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**NOT APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN
MINUTES
January 16, 2018**

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Chairman Doug Viger informed that due to posting errors the Board would not conduct an official meeting; they would have discussion but not take official action until their next scheduled meeting.

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The scheduled Public Hearing would be heard as it was properly posted.

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PRESENT: Mr. Doug Viger, Mr. William McDevitt, Mr. Paul Leonard, Mr. Hal Lynde,
Town Administrator Brian McCarthy

ABSENT: Ms. Amy Spencer

PLEDGE OF ALLEGIANCE

MINUTES REVIEW

December 19, 2017 – Deferred to next scheduled meeting.

APPOINTMENT(S)

Assessing Assistant Sue Snide – New Elderly Exemption Application packet

The Board was previously provided with a copy of the new application. Ms. Snide explained that the application still requested a lot of information, but not the type of information used to do a credit check, since they couldn't do credit checks. Mr. Lynde felt it looked like a comprehensive questionnaire.

Mr. McDevitt questioned if there was assistance available to fill out the application. Ms. Snide replied if people could bring all their documentation, she would assist people to complete the application. She noted that the Senior Center Director would also work with people. It was also noted if a person was a 'shut in' someone would go out to their house to assist with the application.

Mr. Viger told Ms. Snide the Board appreciated her hard work and thanked her for coming in.

Police Chief Joseph Roark – Cruiser replacement request

Chief Roark stated on January 2nd an officer had been involved in a motor vehicle crash in a front-line Police cruiser. That vehicle was declared 'totaled' and left the department with one less front-line vehicle. He believed they would receive approximately \$12,000 from insurance for the vehicle. He would like to take the remaining cost (approximately \$17,000) from the 2017 budget.

Mr. Viger noted the Board could hear the discussion, but wouldn't be able to make a decision until their next scheduled meeting. He asked how many vehicles were in the fleet. Chief Roark replied there were 7 front line marked vehicles and 5 administrative vehicles. He said if they didn't replace the 'totaled' vehicle they would have a nine-year-old cruiser with over 100,000 miles at the end of the next lease cycle. He said it would affect the rotation they've had over the past eight years.

BOARD OF SELECTMEN MEETING/January 16, 2018

Mr. Lynde said the cost wasn't an encumbrance from 2017, it was a request to replace a vehicle that was damaged in 2018. Chief Roark said one caveat was that he had an estimate from November 2017 for a vehicle. He didn't know if they could use that paperwork to pay off the vehicle. He said at the end of the year they had solicited a quote on a new vehicle; although they had no way of forecasting a car would crash in January. Mr. Lynde believed they should vet the information and if they could do it, they should proceed.

Mr. Viger questioned how they handled insurance money. Mr. Lynde believed it could be used toward a purchase as a replacement cost. Chief Roark noted funding came from Primex (insurance company) back to the Town. Mr. Viger was trying to determine if they could pay for the cruiser out of the 2017 budget and then use the insurance money to offset taxes. Chief Roark explained that the cruiser cost was approximately \$29,000. The thought was to pay for it using 2017 funds and when the insurance check came in, it would be put back into the Town's general fund. He noted the Police Department had more than \$29,000 remaining in their 2017 funds. He said the question was if they were still within the timeframe to encumber funds from 2017. One way would be to use the November 2017 vehicle quote to encumber 2017 funds to pay for a cruiser, and use the insurance check as revenue to reduce taxes in 2018.

Mr. Viger commented that the Board would settle the conversation during their next scheduled meeting.

Review – Citizen Petition Warrant Article

Mr. Viger indicated that a citizen warrant article was submitted. He read the article aloud, which asked voters to discontinue a portion Gibson Road. Maps of the identified area were submitted with the article. The article included the required signatures for submission. There was discussion regarding Gibson Road and the area intended to be discontinued. Mr. Lynde voiced concern with closing off certain portions that were currently accessed as a public right-of-way for passive recreation such as walking, cross-country skiing, etc.

Mr. Leonard questioned if the area was the same location discussed several months ago to house a cell tower and Fire Department transmission equipment. Mr. Viger believed it was the same area, but understood there was another access to the fire tower. Mr. Leonard felt it would be interesting to determine if the land was the same area where a proposed transmission tower had been discussed, especially if there was a proposal to close access to the area.

Mr. McDevitt's first impression was that the whole area would be closed, but the maps submitted with the petition only highlighted a portion of Gibson Road. In reading the petition it wasn't clear where the discontinuance would start. He said it appeared to cut off the only access to the State land, although the State was an abutter and would be notified. He noted by 'discontinuing' the road, it would no longer be considered a Town road under any circumstances. Mr. Leonard said a discontinuance would essentially create a land-locked piece of land for the State. Mr. McDevitt was concerned that the wording in the petition wasn't clear and the submitted map was different from the wording. The authors of the petition article were not present. Mr. McCarthy told the Board he spoke with the petitioner and they were unable to attend the meeting.

Mr. McDevitt inquired if the petitioners knew there were legal requirements they had to follow. Mr. McCarthy answered yes. Mr. Viger noted the Board received correspondence from Town Counsel.

Mr. Viger indicated that an email had been put in the Board's possession of an opposition to the article. Given that they weren't conducting a meeting the conversation wasn't open to public input. He stated there would be a public hearing another time.

Mr. McDevitt appreciated information from the New Hampshire Municipal Association ('NHMA') being included with the submission. He stated road law was very complicated. He referenced the book 'A Hard Road to Travel' and felt there was some contradictory language between the book and the information from the NHMA. One thing that concerned him was if a Town maintained any portion of a Class VI road, it could become a Class V road. He believed the Board should have all legal questions answered, such as who owns the underlying land.

Mr. Viger suggested that the Board gather information and add an agenda item for a future meeting. This will allow discussion regarding legal matters and how the road is cleared.

Mr. Leonard questioned what purview the Board had regarding the petition. Mr. McDevitt believed the petitioner was required to notify the abutters of the petition. He said that's why he felt Town Counsel should provide an opinion.

PUBLIC HEARING – Pursuant to RSA 33:8-A, on the proposal for an appropriation of \$1,500,000.00 for the purpose of purchasing land and easements for conservation purposes.

Conservation Chairman Paul Gagnon came forward to discuss the proposal. He provided a brief history of the actions by the Town to protect conservation land through maintaining a bond to purchase land. To date they have protected over 1,000 acres. He said they were coming back to voters to request that they authorize the Selectmen to borrow up to \$1,500,000 over time to protect another 500 acres. He explained that the bonds would be paid over a ten-year period. Mr. Gagnon discussed Pelham's tax rate in comparison to surrounding communities. He thanked the tax payers for supporting them fourteen years ago, which allowed them to make the progress they had and hoped to have their support this March.

Mr. Lynde questioned if they could put the article off for a year. Mr. Gagnon replied they could potentially put it off a year; however, were the article to fail, they would have the opportunity to put things together and try again next year. He noted land was not getting cheaper and added that an approval didn't mean they would spend the money in the next year.

Mr. Viger opened discussion to public input. No one came forward. He then closed the public hearing.

OTHER BUSINESS

Discussion on a hearing for the Keno Warrant Article

Mr. Viger stated the Board voted to put the Keno article on the ballot. They are required to conducting a public hearing prior to the vote and will conduct such on February 26, 2018.

Board of Selectmen vote on a new Default Budget number

Deferred.

Review of the 2018 Voter's Guide

The Board was provided with a draft of the proposed 2018 Voter's Guide. Mr. McDevitt asked the Board to bring any concerns or corrections to Mr. McCarthy's attention. Mr. Lynde offered amendments.

BOARD OF SELECTMEN MEETING/January 16, 2018

Discussion on the draft Sign Policy

Deferred.

Updates – CMAQ and SAFER Grants

Deferred.

Update - Redistricting

Mr. Lynde told the Board that he had asked for Town Counsel's opinion and heard back that the Selectmen needed Town authority to sue, although individuals could sue. He noted there was a house bill that would be discussed this Thursday that proposed redistricting. He said he would be attending the meeting.

SELECTMEN DISCUSSION

Mr. Leonard announced he would not be seeking re-election for personal reasons; however, he would return to serve the Town in the future. The Selectmen thanked Mr. Leonard for his volunteerism and service to the Town. They appreciated the time he had served on the Board and looked forward to his return.

ADJOURNMENT

The meeting was adjourned at approximately 7:36pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary