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APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
January 15, 2019
APPROVED – February 19, 2019

CALL TO ORDER - approximately 6:30PM

PRESENT: Mr. Hal Lynde, Mr. William McDevitt, Ms. Heather Forde, Town Administrator
Brian McCarthy

ABSENT: Mr. Doug Viger, Ms. Amy Spencer

PLEDGE OF ALLEGIANCE

MINUTES REVIEW

January 8, 2019

MOTION: (McDevitt/Forde) To approve the January 8, 2019 meeting minutes as amended.

VOTE: (3-0-0) The motion carried.

OPEN FORUM

No one came forward.

APPOINTMENTS

Highway Road Agent Frank Ferreira – Bid Awards

The Board was provided with Mr. Ferreira’s bid award recommendation list. Mr. McDevitt noted they were available for public viewing at the Selectmen’s office. Mr. Lynde listed the items that were addressed in the recommendation letter.

MOTION: (Forde/McDevitt) To accept the bid recommendations of Highway Agent Frank Ferreira for the 2019 Highway Department bids.

VOTE: (3-0-0) The motion carried.

DISCUSSION / ACTION ITEMS

Hawkers & Peddlers Policy review

Mr. McDevitt commented he had sent a revised copy out for review by the Board for vote during another meeting. He went through the document and spoke to the amendments he was proposing. Mr. McCarthy noted he would make the changes and add an agenda item for the next meeting. Mr. McDevitt asked Mr. McCarthy to also send him a copy of the permit application.

Review and Vote – 2019-2024 Support Contract

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Mr. McCarthy noted the Board had not taken a public vote on the contract. The Board was provided with a copy of the contract. Mr. McCarthy recalled the Board previously had some questions which had been resolved. The document was a ‘true’ document.

Mr. McDevitt explained for the public that the Board’s ratification was one of the steps. The contract will be on the March 2019 ballot seeking voter approval.

MOTION: (McDevitt/Forde) To approve the agreement between the Town of Pelham, New Hampshire and Local 1801 American Federation of State and County Municipal Employees for years 2019-2024.

VOTE: (3-0-0) The motion carried.

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Review / Assign the order of 2019 Warrant Articles

Mr. Lynde stated he asked Mr. McCarthy to have all money articles listed on the ballot in front of all non-money articles, except for all Zoning amendments. He said in the past they also grouped like articles (i.e. forestry). Mr. McDevitt understood that both petition articles would need to go at the beginning because they were Zoning issues.

Mr. McCarthy reviewed the order the articles would be listed on the ballot.

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Vote – New Operating Budget and Default Budget figure

Mr. McCarthy read aloud Article 5 – Town Operating Budget. The revised Operating Budget is \$16,421,227 and the default budget is \$16,452,385.

MOTION: (McDevitt/Forde) To reconsider the Town Operating Budget approved prior to this meeting in order to accept a revised operating budget.

VOTE: (3-0-0) The motion carried.

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MOTION: (McDevitt/Forde) To approve the revised operating budget (reflecting changes made during reconsideration) \$16,421,227 with a default budget of \$16,452,385.

VOTE: (3-0-0) The motion carried.

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Mr. McDevitt questioned if the Selectmen had taken a position regarding the Library renovation project. Mr. McCarthy didn’t recall them taking a position on the article.

MOTION: (McDevitt/Forde) To recommend the warrant article for the Library Renovation Project.

VOTE: (3-0-0) The motion carried.

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The Town Deliberative session is scheduled for February 5, 2019 beginning at 7pm in Sherburne Hall. The School Deliberative session is scheduled for February 6, 2019 beginning at 7pm in Sherburne Hall.

Mr. McDevitt volunteered to work on the Voter’s Guide. Ms. Forde volunteered to work with him.

79 **Review – Budget Committee reconsideration meeting**

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81 Mr. McCarthy told the Selectmen that the Budget Committee was happy with the budget presentation.
82 He said they accepted the updated fuel prices and were fine with the support contract.

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84 **Open Board positions for March 12, 2019 election**

85 SELECTMEN 2 FOR 3 YEARS

86 TOWN CLERK/TAX COLLECTOR - 1 FOR 3 YEARS

87 CEMETERY TRUSTEE - 1 FOR 3 YEARS

88 TRUSTEE OF TRUST FUNDS - 1 FOR 3 YEARS

89 LIBRARY TRUSTEES - 2 FOR 3 YEARS

90 BUDGET COMMITTEE - 3 FOR 3 YEARS

91 BUDGET COMMITTEE - 1 FOR 1 YEAR

92 PLANNING BOARD - 2 FOR 3 YEARS

93 Anyone interested should submit their for to the Town Clerk’s Office between January 23, 2019 and
94 February 1, 2019 by 5pm.

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96 **Open Conservation Commission position posting submission deadline January 25, 2019**

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98 Mr. McCarthy stated there was a vacant position on the Conservation Commission. Anyone interested
99 should submit a volunteer application to the Selectmen’s Office by January 25, 2019.

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101 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

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103 Mr. McDevitt stated there was some confusion and discussing during the recent Planning Board
104 meeting regarding the two petition warrant articles and whether the person who filled out the petition
105 could amend the wording. He said according to Town Counsel, Zoning articles could not be amended.
106 He said the petitioner didn’t have the authority to change the wording unless they obtained permission
107 from all those who signed the petition. He noted the Planning Board was also not allowed to change it
108 and According to Town Counsel, the Deliberative Session was also not allowed to change the article.
109 Mr. McDevitt said the New Hampshire Municipal Association (‘NHMA’) had been very clear over the
110 years that citizen petitions don’t have to be worded perfectly so they have the opportunity to get
111 something done without lawyers, Selectmen, Planning Board etc. complaining. In this case, the petition
112 article appears to have some flaws that the petitioner would like to change. He said the situation appears
113 to be a road block for the citizen to get the article the way it should be. He felt they should seek
114 additional advice and felt it should be amendable.

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116 Mr. Lynde believed the intent was clear but was unsure how it would be added into the Zoning book
117 was another thing. He said they would have to come up with a corrective article next year. Mr.
118 McDevitt asked if it would do any harm to seek the opinion of the NHMA. There was no objection.

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BOARD OF SELECTMEN MEETING/January 15, 2019

120 Mr. McCarthy questioned if it was too late for the petitioner to withdraw. Mr. McDevitt said to do so
121 the petitioner would have to have all signatories agree. He noted he had great respect for Town Counsel
122 but wanted to seek the additional opinion from NHMA.

123

124 During the last meeting Mr. Lynde told the Board he was going to go to Concord to testify regarding
125 HB187 (to create a separate district of four representatives for the Town of Pelham). He said the
126 sponsor of the bill spoke and one of Pelham's Representatives spoke against doing so, but afterwards
127 told Mr. Lynde Pelham should probably do so and it was a good idea. He commented that the
128 Committee Chair suggested going to court.

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130 **REQUEST FOR NON-PUBLIC SESSION**

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MOTION: (McDevitt/Forde) Request for a non-public session per RSA 91-A:3,II,a & d
(Personnel; Consideration of acquisition, sale or lease of property)

ROLL Mr. Lynde-Yes; Mr. McDevitt-Yes; Ms. Forde-Yes

CALL:

132 It was noted that when the Board returned, after the non-public session, the Board would not take any
133 other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the
134 meeting. The Board entered into a non-public session at approximately 7:19pm.

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MOTION: (McDevitt/Forde) To leave non-public session.

VOTE: (3-0-0) The motion carried.

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137 The Board returned to public session at approximately 8:09pm.

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139 **ADJOURNMENT**

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141 The meeting was adjourned at approximately 8:09pm.

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Respectfully submitted,
Charity A. Landry
Recording Secretary

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