

APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN–MEETING MINUTES
July 12, 2022

CALL TO ORDER – Chairwoman Corbett called the meeting to order at approximately 6:30pm

PRESENT: Jaie Bergeron, Heather Corbett, Kevin Cote, Jason Croteau, Charlene Takesian,
Interim Town Administrator Joseph Roark

ABSENT: None

PLEDGE OF ALLEGIANCE

MINUTES REVIEW

June 7, 2022

MOTION: (Bergeron/Cote) To approve the June 7, 2022, meeting minutes as amended.

VOTE: (5-0-0) The motion carried.

June 21, 2022

MOTION: (Cote/Croteau) To approve the June 21, 2022, meeting minutes as amended.

VOTE: (5-0-0) The motion carried.

OPEN FORUM

No one from the public came forward in open forum.

APPOINTMENTS

Attorney Miller: Town/Xfinity Franchise Agreement discussion

Attorney Miller started by informing the Board that the Town has a franchise agreement with Comcast to provide cable TV services, and that the jurisdiction of the Town is only limited to Comcast's cable TV services, not their internet or telephone services.

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47 Attorney Miller also voiced concern about the Town being restricted to what they can negotiate
48 for, like pricing, channel selections, and how the channels are packaged. Attorney Miller
49 explained that the Board does however have a say in the franchise fees paid to the Town, how
50 long the franchise contract may last, the requirement that the Town has local access channels for
51 broadcasted meetings, and some financial support for the capital equipment required for the
52 services.

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54 Attorney Miller then brought up how since this has first been discussed, there has been changes
55 in attorneys, a change in Town Administrator and that this created a pause in the conversation.

56
57 She stated that those working on this agreement have ensured that there are no requirements
58 Comcast was failing to fulfill, and that they are following the existing franchise agreement.
59 Attorney Miller also explained that the past franchise agreement expired about a year ago, and
60 that Comcast has been providing services in a “holdover status” under the terms of the existing
61 agreement.

62
63 Attorney Miller explained that one term of the existing franchise agreement between Comcast
64 and the Town was that the Town was receiving some capital funding for the equipment they
65 used, which was being put onto user’s bills. There were 10 payments totaling \$10,000 over the
66 ten-year agreement.

67
68 Attorney Miller stated that even though we are now in year 11, this payment is still appearing on
69 subscriber’s bills. She assured the Board that there will be a discussion with Comcast to ensure
70 they pay that money back to the Town.

71
72 Attorney Miller recommended they do a new franchise agreement to make additions such as the
73 new FCC rule that requires that any free cable TV services provided to municipal and school
74 locations be included in the franchise fees. Because of this, she explained that it may be possible
75 for the Town to cut down on the number of services that school districts are currently funding.

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77 Attorney Miller also recommended that they go forward working with the Town Administrator
78 to negotiate the final terms of the new franchise agreement with Comcast.

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80 Attorney Miller stated that if all goes as planned, she will be back in a month or two to announce
81 that the Town is ready to hold a public hearing about the franchise agreement. She also explained
82 that once the public has weighed in on the matter, then the Board of Selectmen can vote on
83 whether they will adopt the agreement.

84
85 Ms. Takesian then asked about the Town’s Cable TV Advisory Committee and if it was still
86 running.

87
88 Mr. Greenwood explained that the committee is no longer running.

89
90 Mr. Cote asked what the benefits of the Cable TV Advisory Committee would be.
91

92 Jim Greenwood was then asked to come up and address the Board regarding the Town's Cable
93 TV Advisory Committee.

94
95 Mr. Greenwood explained that interest was lost in the committee, and it was abolished and that
96 since then he has been making the decisions regarding cable TV. He also explained that he does
97 not think reforming the Cable TV Committee is a good idea now, since it will just slow the
98 process down. He stated that it may be a good idea in the future and can be discussed later,
99 however it is not necessary for this new agreement.

100
101 Attorney Miller explained the importance of a 10-year agreement and how it would require
102 Comcast to provide the cable services for ten years, regardless of if they decide to give up their
103 cable services portion of their business.

104
105 Mr. Greenwood explained that the Town receives about \$260,000 a year in revenue from cable
106 TV services.

107
108 The Board and Attorney Miller agreed that they will continue as is and wait for Attorney Miller
109 to provide them with a proposal of the new franchise agreement with Comcast. Interim Town
110 Administrator Joe Roark and Mr. Greenwood will work with Attorney Miller to work out the
111 new agreement.

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113
114 **Sara Landry, Al Steward & Yvonne La-Garde: Board of Selectmen Acceptance of**
115 **donation for the Pavilion and Shed at the Hobbs Community Center in the approximate**
116 **amount of \$80,000.00**

117
118 Ms. Landry started off by explaining how the Council on Aging raised funds through both
119 private solicitation and fundraisers to help fund the money for the pavilion and shed.

120
121 Ms. Landry continued by explaining that after the Council on Aging donates the pavilion and
122 shed to the Town, this will require the Town to keep up with the maintenance for them and the
123 area they are in.

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125 Chairwoman Corbett then asked what the maintenance for the shed, pavilion, and the area around
126 them would entail.

127
128 Ms. Landry explained that it would be maintaining and landscaping the grounds. She also
129 explained that the pavilion itself would require little maintenance since it has a metal roof. She
130 then stated that both the pavilion and shed have a 15-year warranty, and that perhaps the roof
131 may need to be replaced in 15 years or so.

132
133 Ms. Landry also stated that a small amount of the stonework around the area may need replacing
134 or fixing every year.

135
136 Ms. Takesian asked if the area would be made available to anyone in Town looking to use it.
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Ms. Landry explained that this would be up to the Town's discretion, but that the area will be in use by the seniors during the day Monday through Friday every week for their programs.

Ms. Landry also stated that they were looking at the budget to inquire about putting up security cameras in the back, and that once these cameras are installed in this area that it may be more suitable for community use.

Ms. La-Garde added that the Council on Aging wants this space to be a resource that the entire community can use.

Mr. Cote asked if the Senior Center would be overseeing the space, and that if a group wants to use the pavilion, who will be the point of contact for any questions or bookings.

Ms. Landry stated that she thinks it would be best if she was the point of contact, since she is the point of contact for the Hobbs Community Center and works with the Parks and Recreation Department to schedule programs and ensure there are no conflicts with instructors.

MOTION: (Takesian/Cote) To accept the donation for the Pavilion and Shed at the Hobbs Community Center in the approximate amount of \$80,000.00

VOTE: (5-0-0) The motion carried.

DISCUSSION

Since they were running ahead of schedule, the Board of Selectmen decided to start the discussion.

Mr. Cote mentioned that there is a dam issue on Gumpas Pond and that the State of New Hampshire has red listed the dam. The dam is owned by an HOA in the community, but the Town now has access to the pond. Mr. Cote explained that he would like to meet with the individuals in the HOA to discuss what can be done to fix it and how the Town can assist.

Mr. Bergeron noted that there are certain grants allocated to fix issues related to dams through municipalities.

Mr. Cote explained that if the dam is ripped out, it can cause issues downstream which can cause more serious issues in the future.

The Board agreed that Mr. Cote will pursue a contact to gather more information regarding the issue and bring it back to the Board.

Bill Scanzani: Funding request for the Historical Society remodel

Mr. Scanzani started by asking for internet access for the Historical Society building and stated that all other Town buildings have internet access and has the cost in their budget. He stated that he has lights that need internet access to control and would like people to be able to conduct research online in the building.

Mr. Scanzani explained that they received a quote of \$26,500 to remodel the handicap bathrooms so they meet code. However, Mr. Scanzani noted that there were some overages for the work done, and he is requesting that the Board approves these bills.

Mr. Scanzani stated that there was one bill for \$2,115 and another bill for \$7,125. He explained that the overages were from a faulty motor in the wheelchair accessible lift that was also missing certain parts. An electrician needed to be called in to get it working. He also explained that the only thing left in the building that the building inspector would like fixed is a wall added by the stairs, so nobody falls.

The last thing Mr. Scanzani requested was \$25,000 in next year's budget for repairs on the building's roof and windows.

Mr. Cote asked Mr. Scanzani to gather more information for the Board regarding his request for \$25,000 for building maintenance. Mr. Scanzani agreed and stated he would ask the building inspector to put an estimate together.

Mr. Cote asked Mr. Scanzani why he needs internet access in the Historical Society building. Mr. Scanzani explained that the new lights they have in the building can be controlled by an app which needs internet access, so he can change the settings on the lights.

Mr. Scanzani also stated he would like to re-open the building during the Town's Farmer's Market on Saturdays from 9:00am-12:00pm, and open for tours for the Town's schools.

Mr. Bergeron asked for clarification on the overages from the wheelchair accessible lift. Mr. Scanzani explained that there were a few things they were unaware they had to do before installing the lift, like adding metal pilings to the ramp. He also explained that a portion of the overages were from the unanticipated extra work the electrician had to do when they received the extra parts and new motor for the lift, and for additions to the handicap bathroom.

Mr. Bergeron asked if the Historical Society has future fundraisers planned to help bring in revenue. Mr. Scanzani explained that they have a fund for building maintenance, and that he has applied for a grant through Community Spirit Group. He also stated he applied for Boston Billiard's program that gives a percentage of winnings to certain organizations.

Ms. Takesian asked if the Historical Society was a 501(c)(3). Mr. Scanzani confirmed that they were.

Mr. Cote stated he did not see why the Historical Society building needed internet access and asked if they had computers there that the public could access. Mr. Scanzani confirmed that they did have accessible computers that could be used to conduct research.

Ms. Takesian asked if Mr. Scanzani knew how much internet access would cost for the building. Mr. Scanzani stated he was unsure of the cost, but all he needs is basic internet.

Mr. Greenwood explained that Mr. Scanzani could be added to the Town's existing Comcast Business account, or he could use Fidium on his own. Chairwoman Corbett stated that since the organization is a 501(c)(3), the Town is not required to cover the internet cost.

Mr. Bergeron stated that he agrees with covering the overages but is unsure about the \$25,000 for building maintenance. Mr. Cote explained that he supports it since the money is going to the Town owned building, and that they can look into it more when they go into budget season.

Chairwoman Corbett asked about any grants available to help cover internet costs. Mr. Scanzani stated that he will continue to search for any available grants, and that he is waiting to see if he will receive funds from the ones he has already applied for.

The Board agreed they would vote on the request for internet access and the cost of the overages. They agreed that Mr. Scanzani's request for \$25,000 for building maintenance would go to the Budget Committee.

MOTION: (Takesian/Cote) The Town will help the Historical Society fund internet access until January 1, 2023.

VOTE: (5-0-0) The motion carried.

MOTION: (Cote/Croteau) The Town will give the Historical Society \$9,240 from the municipal buildings fund to cover the overages from the renovations to the building.

VOTE: (5-0-0) The motion carried.

DISCUSSION

Interim Town Administrator Roark explained that if more agenda items start to come in, the Board will have to schedule more meetings on July 26, August 9 and August 23.

Mr. Bergeron proposed the idea of the Board of Selectmen meetings starting at 7:00 pm instead of 6:30 pm, like the rest of the Town Boards. The Board agreed that they would think about it and discuss it during the next meeting.

Interim Town Administrator Roark informed that the Town Clerk's office has updated hours. They are now open during lunch time every day and open late on Tuesdays from 10:00am – 6:00pm. They are opened 8:00am – 4:00pm Mondays, Wednesdays, Thursdays and Fridays.

SELECTMEN & TOWN ADMINISTRATOR REPORTS:

Mr. Croteau informed that they have started the bulldozing the T-Ball fields. He also stated that the Pelham Good Neighbor Fund has sold out of their golf tournament tickets and are on a record setting year for fundraising.

Ms. Takesian informed that the Farmer's Market will still open in the event of inclement weather unless there is thunder or lightening. She also stated the Council on Aging is continuing to raise money for the pickleball courts, and that they have advanced the money already to start building the courts. She explained that you can become a member of the Council on Aging for \$10. Ms. Takesian also stated that the thrift store is always looking for volunteers and donations. Lastly, Ms. Takesian informed that there is a free paper shedding day for the Town on September 10 and that the Senior Center will have an open house that day as they run a fundraiser for the pickleball courts.

Mr. Bergeron had nothing to report.

Mr. Cote informed that the CIP started last week, and that there are two meetings left to complete the process. He also stated that the Planning Board discussed the golf course last week, and how it is vital to include the golf course in the Master Plan regarding the golf course renewing their lease or other viable options.

Interim Town Administrator Roark had nothing to report.

Chairwoman Corbett informed that the construction on the Pelham Memorial School is moving quickly and will be all set for the fall.

REQUEST FOR NON-PUBLIC SESSION

MOTION: (Cote/Croteau) Request for non-public session per RSA 91-A:3, II, A (personnel).

ROLLCALL VOTE:

Chairwoman Corbett – Yes

Selectman Bergeron – Yes

Selectman Croteau – Yes

Selectmen Cote – Yes

Selectmen Takesian – Yes

(5-0-0) The motion carried.

318 It was noted that when the Board returned, after the non-public session, the Board would not take
319 any other action publicly, except to seal the minutes of the non-public session and to adjourn the
320 meeting. The Board entered a non-public session at approximately 7:52pm.

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322

323 **ADJOURNMENT**

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325

326 Respectfully submitted,

327 Makayla Clougherty

328 Recording Secretary