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APPROVED
BOARD OF SELECTMEN – MEETING MINUTES
October 26, 2021

CALL TO ORDER – Chairman Haverty called the meeting to order at approximately 6:30 pm.

PRESENT: Kevin Cote, Robert Haverty, Hal Lynde, Brian McCarthy Town Administrator

ABSENT: Jaie Bergeron, Doug Viger

PLEDGE OF ALLEGIANCE

MINUTES REVIEW:

October 12, 2021

MOTION: (Lynde/Cote) To approve the October 12, 2021 meeting minutes as written.

VOTE: (2-0-1) The motion carried. Mr. Cote abstained.

OPEN FORUM:

No one came forward to address the board in open forum.

APPOINTMENTS:

DRAFT TOWN WARRANT VOTE:

Chairman Haverty noted that they are the articles that will be presented to the Budget Committee on November 4. After a discussion amongst the board and Mr. McCarthy it was decided that they would take one vote on the articles at the end.

Mr. McCarthy read Articles 1, 4 and 5 into the record.

Chairman Haverty clarified the numbers on Article 5, the town operating budget. Mr. Lynde asked what the differences were between the selectmen and the budget committee. Mr. McCarthy explained the most significant change was in the police budget. The BOS approved two police officers in the operating budget and the BUDCOM removed them from the police operating budget. Chairman Haverty noted the budget committee removed the two officers and agreed to look back at it at reconsideration. Mr. Lynde noted a few changes, which Mr. McCarthy agreed there were a number of changes to the budget at the BUDCOM vote. Chairman Haverty also noted that the budget committee removed \$10,000 from the legal line.

Mr. McCarthy read Articles 6, 7, 8, 9 and 10 into the record.

Chairman Haverty read Articles 11, 12, and 13 into the record.

Chairman Haverty noted they would pick up at Article 14 after the public hearing.

51 **PUBLIC HEARING: Notice is hereby given in accordance with RSA 41:14-a, the Pelham Board of**
52 **Selectmen will hold two public hearings on Tuesday, October 12, 2021 & Tuesday, October 26, 2021**
53 **at 6:45 PM Sherburne Hall, 6 Village Green, Pelham, NH regarding a proposal to purchase the**
54 **following: #1 – 3 Conservation easements totaling approximately 202 acres. The lots are defined as**
55 **Map 6 Lot 4-161, Baldwin Hill Road, Map 6 Lot 4-162, off Jeremy Hill Road, Map 12 Lot 4-154, 8**
56 **Bowman Lane, Map 13 Lot 4-150, 146 Jeremy Hill Road, and Map 13 Lot 4-156, 139 Jeremy Hill**
57 **Road. In addition, Lots 208-18 and 202-1 in Hudson, NH on the Pelham/Hudson line will have a deed**
58 **restriction to prevent development or subdivision, in perpetuity. These will be easement properties;**
59 **ownership will remain with the current owners; the land will not be open to the public. #2 – Open**
60 **space totaling 85 acres. The lot is defined as Map 27 Lot 2-81, frontage at the intersection of**
61 **Mammoth Road and Bush Hill Road, along the class VI portion of Tower Hill Road and frontage on**
62 **the south side of Gumpus Pond.**

63
64 #1 - Al Steward, conservation commission, came forward to ask for the board's support of a conservation
65 easement on the Steck Farm. He explained that the property is very supportive of Pelham's rural nature.
66 He mentioned the board might want to consider this has been before conservation, the planning board and
67 forestry and all have supported this effort 100%. Mr. Steward encouraged the board to do the same.

68
69 There were no questions from the board for Mr. Steward

70
71 Chairman Haverty noted this is the second public hearing. There was discussion at the previous public
72 hearing.

73
74 No one came forward from the public for comment.

75
76 Chairman Haverty confirmed with Mr. McCarthy that the board holds the two public hearings and then
77 votes at the next meeting.

78
79 There were no questions or comments from the board and the public hearing was close.

80
81 #2 - Paul Gagnon, conservation commission, came forward to present. He said that Dennis Hogan had
82 presented more details last time. Mr. Gagnon showed a map of the entire town indicating anything in dark
83 green were protected parcels and under the control of either the conservation commission or the forestry
84 committee. Tan parcels have conservation easements on them and are also protected. He highlighted the
85 parcel he was speaking of tonight, the intersection of Bush Hill and Mammoth Road. It is 87 acres with a
86 little bit of frontage at Bush Hill and Mammoth and 700 feet of frontage on Gumpus Pond. This parcel is
87 mostly uplands with frontage on the pond and it protects the pond's watershed. Part of Gumpus Brook
88 comes through the property. Mr. Gagnon showed an aerial photograph and pointed out a road up to a cell
89 tower on the property. He explained 2 parts are carved off, per the landowner, and they will retain
90 ownership with either a single-family home or duplex. He explained this is typical of the conservation
91 commission because of the expense of frontage lots. The 5 acres that are taken up by the road and the cell
92 tower will remain with the landowner until the cell tower is no longer in use. At that time will become
93 town owned, at no additional consideration, assuming the board of selectmen choose to take it at that time.
94 The selling price is \$655,000, which is approximately \$7,700 per acre. The conservation commission plans
95 to pay for about half out of bond money and the rest from current use monies.

96
97 Chairman Haverty asked how \$7700 an acre compared to the cost of land and what the commission has
98 done previously. Mr. Gagnon said it was slightly higher as they previously averaged about \$7,000. He
99 noted that a buildable acre in Pelham went from \$115,000 to \$150,000. He said it used to be \$15,000 for a
100 back acre but he is not sure what the town is appraising those for right now.

101

102 Chairman Haverty asked Mr. Gagnon to confirm what he meant by a back acre. Mr. Gagnon explained that
103 if you had 30 acres, you would pay a certain price for the acres the house is on and the other 29 acres would
104 be appraised as open space.

105
106 Mr. Lynde commented that the board hasn't got a request to log any land lately and asked if that is in the
107 works. Mr. Gagnon said there are 3 logging operations queued up. The Merriam Farm operation is planned
108 for a December timeframe, 45 acres between Mammoth Road and Beaver Brook and at the end of Moon
109 Shadow. He said there is a portion of Meriam Cutter off Sherburne Road that has never been logged that's
110 to the west of most of the trails and a piece that town has own for a long time at the end of Spaulding Hill
111 Road that the town has never had access to. A parcel was acquired last year that now gives them access to
112 this town land, which will be harvested. Mr. Gagnon estimated \$10,000 to \$15,000 from each operation,
113 \$40,000 to \$50,000 total.

114
115 Chairman Haverty open it up for public comment. No one came forward to address the board and the public
116 heard was closed. Chairman Haverty noted the vote would be in two weeks.

117
118

119 **DRAFT TOWN WARRANT VOTE (continued):**

120
121 Chairman Haverty read Article 14

122
123
124 **PUBLIC HEARING: Notice is hereby given in accordance with RSA 41:14-a, the Pelham Board of**
125 **Selectmen will hold two public hearings on Tuesday, October 26, 2021 & Tuesday, November 9, 2021**
126 **at 7:00 PM Sherburne Hall, 6 Village Green, Pelham, NH regarding a proposal to acquire the**
127 **following: Approximately 11 acres of a 13.6-acre parcel. The lot is defined as Map 30 Lot 11-100, 71**
128 **Dutton Road. Property to be acquired for use as conservation land.**

129
130 Paul Gagnon, conservation commission, came forward again. He mentioned that the last parcel, the 85
131 acres will be open to the public. There are no trails right now, but in time it will be open to the public.

132
133 Mr. Gagnon described this is a smaller parcel that abuts Peabody Town Forest and abuts a prime wetland,
134 so the 100-foot prime wetland buffer is a portion of this property. This would be protecting what has been
135 defined as the highest value wetlands in the town and enlarging Peabody Town Forest. They did lot line
136 revision to enlarge the Peabody Town Forest by 11.6 acres and left 2 acres with the existing home. The
137 purchase price is \$80,000, approximately \$6,900 per acre. Looking at the town appraisal prior to the 2021
138 appraisal, the parcel's open space was appraised at \$8300 an acre. It went up to \$10,500 an acre with the
139 2021 appraisal. The purchase price would be about a third less than town's appraisal. Mr. Gagnon
140 explained this parcel has restrictions. The landowner would like it managed so there would be no hunting
141 and no timber harvesting. It would be open to the public and the commission can put trails on it. This went
142 to the planning board for approval for a lot line revision and for the planning board to vote separately to
143 recommend to the BOS that they approve the acquisition. Mr. Gagnon said that recommendation, the check
144 list, purchase and sale, appraisal, and subdivision design are in the selectmen's packets.

145
146 There were no questions from the board on this specific parcel.

147
148 No one came forward from the public to address the board in regard to this potential acquisition, so the
149 public comment portion was closed.

150
151 Mr. Gagnon explained this is a pretty remarkable year and he doesn't know if they'll see another year like
152 it with the conservation committee coming forward with almost 400 acres to protect.

153
154 Mr. Gagnon explained the sheet he gave to the board lists funds available, the current use balance, and the
155 expenses. He explained where the available monies came from. He noted there is enough money to buy
156 all 4 parcels and be left with about \$180,000. He said this was the reason for the other 2 warrant articles,
157 to increase the amount of current use monies that comes to the conservation commission and the thought
158 behind it, a warrant article for \$2.5 million. He explained that after this purchase they would be almost out
159 of money, and it would be up to the public to decide if they want to keep protecting open space. Mr. Gagnon
160 said the goal is to protect 25% and they would be at about 17%-18% of the open space.

161
162 Chairman Haverty mentioned the commission has done some incredible work. They are approaching the
163 25% and it was a really good year for the conservation commission. He wanted to make sure that people
164 understand the work that goes into this and is done by volunteers. Chairman Haverty thanked Mr. Gagnon
165 and the commission.

166
167 Mr. Cote asked Mr. Gagnon if they have any commission members working with the master plan.
168

169 Mr. Gagnon said that Mr. Steward is rewriting the natural resources inventory, which is a feed document
170 to master plan. He doesn't believe that anyone from conservation has been assigned to work full time with
171 the master plan, but it's not to say they shouldn't be.

172
173 Mr. Cote said Mr. Gagnon may want to bring it up at the commission's next meeting to see if anyone is
174 interested in being a part of the master plan. He said Mr. Gagnon talked about goals and the master plan is
175 the town wide goals so it might be a good idea. Mr. Gagnon agreed that was a good point. Mr. Cote said
176 he will reach out to Sam Thomas on the planning board for his feedback.

177
178 Mr. Gagnon said he made a note to ask for volunteers at the next meeting.

179
180 There were no further questions or comments from the board.

181
182
183 **DRAFT TOWN WARRANT VOTE (continued):**

184
185 Article 15 (A&B), Mr. McCarthy said there were two articles for the Abbot Bridge, one addressing the need
186 for additional funds using fund balance money and one using a warrant article to have money generated.
187 Mr. McCarthy read both articles into the record. Chairman Haverty noted the board would discuss the
188 options at the end.

189
190 Mr. McCarthy read Articles 16, 17 and 18 into the record.

191
192 Mr. Lynde questioned if there can be an A and B article. Chairman Haverty explained there were two
193 options for the board to figure out. Mr. McCarthy said the selectmen will pick one. Chairman Haverty
194 explained that the board will have a discussion and pick which option the board likes and that will become
195 Article 15. The board will decide if they want to do this through fund money, at no additional cost to the
196 taxpayers, or raise the money through a warrant article. He asked for the board's input.

197
198 Mr. Lynde said he supports doing it and doing it now as he thinks there is a significant fund balance.

199
200 There was a discussion on Abbott Bridge project in general. Mr. Cote asked to confirm that the state is
201 rebuilding the bridge, but the town has to front the money. Mr. McCarthy said this was correct. He said
202 there were warrant articles in 2015 and 2019 for the project and now costs have gone up and they are finding
203 they need more money to complete it. Mr. Cote confirmed that the town is fronting the money, but the state

204 will be reimbursing the town. Mr. McCarthy said that was correct. Once the project is completed, the state
205 will reimburse the town for 80% of the project. Mr. Cote confirmed the project total will be almost \$2.8
206 million and the town will be getting 80% of that back.
207

208 Mr. Lynde said the town is not raising and appropriating \$500,000. We are essentially loaning money to
209 the state, and they are reimbursing us \$400,000 so only \$100,000 will come out of the fund balance. Mr.
210 McCarthy said technically that is correct.
211

212 Mr. Cote said he is okay with using the fund balance because ultimately the town will be getting a check
213 and it will go back into the fund balance. Mr. McCarthy explained how the reimbursement would work
214 and the money would go back into the fund balance.
215

216
217 **MOTION:** (Lynde/Cote) For discussion on submitting Article 15B, not 15A.
218

219 Mr. Cote confirmed that Mr. Lynde was talking about using the unassigned fund balance. Mr. Cote
220 questioned the wording on “raise and appropriate,” which Mr. Lynde said would normally be said. Mr.
221 McCarthy said the entire document was approved by Attorney Rattigan. Mr. Cote mentioned that it was
222 confusing when you’re voting. As he reads it, it sounds like there’s a tax implication. Mr. McCarthy said
223 that as they do every year, there will be a voters’ guide and will make sure it’s explained clearly. Mr.
224 McCarthy explained that he believes when the town engages in projects, they have to appropriate the full
225 amount. When the project is complete, the money will be repaid by the state and in theory, the final expense
226 is only \$100,000. Mr. Cote said he is okay with the board’s decision but is concerned with the wording on
227 the article.
228

229 There was further discussion between Chairman Haverty and the board on where the \$500,000 and
230 \$100,000 numbers were coming from regarding what was coming out of the fund balance. Mr. McCarthy
231 confirmed that in the end, with the reimbursement, the town will get \$400,000 back and pay out \$100,000.
232 Chairman Haverty also noted that this is going to need to be explained very well in the voters’ guide.
233

234
235 **VOTE:** (3-0-0) To submit Article 15B for the town warrant. The motion carried.
236

237
238 Chairman Haverty opened up discussion on any of the other warrant articles.
239

240 Mr. McCarthy went back to Article 12. That article read, “shall the town of Pelham,” and all other articles
241 read, “shall the town.” He asked to remove “of Pelham.” Chairman Haverty was in agreement as it makes
242 it uniform.
243

244 There were no other questions or comments from the board on any of the other articles.
245

246 **MOTION:** (Cote/Lynde) To approve all the articles.
247

248 **VOTE:** (3-0-0) The motion carried.
249

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252 **DISCUSSION:**
253

254 **POLICY CHANGE AT THE TRANSFER STATION REGARDING THE ACCEPTANCE OF**
255 **MATTRESSES**

256
257 Chairman Haverty confirmed with Mr. McCarthy that the transfer station is no longer accepting mattresses
258 and box springs because the company we were using to dispose of them is no longer accepting them.
259 Chairman Haverty mentioned the size of the pile that was disposed of over the weekend, noting that he had
260 taken a picture of it.

261
262 Mr. McCarthy said Rhonda, from the transfer station, had reached out to two companies that can take
263 mattresses for the town and the information was in the board's packet. One company got back to her, and
264 one didn't. The company that got back to her indicated that they could accommodate the town and put a
265 roll off, enclosed dumpster at the transfer station but the cost would go from \$15 or \$20 to \$50. There was
266 discussion that it would be an enclosed, weather tight, shipping container that the company would manually
267 transfer into their truck and dispose of the items when it was full.

268
269 There was a discussion amongst the board as to whether it was known how many mattresses get disposed
270 of each year. Rhonda's memo had also mentioned people being able to strip down their mattresses at home
271 and bring the dismantled pieces to dispose of. Chairman Haverty noted that none of the three options were
272 good ones, not taking them, having people rip them down or charging \$50 a mattress. There was a
273 suggestion from Mr. Cote that we could have someone from the transfer station take loads to LL&S and to
274 dispose of them. Mr. McCarthy said Bob Long is looking into that, but they take stuff by weight. There
275 was a question on how the town would get them there. Mr. Cote also mentioned renting a box truck from
276 Home Depot and then dumping them at LL&S. He mentioned there are probably other solutions that could
277 be figured out by brainstorming. Chairman Haverty asked if there was any room for the town to subsidize
278 some of the cost. Mr. Cote mentioned that we do not charge for tires and when he joined the board it was
279 explained to him that we don't charge for them because they would end up on the side of the road. It was
280 mentioned that mattresses could fall into that category where we see them on the side of the road if there
281 wasn't a better solution found. There was a lengthy discussion trying to come up with a satisfactory
282 decision. It was mentioned that this could be part of the negotiation for the new contract next year. It was
283 noted that Green Mattress out of Milford was the company that had responded and UTEC had not
284 responded. The terms of the contract with Green Mattress were unknown because it was in the early stages.
285 Mr. Cote said he did not want to make a decision without all of the available information.

286
287 It was decided to hold off on the solution until the next meeting in order to wait for more information from
288 Mr. Long's meeting with LL&S and to see any information comes in from UTEC.

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292 **SETTING THE TAX RATE**

293
294 Mr. McCarthy said all of the information has been sent to the DRA and the town is waiting for them to
295 check all the information and get back to them.

296
297 Mr. Lynde asked if the board could see the data and Mr. McCarthy said it was on the DRA web portal. Mr.
298 McCarthy said the DRA is looking at the town information and the school information. Once they confirm
299 that, he will come back to the board, and they will look at the numbers as far as putting money in from the
300 unassigned fund balance to decide on the tax rate.

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304 **SELECTMEN/TOWN ADMINSTRATOR REPORTS**

305
306 **Mr. Lynde** no report.

307
308 **Mr. Cote** nothing to report.

309
310 **Mr. McCarthy** said he has been asked about redistricting and asked Mr. Lynde where we were with regard
311 to that. Mr. Lynde was unsure but will find out. Mr. McCarthy said they had done another permit check
312 at the transfer station. This was the second. There were 349 permits and 4 temps issued. He noted the
313 permit checks seem to be working. He also mentioned an email from Deb Waters about class five roads
314 and class six roads. He noted that Mr. Viger was working on putting together a committee as a result of
315 the fire and felt he should be here to be part of discussion. He said Mr. Bergeron also had a conversation
316 at the forestry committee meeting last night about where they were with the email. It was noted that the
317 email was received on the 18th. but it was the first BOS meeting since then.

318
319 Mr. Lynde asked what the issue was. Mr. McCarthy said the dirt roads are apparently being used by ATVs,
320 four wheelers and Jeeps and people are shooting out there. He said he had forwarded an email to the board
321 members of some options as to how the town might respond to what's going on.

322
323 Chairman Haverty asked if the police have been notified of people shooting out there. Mr. McCarthy said
324 they have not received any complaints.

325
326 Mr. Lynde mentioned there had been a problem at Raymond Park with a new field and people doing
327 wheelies. He said they had to put a fence up and block off entrances. He mentioned it is not a great solution
328 but something like that might have to be done.

329
330 Mr. McCarthy said another issue was we need to be able to get fire apparatus out there. He said Chief
331 Midgley should be part of the discussion. Mr. Lynde mentioned we may have to install gates controlled by
332 the fire department if needed.

333
334 Mr. Cote said a solution might be to give ATVers places to go ride. Mr. Lynde said he didn't believe they
335 were prohibited in a lot of places in town. Mr. Cote said he didn't think they're allowed to ride in town at
336 all. Mr. McCarthy said that they are prohibited in most of the town unless they have permission from a
337 private landowner. Mr. Cote mentioned giving people a place to ride that is not wetland sensitive. Mr.
338 Lynde agreed. Mr. Cote said it is up to the forestry committee. They are asking board to look at RSAs to
339 close down certain class six roads to make them seasonal use only. He said there will still be the problem
340 of four wheelers and off-road vehicles going in anyway, which Mr. Lynde agreed.

341
342
343 **Chairman Haverty** said he had a note from Paul Grant, NRPC commissioner, and he has resigned his
344 position as commissioner. Chairman Haverty said he sent an email to Mr. Doherty and Mr. Bergeron on
345 the planning board asking them to recommend a candidate. He explained the process is that the planning
346 board recommends a candidate to the BOS and then the board appoints based on a recommendation from
347 the planning board. He noted there is a vacancy for the NRPC commissioner and also on the budget
348 committee. Chairman Haverty explained that Mr. Grant is going through the part time police academy and
349 will be part time police officer for the town. His inability to make meetings prompted the budget committee
350 to vote to remove him and open a slot. Mr. Grant's service will be shifting to another capacity in the town.

351
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353 **REQUEST FOR NON-PUBLIC SESSION**

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355 **MOTION:** (Lynde/Bergeron) Request for a non-public session per RSA 91-A:3, II, (A&E)

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ROLL CALL VOTE:

Mr. Lynde – yes
Mr. Cote- yes
Mr. Haverty - yes

(3-0-0) The motion carried.

It was noted that when the Board returned, after the non-public session, the Board would not take any other action publicly, except to seal the minutes of the non-public session and to adjourn the meeting. The Board entered a non-public session at approximately 7:52 pm.

ADJOURNMENT

Respectfully submitted,
Jill Atkinson
Recording Secretary