a trail would need to be in place so that visitors can access the businesses in the downtown area.

Chairman Robitaille took the floor back and went on to tell the Public that before he started with comments from the public he wanted to read what he received from Emergency Medical Director Chad Miller (EMD Miller could not attend the meeting because of prior commitments) with regard to his view of the trail:

I am not opposed to OHRVs operating on the roadways in Town. I believe there are significant safety concerns, specifically around the Upper Junction of Rt 2 & 16 and minors as young as 12 operating through this intersection. While I have heard grant requirements have restricted the use of OHRVs on the Town's Multimodal route, it is by far the safest way for OHRVs to avoid the Upper Junction. I strongly feel the Town should consider this access route over the Upper Junction. I believe access to the Multimodal route is a fair compromise, bypassing what I feel to be the most dangerous section of roadway in Town for OHRVs. Strong rules about usage of the Multimodal route including a low speed limit (10mph as an example) long with yielding to pedestrians should be in place so the route can continue to be used safely by everyone. Patrols will also be required to enforce the rules. Using the attached DOT traffic count from the area of Dublin St (Aug 1999), we saw about 1300 cars at midday (East & West Bound) an hour which equals ~21 cars a minute with equals about a car every 3 seconds. Since that is both lanes, one lane could expect to a car every 6 seconds. Is there any place else that has opened their roads to OHRVs that have that type of volume? Considering the age of the data, we should request updated traffic counts from DOT. At the very least, the Town's Safety committee should continue to actively monitor OHRV use. A traffic camera at the intersection would help us to understand how the intersection will be used if the Multimodal route will not be available. Perhaps DOT has a portable one that could be placed for the summer. The last OHRV fatality I covered with the Medical Examiner's Office was a

12 year old boy who was following (and trying to keep up with) his 18 year old cousins who were operating within posted rules and speed limits.

Chairman Robitaille also received an email from former selectman David Graham that indicated Mr. Graham was in favor of the proposed new trail. Chairman Robitaille then passed the floor onto Henry Sanschagrín of the Gorham Presidential ATV Club. Mr. Sanschagrín spoke to the public and the Board stating that the ATV/OHRV business is growing by the minute. Mr. Sanschagrín went on to stress how important this activity is to the local businesses in Gorham, adding that we are no longer a mill town and need to focus on recreation. Mr. Sanschagrín discussed the need for the use of a small portion of Bangor Street in order to allow ATV traffic access to the Town & Country Motor Inn. While the Club had tried to get access down as far as White Birches Campground, the US Forestry would not grant access to approximately 85' of land. In short, Mr. Sanschagrín expressed the importance of getting in on the Ride the Wild now.

Chairman Robitaille then asked who wanted to speak for the trail system.

Keith Roberge, Gorham resident, said that he felt the Town needed to support this trail system, going on to explain that Errol is a hub for snowmobiling, but that they waited, and are now losing out. He stressed the importance of Gorham being considered the starting point for this trail. Mr. Roberge also expressed his concern that if the Town decided not to open the side streets for access to the trail that the local residents will be taking up excessive room at the trail parking lot on Route 2. Mr. Roberge also stated that he was concerned about the Jimtown Road residents and being able to gain access to the trail without the hassle of trailering their equipment to the parking lot. Overall Mr. Roberge feels that this trail is very important to the local businesses of Gorham.

Andrew Zboray, Gorham resident, wanted to comment on the irony that the Board of Selectmen and Town of Gorham listens to noise ordinance complaints, yet they would consider allowing ATV traffic, noting that he feels that ATVs are loud and offensive. Mr. Zboray also stated that he had safety concerns stating the while the speed limit on Route 2 is posted at 30 mph, traffic runs through there faster than that. Mr. Zboray told the Board that he feels they are crazy to allow OHRVs on the road, also stating that Gorham is a very pedestrian friendly town.

Terry Rhoderick, Gorham resident and business owner, Mr. Rhoderick stated that business is not what it used to be for the local businesses. Mr. Rhoderick went on to state that the Town needed to bring people to Town and keep them here to stay in the hotels and motels.

Chris Gamache, NH Trails Bureau, took a minute to speak about the trail's proposed speed limit. Mr. Gamache stated that the posted limit for OHRV operation would be at the same speed limit as traffic. Again, Mr. Gamache mentioned the multi-modal trail and indicated that the Town could always ask for a waiver through congressional delegation support so that the multi-modal trail could be considered for use.

Michelle Cormier, Randolph resident, expressed concern for safety reasons, stating that she is not fond of ATVs and the noise. She also asked how signage is going to be handled.

Chris Gamache stated that the State will look to educate motorists as well as riders, and signage will be handled by the State in the same manner as the Berlin trail.

Rene Boutin, Gorham resident, while the Berlin club has experienced a few minor problems, it is not enough to mention. Mr. Boutin went on to say that, the trail would be a good thing for Gorham.

Bob McKay, Gorham resident, wanted to know who will police the ATVs when they run amuck, noting that there have been problems over the years with the snowmobilers.

Ray Bergeron, local business owner and Milan resident, stated that he has been in business in the Town for 21 years. Noting that his snowmobile rental business has brought many people to this Town during the winter months. Mr. Bergeron went on to state that there are volunteers, noting Henry Sanschagrin, in place to educate people as a group. Mr. Bergeron stressed to the Board that this trail is very important for Gorham.

Deb Stewart, Gorham resident, told the Board that she and her husband spent the weekend in Colebrook and Pittsburgh for the opening of Ride the Wild, noting that there were maps available for the trail system. Mrs. Stewart went on to say New Hampshire is known for being an outdoorsy State, and feels that Gorham needs to embrace this trail. Mrs. Stewart also expressed that she believes that it will help promote the local businesses.

Lydia Poulin, Gorham business owner, stated that she and her husband ride the trails in Berlin and are seeing more and more families out there; noting that she feels this is a good thing.

Stewart Shaw, Gorham resident and local business owner, stated that because of the nature of his business, the trail through downtown will not affect him either way. With that in mind, Mr. Shaw went on to say that the Town needs to support their local businesses and allow this trail to open through the Town.

Bob Langlands, Shelburne resident and Shelburne business owner, stated that if this trail opens, people will stop here first before bypassing us and heading north.

Nathan Corrigan, Gorham business owner, stated that he knows people who live in Laconia that used to come to this area and camp, stay and ATV. Mr. Corrigan went on to say that, they now bypass Gorham and go straight up to the Colebrook/Pittsburgh so they can stay and ATV easier than having to trailer their ATVs to the trail system.

Frank Edmundson, Gorham resident, stated that he felt that the trail on the rail bed should be extended so that the residents of Jimtown Road can access the trail system. Mr. Edmundson also stated that there was a campground on Jimtown Road, so maybe people can use the campground and leave from there. Mr. Edmundson also stated that signage stating "local traffic only" might assist with people riding down all the side streets.

Ron Dagesse, Gorham resident and business owner, stated that while he may be opposed to the noise of jake brakes he does not have any issue with the ATV noise. Mr. Dagesse went on to ask everyone to look around the room and take note of the age of the people in the room in support of this trail system. Mr. Dagesse remembered when the first Smart Car came into Town, everyone wondered what it was and showed concern for safety. People want to be able to stay in Town and not have to trailer their ATVs to a trail connector. Mr. Dagesse went on to say that, he feels that people have the wrong mind set towards ATVs, but that people are more educated than 10 to 15 years ago. Mr. Dagesse also stated that he recently purchased property in Colebrook so he can readily access trails. Mr. Dagesse said that real estate is moving in Colebrook now. Mr. Dagesse closed with saying that in a year from now this will be natural.

Wilfred Baillageron, Gorham resident, stated that we went through this with snowmobiles, let us just get this trail opening going.

Ron Pelletier, Errol resident, stated that during bad winters local businesses starve. Mr. Pelletier stated that ATVs could operate on trails for seven months out of the year, which is far longer than the snowmobile season.

Emile Croteau, Berlin resident and member of the Millsfield ATV Club, stated that in the past we complained that the State had forgotten about Northern New Hampshire. Mr. Croteau went on to say that, the State has done a great job and they have done their part, it is now time for the Town to step up.

Jay Holmes, Gorham resident and business owner, stated that he does not own an ATV. Mr. Holmes went on to say that businesses in Town are struggling, and that the economy up here is bad at best. Mr. Holmes continued by saying that local businesses and residents lost equity with the last evaluation, and the tax rate keeps going up and called it irresponsible. Mr. Holmes then asked the Board when they are going to move forward with this issue.

Chairman Robitaille informed Mr. Holmes that is why we are here tonight.

Lisa Kardell, Gorham resident, asked how much money the Town would have to spend for maps, signage and patrol.

Henry Sanschagrín stated that all signs will be provided by the State of New Hampshire and showed a picture of what the signs will look like. Mr. Sanschagrín went on to say that Gorham missed out on advertising with the North Country OHRV Coalition that had approximately 25,000 brochures for circulation.

Selectman Jackson informed Mrs. Kardell that at the meeting earlier, the Board approved a grant for patrolling.

Henry Sanschagrín also told Mrs. Kardell that maps would be completed when it is a sure thing with no cost to the taxpayers.

Chris Gamache also interjected that the State will provide the signage for the trail. Mr. Gamache went on to say that, it will be easier to patrol surface streets for the Town because it will be normal patrol. Mr. Gamache went on to say that NH Fish and Game does hand out grants for patrolling OHRV trails.

Jay Guilmette, Gorham resident, also stated his desire to see the trail come into downtown Gorham.

Jim Tees, local business owner, stated that Absolute Power Sports' little tour business has brought at least 600 people into this area, noting that there was a group from Texas coming up. Mr. Tees went on to say that, Western Maine has been opened for years, and that the Town and Board needed to decide soon. Mr. Tees went on to say that, Gorham should be the starting point.

Andrew Zboray, Gorham resident, wanted to clarify that jake brakes do not bother him; he just felt it was ironic.

Stewart Shaw, Gorham resident, asked how much of a big deal would it be to get a waiver to be able to use the multi-modal trail.

Chris Gamache stated that he was not sure, but that the community would need to ask. Mr. Gamache stated that it might be viable.

Bob Langlands, Shelburne resident, stated that the ATV day for the ride to the top of Mt. Washington is a huge event, and how great it could be for Gorham to have a trail here in Town.

Keith Roberge, Gorham resident, stated that as a taxpayer of the Town, the Selectmen work for us. Mr. Roberge went on to say that seeing the support that was being shown, the Board needed to get it done.

Ron Dagesse, Gorham resident and business owner, stated that when he attended the opening of Ride the Wild, side streets had been marked as “local traffic only, dead end”. Mr. Dagesse went on to say that, maybe the State and Town could take those signs into consideration for some of the Town’s side streets.

Jim Tees, local business owner, suggested the Board as for a show of hands on who is in support of the new trail and who is not.

Chairman Robitaille closed the Public Hearing.

Discussion took place amongst the Board members. Selectman Jackson wanted to propose two motions for vote.

Selectman Jackson made a motion for the Town to support the use of Routes 2 and 16 for ATV traffic as proposed by Chris Gamache, seconded by Selectman Schall, voted unanimously.

Selectman Jackson made a motion to have Chief PJ Cyr develop a map of trails and Town side streets for the accessibility to the Routes 2 and 16 trail system, seconded by Selectman Schall, voted unanimously.

Selectman Schall made a motion to open all of the Town roads during the Jericho ATV Event as a pilot for that event, seconded by Selectman Jackson, voted unanimously.

Henry Sanschagrín wanted to make sure that he was clear on the vote by the Selectman, noting that the Club was looking for approval down Bangor Street to be able to access the trail to the Town & Country Motor Inn.

Selectman Jackson stated that the vote was for Routes 2 and 16 to Bangor Street, noting that Chief Cyr will include that when he is developing the side street map.

Henry Sanschagrín thanked the Board.

Rick King, Gorham resident and business owner, asked the Board if they would have another hearing for street access. Mr. King stressed the importance of doing this right, noting that it is a way of life in the North Country. Mr. King went on to say that, he is not saying this just because he owns a business.

9. Adjournment: The meeting was adjourned at 8:23 PM.

REVIEWED AND APPROVED:

Paul Robitaille

William H. Jackson

Jeff Schall