

MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, January 31, 2011
GORHAM TOWN HALL

Selectmen present: Paul Robitaille, Chairman; Terry Oliver, David Graham.

Also present: Robin L. Frost, Police Chief PJ Cyr, PWD Austin Holmes, Assessing Director Diane Labbe

Craig Lyons, *Berlin Daily Sun*
Glen Eastman
Ray Bergeron
Don Provencher

1. Call to Order: The meeting was called to order at 6:30 PM by Chairman Robitaille.

2. Appointments:

a) Police Chief Cyr – FLSA Pay Guidelines: Chief Cyr was present to discuss FLSA as it pertains to the anticipated promotion of a sergeant to lieutenant. The Board was concerned that this should be a salaried, exempt position and the Chief gave reasons why it should be an hourly, non-exempt position. He cited an FLSA Fact Sheet where there are several categories which a position may fall under to qualify as exempt. There are tests that must be met and the Chief outlined why he felt the duties of the lieutenant would not meet those tests. TM Frost also mentioned the exception to the exemptions for police officers. It states that police officers regardless of rank or pay level are not included in the exemption. When asked why a previous lieutenant's position was salaried, exempt, Chief Cyr said that was the way it was set up, but in retrospect he feels that was probably done in error. The Board asked TM Frost to review this with legal counsel to see what they have for an opinion.

b) Presidential Range Riders – Sledfest: Glen Eastman and Ray Bergeron were on hand to discuss the upcoming Sledfest. They are hoping to have a bonfire and had already spoken with PWD Holmes to see where the best place for that might be. PWD Holmes had suggested the parking lot near the cemetery on Promenade Street. This would allow for easy cleanup and it is convenient for the riders since the trail goes through there anyway. There was a discussion of allowing sleds to ride up the breakdown lane of Main Street. The Board had no issue with allowing this and gave their blessing for the weekend activities.

3. New Business:

a) Town Report: Selectman Graham stated that he believes the Town should place a statement in the annual report that states how the budget was derived and that Town employees are going without wage increases again. He wanted the townspeople to realize that care was taken with presenting a budget that is below last year's. Diane Labbe, who compiles the reports and sets up the Town Report stated that they could certainly include a Selectmen's report and she would have to have it by February 14th. Selectman Graham will draft a report for the other members to review.

b) Highway Position: TM Frost spoke of the vacant position within the Public Works Department. There was some discussion amongst the Board members as to whether this position should be filled. TM Frost met with PWD Holmes and he explained how all the positions work together within the department. Loss of this position would place the department in a deficit and not allow the work to be completed as necessary. PWD Holmes stated that he needs to have this position filled. He explained how the operation of the department works throughout the year. The Board members stated that in these economic times, they have to ask these hard questions. However, they are convinced that the position must be filled and PWD Holmes should begin advertising for the position as soon as possible.

4. Old Business:

a) Multi-modal Route: TM Frost brought the Board copies of the alternate path for the route. It was determined that we will probably not hear from Mr. Woodard as attempts have so far been unsuccessful. TM Frost will contact the engineers for the project and see where it stands. Once brought up to speed on this, the Board wishes to continue forward with whatever route possible to complete the route.

b) Family Resource Center Request: There is nothing new on this subject at this time. Selectman Graham feels he will have something to report at the next meeting.

c) Spring Road: Selectman Graham is suggesting that perhaps a letter could go to the property owners in that area to see what their issues might be. He stated that it was interesting to hear from them at the Planning Board's public hearing on the proposed zoning amendment.

5. Public Comments: Don Provencher stated that he has heard from the Bethel ME Transportation Group. They will be having another meeting mid-February. He intends to attend. He also heard from Councilor Burton that the future of the NH Rail Authority will be discussed at the Legislature in Concord tomorrow at 1:30 pm. He was hoping that someone from the Town would be able to attend.

6. Other Business:

a) Town Manager's Update: Town Clerk Grace Lapierre provided TM Frost with a letter from her NH Association that brings forward issues with some proposed legislation to allow dealers to register vehicles. They are adamantly opposed to any such legislation and the Board agrees. TM Frost was asked to contact our legislators and urge them to oppose this proposal.

TM Frost mentioned that the Board has two public hearings schedule for their next meeting. One is for the Library's request to keep the income from their income-generating equipment in a separate account instead of the general fund of the Town and the other public hearing is for the proposed noise ordinance.

The Board briefly reviewed the petitions for the charitable organizations.

The Board had several inter-municipal agreements to review and approve. **On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the Randolph EMS Agreement.**

On a motion by Selectman Graham, seconded by Selectman Oliver, the Board unanimously approved the Shelburne EMS Agreement.

On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the Shelburne Dispatch Agreement.

On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the Conway Bypass Agreement.

On a motion by Selectman Graham, seconded by Selectman Oliver, the Board unanimously approved the Northern New Hampshire Fire Mutual Aid Pact.

On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the Primex Health Agreement.

On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the Expenditure Request from the Fire Equipment CRF for turnout gear.

The Board signed all of the above documents.

b) Approval of Minutes (January 17, 2011): On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the minutes from the meeting of January 17, 2011 as prepared.

c) Sign Manifest: The Board signed the manifest as prepared.

d) Sign Abatements (if necessary): There were no abatements to be signed.

7. Non-Public Session: RSA 91-A:3, II (c): On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously voted by roll call to move into non-public session at 8:33 pm. Graham – aye; Oliver – aye; Robitaille – aye.

On a motion by Selectman Graham, seconded by Selectman Oliver, the Board voted unanimously by roll call to move out of non-public session at 8:50 pm. Graham – aye; Oliver – aye; Robitaille – aye.

No decisions were made in Non-Public Session.

8. Adjournment: The meeting was adjourned at 8:52 pm.

REVIEWED AND APPROVED:

Paul Robitaille, Chairman

Terry Oliver

David Graham