

1
2
3
4
5
6
7
8
9
10

**APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
June 19, 2018
APPROVED – July 10, 2018**

11
12
13
14
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CALL TO ORDER - approximately 6:30PM

PRESENT: Mr. Hal Lynde, Mr. William McDevitt, Mr. Doug Viger, Ms. Amy Spencer (arrived after the meeting commenced), Ms. Heather Forde, Town Administrator Brian McCarthy

ABSENT: None

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PLEDGE OF ALLEGIANCE

MINUTES REVIEW

June 5, 2018

MOTION: (Forde/Viger) To approve the meeting minutes of June 5, 2018 as amended.

VOTE: (4-0-0) The motion carried.

ANNOUNCEMENTS

There were no announcements.

OPEN FORUM

No one came forward.

APPOINTMENT(S)

Planning Director Jeff Gowan – Highway Safety Committee recommendations

Mr. Gowan reviewed the recommendations of the Highway Safety Committee ('HSC').

- 1) Stop sign in advance of first cross walk at the entrance of the Village Green (coming from round-about). The HSC consensus was not to recommend a stop sign due to concern of vehicle stacking back into the round-about. The Road Agent suggested (as a partial measure) to repaint the cross-walk.

Mr. Lynde commented there were several cross-walks in Town and they should be regularly re-painted. Mr. McCarthy suggested installing a stand-up placard (similar to the one used in front of St. Patrick's School) to alert people pulling into Town Hall that there was a cross-walk. This would provide added notification to vehicles of the cross-walk. Mr. Lynde felt the HSC should discuss the placard and make a decision regarding such.

Mr. McDevitt understood that the HSC could discuss installing the sign proposed by Mr. McCarthy and had no need to come back in front of the Selectmen with a recommendation. The action is to repaint the cross walk and install the cross-walk warning sign (not a stop sign). Mr. Gowan will share the Board's decision with the HSC and Road Agent.

- 2) Citizen inquiry to encourage a 'No Trucking' limitation on Tallant Road. Mr. Gowan told the Board the residents had experienced quite a bit of dump truck traffic. The residents had informed the truck activity was affecting the enjoyment of their home. The HSC was concerned about placing a 'no trucking' limitation sign, which are typically installed because a bridge isn't able to handle the load. In this case, he said the Tallant Road Bridge is robust and able to handle the load. The HSC was also concerned about placing that type of limitation on east/west routes which may exacerbate challenges to the existing east/west routes. They recommend against installing a 'No Trucking' sign.

Mr. Lynde felt the HSC provided the correct suggestion given Pelham has limited cross roads. Mr. McDevitt spoke about times when there is increased traffic during construction and noted that it was typically not permanent.

The Selectmen accepted the recommendation of the Highway Safety Committee. Mr. Gowan will share the Board's decision. He said at some point he will try to follow one of the trucks to determine what project they are associated with and see if they might slow down.

2nd of 2 PUBLIC HEARINGS: The Pines Conservation Subdivision (formerly the property of the Law family) Map 22 Lot 7-1, proposed gift of a 16.205-acre Open Space parcel. Planning Director Jeff Gowan presenting.

Mr. McCarthy asked for clarification of the acres. Mr. Gowan believed the gift was 16.192 acres (+/-) and offered to discuss the proposal. He provided a brief explanation about the conservation subdivision known as The Pines (former property of the Law family). The developer is saving the existing home and trying to preserve the barn for renovation into a dwelling. Using a displayed plan, Mr. Gowan outlined the entire parcel and the proposed open space being offered to the Town. He said it abutted Peabody Town Forest and the golf course. He ended by noting that both the Conservation Commission and the Planning Board recommended that the Selectmen accept the parcel.

Mr. McDevitt commented that the difference between the proposal parcel and one the Board rejected a couple weeks ago was that the proposed parcel connected to existing conservation land. Mr. Gowan told the Board the Conservation Commission Chairman Paul Gagnon sees the land gifts as another way to add to the Town's land holdings controlled by the Selectmen. He said the Conservation Commission was excited to program trails through the open space to link up with other Town holdings. He was sure that the snowmobile club would assist in making the trails.

Mr. Lynde opened the discussion to public input. No one came forward.

MOTION: (Forde/Viger) To accept the gift of 16.192 (+/-) acres of land (Map 22 Lot 7-1).

VOTE: (4-0-0) The motion carried.

Mr. Gowan informed that the plan was not yet recorded, so he would have the owner create a draft deed to be reviewed by Town Counsel. The deed will then be given to Town Administrator Brian McCarthy and recorded when the plan is recorded.

APPOINTMENTS CONTINUED

Junkyard License review: Coombs Used Auto Parts

Mr. Norman Coombs came forward. Mr. Lynde commented that the facility had been reviewed and found to be in good shape. He understood certification was received that used oil was being picked up. Mr. Coombs stated that was correct.

Mr. McCarthy stated that the property was inspected by the Fire Inspector and Code Enforcement Officer; there were no issues or violations and found to be in compliance with all the rules and regulations at the time of the inspection.

MOTION: (McDevitt/Viger) To approve the renewal of the Junkyard License for Coombs Used Auto Parts effective July 1, 2018 – June 30, 2019.

VOTE: (4-0-0) The motion carried.

Junkyard License review: Jack Mansur Auto, LLC

Mr. Jack Mansur came forward. Mr. Lynde stated the facility had gone through the review process and checked out okay. He asked if he had a system to take care of the waste oil. Mr. Mansur stated he had a waste oil burner.

Mr. McCarthy stated that the property was inspected by the Fire Department and by the Code Enforcement Officer; there were no violations and found to be in compliance at the time of the inspection.

MOTION: (Viger/Forde) To approve the renewal of the Junkyard License for Jack Mansur Auto, LLC effective July 1, 2018 – June 30, 2019.

VOTE: (4-0-0) The motion carried.

Ms. Spencer arrived.

Junkyard License review: Jean-Guy's Used Cars and Parts, Inc.

Mr. Jean-Guy Bergeron came forward.

Mr. McCarthy stated the property was inspected by the Fire Department and the Code Enforcement Officer. There were no issues; the property was in compliance at the time of inspection.

MOTION: (Spencer/Viger) To approve the renewal of the Junkyard License for Jean-Guys Used Cars and Parts Inc. effective July 1, 2018 – June 30, 2019.

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

Mr. Viger commented that the businesses had been in Town and in compliance for years and years. He said the Town's inspectors knew exactly what to look for and what to expect. He said the Selectmen were able to go through the process quickly because the facilities complied so well with the requirements of the Town.

OTHER BUSINESS

Discussion – Tree Replacement Project

Mr. McDevitt commented that they had hired a New Hampshire Certified Arborist to tend to Town trees. He spoke about the trees and described which trees needed maintenance or replacement. In summary there are seven trees that need replacement for a total cost of \$8,640. The Highway Department has loam that can be used. There is another tree in front of the Library that needs to be bolted together for a cost of \$400, which could come from the Village Green Fund.

Mr. McCarthy told the Board that he had some money in the projects budget that had been allotted in the event that the warrant article for the boiler and sprinkler systems didn't pass. He said with the Board's approval he could dedicate some of those funds toward the tree project. Mr. Viger questioned if there were any 80s Fund money (through Parks and Recreation) available. Mr. McCarthy answered yes; he could sit with Parks and Recreation Director Brian Johnson and possibly split the cost since the trees that needed replacement were at Lyons Park and Muldoon Park.

MOTION: (McDevitt/Viger) To approve an expenditure up to \$8,640 for the replacement of seven trees located at Lyons Park (5 trees), Muldoon Park (1 tree) and along Marsh Road (1 tree); allocation of funds to be determined by Town Administrator Brian McCarthy.

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

MOTION: (McDevitt/Spencer) To expend up to \$400 from the Village Tree Fund to repair a Yellow Wood tree on the Library portion of Town property.

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

Proposal – Removal of windows in Sherburne Hall

Mr. McCarthy stated as part of the energy efficiency program, one of the biggest problems in Sherburne Hall is keeping it cool in the summer and warm in the winter. He said the biggest issue with that are the windows at the top of the hall which are single-pane glass and original to the building. He proposed to remove all the windows and close the space in to increase energy efficiency in the hall. He read aloud a memo that described the proposed work that would be done during removal. Having the windows removed will result in a significant cost savings to the Town. If approved, the work will be done by the Town handyman (Mark Carter) with the assistance of the Parks and Recreation maintenance workers. The total cost is estimated at \$20,000 (materials and labor) with the funding coming from the Town's project budget under the Sherburne Hall air conditioning line item.

Mr. McDevitt questioned if the whole metal frame and glass would be removed. Mr. McCarthy answered yes and explained that the space would be replaced with sound deadening material. Mr. McDevitt wanted to know what the window area would look like from the outside of the building. Mr. McCarthy replied they would use white siding to blend with the exterior of the building.

BOARD OF SELECTMEN MEETING/June 19, 2018

Ms. Forde inquired if there were any high school students looking to get into construction that could help with the project. Mr. McCarthy said there may be, but it was an insurance issue to have them work at the Town Hall. He explained that the Parks and Recreation staff were already covered.

Mr. Lynde requested that the Board review the interior décor prior to installation. Mr. McCarthy said he would meet with Mr. Carter to review the material.

MOTION: (Spencer/Forde) To allow Town Administrator Brian McCarthy to proceed with the project that includes the removal of all the material associated with the windows and replacement of those with appropriate material that is in concert with the building façade and provides appropriate inside material that helps absorb acoustic noise and looks attractive.

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

Naming / Signs at Raymond Park

Mr. Lynde noted the Board had discussed the topic at their last meeting. There are certain parcels of land that make up Raymond Park that were either donated or sold to the Town at a reasonable price. The people who made the donation should be recognized. Mr. McDevitt said there were very generous donations made to expand Elmer G. Raymond Jr. Park. He suggested adding a sign onto the existing sign indicating the donator's names. He said the cost should come from the 80s Fund.

Mr. Lynde believed they could add slats underneath the existing sign.

There was no objection to proceeding. Mr. McDevitt will lead the project and have the Board review the final proposal.

Vote to accept/not accept the Gendron Junkyard property – 11-13 Hobbs Road

Mr. Lynde explained by State Law the Town was obligated to collect taxes and when they aren't a property is put up for 'tax sale'. This means a property has a lien placed on it along with interest charges. If the process continues into a third year the Town is obligated to either take the property for lack of payment of taxes (interest & fees) or have a good reason why it cannot take the property. Mr. Lynde stated that the Town didn't enjoy taking people's property. The Town Clerk and Selectmen offices go to great length to try and make sure people are sent multiple notices, phone calls, etc. so they have every opportunity to pay; however, there is a deadline. He added if a property is taken, the person it as taken from has a right to buy it back for the past taxes due plus 10% penalty fee based on the assessed value.

Mr. Lynde spoke about the history of the Gendron property which was a junkyard and dumping ground for a lot of toxic materials. He said the State was involved and may take possession of the property at a certain time.

Mr. McDevitt made a motion to Not accept the tax deed for the property located at 11-13 Hobbs Road. Ms. Spencer seconded. Mr. McDevitt stated the property had a long history dating back approximately 10-15 years. He said the State allows the Selectmen to not take a property for non-payment of taxes when there have been environmental contamination concerns. He felt this was a specific instance where the Town didn't want to own the property.

BOARD OF SELECTMEN MEETING/June 19, 2018

Ms. Spencer agreed and added that the Town didn't wish to take/own anyone's property; however, the difference with the parcel being discussed was the Town would become legally liable for any environmental issues that exist on the property. She reiterated that they didn't wish to take/own anyone's property and added that the RSAs give the Selectmen the ability to decline taking on a liability.

Mr. Lynde understood that the lien stayed with the property and questioned if it got added to each year. Mr. McDevitt answered yes.

MOTION: (McDevitt/Spencer) To Not accept the tax deed for the property located at 11-13 Hobbs Road.

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

Vote to accept/not accept the Colwell property – 36 Valley Hill Road

Mr. Lynde stated the Selectmen must accept the deed because it didn't meet any of the RSA criteria to avoid doing so. He didn't understand why the person didn't resolve the situation.

MOTION: (McDevitt/Spencer) To accept the deed on the property (36 Valley Hill Road)

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

TOWN ADMINISTRATOR / SELECTMEN REPORTS

Mr. McCarthy provided the Board with an update of the boiler project. He informed that the sprinkler system installation was nearly completed. He then told the Board he applied for the MTBE fund grant. The last project he was working on was the well pump behind Town Hall. He explained there was a 5,000-gallon water holding tank that had been in the ground since the 1970s and the top portion had been compromised. He was concerned that it could collapse with vehicles driving in the area. He said the Road Agent was going to work with Young Brothers to remove the tank. He described the process that would be taken. Mr. McCarthy noted he may solicit money from the 80s Fund for the project. He noted that when Liberty Utilities has equipment on site to remove the propane tanks, they have agreed to remove the water tank at the same time. The well head will be raised up and the hole will be filled; the Town will still have use of the pump.

Mr. Lynde asked if the Town had reduced lawn watering this year as they had done during the previous year. Mr. McCarthy replied that they had reduced water times. Mr. Lynde felt the cut-back should be permanent. Mr. McCarthy understood.

Ms. Forde stated that the Pelham Youth Theater Group had done an outstanding job putting on their latest production of Mary Poppins. She gave a special thank you to PTV Coordinator Jim Greenwood for helping at the elementary school 5th grade project.

Mr. McDevitt spoke about Hawker/Peddler Licenses and pointed out it wasn't possible for a person to apply for a license and receive it in the same day. The current system requires a license to be signed by the Chairman of the Board. He felt the Board should tighten the regulation to require anyone that's going door-to-door have a copy of the license in their possession. There was a brief discussion about the license process. The Board asked that the regulation be revised and brought back to the Board for

BOARD OF SELECTMEN MEETING/June 19, 2018

review. Mr. McCarthy will work with Mr. McDevitt and have the Police Chief 'weigh in' on revising the regulation that would then be submitted to the Board for review.

Mr. Lynde reported about the cases heard during the recent Planning Board meeting and noted the NRPC meeting of planning board members from other towns had occurred. He ended by speaking about moving the Town Meeting to May. It was noted that type of change would require a vote at Town Meeting.

REQUEST FOR NON-PUBLIC SESSION

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

ROLL Mr. Lynde-Yes, Mr. McDevitt-Yes, Mr. Viger-Yes; Ms. Spencer-Yes,

CALL: Ms. Forde-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 7:39pm.

MOTION: (Viger/Lynde) To leave non-public session.

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

The Board returned to public session at approximately 8:47pm.

MOTION: (Viger/Lynde) To indefinitely seal the non-public meeting minutes.

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

ADJOURNMENT

The meeting was adjourned at approximately 8:47pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary