

1 APPROVED
2 BOARD OF SELECTMEN – MEETING MINUTES
3 May 10, 2022
4

5 CALL TO ORDER – Chairman Corbett called the meeting to order at approximately 6:30 pm.
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7 PRESENT: Jaie Bergeron, Heather Corbett, Kevin Cote, Jason Croteau, Charlene Takesian, Interim
8 Town Administrator Joe Roark
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11 PLEDGE OF ALLEGIANCE
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14 MINUTES REVIEW:
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16 April 12, 2022
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18 MOTION: (Croteau/Cote) To approve the April 12, 2022 meeting minutes as amended.
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20 VOTE: (5-0-0) The motion carried.
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24 OPEN FORUM:
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26 No one came forward to address the board in open forum.
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29 APPOINTMENTS:
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31 **THE APPOINTMENT OF WILLIAM HAYES TO TOWN TREASURER.**
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33 William Hayes came forward.
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35 Chairman Corbett confirmed Mr. Hayes was present to be appointed from deputy to full town treasurer.
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37 Selectman Takesian commented that she had appointed Mr. Hayes as deputy treasurer while she was
38 serving as treasurer, and he has done a fine job. She feels he will do a great job as treasurer.
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40 The board agreed to appoint Mr. Hayes to town treasurer. He was asked to go to the town clerk's office to
41 get sworn in.
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44 Chairman Corbett acknowledged Selectman Takesian's time as town treasurer and a number of other roles
45 that she has served within the town. The board thanked Selectman Takesian for all her years of service to
46 the town.
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49 **DR. JANET HOLDEN ALONG WITH PHS STUDENT SPEAKERS, ANDREW HALEY, JILLIAM**
50 **LEBLANC, ISABELLA IVANYI, ABIGAIL MCFARLAND AND ASHLYN WALSH: PELHAM**
51 **WELL WATER RESULTS.**

Ms. Hudnor from the Department of Environmental Services was also present.

The students explained that since 2016, Pelham High School has tested the well water of 387 homes through grant programs with Dartmouth College and Mount Desert Island's Labs in Maine. It was explained that toxic metals do not have a distinguishable taste or appearance and therefore, many people are unaware of the issue. The students went through the contaminants and effects of arsenic, uranium, lead and manganese and their findings through these tests.

Filtration systems were discussed, and it was noted that a number of systems do not work. It was said that zero water filtration systems work. It was mentioned that Brita water filtration pitchers do not remove arsenic or uranium from water whereas reverse osmosis systems are effective. A zero-water filter pitcher was shown which has been effective in removing arsenic and uranium.

Chairman Corbett noted that her house was tested in a study and had significant levels of uranium. She asked if the study is still ongoing. The students explained the grant is up for renewal this year. Chairman Corbett noted that she feels it is an important study and hopes they continue. She asked how people could continue having their water tested.

Amy Hudnor, NH Department of Environmental Services explained there are great web resources on the NHDES private wells page. She said there is a list of labs that do well testing, a list of contaminants recommended to be tested for, and lab contact information. She explained there is also a Be Well Informed page which creates a report with the individual well results that people enter.

Selectmen Cote asked how samples were chosen. The students explained the testing was offered through science classes at PHS.

Selectman Takesian asked where people could purchase a reliable filter if necessary. Amy Hudnor explained that zero water pitchers are very effective for treating arsenic and uranium and are available through Home Depot, treatment companies, through the Be Well Informed site. She said the site also recommends the types of treatment systems based on results, such as point of entry versus point of use treatment systems, versus pitchers. She explained that pitchers may not be treating for all contaminants.

Selectman Bergeron asked if purchased commercial water is regulated. Ms. Hudnor explained that bottled water is held to the same federal standards as public water systems and contaminants need to be below regulatory limits. She said there are certain contaminants that NH regulates more strictly than federal standards and there are some exceptions for bottled water to be at federal standards rather than the stricter standards.

Selectman Takesian noted it was mentioned that people could use filtration systems by the kitchen sink. She wondered if any contaminants can any be absorbed by the skin. It was explained that most are not absorbed by skin, and it would have to be very extreme levels.

Selectman Croteau asked if NH DES keeps a record of private wells once they are tested on file. Ms. Hudnor said that doesn't stay on file. The students explained results of their tests were sent out to individuals and stayed anonymous within the Dartmouth study.

Chairman Corbett noted it might be interesting to have studies mapped to see areas of concentration. The students explained that one house could have very high levels versus their neighbors having virtually nothing.

The board thanked the students.

SARA LANDRY AND YVONNE LA-GARDE: HOBBS COMMUNITY CENTER PAVILION RIBBON CUTTING CEREMONY. REQUESTING PERMISSION TO SERVE ALCOHOL AT THIS EVENT.

Ms. Landry, director of Hobbs Community Center, came forward asking permission to serve alcohol at the ribbon cutting for the new pavilion which will be taking place Thursday, June 12. She explained the Council on Aging looking to serve a champagne toast, beer and wine, and it will be done through a caterer with two licensed bartenders. No alcohol would be for sale.

Selectman Cote questioned whether the board was allowed to allow alcohol on town property anymore as he thought it was stopped. Chairman Corbett said she believed it was allowed on a case-by-case basis but would need to go back through the records. Selectman Bergeron said he believes it is allowed if it meets requirements.

Chief Roark explained that after talking to the Liquor Commission, his understanding is if the caterers have a liquor license it would be covered through them. The Liquor Commission requires the venue to be reviewed by the fire department for safety. He explained he had spoken with Primex regarding any insurance requirements and was told if there was a licensed, insured, reputable caterer with licensed bartenders, no additional coverage would be needed because the caterers would be the primary insured if something were to happen.

Selectman Corbett said she felt it was safe to assume the senior center has fire clearance for a myriad of reasons, which Ms. Landry said they had, and it would be an outdoor event. She asked if there would be any controls to make sure the alcohol stays on site. Ms. Landy said they could put monitors in place and put up signs

Selectman Bergeron asked how many people they expect. Ms. Landry explained they have approximately 200 people invited and anticipate around 100 attendees. Selectman Bergeron asked if a police detail would be considered. Chief Roark said it was a reasonable request that could be complimentary from the police department, and he will make sure someone is present. Chairman Corbett agreed it would be a good idea to have that since it was during the 4:00 to 6:00 commuting hours.

Selectman Cote noted he still questioned whether the town allows alcohol consumption. He read through the 2017 alcohol ordinance, which restricts alcohol consumption except through an application process. Chairman Corbett believes it was a case-by-case basis. Selectman Bergeron explained that last he checked they would have to come in front of the board and ask permission and he feels that is being followed in this case. It was reiterated this is an invitation only event. Chairman Corbett said she felt the proper steps have been followed.

MOTION: (Cote/Takesian) To permit a champagne toast and a designated server to do beer and wine at the ribbon cutting ceremony at the Hobbs Community Center on June 23 with the condition a licensed server is serving the drinks.

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

APPLICANTS/INTERVIEW FOR OHRV ADVISORY COMMITTEE.

John Larochelle, Jr. 13 Surrey Lane came forward seeking the appointment to be part of the process of making this more enjoyable for the town to use Pelham property and do it responsibly.

Chairman Corbett asked what he meant by responsibly. Mr. Larochelle said this was maintain trails, no infractions of going through wetlands, no horseplay in areas where emergency personnel can't get to, and to keep it fun for responsible individuals.

Selectman Takesian asked how he proposed to do this. Mr. Larochelle said he has had a few meetings with people in town and they have talked about creating a club, which would raise funds and get volunteers to maintain the trails and keep an eye out for things that aren't supposed to be happening. Ms. Takesian asked if there was any particular area, they were thinking would be a good place. Mr. Larochelle said this is why the board is being formed. There are many areas that are very wet. They would keep it to certain areas, and have marked, maintained trails.

Selectman Croteau asked if he any trail building experience. Mr. Larochelle said he has had some and over the past 4-5 years he has helped maintained a lot of trails, made bridges, cut brush and removed fallen trees for clear, packed trails. He said he does not currently belong to an OHRV club.

Chairman Corbett asked if the town has a Borders and Riders Club. Mr. Larochelle explained that was for ski mobiles and those people actually maintain the trails during the summer.

Selectman Croteau explained that snowmobiles are allowed on town property now. Mr. Larochelle said this is allowed because everything is frozen, and they can't hurt the wetlands. There is usually a foot of snow down before riding is allowed.

Michael Andre, 105 Currier Road came forward. He said he is a member of the NH ATV Club and a trail master for Border Riders Club in town during the winter. He said he has two young kids and enjoys four wheeling, but they have to travel far. He believes there are areas in town that could be agreed upon to have an area to ride.

Chairman Corbett asked how he sees his role in finding a middle ground. Mr. Andre said he has a lot of landowner relationships through the snowmobile club and knows what people like and don't like. He believes there are some areas in town that could be shared that wouldn't bother other people.

Selectman Takesian asked what a trail master is and whether there are qualifications. Mr. Andre said there is a state class yearly for snowmobiles, which keeps relationships, as well as keeping trails safe and up to the standards of the state. Selectman Takesian asked if the state gives credibility or whether it's just a class. Mr. Andre said it's a class once a year. He said they get grant money for grooming, bridge building and building of trails and this is for the snowmobile system. Selectman Takesian asked if it was different for ATVs and Mr. Andre said it was different. Selectman Takesian asked if there are any snowmobile trails that would be considered for ATV trails or would they be totally different. Mr. Andre said he believes it would be ideal to try to use both and the maintenance could be done year-round. Selectman Takesian asked if the snowmobile trails are on town land. Mr. Andre said they are mostly on private land. They might be able to access trails that go through town land but would have to get permission for individual landowners. He said the state wants to see permission forms from landowners whose land is crossed.

Selectman Croteau asked what preparation he has done for this role. Mr. Andre said he was waiting to see what the board would be and where the board wanted to go with things.

Brian Bishop, 434 Mammoth Road, said he has 25 years in commercial real estate development dealing with landowners, access agreements and environmental matters and has been an avid ATV owner since the

204 '80s. He said he wants his children to have the same options he had and moved to NH to be able to enjoy
205 offroad ATVs, skiing and snowmobiling and moved to town because they had a snowmobile system. He
206 said he feels he could use his experience with landowners, easements, and rights of access in the commercial
207 world. He said he has experience dealing with CONCOM.

208
209 Chairman Corbett asked if he has any specific goals for the role. Mr. Bishop said to create a safe, useable
210 trail system where the users and CONCOM are satisfied and they don't degrade the land, with a
211 maintenance program and fee structure, and possibly a replanting structure put in place. He said his goal
212 is to have a safe trail system for people to enjoy.

213
214 Selectman Takesian asked if ATVs can go on Class VI roads now. Selectman Croteau said in certain areas
215 they can. Selectman Takesian asked what makes them available. Selectman Croteau explained that
216 organized clubs further north have a trail system. Selectman Takesian asked whether the board had closed
217 a class VI road from abuse by ATVs. Selectman Cote explained it was abuse by off road vehicles and there
218 is a distinction between off road vehicles versus ATVs. Selectman Cote said he believes they can ride in
219 certain Class VI roads. Selectman Croteau said he believes the committee is being put together to designate
220 specific areas for riding. Mr. Bishop said in his experience, there is a way to work things out with mandates
221 and enforcement.

222
223 Selectman Croteau asked if Mr. Bishop has any trail building experience. Mr. Bishop said he did as a kid
224 and then as an adult to build roads. He deals with CONCOM and putting development roads in for
225 commercial real estate. He said he understands the effects development and use has on land. Mr. Bishop
226 said he does not belong to an OHRV club at the moment.

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228
229 The board discussed they wanted to make appointments tonight. It was explained it was a year position for
230 all appointments. Selectman Cote explained the board would be made of two residents, a selectman,
231 Selectman Croteau, a member from conservation and a member from forestry.

232
233 Selectman Takesian asked if they could have an alternate position, which Selectman Cote said he was going
234 to recommend. Selectman Croteau explained it was an advisory committee and the public was welcome.
235 If someone was not selected, they could participate as well as a member. Chief Roark explained he
236 understands that once the subcommittee is created, the chairperson can structure it however they want and
237 could assign an alternate.

238
239 **MOTION:** (Cote/Bergeron) To place Mr. Larochelle on the committee

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241 **VOTE:** (5-0-0)

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243
244 **MOTION:** (Cote/Bergeron) To nominate Mr. Bishop.

245
246 **VOTE:** (5-0-0)

247
248 It was discussed these positions were nonbinding and members don't need to be sworn in.

249
250 Chairman Corbett asked Mr. Andre to attend the meetings and a structure would be determined.

251
252 Selectman Croteau said he will check in and they will have something later this week or early next week to
253 get the ball rolling. He said they will be working with Mary Hathaway from Forestry and Mike Gendreau
254 from Conservation.

255
256 **DISCUSSION:**

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258 **REVIEW OF THE BOARD OF SELECTMEN BYLAWS.**

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260 Selectman Cote noted they should keep in mind it's a living document and can be amended and changed as
261 time goes on.

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263 The board went through the latest draft and discussed changes to be made.

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265
266 **SELECTMEN/TOWN ADMINISTRATOR REPORTS**

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268 **Chief Roark, interim Town Administrator** noted there were several volunteer positions posted with a
269 closing date of May 6. The Agricultural Commission had three positions available, and no applications
270 received. The Budget Committee had one member position open and there were no volunteers. The
271 Conservation Commission has two open positions. There were two applications received. The Water
272 Commission has four memberships open, and one application was received. He said the interviews for
273 Conservation should be talked about on the next agenda. Chief Roark questioned whether he should
274 repost the other positions. Selectman Cote asked if they could do an open enrollment as there have now
275 been multiple postings. Chairman Corbett confirmed Selectman Cote meant removing the deadlines until
276 positions are filled. It was agreed that there would be a running enrollment and if people are interested, it
277 will be put on the next agenda for interviews. It was explained the length of the seats on the committees
278 would be adjusted based upon the time they join the committee.

279
280 **Selectman Cote** noted the Zoning Board decided to rehear 81 South Shore, which currently had the
281 structure on it. The decision was made not to rehear 80 South Shore. He said after watching the meeting,
282 he felt there were a lot of valid points. One thing that was talked about was why selectman brought it up
283 for rehearing and it was pointed out the BOS could vote no and could deny the permit. He pointed out
284 that the BOS felt there was an error in granting the variance and why a rehearing was wanted. Selectman
285 Cote said he got the sentiment that the Zoning Board would just grant the variance and let the selectman
286 deal with it. Selectman Cote said he has read letters from lawyers and such in trying to figure out if the
287 right thing was done in asking for a rehearing. He noted the ZBA has an important job. However, the
288 Zoning Board talked about it not being their job to set policy. Selectman Cote said they are setting
289 precedence so actually setting policy in some manner. He said last night's meeting also talked about
290 some concern about whether Simplex versus Newington was correctly interpreted. Selectman Cote said
291 he would like to talk to Attorney Rattigan about whether to appeal this further, possibly bringing it to
292 another level. He said he was not sure how the process really works but there is a 30-day process. He
293 asked the board for their feelings. Chairman Corbett said she would say to seek a legal opinion.
294 Selectman Bergeron also supported it. Selectman Takesian said she thinks the ZBA needs to consider
295 cases more carefully and this puts them on notice. The ZBA needs to follow the law and not opinion. put
296 on notice. Selectman Cote said this is a tricky situation. He said the BOS's job is being good stewards of
297 the town and watching the ZBA and even though they are doing a good job, mentioning they should think
298 about this. Selectman Takesian believes the ZBA does set precedence by their decisions, but they need to
299 look at each case individually. She noted she was not bashing anyone. Selectman Cote mentioned the
300 boards are all volunteers and need to work together to sort things out. He noted the ZBA is a tough job,
301 and they have a lot to consider. He feels they are doing a good job. Chairman Corbett told Selectman
302 Cote to talk to Attorney Rattigan.
303

Selectman Bergeron mentioned he has attended several master plan meetings over the last couple months. There is a lot of information to take in. He said it is amazing how many volunteers they have, and they are all showing up and contributing. There is a wide spectrum of people and opinions.

Ms. Takesian said she attended the Agriculture Commission meeting on May 5 which talked about the Farmers Market. The Farmers Market will start on June 4 and run from 10:00 to 1:00 hours. She noted they have over 32 vendors this year, although not every vendor will be there every week. It was mentioned there is no parking on the church property this year. They are looking for volunteers to help with set up and take down the Farmers Market. Those interested can email PelhamNHmarket@gmail.com. Selectman Takesian said she attended a pollination presentation for 4th and 5th graders at the library which she thought was interesting. She said she attended several things for the Council on Aging, noting 20% of the town's population will be 65 or older by 2030 so we need to pay attention. Yvonne La-Garde has stepped down as president as there is a 2-year limitation on officers. Al Steward now the chairman. Selectman Takesian attended the 1st Annual Spring Fling noting the first should have been two years ago but was cancelled because of COVID. The first ever William McDevitt Distinguished Citizen Award was presented. Mr. McDevitt was supposed to be the recipient in 2019 but has since passed away. The award was renamed for him, and the first award was given to Joyce McDevitt. The 2022 award went to Glennie Edwards. The Council is working on making existing walking trails more senior friendly. There is a volunteer fair at the senior center on May 23 from 1:00 to 3:00. She noted that last year, the senior center logged 5,647 hours of volunteers. It was mentioned that Sara is looking into Unite Us Program that will help connect seniors with much needed services. People can call 211 and will be connected with services in the state. The pickle ball project is moving forward. They are still raising money. The pavilion is completed, except for the landscaping. They will be having a grand opening in June. \$80,000 was raised to build the pavilion and no money came from taxes. They are looking for volunteers on May 26 to put some flowerpots together and looking for donations of flowers. A reminder the thrift store is open Monday through Friday. Appointments are needed to drop donations off. Pelham Community Spirit is having the Independence Day celebration on June 25. The Summer Concert Series starts June 29 and will run every two weeks weather permitting.

Selectman Croteau said he had attended the Pelham Baseball opening ceremonies. He gave compliments and kudos to Boyden's Landscaping. The parents and committees were very pleased with the fields. He noted has spoken with Brian Johnson about the garage where the tractor is kept, and the door needs to be repaired.

Chairman Corbett said she touched base with the school board. They wanted to report the middle school is progressing quickly and things are going well. She said as a parent of a middle schooler, the teachers are doing a fantastic job of carrying on during construction.

REQUEST FOR NON-PUBLIC SESSION

MOTION: (Cote/Croteau) Request for a non-public session per RSA 91-A:3, II, (A).

ROLL CALL VOTE:

Selectman Croteau - yes
Ms. Takesian – yes
Selectman Cote – yes
Selectman Bergeron – yes
Ms. Corbett - yes

(5-0-0) The motion carried.

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356 It was noted that when the Board returned, after the non-public session, the Board would not take any other
357 action publicly, except to seal the minutes of the non-public session and to adjourn the meeting. The Board
358 entered a non-public session at approximately 8:10 p.m.
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361
362 **ADJOURNMENT**
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364
365 Respectfully submitted,
366 Jill Atkinson
367 Recording Secretary
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369