

MINUTES OF SELECTMEN'S MEETING
TOWN OF GORHAM
MONDAY, September 13, 2010
GORHAM TOWN HALL

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

Also present: Robin L. Frost, Town Manager

Craig Lyons, *Berlin Daily Sun*

Norm Provencher, Glen Eastman, Henry Sanschagrín

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

2. Non-Public Session: The Selectmen did not convene a non-public session, but did meet with counsel at 6 pm.

3. Public Session Agenda: The Chairman announced that the Board approved the appeal to the ZBA drafted by counsel.

Sign Manifest: The manifest was signed.

Sign Abatements: There were no abatements to sign.

Approve Minutes of 8/03/2010: On a motion by Selectman Oliver, seconded by Selectman Graham, the Board unanimously approved the minutes of the regular session of August 30, 2010 as prepared.

On a motion by Selectman Graham, seconded by Selectman Oliver, the Board unanimously approved the minutes of the non-public session of August 30, 2010 as prepared.

The Board signed both sets of minutes.

Henry Sanschagrín – ATV Questions: Mr. Sanschagrín wondered why there was a discussion about ATV's at the last meeting. Mr. Provencher stated that he just asked a question during public comments. Mr. Sanschagrín was confused as to what information the Board still needed on this issue. After much discussion, Chairman Robitaille stated that the Board was waiting for the State's go ahead on this issue. Mr. Sanschagrín agreed that this was the case. He followed with a comment that as soon as one more land owner gave approval, the rail trail would be open and used.

Salt and Sand Usage: TM Frost read a memo she prepared for the Board of Selectmen with a recommendation on this issue from her and PWD Holmes. (Memo attached.) It basically explains that there has been no wrongdoing and the contractors who have participated in the practice have provided a service to the businesses and, therefore, taxpayers of Gorham. Both TM Frost and PWD Holmes recommend that the practice remain discontinued due to increased interest in parties participating and the potential inability to accommodate more contractors. The Board decided to vote on whether to reconsider or reaffirm their decision to discontinue the practice.

On a motion by Selectman Graham, with a second by Selectman Oliver, the Board unanimously voted to reaffirm their decision to discontinue the practice.

All Board members felt that this was a hard decision to make. Chairman Robitaille stated that this makes the Town of Gorham a colder place. He personally thanked the contractors involved. Selectman Oliver stated that years ago everything could be done with a handshake, but now every time you turn around someone is looking to sue for something. Selectman Graham reiterated Chairman Robitaille's comments.

Glen Eastman commented that while he understands how the decision was made, he feels it is the wrong decision. He felt that it was bothersome that until tonight no one had spoken about the honesty and integrity of those involved. He also stated that the issue now is where the individual contractors will be able to store the salt/sand mix. There was a brief discussion of whether there was a place that the Town could provide for this type of storage. Sgt. Lamarre was present and mentioned that he had participated in this and usually ended up sanding driveways at no cost for people who couldn't afford to have it done or couldn't get it done themselves. These gestures will cease.

Student Intern: Selectman Graham spoke again of the possibility of getting a student from a local college to intern at the Town Hall. He feels that there is plenty of work for this person to do and even some research projects could be done for the Town Manager. It would not cost the Town anything, but would probably require monitoring and reporting back to the college. Since the current semester has already begun, it will probably have to wait until the winter semester begins. Selectman Graham will get the contact information to TM Frost.

Appointment of Alternate Selectmen's Rep to the Planning Board: Chairman Robitaille stated that he was not sure he was going to be able to attend the last Planning Board meeting and since that may actually occur in the future, he is suggesting that the Board appoint an alternate to sit when he is unavailable. **On a motion by Chairman Robitaille, seconded by Selectman Oliver, the Board voted 2-0-1(Graham) to appoint Selectman David Graham as the alternate Selectmen's Rep to the Planning Board.**

Agenda Format: TM Frost had some suggestions for the reorganization of the Board's agenda. The first suggestion was to remove the first non-public session from the agenda unless there is a clear cut reason to have it on there. The non-public session will stay at the end of the agenda and will be used only if necessary. The regular meeting would still begin at 6:30 pm and start with any appointments that have been scheduled. The more routine approval of minutes and signing of documents would take place after the rest of the agenda was complete. TM Frost commented that these were only suggestions and the agenda is for the Board to decide upon. The Board agreed by consensus to give the new format a try and see how it works.

Discussion of Possible Revenue Sources: Selectman Graham pointed out that the Board packets contained a list of Time Warner revenues for the last several years, which was prepared by Denise Vallee. He would like to get a representative from Time Warner in as soon as possible to start talking about a contract and other opportunities for the Town.

4. Other Business: TM Frost reported that Tina Lapierre has submitted her resignation from the Budget Committee. **On a motion by Selectman Graham, seconded by Selectman Oliver, the Board voted unanimously to accept, with regret, the resignation of Tina Lapierre from the Budget Committee.**

Dorothy Solomon, who is a candidate for State Senate, would like to come before the Board at the next meeting. Clermont Drouin would also like to meet with the Board at the next meeting about the two properties on Libby Street on which he is hoping to have the interest waived. Raymond and Theresa Guay have filed a Motion for Reconsideration to the BTLA on their abatement case.

5. Public Comment: Glen Eastman mentioned that if he wanted to be vindictive with regard to the Board's earlier decision, he would take away his 12 ton trailer that the Town has used for the past several years at no cost. He stated that, of course, he would not do that, but he doesn't think the Board realizes what impact their decision will have on the Town. The Town has used a lot of his equipment in the past. There are others who have given of their time and equipment as well. He feels it is disconcerting that all of these things are forgotten. Chairman Robitaille stated that he is aware and that is why the decision was very hard. Mr. Sanschagrín agrees with Mr. Eastman. Norm Provencher wondered whether the contractors could store their salt/sand mix at the airstrip. Sgt. Lamarre mentioned that the area of the airport was watershed.

Mr. Sanschagrín asked about the abatements that had been granted at the last meeting. Selectmen Oliver stated that those abatements were arrived at after very careful consideration and consultation with the assessor who assured the Board that the assessments needed to be reduced. Mr. Sanschagrín was glad to see that the Board was expressing an interest in keeping the Conway bypass alive. He feels that is needed for the North Country. Chairman Robitaille mentioned the meeting in Albany on September 30th where all affected Towns and State Officials are invited to discuss the future of the bypass.

6. Date for Next Meeting: The next meeting will be held on **Monday, September 27, 2010 in the Town Hall 2nd Floor Conference Room.**

7. Non-Public Session: There was no need for an additional non-public session.

8. Adjournment: The meeting was adjourned at 8:13 pm.

REVIEWED AND APPROVED:

Paul Robitaille, Chairman

Terry Oliver

David Graham

Memorandum

To: Board of Selectmen
From: Robin L. Frost, Town Manager
Date: September 13, 2010
Re: Sand Salt Matter

Gentlemen:

After meeting, once again, with PWD Austin Holmes, we have concluded the following:

It is of the utmost importance to point out that we believe there is no wrongdoing on either the part of the approximately five plowing/sanding contractors who have participated in this practice or the Town. In fact, the Town/taxpayer has benefited from the sand that has been purchased by these contractors by about a 3:1 ratio. In addition, these contractors have performed a service to the businesses in Gorham which in turn provide a service to the taxpayers in Gorham. It has saved the taxpayers about \$3000 per year in sand costs.

However, due to the increased inquiries received from other private contractors, etc., if we were to continue this practice fairly, we would have to open it up to anyone who wanted to participate. We would then have to institute a system of checks and balances to make sure that the sand was only used on Gorham properties. Such a system would be inefficient and impossible to implement. This would inevitably cost the Gorham taxpayers more in taxes each year. For example, if a person successfully bid on a contract to sand the Post Office, but this contractor lived in Berlin, would they still be allowed to get their sand from the public works garage? What if their only Gorham contract was the Post Office? Where would the rest of their sand be offloaded? If this is to be a benefit for both the contractor and the Town then we would have to screen all of the contractors and track their contracts.

It is our conclusion that the practice would rather quickly become cumbersome, difficult and costly. Therefore our recommendation is for the Board of Selectmen to stand by their decision to discontinue this practice.

Finally, it is incumbent upon us to thank the contractors who have provided a valuable service over the past several years. They have conducted themselves in an honest, fair and professional manner, thereby saving taxpayer dollars which will now have to be added to the annual operating budget. They have our deepest gratitude and best wishes.