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2
3 **APPROVED**
4 **TOWN OF PELHAM**
5 **BOARD OF SELECTMEN–MEETING MINUTES**
6 **JANUARY 16, 2024**

7 **CALL TO ORDER** – Chairman Cote called the meeting to order at approximately
8 6:30pm

9
10
11 **PRESENT:** Jaie Bergeron, Heather Corbett, Kevin Cote, Jason Croteau, Charlene Takesian,
12 Town Administrator Joseph Roark

13
14
15 **ABSENT:** None

16
17
18 **PLEDGE OF ALLEGIANCE**

19
20
21 **MEETING MINUTES REVIEW**

22
23 January 2, 2024

24
25 **MOTION:** (Croteau/Bergeron) To approve the January 2, 2024 meeting minutes as is.

26
27 **VOTE:** (5-0-0) The motion carried.

28
29
30 **OPEN FORUM**

31
32 John Pickard, 57 South Shore Drive, approached the Board during open forum. Mr. Pickard
33 stated that he was unhappy with the Board’s decision during the last meeting to lock the gates.
34 He believes this is trampling on people’s rights to go into the woods. He stated that a full public
35 right of way is not to be restricted, and only certain aspects can be restricted. Mr. Pickard argued
36 that the RSA does not allow these restrictions. He believes all the trail access points should be
37 accessible for not only hikers but horseback riders, mountain bikers and other activities. He also
38 brought up that he was concerned about emergency vehicle access.

39
40 Chairman Cote assured Mr. Pickard that the Board of Selectmen did not vote to represent one
41 side over the other, they voted based off the Town’s majority vote of the warrant article.
42 Chairman Cote urged everyone in Town to come vote in March, as this is the time where you can
43 vote on Town matters.

44
45 James Fisher, Seavey Road, approached the Board during open forum. Mr. Fisher stated that he
46 agreed with everything Mr. Pickard stated. He stated that it has been almost two years since the

47 Town voted, and he had a hard time getting the code the first time the gate was locked. He feels
48 like his rights have been taken away. Mr. Fisher stated that he thinks less is more, and the Town
49 should remove the restrictions. He suggested installing surveillance cameras in the area to help
50 deal with the issues.

51

52

53 **APPOINTMENTS**

54

55 **Public Hearing: Captain Toom, Pelham PD – Acceptance of funds from PD Highway**
56 **Safety Grant 24-146 in the amount of \$17,096.25. The funds provided are to be used by the**
57 **Pelham Police Department for seven (7) in-car radar units and one (1) Lidar unit**

58

59 Captain Toom and Chief Perriello approached the Board. Captain Toom explained that he
60 applied for this grant through the New Hampshire Office of Highway Safety because the radar
61 systems in the police cars over fifteen years old. Captain Toom explained that the grant covers
62 75% of the costs, so the Town would be paying around \$5,000 for eight new radar systems and
63 the grant would pay for the other \$17,096.25. Captain Toom believes this grant is a great
64 opportunity.

65

66 Chairman Cote opened the discussion up to the public. No one came forward. Chairman Cote
67 closed the discussion to the public.

68

69 Chairman Cote asked if the 25% the grant does not cover is coming out of the Police Department
70 budget. Captain Toom stated that it was, and after they purchase the new systems they will be
71 reimbursed from the grant for 75% of the cost. They need permission from the Board to take
72 \$5,000.00 out of their budget for 25% of the cost that the grant does not cover.

73

74 Ms. Takesian asked if they also needed to make a motion to accept the funds. Chairman Cote
75 stated they do.

76

77 **MOTION:** (Takesian/Corbett) To approve the expenditure of \$22,795.00 for the 7 in-car
78 radar units and 1 Lidar unit with the acceptance of the grant for \$17,096.25.

79

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

81

82 Ms. Takesian thanked Captain Toom for taking the time to apply for the grant.

83

84

85 **Final vote on 2024 Default Operating Budget**

86

87 Tammy Penny, Town Finance Director, stated that the Board of Selectmen certifies the default
88 budget each year and the Budget Committee certifies the proposed operating budget. Ms. Penny
89 explained that the default budget is the amount of the same appropriations that is contained in the
90 operating budget authorized for the previous year, reduced or increased as in the case may be by
91 debt service, contracts and other obligations previously incurred or mandated by law. Also,
92 reduced by one-time expenditures contained in the operating budget and by salaries and benefits

93 of positions that have been eliminated in the proposed budget. In 2018 the law clarified that
94 contracts are items that were voted on, like the CBA. Ms. Penny stated that the 2024 default
95 budget is \$21,523,493.00. Ms. Penny had to remove one-time appropriations from the 2023
96 budget including \$64,000.00 for a new phone system, \$16,000.00 for Civic Gov software and
97 \$34,500.00 for building expenses, \$10,000.00 fee for the animal shelter, \$128,500.00 for a
98 bridge repair and \$83,000.00 for a solid waste compacter for the Transfer Station. Ms. Penny
99 stated that she also had to increase for CBA obligations and adjust accordingly for long-term
100 debt. Adjustments were also made to the insurance line as required by CBA or law.

101

102 **MOTION:** (Croteau/Bergeron) To approve the 2024 default budget of \$21,523,493.00.

103

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

105

106

107 **Final warrant article review/vote**

108

109 Chairman Cote stated that some of these warrant articles they have already acted on, but he will
110 read the articles as they will be posted. The order he is reading them is not necessarily the same
111 order they will be listed.

112

113 The first warrant article is Congestion Mitigation Air Quality Re-Appropriation for Mammoth
114 Rd Roundabout. Chairman Cote stated that the language will read as “Shall the Town vote to
115 raise and appropriate the sum of three-million four hundred sixty thousand dollars (\$3,460,000)
116 to construct two roundabouts at the intersections of Sherburne Road and Mammoth Road and
117 Mammoth Road and Marsh Road. Said appropriation will be offset by a Congestion Mitigation
118 Air Quality Program (CMAQ) Grant in the amount of two million-six hundred eighty thousand
119 dollars (\$2,680,000) and to be partially offset with exaction fees on deposit of one-hundred and
120 ten-thousand (\$110,000) dollars and to authorize the Selectmen to expend not more than six-
121 hundred and seventy thousand dollars \$670,000) from the Unassigned Fund Balance to offset the
122 remaining cost of the project. No money to be raised by taxation. This special article will be a
123 non-lapsing appropriation per RSA 32:7, IV. (Recommended by the Board of Selectmen 5-0-0)
124 (Recommended by the Budget Committee 10-0-0)”

125

126 Chairman Cote noted that this warrant article was already voted on as a Town, but it is a six-year
127 time frame and the project is taking longer than expected, so they need to vote to extend the
128 article.

129

130 The next warrant article is Highway Block Grant Aid, 2024 Special Warrant Article. Chairman
131 Cote stated that the language will read as “Shall the Town vote to raise and appropriate the sum
132 of Three Hundred Forty-Five Thousand Dollars (\$345,000) for repair, maintenance, purchase of
133 equipment and upgrading of Town roads, to be offset by anticipated Highway Block Grant funds.
134 This special article will be a non-lapsing appropriation per RSA 32:7, IV. No money to be raised
135 by taxation (Recommended by the Selectmen 5-0-0) (Recommended by the Budget Committee
136 10-0-0)”.

137

138 Chairman Cote noted that this was voted on back in October and is free money from the State to
139 use for the roads and other things.

140

141 The next warrant article is Support Union Collective Bargaining Agreement, 2024 Special
142 Warrant Article. Chairman Cote stated that the language will read as “Shall the Town vote to
143 approve cost items included in the five (5) year collective bargaining agreement ratified by the
144 Board of Selectmen and the Pelham Public Works and Municipal Employees, Local 1801 of the
145 American Federation of State, County and Municipal Employees (AFSCME), which calls for the
146 following increases in salary and benefits and to further raise and appropriate the sum of One
147 Hundred Forty-Two Thousand, Seven Hundred and Thirteen Dollars (\$142,713) to fund this year
148 of the agreement, such sum representing the additional costs attributable to the increase in
149 salaries and benefits required by the new agreement over those that would be paid at current
150 staffing levels? (Recommended by the Selectmen 5-0-0) (Recommended by the Budget
151 Committee 10-0-0)”.

152

153 Chairman Cote noted that the 2024 cost will be \$142,713.00, the 2025 cost will be \$122,644.00,
154 the 2026 cost will be \$98,605, the 2027 cost will be \$90,784.00, and the 2028 cost will be
155 \$100,114.00. This includes three months of 2029. The total accumulated cost is \$554,860.00.
156 This is the contract that the Board of Selectmen and Municipal Support Workers Union agreed
157 on and are now submitting for the Town to vote on. He noted that a lot of work went into this
158 contact, and he believes it is a good deal. Town Administrator Roark noted that the Budget
159 Committee recommended it as well.

160

161 The next warrant article is Town 2024 Operating Budget Article - Needs to be voted on now
162 after Budcom’s January 11, 2024 Reconsideration meeting. Chairman Cote stated that the
163 language will read as “Shall the Town vote to raise and appropriate as an operating budget, not
164 including appropriations by special warrant articles and other appropriations voted separately,
165 the amounts set forth on the budget posted with the warrant or as amended by vote of the first
166 session, for the purposes set forth herein totaling Twenty-One Million, Six-Hundred Eighty-One
167 Thousand, Nine-Hundred and Ninety-Seven Dollars (\$21,681,997)? Should this article be
168 defeated, the default budget shall be Twenty-One Million, Five-Hundred Twenty-Three
169 Thousand, Four-Hundred and Ninety-Three Dollars (\$21,523,493)? which is the same as last
170 year with certain adjustments required by previous action of the Town or by law; or the
171 governing body may hold one special meeting in accordance with RSA 40:13, X and XVI, to
172 take up the issue of a revised operating budget only. (Recommended by the Budget Committee
173 9-0-0).”.

174

175 Chairman Cote explained that this is the budget that the Budget Committee has submitted for the
176 Board of Selectmen to vote on then for the Town to vote on.

177

178 Ms. Penny stated that the Board of Selectmen deferred some requested items and used grant
179 money for other requested items, reducing the budget request by \$647,000.00. Then, through
180 actions of the Budget Committee, the reduction on top of that was approximately \$321,000.00.
181 The impact on an average home for this municipal portion of the tax rate, based on estimates,
182 would be .69% or \$18.71 for a \$500,000.00 home.

183

184 **MOTION:** (Croteau/Bergeron) To recommend the approved operating budget to the Budget
185 Committee of \$21,681,997.00.

186
187 **VOTE:** (5-0-0) The motion carried.

188
189

190 The next warrant article is the Pelham Community Power Electric Aggregation Plan. Chairman
191 Cote stated that the language will read as “To see if the Town will vote to adopt the Pelham
192 Community Power Electric Aggregation Plan, which authorizes the Board of Selectmen to
193 develop and implement Pelham Community Power as described therein (pursuant to RSA 53-
194 E:7). The program would provide a new default electric supply and new supply options for
195 customers in Pelham. There is no cost to the Town budget, and no obligation to participate.
196 Customers can opt out at any time and return to utility default service. Majority vote required”.

197

198 Chairman Cote stated that a lot of work went into this for the Town. Town Administrator Roark
199 added that there will be a detailed explanation of this in the Town’s voter guide.

200

201 **MOTION:** (Corbett/Takesian) To recommend the Pelham Community Power Electric
202 Aggregation Plan warrant article.

203

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

205

206

207 The next warrant article is the BOS Warrant Article (Road Discontinuance). Chairman Cote
208 stated that the language will read as “Shall the Town completely discontinue as an open highway
209 under RSA 231:43 the following highway: the portion of the Class VI road, approximately 1
210 mile, between the gate located at the northern most end of Saint Margaret’s Drive until the gate
211 at the western most end of Robinsons Lane. This discontinuance will take effect June 1st, 2024.
212 Majority vote required.”

213

214 Chairman Cote noted that this is the road that goes through the gun club. Mr. Bergeron asked if
215 they have to legally open the gate for this road since it is a Class VI road. Chairman Cote stated
216 that was correct. Mr. Bergeron and Chairman Cote noted that this could be an issue since it is
217 dangerous for people to have access since it goes through the gun club. Chairman Cote stated
218 that it makes sense for them to lock this gate for safety reasons, but he is worried people are still
219 going to vote not to lock it.

220

221 Mr. Croteau asked if this meant they would give the land back the abutters. Chairman Cote
222 explained that this is correct, and there is only one abutter who would have all of the land. Mr.
223 Croteau asked if this would allow them to have buildable frontage. Chairman Cote explained that
224 there is no frontage.

225

226 Town Administrator Roark noted that this road is extremely overgrown and difficult to travel on.
227 This road has not been used in a very long time.

228

229 **MOTION:** (Croteau/Bergeron) To recommend the BOS Warrant Article (Road
230 Discontinuance).

231
232 **VOTE:** (5-0-0) The motion carried

233
234

235 The next warrant article is Petition Warrant Article #X (Cemetery Trustees). Chairman Cote
236 stated that the language will read as “Shall we delegate the duties and responsibilities of the
237 Cemetery Trustees to the Board of Selectmen? A majority vote in the affirmative shall delegate
238 these duties to be effective 90 days after adoption and shall continue until rescinded by vote of
239 the Town meeting.”.

240

241 Chairman Cote stated that this is a petition article submitted by a citizen. He noted that the
242 Selectmen does not take any action on this.

243

244 Town Administrator Roark noted that the petition warrant articles have been reviewed by
245 Attorney Ratigan and only have minor conformity wording changes.

246

247 The next warrant article is Petition Warrant Article #X (Article 19 Repealing-2022). Chairman
248 Cote stated that the language will read as “Are you in favor of repealing the Article 19, voted on
249 at the March 2022 Town Meeting, to reclassify Tower Hill Road, which is an unpaved Class VI
250 Highway to a Class A Trail, beginning 2400 feet from Gumpas Hill Road to the Hudson town
251 line, in accordance with RSA 231-A. A Class A trail is a full public right-of-way subject to
252 public trail use with restrictions imposed by the Board of Selectmen. If repealed, Tower Hill
253 Road, beginning 2400 feet from Gumpas Hill Road to the Hudson town line, would be
254 reclassified back to a Class VI Highway which is a public roadway that the Town has no
255 obligation to maintain.”.

256

257 Chairman Cote stated that this is also a citizen petition and does not need any action from the
258 Board.

259

260 The next warrant article is Petition Warrant Article #X (Article 20 Repealing-2022). Chairman
261 Cote stated that the language will read as “Are you in favor of repealing the Article 20, voted on
262 the March 2022 Town Meeting, to reclassify the unpaved Class VI section of Spaulding Hill
263 Road, beginning 300 feet from the end of the Class V section of Spaulding Hill Road to Tower
264 Hill Road, to a Class A Trail in accordance with RSA 231-A. A Class A Trail is a full public
265 right of way subject to the public trail use restrictions imposed by the Board of Selectmen. If
266 repealed, the unpaved section of Spaulding Hill Road, beginning 300 feet from the end of the
267 Class V section of Spaulding Hill Road to Tower Hill Road, will be reclassified back to a Class
268 VI Highway which is a public roadway that the Town has no obligation to maintain.”.

269

270 Chairman Cote stated that this is also a citizen petition and does not need any action from the
271 Board.

272

273 The next warrant article is Petition Article #X (Forestry Trail Subcommittee). Chairman Cote
274 stated that the language will read as “Shall the town vote to establish a trail subcommittee

275 appointed by Pelham forestry. This volunteer trails maintenance subcommittee will be able to
276 maintain and access Pelham's trails and verify safety for all of Pelham residents on the town
277 lands and forest sections."

278

279 Chairman Cote stated that this is also a citizen petition and does not need any action from the
280 Board.

281

282

283 Ms. Corbett asked Chairman Cote if he would be willing to go back to Pelham High School to
284 discuss the warrant articles with the high school seniors. She also recommended they bring the
285 School Board with them so they can discuss their warrant articles. Chairman Cote agreed.

286

287 Chairman Cote asked if they had a public vote on the Collective Bargaining Agreement. Town
288 Administrator Roark stated that the Board of Selectmen did vote in public on this.

289

290

291 **Highway Bid Recommendations**

292

293 Town Administrator Roark explained that these bids are for the annual supplies that the Highway
294 Department uses. They hold a public sealed bid process. Highway Agent Hoffman then
295 recommends which bids he would choose, usually the cheapest option, but other things are taken
296 into consideration. His recommendation for aggregates is Brocks Industries. His
297 recommendation for signs and related items is American Flag Company, Mr. Hoffman noted that
298 there is a cheaper company, but they only do bulk orders and take a long time to be delivered. He
299 added that American Flag Company is right in Hudson, NH and they can order the quantity that
300 is actually needed. Mr. Hoffman's recommendation for line painting is K5 Corporation. His
301 recommendation for sand is Brox Industries. His recommendation for culvert pipe is E.J Prescott.
302 Mr. Hoffman's recommendation for hot top and cold patch is Brox Industries. His
303 recommendation for plow blades is United Rotary Brush. Mr. Hoffman noted that there is a
304 cheaper company, but they have a minimum order of \$6,000.00 which is far more than the Town
305 ever orders. His recommendation for sweeping is Continental Paving. His recommendation for
306 tree removal is Bradley Tree. Town Administrator Roark stated that if any resident would like to
307 review the bids they are available at the Board of Selectmen's office and the Highway
308 Department.

309

310 Chairman Cote asked if the Board had anything to discuss on this matter. Town Administrator
311 Roark assured the Board that all of the bids seem reasonable. The Board had a consensus to go
312 with Mr. Hoffman's recommendations.

313

314

315 **DISCUSSION**

316

317 There was nothing up for discussion.

318

319

320 **SELECTMEN AND TOWN ADMINISTRATOR REPORTS**

321
322 **Ms. Penny** had nothing to report.

323
324 **Mr. Croteau** had nothing to report.

325
326 **Ms. Takesian** thanked Ms. Penny for her support.

327
328 **Chairman Cote** had nothing to report.

329
330 **Mr. Bergeron** thanked the Town’s Highway Department and emergency services for keeping up
331 with all the snow the Town has been getting.

332
333 **Ms. Corbett** had nothing to report.

334
335 **Town Administrator Roark** agreed with Ms. Takesian, and thanked Ms. Penny again.

336
337
338 **REQUEST FOR NON-PUBLIC SESSION**

339
340 **MOTION:** (Corbett/Croteau) Request for non-public session per RSA 91-A: 3, II (a):
341 personnel

342
343 **ROLLCALL VOTE:**

- 344
345 Selectman Corbett– Yes
346 Selectman Bergeron– Yes
347 Chairman Cote– Yes
348 Selectman Takesian – Yes
349 Selectman Croteau – Yes

350
351 (5-0-0) The motion carried.

352
353 It was noted that when the Board returned, after the non-public session, the Board would not take
354 any other action publicly, except to seal the minutes of the non-public session and to adjourn the
355 meeting. The Board entered a non-public session at approximately 7:20 p.m.

356
357
358 **ADJOURNMENT**

359
360 Respectfully submitted,

361
362 Makayla Clougherty
363 Recording Secretary