

APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN MEETING
MINUTES
January 7, 2014
APPROVED – January 21, 2014

CALL TO ORDER - approximately 6:00PM

PRESENT: Mr. Edmund Gleason, Mr. William McDevitt, Mr. Doug Viger, Mr. Robert Haverty, Mr. Hal Lynde, Town Administrator Tom Gaydos

ABSENT: None

REQUEST FOR NON-PUBLIC SESSION

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

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

It was noted that when the Board returned, after the non-public session, the Board would then take up the items on the agenda and conduct their public meeting. The Board entered into a non-public session at approximately 6:00pm.

The Board returned to public session at approximately 6:30pm.

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

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

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

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT(S)

- Monday, January 13, 2014 6:30 PM – 7:00 PM at the PES Media Center - Hearing on School Bond Item 7:00 PM – 7:30 PM Review and Vote on PESPA Contract (School Support Staff Union) 7:30 PM Town & School Budget Reconsideration
- Representative Peter Clark, from Senator Shaheen's office will be holding office hours on Thursday, January 16, 2014 from 1pm-2pm at the Town Conference Room
- 2014 Town Meeting Schedule:
 - 2014 Town Deliberative Session – Tuesday, February 4, 2014 at Sherburne Hall

- 2014 School Deliberative Session – Wednesday, February 5, 2014 at Sherburne Hall
- 2014 Town Meeting – Tuesday, March 11, 2014 at Pelham High School
- Tuesday, January 14, 2014 Last day for voters to petition selectmen to include an article in the Town Meeting Warrant.
- Wednesday, January 22, 2014 First day for candidates in towns with non-partisan official ballot system to file declarations of candidacy with town clerk. Friday, January 31, 2014 is the last day for candidates to file. List of Openings:
 - Selectmen – 2 for 3 years Town Moderator – 1 for 2 years
 - Town Treasurer – 1 for 3 years Budget Committee – 3 for 3 years
 - Cemetery Trustee–2 for 3 years Library Trustee–2 for 3 years, 1 for 2 years
 - Trustees of the Trust Funds – 1 for 3 years Planning Board – 2 for 3 years

MINUTES REVIEW

December 26, 2013

MOTION: (Viger/McDevitt) To approve the December 26, 2013 public meeting minutes as amended.

VOTE: (4-0-1) The motion carried. Mr. Lynde abstained.

OPEN FORUM

None.

APPOINTMENT

Amanda Lecaroz, SAU 28 Superintendent of Schools – Information Session

Ms. Lecaroz came forward to discuss the Pelham High School project that would be included on the warrant in March. She gave a power point presentation that provided an overview of the addition/renovation project. To begin with, a round table discussion was held to review all of the facilities and the land within the School district to understand how best to use these to meet the needs. She said the result from those meetings was to do an addition/renovation on the high school. The original project was in the range of approximately \$25 million dollars; however, they were able to reduce the amount to approximately \$22.654 million dollars. An addition was planned for the front of the building and a significant renovation will be done to the existing building. It was noted that they couldn't alter the primary structure of the existing building but they were allowed to do internal renovations. Ms. Lecaroz discussed enrollment projections and the number of instructional spaces that would be needed to meet those requirements. She showed an analysis of the problems with the existing facility and the situations, other than space they were seeking to solve with the proposal. The problems were poor access, privacy issues, poor natural light, undersized educational spaces and poor acoustical separation.

Ms. Lecaroz showed an architectural renderings of the proposed addition and renovations that were being proposed. The information included a rendering of new parking areas and traffic flow patterns. The softball field would be moved to the area of the existing tennis courts; the tennis courts would be moved across the street and have its own gravel parking area. The school building will have the ability to have after-school community access without compromising the security of the administration and classroom areas.

80 Mr. Viger asked where field hockey would be located. Ms. Lecaroz said they were still determining
81 the best area to have the activity given there were specific guidelines for field maintenance. She said
82 the field hockey area may end up being created at the elementary school.

83
84 Ms. Lecaroz reviewed the proposed floor plan of the exiting school and addition. She highlighted the
85 areas that would be altered in the project. She noted that the remaining items to be addressed in the
86 NEASC report were facility issues, which would be satisfied with the proposal. If the voter's pass the
87 articles, the site work would begin in the summer, the addition would begin in the fall and built
88 during the school year. Renovations of the gymnasium and cafeteria are slated for renovation during
89 the summer of 2015. The renovations to the existing building would be completed by summer 2016.
90 Ms. Lecaroz said she would like to set up a meeting with Town departments to share information
91 about the school so if they have members of the public asking questions they could provide answers.

92
93 Mr. Lynde commented that there were very positive happenings at the schools. He felt it was
94 important to note that Pelham was at the low end in the State for the cost per pupil.

95
96 Mr. Viger wanted to know the potential of adding staff to the budget after the renovations. Ms.
97 Lecaroz said they would be increasing the number of instructional spaces by seven. She said that
98 didn't mean they would increase the number of teachers; that situation would need to go through the
99 budget process. All studies recommend an 85% utilization rate; the high school was currently at 97%
100 utilization.

101
102 Mr. Haverty commented in certain venues it was stated that student enrollment was dropping and to
103 building something for eight hundred students wasn't needed in the foreseeable future. He questioned
104 if people were going elsewhere for high school education because Pelham didn't have suitable
105 facilities or if the thought was people would be attracted to Pelham if facilities were built. Ms.
106 Lecaroz believed both thoughts were correct. She said Pelham's drop in enrollment was minor
107 compared to what other communities within the State were experiencing. She noted that the State's
108 economic study identified a certain corridor (in the southern region along I93) within the State that
109 had (and predicted to have) the least population growth. The district had seen this scenario play out
110 within the past five years. She couldn't answer whether enrollment numbers would reach 800
111 students, but felt building for 650 students would be fiscally irresponsible because that's the number
112 of students they currently had. Ms. Lecaroz said history had shown when a renovation was done,
113 enrollment increases.

114
115 In reading the warrant article Mr. Gleason said the voters were being asked to approve \$22.654
116 million dollars, but it didn't stipulate the length of a bond. He questioned how that would be clarified
117 with the tax payers. Ms. Lecaroz responded that the School Board had indicated they would to move
118 forward with a 20-year bond; all literature and communication is being based on a 20-year bond. She
119 said until they had approval and went to the bond bank they didn't know what the rates would be.
120 Mr. Gleason asked if they would be clear in communicating that fact to the voters. Ms. Lecaroz
121 answered yes.

122
123 Mr. Gaydos commented he would be happy to work with Ms. Lecaroz to meet with the Town's
124 employees. He'd like to have a prepared handout available for information. He noted PTV would run
125 the high school project segment of the meeting for a period of time to get information to residents.
126 Ms. Lecaroz was grateful for the assistance.

127
128 Mr. Gleason thanked Ms. Lecaroz for meeting with the Selectmen.

Deb Waters, Forestry Committee Chair – Discussion regarding the Benny Eaton Hill Forest – New England Forestry Foundation

Forestry Committee Chair Deb Waters and Forestry Committee members Paul Gagnon and Gayle Plouffe came forward to discuss the Benny Eaton Hill Forest. Ms. Waters introduced a project with the New England Forestry Foundation, which was at the very beginning stages. The New England Forestry Foundation ('NEFF') had contacted them to inform they would be doing a timber harvest on their property in Pelham and invited the committee to a site walk. During the course of discussions at the site walk, there were some proposals made by NEFF. Essentially NEFF proposed to trade 15 acres that were not adjacent to their land for 3.21 acres that was located in between two areas of land that they owned. Ms. Waters said the reason for the trade was because NEFF couldn't easily manage the 15 acres and the Town couldn't manage the 3.21 acres. She said Forestry felt the trade would be an excellent opportunity given that the 15 acres was adjacent to Town land already acquired in the area and could easily be rolled into that property.

Mr. Gleason confirmed that the NEFF was asking to swap 15 acres for 3.21 acres. Ms. Waters said that was correct. She noted Hudson owned 1.6 acres of the 3.21 acres. Mr. Gagnon showed the entire parcel and the location of the area owned by Pelham and that owned by Hudson. He said if Pelham donated their portion of the 3.21 acres to NEFF, the NEFF would give Pelham 15 acres in return; Hudson would get nothing. Mr. Gleason understood that the discussion was in the preliminary stage.

Mr. McDevitt pointed out Town Meeting approval would be needed to do what was being proposed. He believed the deadline for non-money warrant articles was close. Mr. Gleason said the deadline was January 14, 2014. Mr. Gagnon understood the land donation would require voter approval. He asked if voter approval was needed to accept the 15 acres. Mr. McDevitt commented that the Selectmen, through Town Meeting authority, were able to accept donations.

Mr. Gagnon said they would work with Mr. Gaydos to draft an article and try to get it on the warrant for this year. Mr. Gaydos said if they were to put something on the warrant they would want to make note it was a trade.

Mr. Haverty believed the trade of 3.21 acres for 15 acres wouldn't go through unless Hudson included their portion (of 1.6 acres) in the donation. He questioned if the warrant article had to be worded to indicate the trade was contingent upon Pelham successfully negotiating with Hudson. Ms. Waters was told by the NEFF if they couldn't get the Hudson portion it would be considered 'a wrench in the works'. She didn't know if the trade would be refused if they weren't able to get the one acre. Mr. Haverty said if the article passes, Pelham could then try to reason with Hudson to donate their portion. If that didn't go through, Pelham could still trade with NEFF, or walk away. Ms. Waters said that was correct.

Mr. Viger questioned the purview of the NEFF. Ms. Waters said the roots of the NEFF started in the late 1800's; they were formed to preserve forest land and manage it properly. She noted they owned forest all over New England. She believed the Benny Eaton Hill Forest was donated to the NEFF with restrictions to be maintained as a forest. If the trade were to happen, Ms. Waters said the restrictions would remain pretty much the same.

Mr. Lynde understood that a warrant article would enable them to do the swap when they chose to do so. He felt they should move forward with doing a warrant article.

It was the consensus of the Board to have a draft warrant article done.

181
182 Mr. Viger momentarily stepped out of the meeting.

183
184 Ms. Plouffe added when the swap was done the Town would see a large area of open space preserved
185 and managed correctly as a forest. She said it was nice to be able to work together with another group
186 that may benefit them in the future.

187
188 Mr. Gleason asked that Ms. Waters work with Mr. Gaydos to draft a warrant article and submit it by
189 January 14, 2014. Such article wouldn't require Selectmen approval.

190
191 Mr. McDevitt momentarily stepped out of the meeting.

192
193 Mr. Gaydos said he would work with them to have an article submitted by the end of the week.

194
195 Mr. Lynde made a motion to include the article on the warrant, after the Selectmen had the
196 opportunity to review the final wording.

197
MOTION: (Lynde/Haverty) To include the article on the warrant.

VOTE: (3-0-0) The motion carried. (Mr. Viger and Mr. McDevitt had both momentarily stepped away)

198
199 Mr. Gagnon said they were about to conduct a Forestry Committee meeting and would draft proposed
200 language during that meeting and e-mail the draft to Mr. Gaydos in the morning. Mr. Gleason said
201 they had received tentative approval based on the motion; the Selectmen wanted to review the
202 wording.

203
204 Mr. Viger and Mr. McDevitt returned to the meeting.

205
206 **Joseph Maynard, Benchmark Engineering – Discussion regarding Valley Hill Road**
207 **Reconfiguration/Reconstruction**

208
209 Mr. Joseph Maynard of Benchmark Engineering, representing Bettencourt Corp, came forward to
210 discuss offsite improvements to the Valley Hill Road intersection at Mammoth Road. Planning
211 Director Jeff Gowan and Steve Keach of Keach Nordstrom (Planning Board's engineering review
212 firm) came forward for the discussion.

213
214 Mr. Gowan said on December 22, 2013 the plan had gone back to the Planning Board and been
215 approved. That same plan was now in front of the Selectmen and showed the Granfield's driveway
216 colored in red. The Planning Board's recommendation was for the plan to be signed off on by the
217 Selectmen; if this is done, the Planning Board's Chairman and Secretary will also sign the plan so it
218 can be recorded. Mr. Gowan said doing so also entailed a need for a warrant article to discontinue the
219 southern leg of Valley Hill Road. He said he drafted a warrant article and gave it to counsel for
220 review.

221
222 Mr. Haverty said the Planning Board approved the plan with a condition that if the Board of
223 Selectmen decided to not take any action on the offsite improvements, and not put an article on the
224 warrant in March, the Planning Board would otherwise allow the plan to proceed. The business
225 would open as designed. He said Mr. Gowan informed they received legal advice that says because
226 the Planning Board approved plan shows the offsite improvements; the Selectmen need to approve
227 the plan before them. If the Selectmen don't approve the plan the matter would need to go back to the

228 Planning Board to have the applicant submit a plan without the inclusion of the offsite improvements.
229 Mr. Haverty said prior to counsel's review the assumption was if the offsite improvements weren't
230 approved, the plan was still good and the existing conditions would remain and the applicant would
231 have the ability to conduct their business. They have since learned this was untrue; because the
232 offsite improvements exist on the plan approved by the Planning Board, if the Selectmen don't
233 approve that plan, the matter will have to go back to the Planning Board for the plan to be redone.

234
235 Mr. Viger questioned what would happen if it failed on the warrant. Mr. Gowan replied one of the
236 Planning Board approval conditions; the applicant could still operate their business. The road closure
237 would need to be revisited on the 2015 ballot. He explained that although the Planning Board
238 approved the plan, they could not sign it until the Selectmen indicated they were okay with the
239 improvements, because those improvements were shown on the plan. Mr. Gowan said if the voters
240 turned the article down for the offsite improvements the applicant would technically be relieved from
241 the obligation to do so. He said because the developer wanted to do the improvements, they could
242 conceivably get another opportunity in 2015. Mr. Viger understood that the site plan was tied into the
243 road plan. Mr. Gowan answered yes; the tricky part of the plan was it required actions from two
244 separate boards.

245
246 Mr. Haverty said the applicant (Bettencourt Corp.) was posting a bond for the offsite improvements
247 and questioned what would happen to that bond if the article didn't pass at Town Meeting in March.
248 Mr. Gowan said according to the Planning Board's decision, the bond would be returned. If it was
249 decided to do the improvements in 2015, the bond would need to be posted again. The applicant
250 would not have to re-post the bond.

251
252 Mr. Lynde didn't see how the plan would be hung up by the approval or non-approval of the road
253 being discontinued. He said being a Town road they had authority over it. Mr. Gowan said the
254 complexity was due to one plan sharing three separate authorities; the Planning Board, the Selectmen
255 and the Department of Transportation ('DOT'). He said the DOT wouldn't allow the overall
256 improvements without the southern leg of Valley Hill Road being discontinued. Mr. Lynde
257 questioned which plan DOT didn't like. Mr. Maynard said the plan that went to DOT left a physical
258 connection from the leg of Valley Hill Road that they were looking to discontinue. He said the plan
259 submitted to District 5 had a connector driveway that looped down that southerly leg, which the DOT
260 didn't like because it allowed for conflicting traffic movement too close to the intersection. The
261 current plan was proposed to the State as having only one residential house with a driveway coming
262 out onto Valley Hill Road. Mr. Maynard commented that the State said it wasn't their ideal
263 preference for that driveway, they would allow it if it was to come through as a new application.

264
265 Mr. Haverty noted the State didn't have purview regarding the driveway. Mr. Maynard said they did
266 have purview over the intersection. Mr. Haverty asked if the State would hold the intersection
267 'hostage' over something that was being done with the driveway. Mr. Maynard believed that to be
268 true, but not for one residential house. They would have a big problem with the road being connected
269 for other through traffic. Mr. Haverty confirmed that the State's correspondence said they wouldn't
270 hold the plan up; they didn't really have a problem. Mr. Maynard reiterated that the State didn't have
271 a problem for one house lot. Mr. Gowan said he and Mr. Gaydos met with Bill O'Donnell, engineer
272 with District 5. He said ultimately DOT would sign off on a plan with the Granfield's driveway
273 shown (on the current plan), or have the driveway connect down to Mammoth Road. Mr. Haverty
274 asked if it was the DOT's preference to have the Granfield's driveway connect directly to Mammoth
275 Road. Mr. Gowan answered yes. Mr. Haverty suggested hearing input from the Granfields.

276
277 Mr. Viger questioned how the State felt about leaving the road configuration as it existed. Mr.
278 Gowan replied in both of the letters from the State, they indicated that could happen. The State

279 articulated their hope that the Town could come to terms with the off-site improvements because they
280 recognized they would be a significant safety improvement. He believed the State would rather see
281 everything remain as-is because of the proximity issues versus having the leg of Valley Hill Road
282 remain open. Mr. Viger said he asked the question because the voter's may not approve.

283
284 Mr. Lynde said the Planning Board approved the plan with the off-site improvement (straightening
285 out the road), but didn't rule on the configuration of the connection. Mr. Gowan said the decision
286 regarding the Grandfield's driveway wouldn't undo the Planning Board's decision. Mr. Lynde said
287 he would like to see the improvement to the road because he felt it would be a benefit to the residents
288 living in the area and for those accessing the establishment. He felt the Selectmen should approve the
289 plan, submit the warrant article and work out the driveway configuration.

290
291 Mr. Gleason asked Mr. Keach for his impression of the design being presented to the Selectmen,
292 specifically in light of the DOT's apprehension. Mr. Keach believed the important consideration had
293 been discussed. He believed he may have started the whole discussion when he first reviewed the
294 application for the conversion of a store into the currently proposed restaurant. At that time he didn't
295 feel the site circulation coming out to Valley Hill Road was safe. His biggest consternation was the
296 reality of the steepness and approach to Valley Hill Road. He said Mr. Maynard was able to realign
297 Valley Hill Road both vertically and horizontally to take the curve out of the approach to Mammoth
298 Road. This allowed for a reasonable platform for a vehicle to stop. He said it may not be the perfect
299 solution, but it was the best they could hope for. He agreed it would be a benefit to the residents and
300 the commercial establishment. Mr. Keach said he supported the plan at the Planning Board because
301 he believed it was the best possible outcome given the right-of-way constraints. He said
302 implementation of the plan would create a square intersection which would promote maximum
303 approach sight distance. He said he was never in favor of retaining a 'truncated' southerly portion of
304 Valley Hill Road because of what he perceived to be potential confusion of the part of drivers.

305
306 Mr. Gleason invited the Granfields forward. Paula and John Granfield of 1 Valley Hill Road came
307 forward to discuss the proposal. Mr. Gleason asked if they were in complete agreement with their
308 driveway being modified. Mr. Granfield said they liked the existing configuration and weren't a fan
309 of the change, but understood that the Town would benefit from the proposal. He didn't feel that the
310 improvements would be to their standards and saw a lot of work for themselves. Mr. Granfield said if
311 their driveway has to change they would like to see it done as specified in red on the proposed plan.
312 They didn't want to have to change their address from 1 Valley Hill Road. Mr. Gleason asked if the
313 Granfields had seen the DOT's comments. Mr. Granfield replied it is what it is.

314
315 Mr. Gaydos asked Mr. Granfield if they understood that the intent of the proposed plan was to
316 discontinue the area in red. Mr. Granfield said if their driveway had to extend out to Valley Hill
317 Road, they would have to take the land highlighted on the plan. He said they couldn't trust the Town
318 to maintain it. Mr. Gaydos wanted to make sure the Granfields understood the proposal. He asked
319 Mr. Gowan why bond money collected for road improvements would be returned to the commercial
320 property owners if the warrant article didn't pass. Mr. Gowan believed the intention of that piece of
321 the Planning Board's Notice of Decision was so the situation wouldn't 'hang in limbo'. He said it
322 was unusual to require a developer to submit a surety that would potentially go from year to year until
323 it passed on the warrant. Mr. Gaydos wanted to know why the Planning Board chose not to give the
324 discontinuance a second chance; the proposed improvements would be most favorable. Mr. Gowan
325 believed the Planning Board wanted to bring the situation to a closure by having an answer one way
326 or another. He said having multiple years on the ballot was problematic. Mr. Haverly concurred;
327 having been seated on the Planning Board, he believed they wanted to see the project come to closure.

Mr. Gleason said the Selectmen had a request to approve the plan. Mr. Lynde made a motion to approve the proposed plan for improvements to Valley Hill Road as approved by the Planning Board. Mr. Haverty seconded the motion for discussion. He noted that a proposed article had already been drafted. Mr. Gaydos said his only concern with the article's wording was that he wanted to confirm that the footage was correct. Mr. Lynde questioned why the word 'absolutely' was used. Mr. McDevitt said the word 'absolutely' was necessary to ensure there was no misinterpretation that the road was being discontinued absolutely and the land was being returned to abutters. The Town's ownership to the road would be extinguished. He said this was different than a road being closed to gates and bars. Mr. McDevitt asked if legal counsel had reviewed the wording. Mr. Gaydos said counsel suggested the wording.

Mr. Gleason saw that the Planning Board would have to approve the warrant. It was noted that the Planning Board had already approved the plan and by doing so was in favor of the proposed improvements. The Planning Board's recommendation could therefore be included on the warrant.

Mr. Gaydos said he could have the Highway Road Agent confirm the footage for the article.

MOTION: (Lynde/Haverty) To approve the plan for the Valley Hill Road improvements as approved by the Planning Board and approve the warrant article as written for submittal to Town Meeting.

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

Mr. Haverty commented that the Board had previously authorized him to sign the permit application to the State. He said that he signed the permit application, which was now void; therefore another permit application would need signature. There was a consensus of the Board to authorize Mr. Haverty sign the permit application.

Jeff Gowan, Planning Director –

- **E911 Street Numbering Issues**
- **Flood Study Discussion**

Mr. Gleason understood that a constituent complaint had been received. The constituent was having trouble with their house numbering and requested help from the Fire Chief. Mr. Gleason asked the Fire Chief to identify the areas of E911 that had not been addressed. The concern was the lack of a plan to close the issues. There have been two instances of fire apparatus going to the wrong home. Mr. Gleason said the intent of the discussion was to identify the areas of concern and to look to the E911 group as to what their plan and time schedule is for closure on the issues.

Mr. Gowan said several years ago the Town undertook a significant E911 task of renaming and renumbering. When the task began it was the consensus of the Highway Safety Committee ('HSC') they would take care of the lion share. He suggested moving ahead with the others should perhaps be complaint driven. He believed that the complaint received by the Fire Chief was the perfect opportunity to address the problems on West Shore Drive. Mr. Gowan said there was a process that would need to be followed for road name changes and renumbering. He said they hoped to blend a requirement for house numbering into the process because it was difficult at times to find homes when they didn't display house numbers. To begin, Mr. Gowan said they could review E911's list and work with Assessing Assistant Sue Snide to determine appropriate numbering. He said they would then coordinate with Mr. Gaydos to schedule the required public hearings.

Mr. Gleason understood that the road list submitted were the Fire Chief's areas of concern. He questioned if there were more roads to be addressed. Mr. Gowan said there were a few neighborhoods that had some challenges. He said the road identified by the Fire Chief were concerning for emergency responders.

Mr. Haverty said he would like the HSC to review all the remaining streets and put them in a priority order. He would like a phased plan along with a time frame for when the neighborhoods would be approached. Mr. McDevitt agreed that there should be a plan. He spoke about house numbering and said many years ago a warrant was proposed to require addresses be displayed and a fine if not done. That article was resoundingly turned down. He didn't believe the Town had the legal authority to require addresses be posted. Mr. Gowan said during the last round of address changes there were a few people who refused to change their address and have left their old number on their home. He said that type of situation was a real problem because the person who really had that number could be impacted. He said he would get the Board back together to review roads.

Mr. Gleason asked Mr. Gowan to re-charter the group and come back to the Selectmen with a plan. He'd like to see the plan rectify the significant areas. He said Mr. Casey submitted a request to the Selectmen to address his situation on West Shore Drive. He wanted to see that request identified along with the roads listed by the Fire Chief. He asked that a response be sent to Mr. Casey indicating that the HSC would be reconvened. Mr. Gowan believed it reasonable to come back to the Selectmen with a list of priority areas. He suggested inviting affected residents to be involved in the street renaming process as was done during the initial undertaking.

The Selectmen then discussed the Flood Study. Mr. McDevitt stepped away from his seat and addressed the Flood Study from the public input table alongside Mr. Gowan. He provided the Board with a summary of the Flood Study presentation made on September 18, 2013 along with some of the recommendations made by Vanasse Hangen Brustlin ('VHB') (firm hired to do the study). He felt it was important to keep the base line facts in mind, such as the Beaver Brook watershed being 80 square miles, with 50 square miles being above Pelham. The watershed contains 50,000 acres. According to FEMA, during the 100-year flood Beaver Brook used to get 3,000 cubic feet per second of water. Now Beaver Brook gets 4,000 cubic feet per second. It was pointed out that there had been considerable upstream development thus an increase in impervious surfaces. Each of the bridges in Town causes the brook to back up and flood; Abbott and Willow Street may be the worst. The 100-year flood zone is actually higher than shown on the FEMA maps. The four approaches that might be done were: 1) conveyance/improvements – a) make opening in bridges larger, b) remove Dracut constriction, 2) reduce flow rates – a) add storm water storage, b) use of cranberry bog (on the side of Rt.38); 3) move infrastructures out of flood plain; 4) regulatory and policy changes – a) submit new 100-year flood map to FEMA, b) make planning / zoning changes.

Mr. McDevitt said of the things discussed possible considerations could be regulatory changes. Mr. Gowan said that was underway presently. Mr. McDevitt cautioned submitting a new flood map to FEMA because it would put people into the flood zone that presently weren't there. He asked what would happen if the Town changed its flood map, but didn't submit it to FEMA. Mr. Gowan believed the better way to handle the situation would be to cause restrictions through zoning and planning. He said changing the maps slightly would cause a lot of impacts and unintended consequence to people.

Mr. Viger asked if potential new construction or change of venue (i.e. Walgreens) and the potential damage from such could be in the future versus what the Town was dealing with at present. Mr. Gowan said it wasn't that one project made a measurable change. He said the Planning Board was looking at building their regulations.

Mr. McDevitt said he would provide the Board a copy of his speaking notes for information. He said what remained to be done was to identify which conveyance improvements/bridge openings might cost effectively give the most upstream relief while having the least downstream impacts. He said they didn't know what ability the area between the bridges had for additional storage. He said it might be possible to enlarge the opening on one or two of the bridges, give some flooding relief, and yet have enough storage downstream that it would not any worse affect the people who were currently affected by flooding.

Mr. Gaydos said as part of the Willow Street Bridge replacement there are a certain number of calculations made as part of deciding how large to make the opening. He suggested asking those questions when engineering firms were being interviewed and how much of those calculations would be included in the State's 80% reimbursement for engineering.

Mr. McDevitt returned to his seat. Mr. Gleason asked what action the Selectmen should take at this time. Mr. McDevitt felt the Selectmen should have further discussion with VHB as to what the impacts to the flow would be from making the bridges wider. He said they should also ask if it made a difference for either bridge. He noted having further review would have a cost. He said he would meet with Mr. Gowan and VHB. Mr. Gleason asked that the associated cost be determined for any action.

Mr. Lynde felt the things to review were the Willow Street Bridge and Daniel Gionet Bridge (previously Main Street Bridge) and to find out the recommended flow rate (lower or higher).

The Selectmen delegated Mr. McDevitt and Mr. Gowan the responsibility of contacting VHB to initiate discussions on the feasibility and cost quote.

Mr. Lynde was concerned that the standards were being based on possibly outdated data. He felt the standards should be updated so as to not add to the existing flow rates within the Town. Mr. Gowan said Keach Nordstrom (on the Planning Board's behalf) scrutinized the pre- and post-flooding pieces. Beyond that, he noted they were in the process of reviewing zoning changes that would complement the land use regulations. Mr. Lynde asked if there had been a modification to the average rainfall that is dealt with. He wanted to know if standards had been updated based on what was happening. Mr. Gowan said they would challenge Keach Nordstrom to review that information.

OTHER BUSINESS

Reappointment of Stanley Walczak as Representative to the Nashua Regional Solid Waste Management District

Mr. Gaydos said he spoke with Mr. Walczak, who was more than happy to be reassigned.

MOTION: (Lynde/Haverty) To authorize Mr. Gleason to sign on behalf of the Selectmen for Mr. Stanley Walczak's reappointment as Representative to the Nashua Regional Management District.

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

Reconsideration items for 2014

Mr. Gleason said Budget Committee reconsideration was scheduled for January 13, 2014. He said the Town would be bringing a modification forward. Mr. Gaydos provided the Selectmen with two warrant articles for reconsideration.

The first was an increase of \$132,080 in the area of Insurance. The Insurance budget would be increased from \$2,108,261 to \$2,240,341.

The new bottom line for the Selectmen approved budget would be \$13,466,616.

MOTION: (Haverty Lynde) To modify the Town's Operating Budget in the area of Insurance by \$132,080 to a new Insurance budget of \$2,240,341 for a gross Operating Budget for the Town of \$13,466,616.

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

The Selectmen reviewed the article for Elderly Exemption. There was a typographical error corrected to read "...and for persons over 80 years of age and older..."

Mr. Lynde proposed raising the exemption from \$33,000 to \$50,000 for a person 65 years of age up to 74 years of age. His reason was when data was presented, the only Town at that level was Hudson and he would like to see the amount increased. He said they were cutting the upper end of the exemption and would like to bring the lower end up since that's where the bulk of the voting people would be. Mr. McDevitt didn't have a problem with the amendment.

MOTION: (Lynde/McDevitt) To approve the article as re-written to increase the exemption from \$33,000 to \$50,000 for a person 65 of age and up to 74 years of age. Also to approve the change outlined by Mr. Gaydos amending '*for persons over 80 years of age and older*'.

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

Mr. Gleason said there was an informal discussion at the Budget Committee about the concern that the Town would deprive people currently at 100% exemption of a benefit they had for many years that would be lost. He asked Mr. Gaydos to identify the residents that may be affected and determine the impact based on the value of the house and property. He said those thirty eight people would still get a benefit, but would be faced with paying taxes from the delta of the \$100,000 to the value of their house. Those individuals will have the opportunity to meet with Selectmen and request a deferral of taxes.

Mr. McDevitt noted that the warrant article was drafted per the State RSA's; people can't be grandfathered. He said the only thing the Selectmen could do was to go on record to say they weren't going to put anyone out on the street. His belief was if a person qualified today and was paying zero, he would still support that person paying zero today. The impetus behind the article was the Assessor felt people were being attracted to Town because of the exemption. It wasn't to punish people already receiving the exemption, but there was no other choice except to word it the way it was.

Mr. Viger added the Selectmen weren't doing it to put people on the street or charge a tax they had never paid. The potential exposure was \$1 million dollars based on people that qualified.

Mr. Lynde said they knew of cases where it had been abused and they were unable to challenge it through the State Supreme Court.

Mr. Gleason said the Selectmen should have a plan going forward as a preventative measure.

Financial Audit Follow-up Items

- **List of Inactive Funds for Closure**
- **List of Uncollected Funds for BOS Disposition**
- **List of Voided Checks for BOS Disposition**

The Selectmen reviewed the information requiring Selectmen disposition. Mr. Gaydos reviewed the items on the list and the recommended action for each. Mr. Gleason said he was in concurrence with the Finance Director's recommendations. He asked Mr. Gaydos to get back to the Selectmen for items listed as 'investigate'.

MOTION: (Haverty/Lynde) To follow the recommendation of the Finance Director regarding the disposition of the following funds: 15, 16, 20, 24, 28, 29, 39, 43, 47, 51, 53, 54 and 61.

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

Mr. Gaydos said there were invoices for Police details from 2006, 2007, 2008 that contained no backup. The auditor has recommended that the total amount of \$5,455 be written off. Mr. Gleason questioned if there were any legal ramifications. Mr. Gaydos answered no.

MOTION: (Viger/Haverty) To write off the amount of \$3,455 in unpaid (uncollected) Police details for 2006, 2007 and 2008.

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

Mr. Gaydos said there were some outstanding escrow checks (not cashed) from 2011 that had not cleared. The treasurer holds the money, and the accounting is done by the Planning Department.

Mr. Gaydos reviewed the bond balances. Mr. Gleason asked that the list be given to the Planning Department to determine what was active and what was inactive. The Selectmen will then make a disposition on the inactive bonds.

TOWN ADMINISTRATOR / SELECTMEN REPORTS

Mr. McDevitt thanked members of the Garden Club for their Christmas display.

Mr. Lynde said the Pelham Coalition (dealing with substance abuse awareness) held a meeting. He said they applied for, but didn't receive a grant to help fund the program in the schools to train peer mentors and to increase the amount of time for the adverse counselor to be in the school. The reason they didn't get the grant was mainly because there wasn't enough CERT involvement. Mr. Lynde said he spoke with Rich Hanegan of CERT.

Mr. Viger discussed the recent Budget Committee meeting during which they voted on and approved the Police and Fire contracts.

552 Mr. Gleason said the Council on Aging has received their certification from the IRS as a non-profit.
553 He commended the Highway Department for their performance during the recent storm event.
554

555
556 **ADJOURNMENT**
557

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

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

558
559 The meeting was adjourned at approximately 9:25pm.
560

561 Respectfully submitted,
562 Charity A. Landry
563 Recording Secretary