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APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
June 18, 2019
APPROVED – July 2, 2019

CALL TO ORDER - approximately 6:30PM

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

ABSENT: Mr. Doug Viger

PLEDGE OF ALLEGIANCE

MINUTES REVIEW

June 4, 2019:

MOTION: (Cote/Lynde) To approve the June 4, 2019 meeting minutes as amended.

VOTE: (4-0-0) The motion carried.

ANNOUNCEMENT

None.

OPEN FORUM

No one came forward.

APPOINTMENT(S)

Junkyard License Application: Coombs Used Auto Parts

Mr. McDevitt explained in accordance with State law ‘junkyards’ are required to receive a Junkyard Automobile Recycling Facility license from the Board of Selectmen annually. He summarized the review process that falls under local and State requirements. The Board considered the following applications for the term of July 1, 2019 – June 30, 2020.

Mr. McDevitt stated the required inspections had been performed. There were no questions/concerns regarding the application.

MOTION: (Lynde/Cote) To approve the renewal of the Junkyard Automobile Recycling Facility license for Coombs Used Auto Parts for the period of July 1, 2019 through June 30, 2020.

VOTE: (4-0-0) The motion carried.

Junkyard License Application: Jack Mansur Auto, LLC

In accordance with the local and State inspections, Mr. McDevitt stated the requirements have been met. Mr. Lynde pointed out that the inspections include the Code Enforcement Officer, Fire Department and Health Officer.

MOTION: (Cote/Lynde) To approve the renewal of the Junkyard Automobile Recycling Facility license for Jack Mansur Auto, LLC for the period of July 1, 2019 through June 30, 2020.

VOTE: (4-0-0) The motion carried.

Junkyard License Application: Jean Guy's Used Cars and Parts Incorporated

Mr. McDevitt stated the Board had inspection reports on file. There were no questions/concerns.

MOTION: (Forde/Lynde) To approve the renewal of the Junkyard Automobile Recycling Facility license for Jean Guy's Used Cars and Parts Incorporated for the period of July 1, 2019 through June 30, 2020.

VOTE: (4-0-0) The motion carried.

Mr. Cote noticed that Coombs Auto Parts didn't have a license from the State of New Hampshire. Mr. McDevitt said the applications were the facility renewals. He said they should be licensed by the State. He asked Joyce Coombs to come forward. He noted that the applications asked if their facility was presently licensed by the State of New Hampshire and it was answered 'no'. He asked if there were any licenses they were required to have by the State. Ms. Coombs answered no, which was the reason they marked no on the application.

Fire Chief James Midgley – Introduction of New Employees

Chief Midgley introduced the department's two newest full-time employees; Jeremy Driscoll and William Moran. He discussed their training and credentials both personally and professionally.

Family members came forward to 'pin' the firefighters. Town Clerk Dorothy Marsden came forward to swear-in the firefighters. The Board of Selectmen offered congratulations and welcomed the new employees.

Chief Midgley informed the Board that Ryan Pitts (hired in January 2019) had completed Paramedic training and completed certification. The department now has seven paramedics; three shifts of two and one shift with one paramedic. He noted there was currently one more person in training who is set to graduate in January; this will provide for two paramedics for every shift.

DISCUSSION

Review draft of Town Ordinance for Pelham Veterans Memorial Park ('PVMP') /Pelham Residents

81 As discussed at a previous meeting, Mr. McCarthy stated they were in the process of ensuring that the
82 park is used by Pelham residents. He said although the Board voted last year for the park to be for
83 Pelham residents only, Town Counsel felt it best that a Town ordinance be in place to stipulate the
84 park's usage. He provided counsel with a copy of the Use of Town Fields Parks and Facilities policy
85 which was used to create an ordinance for PVMP. A copy of a draft ordinance was provided to the
86 Board for review. They discussed the draft and offered amendments and questions for counsel's
87 opinion/review. Mr. McCarthy will contact counsel and provide the Board with a revised draft.
88

89 **Community Preservation Act info**
90

91 Mr. McDevitt stated when a house was recently torn down in the Town Center a number of people were
92 upset and questioned why it was removed. Because of this he said if there is interest from the public
93 to have a historic district commission, they should contact a member of the Board of Selectmen. He
94 said there were many different approaches that could be taken.
95

96 **Community Service Awards for High School Students**
97

98 Ms. Forde said she'd like to discuss offering an underclassman recognition at the end of the school
99 year. She said it wouldn't be for athletics or academics, but a recognition of a student that had been
100 civically engaged/involved at a higher level. She planned to set up a meeting with the high school
101 principal and involve student council and possibly the Boy and Girl Scout leaders. Ms. Forde stated
102 she wasn't thinking about the award being monetary, but rather a plaque and/or display (in Town Hall)
103 showing the student's engagement in the community.
104

105 Mr. Cote believed the veterans had a similar award ceremony and suggested she contact them as well.
106

107 There was no objection to Ms. Forde moving forward.
108

109 **Ornamental Tree Care budget line item for the 2020 budget**
110

111 Mr. McDevitt noted that there was no money in the 2019 budget for tree care and encouraged the
112 Selectmen to consider reinstating the line item. By recent count there area approximately 125-130
113 ornamental trees. He said there are a number of unhealthy and dead trees that need to be taken care of.
114 He recalled they had difficulty in the past finding a certified arborist.
115

116 Mr. Lynde suggested including a line within the Town Building's budget because it was 'maintenance'.
117 Mr. McDevitt felt it had to be in the budget. Mr. McCarthy discussed the previous budgeting process
118 and didn't realize there would be a continuing tree maintenance plan. He's had contact with the arborist
119 who is available; however, there was nothing in the current budget to pay for those services.
120

121 Mr. Cote spoke about the benefits of having a yearly consultation. Mr. Lynde stated Town property
122 should be maintained and felt they should use Town Building funds to take care of the trees starting
123 now.
124

125 Mr. McDevitt recalled receiving a quote to remove dead trees and asked Mr. McCarthy to provide the
126 Board with that quote to review.
127
128

129 Mr. McCarthy stated he contacted the school and asked if they would have any big projects for 2020.
130 He said the Business Administrator indicated they expected to have a warrant article for a
131 renovation/upgrade for Pelham Memorial School; however, they don't have fiscal impact information

at this time. Mr. McDevitt felt it was good for the Board to be aware of things the school may have pending.

Pelham Veterans Memorial Park ('PVMP') gate update

Mr. McCarthy told the Board that the gate was installed and functional at PVMP. He discussed vehicle traffic and the 'reader' that opens the gate. He explained the 'reader' was located on the left side of the access road which may cause a problem with vehicles exiting the park. He spoke with the Parks and Recreation Director (prior to the meeting) and suggested creating a small island at the entrance so vehicles would remain in their own travel lanes. Overall, the gate was working, and they have received positive comments on social media.

MTBE/ 1,4 Dioxane application discussion

Mr. McCarthy said during the last Board meeting the Selectmen decided to adjust the MTBE mitigation fund application. He stated he amended and submitted the application which now included Meadowview Estates. He included information to the Board and discussed the fact that the loan money was taxable by the Federal Government. He said several communities were dealing with how to pay the tax.

Mr. Lynde stated the Town could only submit an application for a loan to borrow money; there is no grant. He said a loan was not a contribution and didn't see how taxes applied. Mr. McCarthy said he would agree, but Pennichuck felt differently and calculated the taxes. Mr. Lynde said maybe the tax applied to Pennichuck not the Town. Mr. McCarthy told the Board he forwarded the information to Town Counsel for guidance.

Mr. McDevitt didn't believe they could accept the loan without Town Meeting approval because the Board couldn't obligate the Town to pay 'future' money. Mr. McCarthy believed it was similar in nature to the fire department grant (SAFER grant to hire firefighters). He said if the Town was notified that they were going to receive money the warrant article would be appropriately worded.

Mr. Cote understood that the Town was trying to start a water district to improve their chances to receive grant money from the State's MTBE fund. Mr. McDevitt said they may have worked together; however, they are two entirely separate things. Mr. McCarthy said they needed to establish a water district to help enhance Pelham's candidacy for the money. Mr. Cote asked if it was originally grant money. Mr. McCarthy replied it was always a loan. The original application was submitted to the Department of Environmental Services ('DES') for a loan. Mr. Cote questioned what the State was doing with the \$300 million of MTBE money. He thought the Town could apply for it as 'grant' money. Mr. McCarthy explained he, along with Mr. Lynde and Town Counsel, attended a meeting with the heads of the Department of Environmental Service. Because the MTBE level was low (acceptable level) it was the position of DES that Pelham no longer had a problem with MTBE. Mr. Cote said it sounded like the State was using the \$300 million as a 'bank' to loan the money out. Mr. McCarthy said the intention of the money was to 'remedy' the State's water issues. He said Pelham argued to DES that Pelham was severely impacted by MTBE and not received any assistance other than a couple water infiltration systems and bottled water at the time. The State used Pelham's damage calculations to get the settlement; therefore, Pelham felt they should receive some of the money. Mr. Lynde noted the State had purchased land to protect water sources. He said it was an example of the State finding ways to get money to pay for things they have a responsibility for, without having to pay for it.

Letter from Conservation Commission re: ML32-2-69 & 32-2-69-3 (Spaulding Hill Road)

BOARD OF SELECTMEN MEETING/June 18, 2019

Mr. McCarthy provided the Board with a letter written by Karen MacKay of the Conservation Commission. Mr. McDevitt read the letter aloud. The Conservation Commission held a public hearing regarding the purchase of the two parcels for conservation land. The parcels are located approximately 1,500ft. from the paved road and would provide a permanent connection between two Town-owned parcels (Gumpas Pond / Merriam Cutter). The commission voted unanimously 6-0 to support the purchase of the two parcels totaling approximately 16.2 acres for a cost of \$38,430. The commission's support of the proposal is with the understanding that the acquisition is consistent with RSA 36:A.

The Board was provided with a tax map with the location of the parcels. Mr. McDevitt questioned where the funding would come from. Mr. McCarthy believed it was coming from the conservation bond. He offered to schedule the commission for the Board's July 2nd meeting to give a presentation. Mr. McDevitt suggested the Board schedule a public hearing and ask questions during the presentation.

Mr. Lynde noted they typically use a guideline of \$7,500 per acre; the proposed purchase came in at \$3,200 per acre.

The Board will schedule the two required public hearings (July 2nd & 16th)

Information – Union Leader article

Mr. McDevitt stated there was an article in the Union Leader regarding an incident at the Concord Middle School where a teacher was engaging in inappropriate conduct with students. A concerned student who spoke about the situation was suspended for spreading malicious gossip; however, it turned out that the teacher was engaging in inappropriate conduct. He brought forward the article in the context that if there are rumors within the Town government they should be brought forward and not dismissed as idle talk.

TOWN ADMINISTRATOR / SELECTMEN REPORTS

Mr. Lynde spoke about the recent Planning Board meeting/hearings.

Mr. Cote informed an Agricultural Commission meeting was held. They chose a steering committee and would begin formulating a warrant article. He asked if there were any objections to conducting an additional meeting in July. There was no objection. Mr. Cote questioned if the Forestry Committee needed the Selectmen's permission to put up a sign. He said there was an email sent out by Deb Waters proposing a sign at a storm water swale. He read the proposed language aloud which included 'no admittance per order of the Board of Selectmen'. He questioned if the sign needed that language. In Mr. McDevitt's opinion an order of the Selectmen 'carried no water' with regard to a Town Forest. He said the Town installs signs on pieces of land when they need to. Mr. Cote stated he would advise the committee they can install signs at each end of the swale indicating 'per order of the Forestry Committee'.

REQUEST FOR NON-PUBLIC SESSION

Not requested.

ADJOURNMENT

MOTION: (Cote/Forde) To adjourn the meeting.

VOTE: (4-0-0) The motion carried.

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232 The meeting was adjourned at approximately 8:00pm.

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234

Respectfully submitted,

235

Charity A. Landry

236

Recording Secretary