

APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN MEETING
MINUTES
July 23, 2013
APPROVED – August 6, 2013

CALL TO ORDER – approximately 6:30pm

PRESENT: Mr. Edmund Gleason, Mr. William McDevitt, Mr. Robert Haverty, Mr. Hal Lynde (after the meeting commenced), Mr. Doug Viger, Town Administrator Tom Gaydos. Also present Finance Director Cindy Kelley

ABSENT: None.

PLEDGE OF ALLEGIANCE

MINUTES REVIEW:

July 9, 2013

MOTION: (McDevitt/Viger) To approve the July 9, 2013 public meeting minutes as amended.

VOTE: (3-0-1) The motion carried. Mr. Haverty abstained. (he was absent for the meeting)

ANNOUNCEMENT(S):

- Board of Selectmen is accepting Volunteer Applications for a Full-Time Zoning Board of Adjustment Member for the current term ending March, 2015. Information and Volunteer Application can be found at the employment website at www.pelhamweb.com/employment. Accepting applications will be accepted for the position until August 2, 2013.

Mr. Lynde arrived.

OPEN FORUM

None.

6:45PM - PUBLIC HEARING:

Regarding a Proposal to Purchase Property of Approximately 36 acres of a 39.5 acre lot defined as Tax Map 33 Lot 1-161, 16-18 Greenmeadow Drive. This lot is being acquired for use as conservation land.

Mr. Gleason opened the public hearing. Conservation Chairman Paul Gagnon came forward and discussed the proposed parcel and the critical nature for obtaining the lot because it helps to connect the Merriam conservation land to the Gumpas Pond parcel. He believed the purchase price was \$264,000. Mr. Gagnon felt it was a terrific acquisition and great addition to the land the Town currently had. A comprehensive discussion/presentation occurred at the previous Selectmen meeting.

No one came forward from the public to offer comment.

Mr. Gleason noted that the acquisition was below the market price and a good deal for the Town. Mr. Gagnon commented from the \$3 million dollar bond (passed in 2003), they had approximately \$1.6 million remaining. Most of the acquisitions have come from current use funds.

MOTION: (McDevitt/Lynde) To approve the acquisition.

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

OTHER BUSINESS

Munismart Enhancement for Online Registrations

Mr. Gleason said the Selectmen would have a minor discussion regarding the Town Clerk's Office being allowed to provide the ability for on-line automobile registrations, dog licenses, vital statistic applications and eventually tax payments. This activity will begin October 1, 2013 if the Board concurred with proceeding. He asked if the Board had any concern or direction on the matter. There will be a \$1.50 usage fee for any transaction that takes place; multiple transactions will only require the one payment of \$1.50. There is also a 2.9% user fee on transactions. The on-line ability does not preclude residents from having the ability to submit payment directly to the Town Clerk's Office, it is simply a convenience. Mr. Gleason said EReg would be integrated with the Town's Munismart system. Other than \$600 for the acquisition of three credit card readers, the Town Clerk will need to purchase a micro printer for receipts). There is a \$60 annual support cost for the system. He noted there would be a small fee (less than \$100) this year that can be absorbed into the Town Clerk's budget.

It was noted that EReg would keep the \$1.50 usage fee; the 2.9% transaction fee is given to the credit card processing company. At the time of implementation, complete information will be available for those wanting to use the service. The Town will not receive profit from the service.

There was no objection by the Board to implement the EReg system. The Board will revisit the topic in September to create a public publicity campaign to advise the public of its availability.

Town Owned Land Bid Award(s):

Mr. Gleason commented that an advertisement had gone out for the sale of properties in compliance with Warrant Article #12 (March 2013 Town Meeting), under which the Selectmen were authorized by the Town to sell certain land. Mr. Gaydos stated advertisements were placed in two newspapers and on the Town website. As suspected, there were two property owners (abutters) interested in the parcels. Lot #1 at 50 Jericho Road received the minimum bid of \$100 from David Mendes. Lot #2 at 8 Little Island Park received a bid of \$375 from Robert Roy, who asked that the parcel be free and clear of all liens. Mr. Gaydos will assure Mr. Roy that there were no liens on the property since the Town took it. He suggested that the Board first accept the bids and then award them separately.

MOTION: (McDevitt/Viger) To accept the two bids as proposed.

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

The Tax map and lot number was confirmed by Mr. Gaydos.

Lot #1 – Located at 50 Jericho Road (Map 42, Lot 10-211, +/- .5 acres)

MOTION:

(McDevitt/Viger) To sell to David Mendes for \$100 the lot identified in the Selectmen's agenda as Lot #1 located at 50 Jericho Road (Tax Map 42, Lot 10-211, +/- .5 acres).

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

Lot #2 – Located at 8 Little Island Park (Map 24, Lot 11-380, +/- .11 acres)

MOTION: (McDevitt/Lynde) To sell to Robert Roy what is identified in the Selectmen's agenda as Lot #2 located at 8 Little Island Park (Tax Map 24, Lot 11-380, +/- .11 acres) for \$375.

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

7:00PM – PUBLIC HEARING:

Regarding a Proposal to Purchase Property of Approximately .28 +/- acres located at Tax Map 31 Lot 11-27. This parcel is being acquired for use as conservation land.

Mr. Gleason opened the public hearing. He noted this was the second public hearing. Conservation Chairman Paul Gagnon came forward. He commented that the parcel was small, but strategically located on the curve of a Spring Street parcel owned by the Town. The parcel has an odd shape but at the same time is located at an ideal point of access to Town property for logging purposes and a trail head. The other access points to the Town parcel would require wetland crossings and were much less desirable. Mr. Gleason confirmed that the acquisition would be made at the current assessed value, to which Mr. Gagnon answered yes.

MOTION: (Lynde/McDevitt) To acquire the property.

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

7:05PM – PUBLIC HEARING:

To discuss the renaming of certain roads and readdressing of certain properties to facilitate the necessary changes resulting from the dual roundabout intersection improvement project scheduled for 2014 completion. The proposed changes are for Pelham Common Highway (located behind the former fire station) to be renamed Meeting House Way. The renaming of Acorn Lane as a continuation of Old Bridge Street. The renaming of an existing portion of Old Bridge Street (Tax Map 22/7-249 to Map 22/7-242) as Blacksmith Lane. All numerical addresses along these roads will be assigned new address numbers. All changes to become effective at a future date in 2014 to be determined by the Board of Selectmen as advised by New Hampshire Department of Transportation. Notice of the effective address change date will be sent via Certified Mail to all impacted property owners thirty days in advance of the effective date.

Planning Director Jeff Gowan came forward. He brought to the Board's attention RSA231:133, the Planning Board needs to have a public hearing prior to the road naming/numbering address changes. However, if the individuals impacted provide Voluntary Address Change Forms, that meeting with the Planning Board need not take place. Mr. Gowan told the Board there were only five affected addresses (one was Fair Point). Letters have been sent informing what the new address would be and that the effective date would be provided later. One letter has already been returned, one will be dropped at the Planning Department shortly, three responses remain open. Mr. Gowan will track them down and keep the Selectmen informed. Once all letters are received they will go to the Highway Safety Committee and back to the Selectmen for sign off; at that point there will be no need for an additional public hearing. If any of the five affected addresses don't send in a voluntary change form, Mr. Gowan will work with the Planning Board to schedule a public hearing and with the Selectmen to schedule an additional public hearing.

Mr. Gleason questioned what action the Selectmen could take under the current public hearing. It seemed any action was pending receipt of the address change forms and Planning Board public hearing. Mr. Gowan said he checked with Town Counsel and learned that the Selectmen could hold their public hearing; it would only be irrelevant if someone doesn't send in the address change form. He reiterated there were only five addresses impacted.

Mr. Gaydos questioned if the proposed public hearing with the Selectmen was for the numbering or street name. Mr. Gowan replied it would be for both; the Selectmen had the authority to do both, it was just the procedure for the Planning Board to conduct the first hearing. Mr. Gaydos asked what length of time people had to fill out the address change forms and send them back. Mr. Gowan said there was no statutory requirement for it to be done within any particular time. He said he could pursue it with the individual property owners. Mr. Gaydos questioned who needed a form for Pelham Common Highway. Mr. Gowan said there were no structures or residences that would be affected along Pelham Common Highway. Mr.

Gaydos asked if the owners needed a notice because there would be a number affixed to the property. Mr. Gowan wanted to know if the Selectmen wanted to suspend the hearing and go through the public hearing process with the Planning Board.

Mr. Lynde noted that the church property was on Pelham Common Highway, but there was no mailing address for it. He believed they had knowledge of the process given that church members weighed in with proposed name changes.

There was further discussion how the Selectmen would proceed. Mr. Gleason felt the Selectmen should conduct their hearing and proceed. If there was a situation that a voluntary address change couldn't be obtained, a second hearing would be held once the Planning Board weighed in.

Mr. Gowan shared a comment received by the Sarris Family. He said Mrs. Sarris asked him specifically to share her thanks to the Fire Department for being easy on the sirens as they leave the station.

Mr. Gowan said he would keep Mr. Gaydos informed as to the status of the address forms coming in.

With no public input requested, the public hearing was concluded for the road name changes.

7:20PM – PUBLIC HEARING – BOARD OF HEALTH:

To adopt changes to the Pelham Residential /Commercial Water Supply Regulations – Well Ordinance for New Construction and the Waste Disposal Systems Regulations – Chapter 295.

There was a brief discussion regarding the procedure for convening as the Board of Health. The Selectmen's agenda listed that the public hearing would be a Board of Health hearing. Mr. Lynde believed the notification was clear as to what they were doing.

MOTION: (Lynde/Haverty) To adjourn the Board of Selectmen meeting so they could convene as the Board of Health.

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

Mr. Gleason relinquished the Chair to the Deputy Health Officer Paul Zarnowski. Mr. Zarnowski called the Board of Health meeting to order. He said the Board would first address the proposed changes to the Pelham Residential/Commercial Water Supply Regulations. Planning Director Jeff Gowan came forward for the discussion. The public hearing was opened.

Mr. Zarnowski provided a brief history of the ordinance, which was originally put in place to address issues with quality and quantity. In the present day, there are more contaminants being found in wells and shortages in some water supplies. He said the proposed ordinance covered new construction so it can be regulated when issuing certificates of occupancy.

Mr. Gowan said his interest in updating the ordinance to notify homebuyers of problems prior to closing on a property. He said primary contaminants pose significant health risks and will be able to be identified and mitigated by the builder before a homeowner moving in. He discussed the mitigation process that would be followed in the proposed ordinance. Mr. Gowan told the Board that he sent a draft copy of the ordinance to every builder he knew in Pelham as well as a number of engineers to be sure that they were aware of what was happening so they would have the opportunity to ask questions.

There was no public input.

Mr. Lynde asked if replacement wells or new wells for existing homes were covered in the proposed ordinance. Mr. Gowan said the proposed ordinance was only for new construction. Mr. Zarnowski said at this time the Town didn't have any regulation for the replacement of existing wells; the proposed ordinance was strictly for new construction.

193 Mr. McDevitt discussed a situation (from many years ago) in which a builder abandoned a project and left
194 many homeowners with no water. He didn't believe that type of situation occurred in the present day very
195 often, but wanted to know if the proposed language would prevent that type of occurrence. He wanted the
196 language to fix the responsibility. Mr. Gowan discussed the types of development that occur and how
197 having wording for 'water systems owned and/or managed'. He said they didn't want to box themselves in
198 because Pennichuck may own a system where there is still a homeowner's association. Mr. Zarnowski
199 explained how companies, such as Pennichuck, would manage (operate) water systems for small
200 associations. If there are over fifteen taps it would fall under the State approved public water system.
201 Under fifteen taps fell under a private water system. Mr. Gowan will work to modify the wording
202 appropriately. Mr. McDevitt questioned what oversight the State provided for a public water system. Mr.
203 Zarnowski summarized the State's process. Mr. McDevitt wanted to ensure that a future Board of Health
204 and Selectmen were protected in the event someone were to walk away from a water system. He wanted to
205 know how a water company (i.e. Pennichuck) became responsible. Mr. Gowan discussed the
206 management/testing process. He believed it was important to leave the word 'manage' in the ordinance and
207 would work on the wording to fix the ownership portion. Mr. Zarnowski said they could add the words
208 'water systems owned or managed'. Mr. McDevitt said he would work with them to determine the correct
209 verbiage.

210
211 Mr. Lynde discussed the meaning of water returning to 90% of the pre-test level. Mr. Zarnowski explained
212 when water is drawn down, it would have to come back to 90% of the level it started from within 24 hours.

213
214 The public was advised that copies of the document were available at the Planning Department, the Public
215 Library and on the Town website. Mr. Gowan noted that the second public hearing was scheduled for
216 August 6, 2013 at 6:45pm. If someone has language they'd like brought to the Board's attention, it would
217 be appropriate to do so prior to the second hearing.

218
219 Mr. Zarnowski said one thing that prompted them to review the ordinance was to prohibit the burial of
220 stumps, construction debris, etc. within the well radius.

221
222 The Board completed their review of the well ordinance. Mr. Zarnowski closed the hearing and noted the
223 Board would take the matter back up at the second public hearing scheduled for August 6, 2013.

224
225 Mr. Zarnowski opened the public hearing for the Waste Disposal Systems Regulation (Article K).

226
227 PUBLIC INPUT

228
229 Mr. Shayne Gendron of Herbert Associates of Windham, NH came forward. He said they had worked with
230 Mr. Zarnowski doing septs and designs in Pelham and believed there had been a thoughtful approach to
231 changing the Regulations and making it easier to come into conformity with some of the existing sites. He
232 also liked the continuity of being in line with State Regulations. Mr. Gendron felt the proposed language
233 was a move in the right direction to work with new technologies.

234
235 Mr. Zarnowski gave a brief history of the regulations that were originally adopted in 1977. He said they
236 came about because of concerns regarding fraudulent test pits, septic systems being in the water table,
237 setbacks and development of the coffee lots. In the early 1990's, the regulations were amended to be more
238 in line with the Department of Environmental Services. In that same time period, the State required
239 licenses for designers and installers of septic systems. This provided additional oversight. He said the
240 regulations had not been addressed in approximately twenty years and there have been new technologies
241 introduced and treatment studies have been done. The proposed language would bring the Town more in
242 conformance with the State, as well as providing adequate protection to the public. They are also proposing
243 a viable solution to any conversion of seasonal dwellings and basically adopted the State's language.
244 Existing lots of record under one acre will still need to go in front of the Zoning Board and Board of
245 Health; lots one acre or larger with existing structures will remain okay. He discussed which setbacks had
246 been adjusted and which remained as written.

Mr. McDevitt wanted to know if there was significance to the use of the January 1, 1990 date used in the document. Mr. Zarnowski said the date was used to be in conformance to the State's regulation. Mr. McDevitt saw that reference was made to a municipal water system and commented he would be happy to make suggestions for how to amend the document. Mr. Zarnowski believed at the time the document was originally drafted, there was a water system (prior to Pennichuck) considered as the Pelham system. Mr. McDevitt asked that the language be reviewed prior to the next hearing.

Mr. Lynde questioned the language for seasonal. Mr. Zarnowski said the definition of seasonal property hadn't changed since the original document, therefore they were proposing an amendment to give it a better definition to 1990, to be in compliance with the State Regulation. Mr. Lynde offered grammatical amendments. The language for lot size requirements will be fine-tuned so as to not be redundant.

Mr. Zarnowski closed the public hearing. The second hearing will be held August 6, 2013.

MOTION: (Gleason/Lynde) To adjourn the Board of Health meeting.

VOTE: (6-0-0) The motion carried.

The Selectmen reconvened the Board of Selectmen meeting.

APPOINTMENT(S):

7:30PM – State Representative Lynne Ober – State Budget Discussion

The Selectmen welcomed State Representative Lynne Ober, who came forward to discuss the State Budget. The discussion began at approximately 8:03pm.

Representative Ober said she received a phone call from Mr. Gaydos regarding an intersection on Mammoth Road and Mt. Vernon Drive. It was explained to her there seemed to be some confusion as to who was supposed to mow what portion of the brush. She said the intersection was known to have horrible sight (distance); a few years ago there was a young woman killed in a tragic automobile accident. Representative Ober told the Selectmen she had contacted the Department of Transportation's Commissioner to explain the problem and the need to know who was responsible for mowing brush in what location. She was told by the Commissioner that staff would review the paperwork regarding the intersection and get back to her within 48 hours. She will e-mail Mr. Gaydos when an answer is received. Mr. Gaydos thanked Representative Ober for the quick response.

Mr. Gaydos discussed the situation. He said a resident complained to the Town that grass had grown quite tall along the area of Mammoth Road blocking the sight in both directions (from Mr. Vernon onto Mammoth Road). The resident was told it was a State road and in turn called the State. The State told the resident that the Town was responsible for 400ft. on either side of Mt. Vernon along Mammoth Road. Mr. Gaydos said the Highway Department had not heard of this. He said he reviewed the area and saw that the grass was high and would be uncomfortable pulling out of the intersection. Knowing Representative Ober was coming, he asked for her assistance to resolve the situation. He noted when a similar complaint was made last year, the State was notified and came to Pelham to clear the whole area out.

Mr. Gleason wanted to know if there was a State stipulation that the Town is responsible for other abutting properties that might be affected so those areas could be identified. He appreciated Representative Ober's interest in the situation.

Representative Ober then addressed the State budget and discussed the budgeting process. There is an organization called the Legislative Budget Assistant, which is a non-partisan group who do both audits and run budgets in the State. They keep track of figures and work with both branches to make sure that the budget gets done. She brought the Town's projected revenue from the State. She said when the 2012 budget was done, towns received \$1,131,577,714.00 in aide from the State. In 2014, under the Governor's budget, towns are expected to receive \$1,115,811,616.00. She outlined the reasons for the budget decrease

and noted in 2015 an additional \$5 million dollars in meals and rooms tax will be distributed to towns and cities. This will be an increase to the amount distributed during the last five years. Representative Ober stated that the Highway Fund funded the Highway Block Grants. She said the Governor chose, and the House and Senate agreed to take an additional 11% of the highway funds and fund equipment, salaries and benefits for an additional ten State Troopers. She said it was projected that the Highway Block Grants would be down slightly in both 2014 and 2015. She said the Highway Fund had other issues, such as 'going green'. She said when people purchase a vehicle they look for one that gets more miles per gallon of gasoline, or a hybrid or electric car. She noted that the Highway Fund was supposedly funded by a road toll. When people drive a lot they pay a gas tax. Representative Ober said the State would have to work out how to have hybrid cars pay their share because otherwise the Highway Fund would never have enough money again to fix roads and bridges. She said it was an ongoing issue that the Federal government also faced. She wanted to know if the Selectmen had specific questions they would like to ask the State.

Mr. Gleason said the concern was more responsibility being passed to the Town due to the State balancing their budget. Pelham had seen increases in retirement over the past several years and reductions in State aid. He said indications were that the highway programs were in deep trouble and would be looking to cut back. He told Representative Ober that Pelham was concerned with additional curtailment at the State level being passed down. Representative Ober said retirement was not a State agency so they were not funded by the State, but had a discussion with House Finance because there were questions from selectmen and constituents. She said the retirement fund reported that they didn't anticipate an increase in employer contributions for the next two years. She commented that one of the issues the retirement fund had was being funded by employees, employers and also by interest. The belief is that retirement money will come from investment income. The problem with that was employees who are eligible for overtime and who receive time and a half and volunteer to work a lot of overtime can significantly increase their retirement without having the dollars multiply appropriately through the investments. She spoke of the difference between the pensions received by those who receive extra income via overtime. The retirement agency reported they had been trying to give education about instituting policies so retirement (overtime) was split between all people, not just those reaching retirement. They have indicated no increase for employers in the coming two years and believe they are making progress and stabilizing the situation. There is a new financial advisor working with the retirement board who made significant suggestions that they have found to be very profitable. She reiterated that the State didn't fund them.

Mr. Lynde congratulated the Legislature in making needed improvements to deal with retirement over the last several years. He said the problem was currently it was costing the Town approximately 28% of the amount paid to a fire fighter and approximately 22% of the amount paid to a police officer. He said that percentage was not of the base, but rather of everything (overtime and details). Representative Ober said all of it was counted toward the pension. Mr. Lynde said the Town was left to pay the bill based on what the law states. He said the Legislature didn't live up to their commitment of paying a certain portion of retirement, which was now costing the Town over a million dollars each year. Representative Ober clarified that the Legislature was not involved with the retirement system budget; it was not under their control. She said they also didn't have control over the salaries paid in the towns. Mr. Lynde's point was that the Legislature established the governing laws and establishes the make-up of the board. He understood once the board meets they work in an independent nature. Representative Ober said if the Selectmen had ideas for legislation they would like filed in the Fall for retirement reform, she would be happy to file for it. She asked when it went in front of the committee that the Selectmen attend to make a case for it.

Mr. McDevitt went back to the topic of the Department of Transportation ('DOT'). He said approximately a year ago a contingent from the DOT, working through the Nashua Regional Planning Commission ('NRPC') and engineers reviewed two intersections in Town (Route 128/Mammoth Road and Sherburne Road as well as Route 38 and Gage Hill Road/Ledge Road). The conclusion was a three-tiered approach: 1) things that could be done immediately (short term solutions), 2) items that might require funding, and 3) expensive solutions. Since that time nothing has happened. Mr. McDevitt said he received an e-mail from a resident that dealt with the Sherburne Road intersection and questioned when the Selectmen would solve the problem. He wrote back to the resident explaining that it was a State intersection and under their control. Mr. McDevitt was fearful that a fatal accident would occur at one, or both of the intersections.

Representative Ober asked for a copy of what the DOT put in writing. Planning Director Jeff Gowan will send copies of what the Town received to Representative Ober. The Selectmen would like Representative Ober to act on their behalf and send messages to the DOT indicating they were willing to work with them in any way they could. The Selectmen would like to show some signs of moving forward. Representative Ober said after receiving information will follow up with the DOT and let the Selectmen know what response she receives.

Mr. Lynde discussed the gas tax. He said it was a difficult situation with the DOT not having the funds to maintain what they have and falling behind. He said a few years back the Town realized they couldn't maintain their roads, so in addition to what was received by the State, the Town doubled the highway construction budget just to stay even. He said the problem with the State was they had no increase. He said having good roads in the State was key based on the tourism economy. When people come through the State they buy gas and contribute to the money received. Representative Ober discussed her feelings about the fees and was concerned about 'stealing' money from the Highway Fund and giving it to State Troopers. She didn't feel that State Troopers should be paid from the Highway Fund. She believed there should be a small increase on the gas tax and a surcharge added onto hybrids and electric cars. She said she had tried to approach the situation from multiple areas and reiterated that they can't keep taking money from the Highway Fund.

Mr. Viger saw that the State struggled to capture some of the funds, but felt the short sidedness of the State was that they kept going after money that they knew would dry up. He believed the State needed to reinvent themselves and figure out where money would come from versus raising taxes in other areas for a solution. Representative Ober agreed that other revenues had to be found. She commented that she voted in favor of the casino in Salem, NH. She then noted that the liquor commission was expanding their stores and increasing the income from it.

Mr. Haverty agreed with Mr. Viger that they had to start rethinking how things were done. He discussed the gas tax and spoke about how he filled his tank in New Hampshire paid a gas tax and then did 90% of his driving in Massachusetts (commuting) and not use New Hampshire roads. Representative Ober said it was hard to even out, but the feeling was in the Senate that they couldn't support \$.12 per gallon. Mr. Haverty reiterated that the State had to rethink how they got revenue. Representative Ober said she would be happy to file legislation to support changes.

In conclusion, Mr. Gleason asked that the State Representatives and Senate to be conscious of the fact that in New Hampshire the burden fell on the taxpayers through the tax base because of the structure. He said they were going through difficult times with the economy and the taxpayers were hurting. Every time the Selectmen try to hold the budget there's inherent growth through natural circumstances of inflation and costs. He said they were trying to mitigate the burden to taxpayers and needed the legislature to be cognizant of it. Mr. Gleason asked that the State be conscious of any further pass downs that might be considered based on the hardship it would impose and local budgets then needing to be cut back. He noted both the Town and School were given the default budget last year and were possibly facing the same outcome this year. Mr. Gleason asked Representative Ober to carry the message back to the State that any further pass downs would be harmful to towns. Representative Ober told Selectmen that in the two year budget there were no further pass downs; the State lived in its budget and had no new taxes.

The Selectmen thanked Representative Ober for meeting with them and having a dialog.

Mr. Haverty went back to the subject regarding Mt. Vernon Drive and Mammoth Road. He questioned why, given the matter of safety, that the Highway Department wasn't being instructed to immediately take care of the situation.

Mr. Gaydos told the Selectmen that the Highway Road Agent's (Don Foss) was of the opinion that every time the State wanted to back off from its responsibilities and the Town fills them, the State will continue to have the Town do so. Mr. Gleason asked if the State owed Mr. Gaydos a call back. Mr. Gaydos said he had allowed Representative Ober to handle the situation (at the State). The Selectmen discussed the situation and came to the decision to have Mr. Gaydos direct the Highway Agent Don Foss to cut the grass

at the Mt. Vernon and Mammoth Road intersection and resolve the issue. The State will continue to be pursued to determine who is responsible for the area in the future.

Mr. Gleason said the fact was that the State had an obligation to maintain their work and noted that they had done so in the past. He didn't feel they could advocate their responsibilities to the Town by walking away.

7:45PM - 2014 BUDGET PRESENTATIONS

The Selectmen began budget review at approximately 8:53pm. Finance Director Cindy Kelley joined the Board for budget presentations.

Conservation Commission – presented by Conservation Commission Chairman Paul Gagnon.

Level funded at \$3,747.

Senior Center – presented by Senior Center Director Sara Landry and Cindy Kelley

2014 Budget request: \$99,734, showed a 4.38 % increase over last year, but there was no actual increase above last year's budget proposal; the 2013 default budget number was used to prepare the 2014 proposal. 2013 Operating Budget: \$95,551.

The proposed budget had not changed from what was proposed last year; the increase was reflective of working with the default this year. It was noted that the budget showed an increase in the bus driver's salary and hours as proposed last year, approved by the Selectmen and Budget Committee, but was not adopted because of having to work under the default budget.

Mr. Gaydos questioned how many hours an employee had to work to trigger benefits. Ms. Kelley believed and employee could work up to 34 hours per week to trigger New Hampshire retirement benefits. She believed health insurance and holidays were triggered at 32 hours per week. The proposed budget showed the bus driver as working 32 hours per week. Mr. Gaydos didn't know at what point (how many hours) the Town's personnel policy indicated an employee would qualify for benefits. He noted that the bus driver wasn't in a union. He left the room to research the answer. When he returned he told the Selectmen that the Town policy listed 35 hours for triggering benefits.

Ms. Landry reiterated that the budget was the same as proposed last year. Mr. Gleason asked if Ms. Landry assumed repairs to the Senior Center would be included in the Town Building's budget. Ms. Landry replied she had never budgeted for building repairs because if there was a need it would fall under Town Buildings. She noted there was a problem with a handicap door that she handled under the Senior Center's budget. Mr. Gleason asked if the Town Administrator had been apprised of any repairs felt to be necessary for next year. Ms. Landry answered yes; she had spoken to Mr. Gaydos about issues within the building itself. People have reviewed the garage side of the building in need of repair work, some windows in the attic. She said besides those items, and the door and ramp in the back, she didn't foresee any additional items with the building.

Mr. Gleason reviewed the repair line. Ms. Landry said the line had been sufficient for the last two years and felt it to be adequate.

Mr. McDevitt asked what shape the bus was in and when it may need to be replaced. Ms. Landry believed the bus was approximately 9-10 years old. She said it was in good shape and ran well. She was hopeful that it would last a few more years. It was noted that the bus was passed at the 2006 Town Meeting.

Mr. Gleason asked if the Senior Center had anything included in the Capital Improvement Plan. Ms. Landry answered no; she didn't feel anything met the threshold. Mr. McDevitt asked Ms. Landry to review the bus and gather information for when it may need replacement.

When going in front of the Budget Committee to present the budget, Ms. Landry will provide the explanation for the need of additional hours. Similar to the presentation she provided last year.

Mr. Gleason said the Selectmen would be reviewing the health services companies and asked which of them provided services to the Senior Center. Ms. Landry said they utilized Home Health & Hospice, Greater Salem Caregivers, St. Joseph's Community Services and Meals on Wheels.

Ms. Landry informed the Selectmen that the aging population in the area was rising and the needs of the seniors would be coming to the forefront in the next ten years.

Health Officer – presented by Tom Gaydos and Cindy Kelley

Level funded at \$43,766.

Health Services – presented by Cindy Kelley

2014 Budget request: \$54,625, constituting an 18.1% increase over last year.

2013 Operating Budget: \$46,235.

Ms. Kelley said the bulk of the increase was St. Joseph's and noted that the request appeared to be higher than it actually was because of having a default budget. The budget line had last year's increase of \$6,100 and this year's increase of \$1,025 combined.

Mr. Gleason questioned the line for Lamprey Healthcare. Ms. Kelley said the Town had not given them money in the past. It was believed that they sent a form letter to the Town. Mr. Viger asked what type of services they provided. Ms. Kelley said they provided a health stop (non-emergency) for people who didn't have insurance. Mr. McDevitt said he wasn't in favor of funding them given there were other providers offering similar services. He didn't see anything unique or special about them.

Insurance – presented by Tom Gaydos and Cindy Kelley

The proposed budget of \$2,108,261 was a placeholder; rates were expected to be received in October/November. Mr. Gaydos said it was too early to cast any projections.

OTHER BUSINESS CONTINUED:

Public Sidewalk Discussion

Planning Director Jeff Gowan came forward for the discussion.

Mr. Gleason said he had requested the number of linear feet of the sidewalks involved with the new roundabouts and whether there was any special maintenance required. He wanted to understand the Town's obligations relative to those sidewalks before giving direction to the Highway Road Agent regarding the budget. He learned there was 4,500 linear feet of sidewalk at 5 feet wide, which equated to 22,500 SF. It was Mr. Gleason's understanding that there would be new sidewalks around all the roundabouts, new sidewalks going down Old Bridge Street, a partial sidewalk on Common Street and a partial sidewalk that ended at the Gibson Cemetery driveway.

Mr. Gaydos noted Mr. McDevitt had provided an article made available through the New Hampshire Municipal Association regarding responsibilities of maintaining sidewalks. He said the Board should discuss the area and how they would like to see it cleared. He spoke about the sidewalk materials and the difference between asphalt and porous concrete. It was indicated by Steve Keach of Keach Nordstrom (Town's engineering review firm) that porous concrete was much easier to work with than porous asphalt. Asphalt fills easily with sand and salt and is not easily cleaned out. He then discussed the porous concrete material and how easily it can be cleaned (if chosen to do so) using a water vacuuming technique. Also, once snow is cleared from it, water goes through the concrete and doesn't puddle up or freeze. There is a

524 sealer put in on the concrete that may need to be reapplied every few years; the maintenance doesn't appear
525 to be very expensive.

526
527 Mr. Gleason read the article from the Municipal Association and took from it that the Town had an
528 obligation to maintain the sidewalks, especially since Federal money was being used in the project and
529 there were ADA compliance aspects. He said the Board had to recognize the Town's responsibility and to
530 assign that responsibility to someone, whether it is the Highway Department or a subcontractor. He noted
531 that the Highway Department had a placeholder budget figure of \$7,000, but it was unknown how they
532 arrived at that figure. Mr. Gaydos said they had yet to understand the actual cleaning cost for the
533 sidewalks.

534
535 Mr. Gowan told the Board that the Highway Department requested a piece of equipment for inclusion in
536 the Capital Improvements Plan; and the committee scheduled it. Mr. Gleason understood that the
537 equipment was multi-purpose and could perform roadside trimming and hedge cutting. He wanted to know
538 the specific costs associated with the sidewalks and whether it would be more economical to have an
539 outside company take care of them.

540
541 Mr. Viger suggested tasking the Highway Agent with determining a cost within his budget for comparison
542 to an outside contractor. Mr. Gleason asked the Board if they wanted to delegate Mr. Gaydos to have a
543 discussion with the Highway Agent about putting together a package. And to also have Mr. Gaydos speak
544 with a subcontractor for information and possible RFP in the future.

545
546 Mr. McDevitt reviewed the meeting minutes from the Selectmen's previous meeting. During which they
547 asked Mr. Foss to provide a dollar figure of the yearly savings that would be offset by the machine he
548 proposed. He believed the general feeling was the Highway budget had a placeholder for costs and were
549 given a vague proposal for equipment. They weren't yet provided with information or true costs to base a
550 decision for doing the work in-house versus outsourcing. Mr. Gleason believed the first step was
551 determining the scope of the work, which was now ascertained.

552
553 Mr. McDevitt asked if sand and salt could be put onto the porous sidewalks and if it would work. Mr.
554 Gowan said there was no reason to sand or salt a porous sidewalk because they wouldn't be trying to meld
555 ice because water passed through it. He said there would be incidental sand (from plowing) that was the
556 concern. Mr. Gaydos said if there was a storm with a layer of ice underneath they may put sand down. He
557 noted after snow was removed from the sidewalk and the sun hit the material, water went through the
558 material.

559
560 Mr. Haverty commented that the \$7,000 placeholder in the Highway Department budget needed to be put
561 aside and start swapping that placeholder with a more realistic figure.

562
563 Mr. Gowan encouraged the Board to look at the material. There are poured forms that can be reviewed at
564 the old fire station location. He stated that the Town signed a maintenance contract that clearly obligated
565 the Town to maintain (at the least) the new sidewalks as part of the roundabout project. He said the 4,500
566 linear feet only captured the sidewalks in the roundabout project, they had not looked at (linear feet for)
567 existing sidewalks.

568
569 Mr. Lynde felt obtaining a maintenance cost of the sidewalks would be easy for the Highway Department
570 to determine.

571
572 **2013 Default Budget Reductions Review**

573
574 Mr. Gaydos provided the Selectmen with the 2013 default budget for review. He began with the legal
575 budget. Mr. Gleason said at the last meeting, the Selectmen requested a breakout cost associated with each
576 of the lawsuits. Mr. Gaydos said he would obtain a summary sheet at the time the monthly budgets are
577 done. Mr. Viger asked if the department's usage of legal could also be broken down. Mr. Gaydos said
578 departmental usage was monitored. The only one not needing pre-clearance to contact an attorney is Mr.

Gowan; however, he reviews and signs off on every item that's billed. Mr. Viger wanted to ensure they were allocating enough in the budget.

The Selectmen continued their review of the budget breakdown. It was noted that revenues appeared to be coming in strong.

Mr. McDevitt asked Mr. Gaydos to review the junkyard license fees. It appeared two of the three fees had been received.

Discussion on Potential Non-Public Session in August for RSA 91-A:3 II(a)

Mr. Gaydos stated the Selectmen would need to set a meeting for personnel. He didn't yet know if it would be public or non-public, but suggested it be scheduled on a night other than a regular meeting. He will e-mail the Board with possible dates. The Selectmen preferred to schedule that meeting in mid-August. Once a date is determined, it will be posted appropriately.

TOWN ADMINISTRATOR'S / SELECTMEN'S REPORTS

Mr. Lynde told the public that the next Concert on the Village Green would be held July 24th, weather permitting. In reviewing the Transfer Station budget, he noted that people appeared to be recycling more items based on the hard numbers on the department report.

Mr. McDevitt, Mr. Viger and Mr. Haverty had no reports.

Mr. Gleason said there was a message on the message board regarding the committee discussion Mr. Lynde was involved with regarding the schools and drug education. He asked Mr. Lynde to provide a response to the message.

Mr. Gaydos received a communication from Pelham Community Spirit requesting they be allowed to put six banners on the six light poles surrounding the Village Green. The banners would publicize community spirit activities and display seasonal themes. The Selectmen will review the communication and provide comment back to Mr. Gaydos. Mr. Gleason understood that the Town was excluded from certain regulations and wanted to ensure that the proposed banners wouldn't conflict with Code Enforcement.

ADJOURNMENT

MOTION: (Haverty/Lynde) To adjourn the meeting.

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

The meeting was adjourned at approximately 9:55 pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary