

**APPROVED**  
**TOWN OF PELHAM**  
**BOARD OF SELECTMEN MEETING**  
**MINUTES**  
August 6, 2013  
APPROVED - August 13, 2013

**CALL TO ORDER** – approximately 5:30PM

**REQUEST FOR NON-PUBLIC SESSION**

**MOTION:** (McDevitt/Viger) Request for a non-public session per RSA 91-A:3,II, a, c, , e (Personnel; Matters which, if discussed publicly, would affect adversely the reputation of any person;; Consideration or negotiation of pending claims or litigation)

**ROLL**

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

It was noted that when the Board returned, after the non-public session, the Board would then enter into public session and take up items scheduled on their agenda. The Board entered into a non-public session at approximately 5:30pm.

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

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

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**MOTION:** (Viger/Haverty) To adjourn the non-public session.

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

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**CALL TO ORDER** – Public Session - approximately 6:30PM

**PRESENT:** Mr. Edmund Gleason, Mr. William McDevitt, Mr. Robert Haverty, Mr. Hal Lynde, Mr. Doug Viger, Town Administrator Tom Gaydos. Also present Finance Director Cindy Kelley

**ABSENT:** None.

**PLEDGE OF ALLEGIANCE**

**MINUTES REVIEW:**

**July 23, 2013**

**MOTION:** (McDevitt/Lynde) To approve the July 23, 2013 public meeting minutes as amended.

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

**July 30, 2013**

**MOTION:** (Lynde/Viger) To approve the July 30, 2013 public meeting minutes as amended.

**VOTE:** (4-0-1) The motion carried. Mr. McDevitt abstained. (he was absent for the meeting)

**ANNOUNCEMENT(S):**

- **Board of Selectmen as the Board of Health: on July 31, 2013 the State Department of Human Services reports 2 mosquitos have tested positive for West Nile Virus in Pelham. Pelham's contractor, Municipal Pest Management performed an emergency spraying at all Town parks, schools, playgrounds and fields. The spraying should last for several weeks.**

Any questions regarding spraying should be directed to Municipal Pest Management Services at (603) 431-0008. The public is advised, relative to the risk, to protect against mosquito bites. If outside during evening times or dawn hours when mosquitos are most active and likely to bite, children and adults should wear protective clothing (such as long pants, long sleeve shirts, and socks). Consideration should also be given to the use of an effective insect repellent, such as one containing (30% or less) DEET. Use DEET according to the manufacturer's directions. It was noted there are other methods determined to be effective; however, Vitamin B, ultrasonic devices, incense and bug zappers have not been shown to be effective in preventing mosquito bites. For more information on EEE and West Nile Virus, review the site on the Town's Health Department website at [www.pelhamweb.com/health](http://www.pelhamweb.com/health).

Mr. Gaydos discussed the current situation. He said on the morning of July 31, 2013 the Town received notification and issued a press release. The next day all of the Town parks were sprayed. On August 3, 2013 the schools had a spray application. The situation continues to be monitored and the Town will take the advice of the mosquito control company and the State of New Hampshire as to what to do next. Mr. Gaydos felt everyone's quick response to the situation was good. They will continue to test to see what is found.

Mr. McDevitt received an e-mail from someone who wanted to know if the Town cemeteries (especially Gibson Cemetery) were treated. He said there were a lot of folks who went to the cemetery to walk. Mr. Gaydos said they did not spray the cemeteries. He asked if the Selectmen felt they should be done. Mr. Gleason questioned if it would be the responsibility of the Selectmen or the Cemetery Trustee. Mr. Gaydos noted that the Town sprays the schools. Mr. Gleason asked Mr. Gaydos to have the mosquito company review the cemeteries, Gibson in particular.

Mr. Viger understood there was money in the default budget for mosquito spraying and questioned the status. Mr. Gaydos said the contract was reviewed; the first spraying was included. He said the Town had a relationship with the company and if it had to be done, they would find the money.

The Selectmen suspended their meeting to conduct the following public hearing.

**PUBLIC HEARING – 6:45PM:**

**Board of Health – 2<sup>nd</sup> of two Hearing to adopt changes to the Pelham Residential/Commercial Water Supply Regulations – Well Ordinance for New Construction and the Waste Disposal Systems Regulations – Chapter 295**

The Selectmen convened as the Board of Health with Chairman Paul Zarnowski, the Town's Deputy Health Officer. Mr. Zarnowski called the Board of Health to order and opened the public hearing. He stated that the second of two public hearings would be held regarding the Pelham Residential/Commercial Water Supply Regulations and Well Ordinance for New Construction and the Waste Disposal Systems Regulations (Chapter 295). Since the last meeting revisions had been made based on recommended language.

Mr. Zarnowski asked if there was any public input regarding the Well Ordinance. No one came forward.

**MOTION:** (Gleason/Haverty) To approve the amendments to the Pelham Residential/Commercial Water Supply Regulations – Well Ordinance for New Construction as presented.

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

Mr. Zarnowski closed the public hearing with regard to the well ordinance regulations.

The Board then reviewed the proposed amendments to the Waste Disposal Systems Regulations – Chapter 295. Mr. Zarnowski welcomed public comment and entertained input from the Board. No input was offered.

**MOTION:** (Gleason/Haverty) To approve the amendments to the Waste Disposal Systems Regulations – Chapter 295.

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

Mr. Zarnowski closed the public hearing with regard to the waste disposal regulations.

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

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

The Board of Selectmen reconvened their meeting.

**OPEN FORUM:**

None

**APPOINTMENT(S):**

**Mark McCabe, Commander, John H. Hargreaves Memorial Post 10722 – To Present the Department of New Hampshire, Veterans of Foreign Wars, 2013 EMT of the Year Award to Pelham Firefighter/EMT Eric Fehmel**

Commander Mark McCabe came forward and presented Firefighter/EMT Eric Fehmel with the Veterans of Foreign Wars, 2013 EMT of the Year Award. He read aloud the orders from the Commander in Chief Veterans of Foreign Wars. Firefighter Fehmel thanked his family and the department. The Selectmen congratulated Firefighter/Fehmel and thanked him for his service.

Commander Mark McCabe presented Town of Pelham's Executive Secretary Marie Maruca with a recognition award for all the work and coordination she did for the Sgt. Daniel R. Gionet Bridge Dedication Ceremony. He said it was a flawless ceremony all because of Ms. Maruca's efforts. The Selectmen also thanked Ms. Maruca for her work to coordinate the ceremony.

Mr. Gleason said that the Board of Selectmen wanted to publically recognize Ms. Maruca by placing a formal letter into her employment file. He then read aloud the commendation letter to Ms. Maruca on her efforts toward making the Sgt. Daniel R. Gionet Bridge Dedication Ceremony the huge success that it was. She was officially commended for her professionalism, diligence, commitment and persistence coordinating all the activities necessary.

**Jeff Gowan, Planning Director and Peter McNamara, CIP Chair – Presentation & Discussion of the Capital Improvement Plan**

Planning Director Jeff Gowan and CIP Chairman Peter McNamara came forward to present and discuss the Capital Improvement Plan ('CIP'). He explained that the committee was reinstated last year, but for the reason of lack of funds and time they presented a spread sheet that outlined the expected capital expenses over the course of the plan's term. At that point the committee didn't have any background information and hoped to have a complete plan with backup documents (such as demographics, population and growth) by the same time this year. Unfortunately, because of the default budget and the lack of other funds the committee was unable to coordinate with the Nashua Regional Planning Committee to provide a lot of the additional information. Mr. McNamara stated that the committee had updated the spread sheet for the next six years. The information contained within the spread sheet was compiled using various information submitted by the department heads, committees and boards. He believed the Town portion was relatively unchanged from last year with a couple exceptions, such as the fire truck for this year and a sidewalk plow for the Highway Department. The School committee submitted a plan for a renovation/additions; with approximately \$2 million dollars of other items that are part of that project, but listed separately on the plan in the event the renovation was defeated by the voters.

Mr. McNamara told the Selectmen that the committee took out the budget for the renovation of some of the Municipal Building's roof. They thought the renovation was tied to the projected use by the school of a portion of the building. He said to let the committee know if the Selectmen wish it to be included in the plan. Mr. Gleason questioned when it was originally scheduled. Mr. Gaydos recalled it was scheduled for two different years (possibly 2016&2017); they would do half one year and the other half the next year.

Mr. Lynde questioned if there was any data as to what the School Board would be budgeting (for the SAU) under the current situation and what the outlook would be. He wanted to know if the Selectmen would need to revisit the schools use of the Municipal Building for the SAU. Mr. McDevitt believed it would be up to the School Board to approach the Selectmen.

Mr. Gleason wanted to know what portion of the roof would be affected. Mr. Gaydos said it was the Municipal complex side of the building; the roof on the Police side was newer. He said they would update the prices for the committee. In looking at the plan, Mr. Gleason saw that the Selectmen would need to consider the fire engine, which he believed they had pretty much made the decision to put it in the operating budget. The second item was the side walk plow, which the Board was currently analyzing.

There was a brief discussion regarding the school's request. Mr. Gowan noted they didn't get a specific bond period; the committee based their information on what the school had done historically.

Mr. Gleason asked if the committee received adequate responses from the Town's departments and if they felt the CIP was a reasonable document. Mr. McNamara said they got a very good response from almost every department.

Mr. McDevitt observed that the Highway Department had submitted for a piece of equipment that the Board of Selectmen hadn't yet vetted. He wanted an understanding that the items on the CIP weren't discussed by the Selectmen. He believed one of the current flaws of the CIP was department heads going directly to the CIP and discussing numbers, prior to the Selectmen having a discussion. Mr. Gleason felt the important factor was having a disciplined approach to planning. He agreed that the Selectmen needed to discuss whether items were economically feasible and what alternatives were available.

Mr. Haverty it was up to the Selectmen to determine if they support the items in the CIP. He said just because something was in the plan didn't mean they had to go forward with it. Mr. Viger said having items in the CIP brought it to the Selectmen's attention for discussion and comparison.

Philosophically, Mr. Gleason hoped to see a change in attitude from all boards. He believed it was the Selectmen's intention to follow the CIP with logic and reason. Mr. Haverty commented prior to last year the CIP had been on hiatus. He said in the years prior to the hiatus, all the boards supported the CIP. Mr. Gowan pointed out that the CIP was an advisory document. He said it was a tool for both the Selectmen and the Budget Committee moving forward.

Mr. Lynde questioned the bond figures shown on the spread sheet. Mr. Gowan said he would double check to ensure that the numbers were reflective for what was included in the plan.

It was noted that the CIP still needed to be presented to the Budget Committee.

## **2014 BUDGET PRESENTATIONS**

Finance Director Cindy Kelley joined the Board for budget presentations.

### **Selectmen – presented by Finance Director Cindy Kelley**

2014 Budget request: \$488,292, constituting a 0.7% increase over last year.

2013 Operating Budget: \$484,68.

Mr. Gleason saw there was zero expenditure under Compensated Absence. Ms. Kelley said nothing had been spent. She noted it went back into the General Fund every year if it wasn't spent. Mr. Gaydos said that budget helped to defray the costs if a long-term employee made a decision to sever their relationship with the Town. Mr. Gleason said there was also a capital reserve fund available. Mr. Gaydos said that fund had not been added to because they felt they didn't have a need to since it was accumulating interest every year. He said they felt they would be in good shape if they continued with the appropriation and turning back the unused amount each year.

Salaries – contractual increases. There was a brief discussion regarding how contractual increases were listed. Mr. Gaydos explained that certain employees didn't have a contract with set increases, they're contract indicates increases will be determined by the Board based on that employee meeting certain expectations. A note will be added to tie in and clearly identify the non-union wage increases for the Town Administrator, Finance Director and Executive Secretary. The Bookkeeper was noted as being a union position.

Supplies – were adjusted to actual numbers. Mr. Gleason asked if the Town was combining supply purchases with the School. Mr. Gaydos spoke with the new School Business Administrator. He said in the past there had been some issues, because a lot of the supplies purchased weren't identical. He said they will have further discussion to see if they can try combining purchases again. He will also confirm that WB Mason views purchases by the Town and School as one entity for discount purposes; the bills for both will continue to be separate.

Telephone – decrease based on buying shared minutes versus having individual plans.

Repairs – contractual increase for copier service (10% increase each year)

Expenses – overall decrease. There was a decrease in MuniSmart support based on contract renegotiation.

Mr. Gleason asked what was included in Technical Support. Mr. Gaydos explained once a week Rockport came into the offices and handled all the ticket issues. Mr. Gleason wanted to know what the 2012 expenses were for that category.

Mr. Gleason also wanted to know what was included in Services and Misc. Consulting. Mr. Gaydos gave an example of having to hire a surveyor. He said this was used if the Highway Department needed to clarify a property line. He noted when the Planning Department hires a consultant, the client pays for it. This budget line was for when the Town needed assistance.

Again, Mr. Gleason looked at the Compensated Absence and questioned if there were any known planned retirements coming up in 2014. Mr. Gaydos didn't know of any planned retirements. Mr. Gleason asked what the current compensated absence exposure was. Mr. Gaydos believed they had those numbers as part of the audit and would provide them to the Selectmen.

There was a brief discussion regarding having money in the compensated absence fund versus the budget. To better understand the situation, the Selectmen asked for the total exposure amount as well as the short term exposure (over 5 years). Ms. Kelley said she would run a report for review.

**Retirement – presented by Finance Director Cindy Kelley**

This budget was drafted based upon today's roster and increased solely on salaries. The backup information provided showed the salaries broken out by Group and Department.

## **OTHER BUSINESS**

### **Procurement Policy Discussion**

The Selectmen were provided with a draft of the Procurement Policy. Mr. McDevitt said he took the prior policy and changed a number of things. The prior policy put an enormous amount of responsibility and decision making on the Town Administrator. He didn't feel that was the intention of the present Board of Selectmen.

The Board reviewed the proposed amendments to the policy. Further amendments will be made to the document. The Selectmen were asked to forward any comments to Mr. McDevitt, who will provide a final draft of the policy for review at the next regular Selectmen meeting.

### **Sidewalk Maintenance Update**

Mr. Gaydos told the Selectmen Boyden had essentially provided a price for cleaning all of the proposed sidewalk during a storm over 12 inches and the price for a storm under 12 inches. He said he now had to calculate how much sidewalk the Town had and get an answer from Boyden about the mobilization cost (one-time cost per storm) and the hourly rate for use of equipment and personnel. Mr. Gaydos said those details were being worked out.

Mr. Gleason said the Selectmen have requested a payback analysis on the machine the Highway Department requested. Mr. Gaydos wanted to know which year (2013 or 2014) to focus on. Mr. Gleason said they were interested in both. The immediate issue was what the Highway Department would do this year with the sidewalks there were. But the important thing for next year was to determine the total cost for the Highway Department to maintain 1,500 linear feet of sidewalk and what the cost savings would be to put the requested equipment in the inventory and offsetting other costs (i.e. brush cutting). In summary, the Selectmen wanted to know the short-term costs for 2013 and the long-term cost for the requested equipment and what costs would be offset by it.

Mr. McDevitt felt it would be useful to know from the Highway Department if someone would need to be hired. Mr. Gaydos believed the sidewalks would be done during the clean -phase of a storm. He said the sidewalk didn't need to be maintained during the storm.

## **TOWN ADMINISTRATOR'S / SELECTMEN'S REPORTS**

Mr. Lynde announced that there would be a concert on the Village Green on August 7, 2013. He then updated the Board on the actions by the substance abuse group he was meeting with. The group had scheduled out their drug and alcohol awareness event for October 1<sup>st</sup> in the three schools. He said different presentations would be given based on the school and grade they met with. A parent's night would also be held to educate and share information.

Mr. Haverty thanked Mr. Gaydos and Highway Road Agent Don Foss for the quick response and resolve of brush cutting situation at Mt. Vernon Drive and Mammoth Road. Mr. Gaydos noted that the area needing to be clipped was between the road and the guardrail. He received an e-mail indicating that the State would do between the guardrail and the road, but the Town was responsible for cutting the brush behind the guardrail. He said this wasn't the problem they had.

314 He said when the resident (Town's customer) called the State, they said the Town was  
315 responsible from the guardrail to the road for 400ft. in both directions. He didn't want residents  
316 to feel the Town was playing 'ping pong' with them. Mr. Gaydos said the response he received  
317 from Representative Lynne Ober was that the State is responsible for clearing from the guardrail  
318 to the road and Town's responsibility behind the guardrail. He told the Selectmen he wanted to  
319 specifically address where the 400ft. in both directions came from.

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321 Mr. Lynde asked for the results at the Highway Safety Committee meeting regarding opening up  
322 Acorn Lane to two-way traffic. Mr. Gaydos hadn't seen the report. He spoke with Police Chief  
323 Roark, who felt it would relieve traffic to have it open. Mr. Lynde commented that it wouldn't  
324 make sense to put pressure on anyone (such as the PUC) if the Town didn't care if the road got  
325 opened. He said if the Town wanted it open, they would have to find out if there was a schedule  
326 to get the pole out of the way on Acorn. Mr. Gaydos was asked to have Mr. Gowan provide a  
327 formal response from the Highway Safety Committee to the Selectmen.

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330 **ADJOURNMENT**

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

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

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333 The meeting was adjourned at approximately 8:40 pm.

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335 Respectfully submitted,  
336 Charity A. Landry  
337 Recording Secretary