

**APPROVED**  
**TOWN OF PELHAM**  
**BOARD OF SELECTMEN MEETING**  
**MINUTES**  
June 11, 2013  
APPROVED – June 25, 2013

CALL TO ORDER – approximately 6:30pm

**PRESENT:** Mr. Edmund Gleason, Mr. William McDevitt, Mr. Hal Lynde, Mr. Doug Viger,  
Mr. Robert Haverty, Town Administrator Tom Gaydos

**ABSENT:** None

**PLEDGE OF ALLEGIANCE**

**MINUTES REVIEW:**

**May 28, 2013**

**MOTION:** (McDevitt/Lynde) To approve the May 28, 2013 public meeting minutes as amended.

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

**May 28, 2013 (non-public minutes)**

**MOTION:** (Viger/McDevitt) To approve the May 28, 2013 non-public meeting minutes.

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

**ANNOUNCEMENT(S):**

- New Fire Station Dedication – Saturday, June 22<sup>nd</sup> 10AM to 11AM / Open House for Public Tours and Festivities 11AM to 3pm
- Congratulations to the Parks & Recreation Department for Pelham, NH being named “Playful City, USA”
- Annual Strawberry Festival, Saturday June 22, 2013 10AM to 2PM at the Senior Center

**OPEN FORUM:**

None.

**APPOINTMENT(S):**

**Lance Ouellette – Discussion regarding Lyons Park Vending Machines**

Mr. Ouellette was not present. Mr. Haverty asked if Mr. Ouellette was notified of the appointment. Mr. Gleason answered yes and believed he indicated he would be in attendance. The agenda item was put on hold until such time as Mr. Ouellette arrives. The Selectmen moved to the next agenda item. (\* See Selectmen Reports below for further discussion)

**OTHER BUSINESS**

**Preliminary Strategy for Willow Street Bridge RFP**

Mr. Gaydos told the Board he received the official notification from the State to start the qualification based analysis. There was an enclosure for all the rules that would have to be followed during the procedure. He stated they would be sending out a general request for qualifications that would be limited to one page. Once responses are received, the Town could narrow down who they wanted more detailed information from.

Based upon conversations the Board had during the last few meetings, relative to how RFP's are handled, Mr. Gleason wanted to know if they felt the proposed approach was adequate moving forward or if they preferred to have a more formalized process. Mr. Lynde said at this point it sounded as if they were sending out a 'feeler' to see who might be qualified. He assumed there would be preamble that they would be looking to have an engineering study to meet certain criteria. Mr. Gaydos said the letter would ask companies to list certain points so they could be narrowed down. Mr. Gleason asked if the process of requesting a letter for qualifications met with the satisfaction of the Board. There was no objection. Mr. Gleason said the Selectmen would discuss the RFP process at an upcoming meeting to formalize the process.

**Use of Lawrence Property**

Mr. Gleason said a question was raised as to whether the property might be appropriate for additional parking for Lyons Field. The covenant warranty deed for the property was provided to the Selectmen.

Mr. Gaydos said the reason the discussion started was because when activities are held at Lyons Park (particularly on the weekends) parking is a problem. Part of the scope of work Continental would be doing is loaming and seeding the area. He noted that the bushes in the area (Japanese Knot Weed) were an invasive species and if they were removed they would need to be specially disposed of. An idea was discussed (between Mr. Gaydos, Police Chief Roark and Park & Recreation Director Johnson) to perhaps explore the idea of having additional parking for Lyons Park. In looking at options, Mr. Gaydos spoke to Continental, who indicated they would leave the area however the Town wanted. Continental said they could bury the (invasive) bushes, which was an adequate way of getting rid of them. He asked for the Board's thoughts.

Mr. McDevitt thought it was a good idea to be concerned about additional parking. There is never a plan for enough parking. However, he felt that the deed (in spirit) would prohibit making the area into a permanent parking place. He recalled that the deed was done several years after the old fire station was built, but didn't remember the details. He said the feeling was the area would be kept as open space. He believed a committee (including public volunteers) should review the entire area in terms of parking based on the various activities occurring.

Mr. Viger questioned if there was any value into making it a grassed area mowed/maintained by the Town with the anticipation of it being used for overflow parking as designated for events such as Old Home Day. Mr. Lynde favored the approach of grassing the area and in certain circumstances using it for overflow. He asked if the trees along the edge near the playground would be taken out. Mr. Gaydos believed that area was a buffer for the neighbors.

91 Mr. Gaydos asked if the Board was interested in removing the fence and burying the invasive  
92 species that ran between the parking lot (of the Municipal Building) and the Lawrence property  
93 prior to grass being put in. Mr. Gleason felt the Selectmen should look at the area.

94  
95 Mr. Haverty felt if the area was grassed and parking was allowed during certain times it would  
96 become a de facto place for people to park. He said unless they were prepared to have people park  
97 in the area every time the fields were in use and an event was being held, they ought to do  
98 something to prevent parking on the lot. He said it was either going to be a parking lot, or it wasn't.

99  
100 Mr. McDevitt believed the fence should come down; it was an old chain link fence that didn't seem  
101 to do much good. He said there were remnants of a stone wall that could possibly remain. He said  
102 no matter what was done, they should get rid of the Japanese Knot Weed.

103  
104 Mr. Gaydos said if the Town wanted to prevent parking in the area, it occurred to him they could  
105 extend the stone wall.

106  
107 Mr. Gleason agreed that they needed more green areas. He felt the covenant was rather explicit and  
108 they shouldn't encourage parking in the area. He felt doing so would be in violation of the intent of  
109 the property donation. He would like to see the invasive shrubbery buried and the space revert to a  
110 green area. He also felt some kind of barrier across the front would be appropriate. He didn't want  
111 to see parking in the area, but at the same time believed it could be used for functions such as Old  
112 Home Day or July 4<sup>th</sup>.

113  
114 Mr. Viger pointed out that seventeen parking spaces (including handicap spaces) were already  
115 planned to be added in the area. He'd like the green space to remain, and if needed they could  
116 reevaluate extending the parking at a later date.

117  
118 Mr. Lynde didn't want to block the area off. He believed there may be a time they would need  
119 overflow parking. He said it wouldn't be standard parking spaces, but people could be directed  
120 where to go.

121  
122 Mr. Gleason agreed that the entire Lyons Park area should be reviewed in terms of parking. He  
123 also agreed that a small committee should be formed to do so.

124  
125 The consensus was to bury the invasive shrubs and convert the area to green space. Mr. McDevitt  
126 said he would be happy to work with Mr. Gaydos and Mr. Lynde (or anyone else) to consider what  
127 they could do to discourage people from parking in the area. He said either way, they would need  
128 to maintain access to the lot. Mr. Gaydos understood the direction of the Board.

129  
130 **Agreement & Release re: Fisher Family Trust**

131  
132 Mr. Gaydos said the document originated with the Fisher Family who had the property, which was  
133 not on a Town road. He said the Town had always had an agreement that the Fisher Family would  
134 maintain the road. He said as the elders had moved on, a trust was created for the offspring. The  
135 agreement was now being transferred from the original owners to the trust. Mr. Gaydos said the  
136 document was sent for legal review and came back fine. The document needed the Selectmen's  
137 signatures.

138  
139 Mr. Gleason understood that the document transferred maintenance of the road to the Fisher family.  
140 Mr. Gaydos answered yes; by signing the document, they would be making sure that the people  
141 now responsible have signed an agreement. There was no further discussion.

The document was circulated for the Selectmen's signatures.

#### **2014 Town Budget Meetings**

- **Objectives**
- **Board of Selectmen Schedule**

A tentative budget review schedule was provided to the Selectmen. Mr. Gleason felt it was important for the Selectmen to set forth an objective for how the departments should proceed. He asked how the Board felt about the budget going into 2014. He wanted to know if they would continue to ask department to hold the line or if they would look to take other measures because of the difficulties they had with the default budget this year.

Mr. Lynde liked the process the Selectmen had been following, by essentially trying to hold the bottom line and asking departments to justify any increases. He didn't think he wanted departments to work off the current default budget, but rather have them work from the budget approved by the Selectmen last year.

Mr. Viger also agreed with having departments hold the line and present anything above and beyond for the Selectmen to decide whether or not it would be put into the budget.

Mr. McDevitt said what is being called the 'default' budget, is the budget the voters approved for the Town. He asked if the Board was suggesting that departments not come in any higher than that amount. It was his opinion that the departments shouldn't come in higher than the budget (approved by voters). He expressed his frustration that no matter what the budget was set at they had additional costs for things such as retirement, health insurance, etc. He noted during the last budget process the Selectmen aimed for a zero increase, but that's not what it turned out to be when all was said and done. He said to the taxpayer there was an increase. He felt the clear message from voters was to have the departments start with zero as the base. Mr. McDevitt commented even though they were working with a default budget, the voters hadn't felt pain because of such. The Town's service levels remained the same.

Mr. Viger agreed with Mr. McDevitt, but struggled with the fact that the Town had a team full of great young managers that had great ideas and wanted to advance their departments, but hadn't had the opportunity economy wise to do so. He thought the Selectmen should ask them to hold the budget, but encourage them to bring things forward that would change or increase their departments. He felt it was important for the departments to maintain growth.

Mr. Haverty said initially he felt it was important for departments to start with a zero based budget and build back up, but after thinking about the process believed that was already being done each year. He said it was down to the dollar for training hours, step increases etc. He said the voters probably didn't have an appreciation that the Selectmen receive pages of a budget that they meticulously go through. In his opinion the budget given to the Selectmen by department heads was a zero based budget with everything being justified. Mr. Haverty felt the approach they've used was 'no growth' and suggested that the Selectmen request the departments to identify the items that they would like above and beyond that budget. The Selectmen could then make and educated decision as to whether or not to add those items into the budgets.

Mr. Gleason felt departments would be penalized if they started with zero given there is a 2%-2.5% growth in the budget every year by items out of everyone's control such as retirement, insurance, contracts etc. It was his preference to ask department to prepare a zero growth budget based upon

193 this year's budget adjusted for the default (items that would be contractually obligated). On top of  
194 that budget, if there are other desired items, they should be prioritized.

195  
196 The Selectmen understood the difficulties and wanted to work with the departments, maintain  
197 levels of service and keep taxes as low as possible. They further discussed the direction that would  
198 be given. They decided the departments would be directed to use the 2014 default as a base and  
199 identify any needs beyond that in priority order. The Selectmen will then make a determination at  
200 the time they are presented whether or not to include items in the budgets.

201  
202 The budget review schedule will begin July 16, 2013.

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204 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

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206 Mr. McDevitt wanted the Selectmen to be aware there was a tiny piece of Town owned land (ML 7-  
207 4-15) that was approximately 225ft long and 20ft. wide at the north end intersection of Lane Road  
208 and Mammoth Road. He said he was not an abutter, but it was in the general area of his  
209 neighborhood. The land was currently being used by someone, which he guessed was an innocent  
210 use. Mr. McDevitt believed the people using the land should be approached through Code  
211 Enforcement and let them know they don't own it. He said the Selectmen could consider offering it  
212 to them on the ballot next March for a minimal amount of money.

213  
214 Mr. Gaydos asked if the Board's direction was to ask the people to cease using the land in the  
215 meantime. Mr. McDevitt didn't recommend doing so because it may create a hardship because  
216 there was a paved driveway on the land. He reiterated that he didn't think the people knew the land  
217 wasn't theirs.

218  
219 Mr. Viger questioned what the general concern was. Mr. McDevitt didn't feel anybody should  
220 pave a driveway across land that belonged to the public. He said if they do it should be rectified,  
221 either by having them stop using it, or figure out a way to transfer it.

222  
223 Mr. McDevitt asked if the Board was agreeable to Code Enforcement alerting the people to the fact  
224 that they don't own the land and if they wish to continue using it, they'll have to approach the  
225 Board of Selectmen (through Code Enforcement) relative to buying the land. He said the idea was  
226 to get the land onto the tax roll. Mr. Viger suggested bringing it to the abutter's attention that it is  
227 Town property, then depending upon what they do, make the second offer for them to purchase it.  
228 The Selectmen agreed to Mr. Viger's approach.

229  
230 Mr. McDevitt told the Selectmen it was brought to his attention the number of people cutting  
231 through the Pelham Common Highway (road behind the old fire station) was getting dangerous.  
232 Mr. Gaydos offered to speak with Continental and if they feel there's a safety problem (because of  
233 the equipment) it could be coned off. The Selectmen asked Mr. Gaydos to speak to Continental.

234  
235 Mr. Lynde reported on the fact that on June 5<sup>th</sup>, Representative Takesian invited several people as  
236 her guests to the Legislature who were introduced. Those people were School Nurse of the Year  
237 Barbara Campbell, Children's Librarian of the Year Debbie Laffond and three art students from  
238 Pelham High School who won National recognition.

239  
240 Mr. Viger and Mr. Haverty had no reports.

241  
242 Mr. Gaydos noted that the Board was supposed to meet with Mr. Ouellette regarding Lyons Park  
243 vending machines. He asked what the Board would like to do. Mr. Viger believed that the

vending machines were under contract with Mr. Ouellette and the question was how the proceeds from the machines would be handled. Mr. Gaydos said when the Parks & Recreation Director Johnson originally spoke with Mr. Mader (of the Ice Garden), the agreement was the contract would be transferred from A Handy Company (Mr. Lance Ouellette's company) to the Town of Pelham. They would empty the machine of any money and the Town would buy any inventory at cost. Parks & Recreation could then create an account to be used for Lyons Park. Mr. Viger asked if there was any issue with transferring the account over and paying A Handy Co. the balance of what was in the machine. Mr. Gaydos said only if they were agreeable. He'd like the Board to make a determination about the direction they'd like to go.

Mr. Haverty understood that they would like to bring the situation to resolution and had offered two potential dates to Mr. Ouellette both of which he was unable to make. He asked to give Mr. Ouellette the benefit of one more meeting. He said if he wasn't able to come in to talk to the matter, the Board could then take action. Mr. Gleason asked Mr. Haverty to contact Mr. Ouellette and encourage him to meet with the Selectmen. Mr. Viger said the Selectmen were open to taking his input if he was unable to physically be at the meeting.

Mr. Lynde asked why they needed machines. Mr. Gleason said the revenue was a potential offset to some of the expenditures that Parks & Recreation had to incur. Mr. Lynde noted that such machines usually contained drinks that contribute to childhood obesity and he didn't feel they were beneficial. Mr. Gleason said the people that utilize Lyons Park frequently use the machines.

Mr. Gleason discussed the Bridge Dedication Ceremony for Sgt. Daniel Gionet. He complimented the Town and everyone involved for that endeavor. It was a beautiful and moving ceremony.

#### **REQUEST FOR NON-PUBLIC SESSION**

**MOTION:** (Haverty/Lynde) Request for a non-public session per RSA 91-A:3,II, a (Personnel)

#### **ROLL**

**CALL:** Mr. Gleason-Yes; Mr. McDevitt-Yes; Mr. Viger-Yes; Mr. Haverty-Yes; Mr. Lynde-Yes

It was noted that when the Board returned, after the non-public session, the Board would not take any other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the meeting. The Board entered into a non-public session at approximately 7:48pm.

The Board returned to public session at approximately 9:55pm.

**MOTION:** (McDevitt/Viger) To seal the minutes of the non-public session indefinitely.

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

#### **ADJOURNMENT**

**MOTION:** (McDevitt/Viger) To adjourn the meeting.

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

The meeting was adjourned at approximately 9:55 pm.

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Respectfully submitted,  
Charity A. Landry  
Recording Secretary