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**APPROVED  
TOWN OF PELHAM  
BOARD OF SELECTMEN MEETING  
MINUTES  
January 31, 2017  
APPROVED – February 28, 2017**

**CALL TO ORDER** - approximately 6:30PM

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

ABSENT: None.

**PLEDGE OF ALLEGIANCE** – Lead by Cub Scout Pack 610 Webelos II

**MINUTES REVIEW**

**January 17, 2017**

**MOTION:** (Lynde/Spencer) To approve the January 17, 2017 meeting minutes as amended.

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

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**ANNOUNCEMENT**

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- The NH DMV will be implementing “VISION”, the new driver license system in the month of February. During this implementation, the Town’s connection to the State system for issuing plates and renewing plates and any other motor vehicle transactions will not be available. *Please avoid the dates of Friday, February 17<sup>th</sup> through Tuesday, February 21<sup>st</sup> as the DMV Statewide will not be open to the public and the system will not be available to the Town, as municipal agents for the State.* Monday, February 20, 2017 is a legal holiday, all Federal, State and Town Offices will be closed in observance of President’s Day. The Town Clerk office will close at 4pm on February 21<sup>st</sup>. If the implementation goes well, all operations will be back to normal on Wednesday, February 22<sup>nd</sup>. *As February is a short month, we encourage February registrants to renew before the dates indicated above. Note: The Town Clerk’s office will remain open for all other transactions not related to vehicle registrations on the specified dates.*
  - Monday, February 20, 2017 Town Offices will be closed in observance of President’s Day.
  - Town of Pelham Deliberative Session will be on Tuesday, February 7, 2017, the Pelham School Deliberative Session will be on Wednesday, February 8, 2017. Both will be held in the Pelham High School Auditorium beginning at 7pm on their respective nights.
  - Time period for filing Declaration of Candidacy with Town Clerk’s Office – January 25, 2017 thru February 3, 2017 by 5pm
  - Senator Jeanne Shaheen’s Office – to hold office hours at Town Hall on Tuesday, February 3, 2017 from 11am to 12pm.

**OPEN FORUM**

No one came forward.

### **APPOINTMENTS**

**Cub Scout Pack 610 Webelos II – The Cub Scouts are finishing their final requirements before crossing over to the Boy Scouts. They are working on requirement “Building a Better World” which revolves around being a good citizen & doing your duty to make the country we live in better each day. They are required to meet with a public official and have a Q&A session.**

An adult leader came forward with five Cub Scout Webelos. The Scouts read through a prepared list of questions. The Board spoke about how to become a Selectman, the reason why they wanted to serve and the various roles of the Selectmen and how meetings are conducted.

The Selectmen thanked the Scouts for meeting with them and invited them to come back in the future.

**Introduction – Police Captain Stephen Toom to introduce new Police Prosecutor. Selectmen signing of contract.**

Police Captain Stephen Toom and Police Lieutenant Anne Periello came forward and introduced Attorney Brendan Carroll, the new Police Prosecutor. Captain Toom summarized Atty. Carroll’s background and experience. The Selectmen welcomed Atty. Carroll. In response, Attorney Carroll thanked the Board for affording him the opportunity to serve the Town.

The Selectmen and Attorney Carroll signed Attorney Carroll’s employment contract.

**Update – Highway Department Director Frank Ferreira on merger with Transfer Station**

Mr. Viger stated at their last meeting the Selectmen discussed merging the Highway and Transfer Departments but wanted to hold any decision for Mr. Leonard to be present. He understood Mr. Ferreira had a good experience with the two departments and felt confident they could be merged. Highway Agent Frank Ferreira came forward and told the Board everything was going well. Mr. Viger asked Mr. McCarthy to speak about how a merger would affect the union contract. He and Mr. Ferreira met with the AFSME union representative to get an idea of their position and hear if they had any issues with merging both departments. He stated everyone was in the same union, and the union representative didn’t see any issue; it was a positive meeting. Mr. McCarthy pointed out with having one department, the employees could be cross-utilized.

Mr. Viger felt the Board should make two motions, the first to merge Highway and Transfer with one director, the second to possibly rename the combined department. Mr. Lynde made a motion to merge the Highway Department and Transfer Station Department under one director. Ms. Spencer seconded. She stated Mr. Ferreira had done a remarkable job handling both departments, was actively participated in the highway garage project and instrumental in ensuring both departments run smoothly. She voiced her support for the motion without reservation. Mr. Viger commented he was skeptical of one person being able to handle the two departments; however with the assistance of Marie Maruca being the ‘right hand’ person and seeing the process move forward, it gave him the confidence to know that one director could run the department with an assistant. Mr. McCarthy added that Ms. Maruca had done a fantastic job and was very good organizationally and determining what needs to be done within both departments. He felt both Mr. Ferreira and Ms. Maruca should be commended.

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95 Mr. Leonard questioned if the Transfer Station workers would now be mandated to get CDL licenses,  
96 or other endorsements. He wanted to know how the employee skill sets would be merged. Mr.  
97 McCarthy believed they would see what people's skill sets were and how the departments could be  
98 intertwined. Mr. Ferreira stated if someone wanted to get their CDL, they could, but he didn't see  
99 mandating them to do so. Mr. Leonard felt they should be cognizant of 'mandated' versus  
100 'opportunity', and the possibility of grandfathering within a person's current position. Mr. Viger  
101 agreed and believed they would be asked to do similar jobs. He pointed out this was a new situation  
102 and the only thing they knew at present was that the contract was the same. They wouldn't be forcing  
103 anyone to do anything that wasn't in their job description at this point. Mr. McCarthy told the Board  
104 as the process progressed they would meet with staff and get their thoughts.  
105

**MOTION:** (Lynde/Spencer) To merge the Highway Department and Transfer Station under  
one director.

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

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107 Mr. Viger asked the Board's opinion about the name of the department and if they wanted to make a  
108 change. Mr. Lynde suggested having Mr. Ferreira work with the job and come back to the Board.  
109 Mr. McCarthy replied they had planned to create a 'road map' after speaking with the union and  
110 employees and determine a date to officially change over. Ms. Spencer questioned at this point if it  
111 would be efficient/wiser to keep the department's budgets separate or combined. Mr. Ferreira replied  
112 it might be better to keep the budgets separate this year and work to combine them during the next  
113 budget cycle. In Mr. Viger's opinion they could call the department anything, but he would still want  
114 to see the Highway and Transfer 'buckets' separate.  
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116 Mr. Leonard asked if there had been any research for how other similar towns structured their  
117 departments. Mr. McCarthy replied he had reviewed other towns and reviewed their policies. Mr.  
118 Leonard asked if it was worthwhile to speak with Dracut DPW. Mr. Ferreira felt it was. Mr. Viger  
119 believed some items might make sense to merge in the budget, which could be reviewed later in the  
120 year.  
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122 Mr. Viger stated at this point the Board voted to merge the two departments and understood the  
123 budgets would be kept separate for now and determine what direction to head just prior to budget  
124 time (June/July).  
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### **Board of Selectmen vote on new highway truck lease**

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128 The Board discussed the lease agreement for the 10-wheel dump truck that had been burned. Mr.  
129 Viger commented that the Board had previously asked questions and requested information; they  
130 were provided with information and a copy of the proposed lease agreement, which he felt was 'boiler  
131 plate' language.  
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133 Mr. McCarthy told the Board that the agreement had been vetted and approved by Attorney Ratigan  
134 (Town Counsel) and there had been some back and forth with the contract verbiage that was worked  
135 out to benefit the Town. He believed the initial payment amounts were \$67,000; however, Highway  
136 Road Agent Frank Ferreira was able to further negotiate and reduce the number.  
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138 Mr. Leonard confirmed that the truck color was blue. Mr. Ferreira stated it was.  
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140 Mr. Viger stated the only thing he would like to change in the agreement was to authorize Town  
141 Administrator McCarthy to sign the agreement. He accepted a motion to authorize Brian McCarthy

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to sign the agreement on behalf of the Board of Selectmen. Mr. McDevitt made a motion. Ms. Spencer seconded.

Mr. Leonard confirmed that the Town was purchasing the truck. Mr. Viger answered yes; the agreement was for a lease-purchase.

**MOTION:** (McDevitt/Spencer) To agree to enter into the lease with Municipal Lease and Credit Corporation and the Town for the lease-purchase of one new International Dump Truck with plow and authorize Town Administrator Brian McCarthy to sign the lease on behalf of the Board of Selectmen.

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

**Discussion – Fire Chief James Midgley to discuss a new bid-buying program for the purchase of the new ambulance**

Chief Midgley provided the Board with information about Houston-Galveston Area Council ('HGAC') that was formed approximately thirty years ago as a way for the State of Texas and area regions to have buying power. He was initially skeptical and conducted research to see if anyone in the area had used it. He learned that Salem, Nashua and Manchester were using the program as a way to make purchases. He noted that Salem had saved tens to thousands of dollars and purchased four vehicles. He explained the set up and filing process, which would be done as the Town of Pelham so any department within the Town could utilize the program to make purchases. Using the program to contact local vendors for purchasing the ambulance could save the Town \$3,000-\$5,000 (depending on options). Chief Midgley was seeking permission to utilize the program's bid process versus using the process they've used in the past.

Mr. Viger understood the department typically elected a committee to review the type of vehicle needed. He questioned if the program limited where things were purchased. Chief Midgley replied they would be dealing with local vendors that they've already been dealing with. There would be no change in that aspect; if a vehicle has a problem they would send it back to the dealer they've already dealt with. Mr. Viger wanted to know if the program and vehicles/accessories would be able to meet the committee's needs. Chief Midgley answered yes. The committee had been meeting for nearly a year and narrowed the selection to four vehicles. Mr. Viger asked if the group would take the trade-in. Chief Midgley replied the vendor selling the vehicle would take the trade.

In reviewing the information and hearing the process, Ms. Spencer said the program sounds similar to a membership club. She asked what the fee would be. Chief Midgley replied it varied by vehicle. Ms. Spencer understood that the savings of using the program would be more than the program fee. Chief Midgley answered yes. He noted there was no cost unless the Town entered into a contract with a distributor. He reiterated that the contract would be with the Town, not restricted to the Fire Department, so other departments could buy through the program. He said most of the vendors they deal with are on the list.

If the Town was to purchase a vehicle through the program, Mr. McCarthy wanted to know if the Town could use its own financing. Chief Midgley said the program didn't care about the financing. Mr. Lynde wanted to know how they could purchase a vehicle at a lower price through the program versus buying direct. Chief Midgley explained the program uses buying power, similar to the club stores (i.e. Sam's Club). There is an extensive list of the types of vehicles online for other departments to review.

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Mr. Viger asked Chief Midgley what action he needed from the Selectmen. Chief Midgley replied he needed the Selectmen's permission to not follow the normal bid process. Mr. Viger believed the (HGAC) fell within their bid process, it was the outcome that was different. Mr. McDevitt agreed and felt it was the spirit of the bid process. There was no opposition.

### **Resignation – Acceptance of resignation from Forestry Committee Member Christine McCarron**

Mr. Viger read aloud Christine McCarron's resignation letter from the Forestry Committee dated January 5, 2017, effective immediately. Mr. Lynde stated Ms. McCarron had been an asset to the Forestry Committee and the Town and spoke about what she had done during her time with the committee. He also stated she would be missed. Mr. McDevitt agreed with Mr. Lynde's comments.

**MOTION:** (McDevitt/Lynde) To accept Christine McCarron's resignation from the Forestry Committee with thanks for her prior service.

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

### **Discussion – Elderly Exemption**

Mr. McDevitt believed the committee process had not worked the way they had liked it to. He said there had been two resignations, and one member moved from Town. He stated the Board didn't have to decide tonight, but had said to people they would take some action on the Elderly Exemption. He felt they should rethink their approach and possibly have a work session to come up with ideas. In the meantime, he pointed out if someone was having difficulties and the current exemption was not in their instance generous enough to protect them, the Selectmen couldn't waive taxes, but the Town could lien the house for the amount of taxes due. There was legal opinion from Town Counsel that indicated the Town could lien a home for three years, and if there is a compelling reason, the Town could lien a house for a fourth year (and it could be renewed each year). The Town as under no compulsion to acquire a property from someone. Mr. McDevitt reiterated that the Town had elderly exemptions in place. He briefly spoke with the Senior Center Director who had some ideas on how the Town might approach the elderly exemption. He will have a discussion with her and come back to the Board for discussion.

Mr. Viger stated due to unforeseen consequences, some people had dropped out and had a lack of traction. He wanted to be prepared to speak to the topic during Deliberative Session. Mr. McDevitt felt the best answer was to be candid.

### **SELECTMEN / TOWN ADMINISTRATOR REPORTS**

Mr. McDevitt spoke about the recent emergency Planning Board meeting to vote on three Zoning Warrant Article.

Mr. Lynde informed he had gone to Concord and testified on HB325. He spoke about former Supreme Court Chief Justice John Broderick who gave a seminar about knowing the five signs and bringing awareness to mental health. It had good attendance and is replaying on PTV.

Ms. Spencer stated the Highway Building committee met and welcomed a new member, whose skill set is proving to be invaluable. The committee discussed the building location. She noted that the Highway Agent met with the Building Inspector and had a very preliminary conceptual drawing that incorporated the foundation of the current (salt) shed because the Highway Agent had learned that the

foundation was built with the foresight of branching off from it. The committee decided for exploratory purposes that the location would likely be off the salt shed. Ms. Spencer then reported that the inaugural meeting of the Pelham Youth Council went well and they elected officers. She noted they had discussed priority items and believed the group would be productive and successful. They were interested in attending a Selectmen meeting.

Mr. McCarthy stated in December he received correspondence from NH Department of Transportation ('DOT') who had a plan to construct a median in front of Gage Hill Variety as a traffic calming measure. He noted they had created the plan without speaking to the owner, Highway Safety Committee or Highway Department, so he invited them to a meeting. A representative of DOT attended a meeting and the Town and area abutters provided them with a history of the intersection and traffic problems. Because Pelham qualifies, the DOT will install a new (state of the art) sign in the area of Beacon Hill that will flash 'traffic' when vehicles are sensed at the intersection of Ledge Road / Rt. 38. Mr. McCarthy suggested to the DOT representative to install the sign and review if the median would still be necessary. In other parts of the country where the sign had been used, it had reduced accidents by 60%-65%. He informed that the median was on hold and the DOT will contact the Town with a date to install the sign. He will keep the Board informed. Mr. McCarthy spoke with the DOT regarding the Mammoth Road / Keyes Hill Road intersection and stated he would send them intersection data and they will possibly install LED lights. He will keep the Board informed.

Mr. Viger spoke about drafting the Voter's Guide and offered to work with Mr. McDevitt to draft the verbiage and possibly do a reading on PTV for the public.

Mr. Lynde discussed the Board's action from the previous meeting regarding the petition article regarding the All Veteran's Exemption. He believed the words 'Submitted without recommendation' should be included. Mr. McDevitt noted the words could be added at Deliberative Session.

Mr. Lynde then spoke about Town Counsel's opinion regarding property tax liens and wanted to ensure the Town was following the outlined process. Mr. McDevitt replied he would speak with Mr. McCarthy and the Town Clerk/Tax Collector regarding such.

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

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

**ROLL CALL:** Mr. Viger-Yes; Mr. Lynde-Yes, Mr. McDevitt-Yes; Ms. Spencer-Yes; Mr. Leonard-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 8:22pm.

The Board returned to public session at approximately pm.

#### **ADJOURNMENT**

**MOTION:** ( ) To adjourn the meeting.

**VOTE:** ( ) The motion .

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276 The meeting was adjourned at approximately pm.

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Respectfully submitted,  
Charity A. Landry  
Recording Secretary