

MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, February 14, 2011
GORHAM TOWN HALL

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

Also present: Robin L. Frost

Gail Scott, *Berlin Daily Sun*
Chief PJ Cyr
Several members of the public

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

Public Hearing: Warrant Article #2 Library Request to Retain Income from Income-Generating Equipment.

TM Frost explained that the library currently rolls that money into the general fund of the Town. This would allow them to keep the money in a separate account and use accordingly. The question was asked whether this would be somehow accounted for and TM Frost stated that the separate account would be audited annually as are all the Town accounts. There were no further comments.

Public Hearing: Warrant Article #3 Noise Ordinance Proposed by the Board of Selectmen.

TM Frost explained the Noise Ordinance and how it would work. It was born of complaints of excessive noise from engine brakes on trucks. Other complaints were of people squealing their tires and running vehicles with loud exhaust. The intent is to curtail the loud and excessive noise, but not to interfere with people's rights to mow their lawns and play music at a reasonable level, etc.

Dr. George Reagan from the Libby House expressed his concern over the engine brakes on the trucks. He believes that loud motorcycles contribute to the disturbance as well.

Ron Dagasse spoke about the constant engine brakes heard at his home and place of business at the northern intersection of Routes 2 and 16. This has been going on for quite some time. He also worries about an accident happening there.

Jeff Harrington lives on Route 2 at the bottom of the hill and he is also disturbed by the noise. Ellen Christopher feels the same way.

Ted Miller spoke about the noise he hears at his property near the southern intersection of Routes 2 and 16. He agrees with Dr. Reagan that both the engine brakes and motorcycles are a problem.

Diane Homes from Lancaster Road feels that the noise is affecting the quality of life in Gorham.

Dave Wilson contributed that he can't hear his TV with all the noise.

Ron Donato from Jimtown Road hears the engine brakes. He also objects to people running up and down the road on a lawn mower which has no muffler.

Ann Carter who lives on the corner of Route 2 wondered if we could include the train noise in the ordinance.

Diane Holmes asked if we would be measuring decibel level. It was explained that we decided not to go with that type of evaluation since equipment and training would be necessary. That is not to say that this option could not be pursued in the future, if deemed necessary.

Ron Dagasse spoke of the need for signage as trucks and other motorists enter Gorham.

Glen Eastman was concerned that there is no provision for noise from a public emergency which might happen after 7 pm. It was explained that a public emergency would take precedence over a noise ordinance. He was also concerned about the signage, saying that signage was not allowed in the past by NH DOT. TM Frost stated that the wording for signage was being worked on with NH DOT and they were amenable to the placement of signs.

Norm Provencher wondered about snow removal. This was specifically exempted in the ordinance.

Gary Sinibaldi spoke of dogs barking. This is specifically in the ordinance. He also talked about smoke from open fires.

Don Provencher spoke about the train issue and suggested that the Town could petition FRA to make this a quiet zone. He cautioned, however, that this might become a safety issue.

Dr. Reagan expressed his opinion that this was a good direction.

Ron Dagasse mentioned that he would like to see a police presence at the corner of Rt 16/2 and they could use his property if they needed to.

The Public Hearing was closed at 7:20 pm.

2. Appointments:

a) Representative Bill Hatch: Rep. Hatch expressed his concern about the State Budget process for the upcoming biennium. The revenue estimates are as of January instead of after the 1st quarter. Originally they were told that these estimates would be revisited several times during the process, but now the Speaker has said the original estimates would be used. They are projecting \$100M less than in the current budget. His biggest concern is how much of this will be downshifted to the Towns.

There is currently a bill to propose that people who do not have children in local schools would be forgiven the Statewide Property Tax. Rep. Hatch is sponsoring a bill (HB 238) that would forgive the Statewide Property Tax on the first \$100,000 of valuation on buildings. This would shift responsibility to higher valued properties.

Rep. Hatch promised to keep us informed of the legislature's activities on a regular basis.

Norm Provencher feels NH is taxing too much. He can go to a McDonald's in Maine and pay less for the same thing he orders in a McDonald's in NH. Don Provencher said there are a lot of new legislators in NH and they are going to ruin the State.

3. New Business:

a) **Town Codes:** Selectman Graham had requested to review Town Codes, specifically Ethics, Conflict of Interest, Sexual Harassment and Smoking. TM Frost stated that she did not have those codes with her and Selectman Graham asked to have copies made for him so he can review and then discuss them at a future meeting.

4. Old Business:

a) **Multi-modal Route:** TM Frost updated the Board with information that she has made contact with VHB. Mike Servetas is no longer with the company, but the EIT who worked on the project is now an engineer and is still with the company. They will get the files out of storage and review them. Then they will call and set up a meeting to review where the project stands and how to move forward.

b) **Family Resource Center Request:** Selectman Graham has reviewed one file and is working on the other file. He has read the CDBG information and the 20 year lease. He noted that the documentation indicates that the Board of Selectmen will have a member sit on the Board of Directors, but this is not currently happening. Selectman Graham will continue to review and report to the Board.

c) **Spring Road:** TM Frost reported that the Planning Board has developed a list of conditions that they would like to propose to the ZBA on the Debellis property. The Board of Selectmen needs to review these as well. A list will be provided before the next meeting. Selectman Graham is interested in getting the Spring Road residents together to discuss their concerns with that area, etc.

5. Public Comments: Don Provencher stated that he is disappointed that the salary list is no longer included in the Town Report. He said that it was included several years ago, but is no longer. He would like the Board to put that back in the Town Report. TM Frost stated that it is too late for the 2010 Annual Report, but will be discussed for future publications.

Norm Provencher stated that the Town needs to save and cut wherever possible. He wishes the Board would reconsider hiring for the open position at the Public Works Department.

Chief Cyr stated that there is a process and evaluation that we go through before hiring for open positions.

Don Provencher stated that there is another meeting in Bethel about passenger rail this Wednesday at 1 pm. TM Frost is unable to attend. Mr. Provencher will represent the Town of Gorham at the meeting.

6. Other Business:

a) **Town Manager's Update:** TM Frost reported that we have received other proposals for health insurance. The two received are both lower than our current proposed rate. We will continue to work on this issue.

The IRS has increased the mileage rate for 2011 from fifty cents to fifty-one cents. The Board decided to wait until the full Board is present to make a decision.

Chairman Robitaille asked TM Frost to contact Yves Zornio to ask if he will be able to continue to attend AVRRDD meetings and report back to the Board on any activity.

On a motion by Selectman Graham, seconded by Chairman Robitaille, the Board voted to authorize Chairman Robitaille to sign the 2011 Hazardous Material Emergency Planning Grant Application.

b) Approval of Minutes (January 31, 2011, February 10, 2011): On a motion by Selectman Graham, seconded by Chairman Robitaille, the Board unanimously approved the minutes of both the regular session and the non-public session from the meeting of January 31, 2011 and the minutes of the meeting of February 10, 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 Graham, seconded by Chairman Robitaille, the Board unanimously voted by roll call to move into non-public session at 8:56 pm. Graham – aye; Robitaille – aye.

On a motion by Selectman Graham, seconded by Chairman Robitaille, the Board voted unanimously by roll call to move out of non-public session at 9:25 pm. Graham – aye; Robitaille – aye.

No decisions were made in Non-Public Session.

8. Adjournment: The meeting was adjourned at 9:27 pm.

REVIEWED AND APPROVED:

Paul Robitaille, Chairman

Terry Oliver

David Graham