

**APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
December 5, 2017
APPROVED – December 19, 2017**

CALL TO ORDER - approximately 6:30PM

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

ABSENT: None.

PLEDGE OF ALLEGIANCE

MINUTES REVIEW

November 21, 2017

MOTION: (Lynde/McDevitt) To approve the November 21, 2017 meeting minutes as amended.

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

ANNOUNCEMENT(S)

- Town offices will be closed Monday, December 25, 2017 for Christmas and Monday, January 1, 2018 for New Year;
- Fire Auxiliary is seeking nominations for the Outstanding Citizenship Award to be presented during the Fireman's Ball (January 27, 2018) – contact Fire Chief James Midgley for additional information;
- Open enrollment for healthcare runs through Friday, December 15, 2017, questions or comments can be directed toward healthcare.gov

OPEN FORUM

Ms. Sabina Chen, 23 Yellow Wood Drive, Chair of Pelham Democrats told the Board it came to their attention there was an open seat in Hillsborough District 37 with the Agricultural Commission. She wanted to know the steps for requesting a special election. Mr. Lynde didn't think that the Town could declare a special election for a State office. He believed the Secretary of State's office would schedule one. Ms. Chen questioned if Pelham had held a special election in the past for a similar circumstance. Mr. Lynde didn't believe the Town had the ability to do so.

APPOINTMENT(S)

SECOND PUBLIC HEARING on a land donation from Fred Merriam. A 5.8 parcel (Map 34 lot 6-214)

Conservation Chair Paul Gagnon came forward to discuss the donation. He commented that the Board had discussed the land during previous meetings when speaking about the purchase of another Merriam parcel containing approximately 46.5 acres. He noted that the Conservation Commission had voted in favor of accepting the parcel and the Planning Board had supported that recommendation.

Mr. Viger opened the hearing to public input. No one came forward.

Mr. McDevitt wanted the public to know that the Board had considerable discussion, explanation and maps preceding the current consideration, which was why they weren't going over it again. There had been no one from the public that came forward to speak during those meetings.

Mr. Lynde noted with the acquisition of the two parcels, the Town will have met the goal of acquiring 1,000 acres. Mr. Gagnon noted the acquisitions were done using current use money and bond money. He added that a warrant article would be put in front of the voters to request \$1.5 million (bond) to hopefully acquire an additional five hundred acres. Mr. Gagnon told the Board that the two parcels being discussed were the last two parcels owned by the Merriam family. He spoke about the previous parcels purchased from the family and what value they had to the Town and appreciated the support of the conservation efforts.

Mr. Lynde thanked Mr. Merriam and his father for their generous donation to the Town. He hoped they would take comfort in knowing that the parcels were key in having connecting open space areas from Sherburne Road to Keyes Hill Road. Mr. McDevitt echoed Mr. Lynde's comments. He said the conservation land made a difference to the quality of life in the Town, and as time goes on it will make more of a significant difference as Pelham becomes more urbanized. He said the significance would continue to grow and grow over time. He thanked the Merriam family.

MOTION: (Lynde/Spencer) To acquire the donation of approximately 5.8 acres (Map 34 Lot 6-214) from Mr. Fred Merriam.

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

To acquire the Merriam parcel (approximately 46.5 acres off Mammoth Road / Map 39 Lot 6-181)

The Board had previously conducted public hearings and had several discussions regarding the acquisition of the proposed parcel.

MOTION: (Spencer/Lynde) To acquire the Merriam parcel of approximately 46.5 acres (off Mammoth Road) - Map 39 Lot 6-181 from Mr. Fred Merriam.

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

Mr. Gagnon noted they planned to close December 26, 2017.

OTHER BUSINESS

Vote on expenditure for the ornamental tree care proposal project (\$14,800)

Mr. McDevitt stated that the initial cost to care for approximately 127 ornamental trees owned by the Town is \$14,800. He explained that they had interviewed a number of arborists; however, only one (Bob McCabe) was interested and submitted a detailed proposal in a timely fashion. The cost was \$27,000. He suggested that the cost could be reduced by withdrawing \$4,000 from the Village Green Tree Fund, and also taking \$8,200 from the Recreation Revolving Fund. The total cost would be reduced to \$14,800 to be raised by taxes. He said that amount could either be taken from available funds (2017 budget), or reviewed at reconsideration in the Town Buildings line.

Mr. Viger questioned if there was enough money this year, or if they would need to encumber some/all of the money to enter into a contract. Mr. McCarthy replied his goal was to pay this year from the Town Buildings line. Mr. McDevitt noted doing so would allow Mr. McCabe to start early in the spring.

Mr. Lynde questioned if they needed a motion to take \$4,000 out of the Village Green Tree Fund. Mr. McDevitt answered yes and believed it could be included in one motion.

MOTION: (McDevitt/Spencer) To expend \$27,000 for arborist Robert McCabe for ornamental tree care, to be funded by withdrawing \$4,000 from the Village Green Fund, \$8,200 from the Recreation Revolving Fund, with the balance to be paid by the current (2017) budget.

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

Request to approve expenditure from the Raymond Park Trust Fund

Mr. Viger stated Boy Scout Troop 610 has requested to withdraw \$560.23 from the Raymond Park Trust Fund to install an ice melt cable. The cost includes parts, labor and installation.

MOTION: (McDevitt/Spencer) To withdraw \$560.23 from the Raymond Park Lodge Trust Fund to be used to pay for the installation of ice melt cables on the lodge to avoid future damage.

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

Review of the 2018 default budget

Mr. Viger noted that Mr. McCarthy had put together the default budget for Selectmen review. Mr. Lynde wanted the figure for the regular budget. Mr. McCarthy stepped away to confirm the 2018 operating budget number.

The proposed 2018 budget is \$15,566,330 (as approved by Budget Committee)
The proposed 2018 default budget is \$15,278,753.

MOTION: (Lynde/McDevitt) To approve \$15,278,753 as the 2018 default budget.

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

Review and vote on the Fund Balance Policy

The Board was provided with a copy of the policy to review. Mr. McCarthy explained it was recommended by the auditors that the Town enact policies regarding their financials. The fund balance policy was the first they recommended. He read aloud the purpose, as contained in the policy. The policy has been forwarded to Melanson, Heath & Company, the Town's auditors.

Mr. McDevitt wanted to know what mechanism would prompt an annual review of the policy. Mr. McCarthy replied he kept an ongoing calendar that acted as a reminder for his tasks. When appropriate he will provide the Board with a synopsis of new policies that were enacted and any changes for each policy as appropriate.

127 **MOTION:** (Lynde/McDevitt) To accept (adopt) the Fund Balance Policy as written.

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

129 **Review and vote on the Management of Cash Funds Policy**

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131 Mr. McCarthy stated that the Town auditor had recommended adopting a cash management policy for
132 quarterly audits. He read aloud the purpose, as contained in the policy.

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134 Mr. Lynde offered a minor grammatical correction.

135 **MOTION:** (Spencer/McDevitt) To adopt the Management of Cash Funds Policy as amended.

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

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138 **Review and vote on the Workplace Safety Policy**

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140 Mr. Viger recalled during their last meeting Mr. Leonard had some questions regarding the flow of the
141 policy language and understood Mr. McCarthy made some changes. Mr. Leonard stated he was okay
142 with the policy.

143 **MOTION:** (Leonard/McDevitt) To adopt the Workplace Safety Policy as written.

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

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145 **Review and vote on the Use of Town Property (parks, fields & facilities) Policy**

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147 Mr. Viger recalled Ms. Spencer previously had some legal questions and believed they had been
148 identified and answered. Ms. Spencer stated they had been answered.

149 **MOTION:** (Spencer/Lynde) To adopt the Use of Town Property Policy as amended.

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

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151 Mr. McCarthy asked that the Board sign the policy so he could provide the adopted policy to the Parks
152 and Recreation Department.

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154 Mr. McDevitt asked if the information in the policy be put in pamphlet form and made available at the
155 Town Clerk, Planning and Recreation offices. Mr. McCarthy answered yes. His understanding was
156 when someone wants to use Town property, they will be provided with the entire policy and asked to
157 sign a signature page.

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159 **Review and vote on the Investment Policy**

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161 Mr. McCarthy explained that the proposed policy was at the recommendation of the Treasurer to create
162 structure to Town investments. He read aloud the purpose, as included in the policy.

163 **MOTION:** (Spencer/McDevitt) To adopt the Investment Policy as written.

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

Mr. McCarthy stated he would ensure the policy was put in front of the Treasurer and Selectmen each December.

Review and vote to designate Little Island Park lots (24-12-46, -47, -48, -49, - 50, -51, -52, 53, -54, -55, -57, -58, -59, -61 and 24-12-100) as no hunting.

Mr. Viger stated the Selectmen discussed designating Town lots in the area of Little Island Park as 'No Hunting'. It was noted that there were two privately-owned parcels (lots 56 and 60) that were in the area and not included in the proposal.

MOTION: (Lynde/Spencer) To designate the said parcels as 'No Hunting'.

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

Mr. Viger stated the Town had a responsibility of posting signage as any land owner would. Mr. McCarthy replied he met with Mr. Pultar and Mr. Carter who would work together and hang signs as appropriate.

2017 Encumbrances

Mr. Viger said as the end of the year approaches, the Town may have on-going projects that may carry into the following year. He commented that the State allowed them to encumber money from the current budget and carry it over to the following year's budget, providing they have a signed contract or ongoing project that will still utilize the current year's budget. Mr. McCarthy provided the Board with a document outlining encumbrance requests from the 2017 budget (total of \$46,220) that would be carried into 2018. He explained how these encumbrances would be used.

- 1) Emergency Management Fund – 2017: \$8,296
- 2) Emergency Management Fund - 2016: \$5,924 and \$5,000
- 3) Assessing - \$5,000
- 4) Assessing Specials - \$21,000
- 5) Local Government - \$1,000

Mr. McDevitt suggested that the \$1,000 from Local Government be found in the budget to hold the blood pressure clinics and nutrition programs. He felt it was a small amount to encumber. Mr. McCarthy replied he didn't know what arrangements needed to be made. He said if they didn't encumber the money, it would have to be paid out of next year's budget. Mr. Lynde felt it was an investment that would pay dividends and suggested putting more money toward it. Mr. McCarthy asked if they could add \$1,000 to the 2018 budget line during reconsideration. He was hesitant to any additional money (as Mr. Lynde suggested) without having data. Ms. Spencer agreed that more data would be beneficial as to how many people were taking advantage of it and what impact it had. Mr. Lynde suggested the Human Resources Director review what they would like in the budget.

MOTION: (McDevitt/Lynde) To accept the request for encumbrances as outlined in the memo from Mr. McCarthy totaling \$46,220.

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

Mr. Lynde believed \$3,000 was appropriated in 2017 for Pelham Community Coalition, of which approximately \$600 was spent. He asked the Board to consider encumbering the remaining \$2,400.

BOARD OF SELECTMEN MEETING/December 5, 2017

MOTION: (Lynde/Spencer) To add \$2,400 (for Pelham Community Coalition) to the previously approved encumbrances of \$46,220, bringing the total for encumbrances up to \$48,620.

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

Discussion on the Boiler Replacement Project.

Mr. Viger commented that the Board had a lot of discussion regarding the boiler replacement project. The total amount for the project from Energy Efficient Investments ('EEI'), without leasing was approximately \$910,000. He said the Board asked for legal opinion to find out if they could enter into a lease agreement with an escape clause without Town Meeting approval; Town Counsel didn't feel it could be done without voter approval. Ms. Spencer recalled a previous discussion regarding a similar situation where the Board was told they could enter into contract if there was an unfettered escape clause. Mr. McCarthy advised the Board he didn't have a definitive answer from Town Counsel.

There was a brief discussion regarding the problems with the current system that burned 25 gallons per hour for each boiler and had no thermostat controls. The proposed cost included the boiler replacement, HVAC and fire suppression.

Mr. Lynde envisioned they could have a warrant article asking the Town to appropriate the money and establish a 10-year lease, with the first year payment coming from the fund balance. He noted there would be a savings each year to help offset the cost in future years. Mr. McDevitt commented about the information EEI provided with the anticipated fuel cost savings for each year, which was not as high as he thought it would be. Mr. Lynde asked if they had an estimated cost for the sprinkling system (fire suppression). Mr. McCarthy believed it was approximately \$225,000-\$250,000. Mr. Lynde questioned if funds could be encumbered to cover that share of the cost in the Town Building account since it was an immediate need as they were currently in violation. He said they could then submit a warrant article for the project that indicated where the money would come from. An article could be reviewed during reconsideration.

Mr. McCarthy told the Board he had to send warrant articles to the Department of Revenue Administration ('DRA') no later than December 15th. Mr. McDevitt felt the whole thing should be put into a warrant article, with a 10-year lease and take \$200,000 (or some number) out of the fund balance. Mr. Lynde asked if he would be amenable to encumbering money for the sprinkler system out of this year's budget. Mr. Viger noted if they encumber the money for the sprinkler system this year it will ensure they address the code violation. Mr. McCarthy felt the Board should encumber the cost of the sprinkler system, just in case the warrant article is turned down; then the violation can be addressed. Mr. McDevitt agreed.

Mr. Lynde made a motion to encumber \$250,000 from Town Buildings to install a sprinkler system. Mr. McDevitt seconded for discussion. Mr. Viger questioned if that amount of money was exclusive, or all-inclusive to the project as a whole. Mr. Lynde believed it was an adequate amount if they had to do the project alone. Mr. McCarthy didn't get the impression that the cost would differ. From what he understood while the other work was being done in the ceiling, the sprinklers could be done simultaneously.

MOTION: (Lynde/McDevitt) To encumber \$250,000 out of the Town Building account for the purpose of being able to correct the life safety code violation in the Municipal Building by installing a sprinkler system.

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

Mr. Lynde then made a motion to submit a warrant article. Mr. McDevitt seconded for discussion. Mr. Viger said he would work on the article wording. Mr. McCarthy will find out from DRA if a warrant article can be submitted late.

MOTION: (Lynde/McDevitt) To submit a warrant article to change over the heating system from fuel oil to natural gas; to appropriate \$660,000 to replace the boiler system and add HVAC to Town Hall with an offsetting of \$260,000 out of the fund balance, which leaves a \$400,000 bill to pay on a term lease.

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

TOWN ADMINISTRATOR / SELECTMEN REPORTS

Mr. Lynde provided a report of the hearings/cases presented and discussed during the Planning Board meeting. He noted that the Festival of Trees concluded and was a successful event.

Mr. McCarthy reported that the compactor building at the Transfer Station was up and running. He said some people in Town criticized the size of the building; however, it's efficient and functioning as designed. The original bins will continue to be used. A device will be used to scoop the bins out and bring material to the new conveyor for compacting. The trailers located across from the new compactor will be removed. Mr. McCarthy informed the Board that the employees will receive training on all new equipment.

REQUEST FOR NON-PUBLIC SESSION

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

ROLL CALL: Mr. Viger-Yes; Ms. Spencer-Yes; Mr. McDevitt-Yes; Mr. Lynde-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 8:20pm.

MOTION: () To leave non-public session.

VOTE: The motion .

The Board returned to public session at approximately pm

Non-Public minutes -

ADJOURNMENT

The meeting was adjourned at approximately pm.

Respectfully submitted,

BOARD OF SELECTMEN MEETING/December 5, 2017

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Charity A. Landry
Recording Secretary