

1
2
3 **APPROVED**
4 **TOWN OF PELHAM**
5 **BOARD OF SELECTMEN–MEETING MINUTES**
6 **January 3, 2022**

7 **CALL TO ORDER** – Chairwoman Corbett 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 December 13, 2022

24
25 **MOTION:** (Croteau/Bergeron) To approve the December 13, 2022 meeting minutes as is.

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

28
29
30 **ANNOUNCEMENT**

31
32 Chairwoman Corbett stated that the Planning Department would like to announce that the Town
33 of Pelham is in the middle of creating a new Master Plan. As part of this process, the public
34 needs to be engaged as much as possible for maximum accuracy of the Town’s wants and needs.
35 On February 22, 2023 from 6-8pm there will be a Community Forum Event at Sherburne Hall.

36
37
38 **OPEN FORUM**

39
40 No one came forward in open forum.

41
42
43 **APPOINTMENTS**

44
45 **Interview/Appointment: Zoning Board of Adjustment Alternate applicant**
46

47 Chairwoman Corbett explained that this is an alternate position with a two-year term that would
48 expire in 2025.

49

50 Mr. Welch stated that he has been educating himself on the Town's zoning ordinance for a year
51 or so. He explained that he noticed in many meetings that the Board was looking for alternates so
52 he would like to help them out. His goal is to aid in preserving the rights of property owners and
53 to find a balance between property owners and abutters.

54

55 Ms. Takesian asked Mr. Welch what he meant by wanting to find a balance between property
56 owners and abutters. Mr. Welch explained that although his main priority is preserving the rights
57 of the property owners, he believes there should be a balance between those rights and taking
58 into consideration the abutters who may be affected by certain things. Ms. Takesian stated that
59 that ZBA is a quasi-judicial Board, so you have to abide by the law.

60

61 Chairwoman Corbett stated that there are courses offered by the New Hampshire Municipal
62 Groups that would provide more insight on the finer points of the ZBA. She asked if Mr. Welch
63 would be willing to participate in one of the courses. Mr. Welch stated that he has already
64 spoken with Ms. Beauregard last week about the courses and is open to any recommended
65 courses.

66

67 **MOTION:** (Croteau/Cote) To appoint Mr. Welch to the Zoning Board of Adjustment
68 alternate position for a two-year term ending in 2025.

69

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

71

72

73 **Public Hearing: Board of Selectmen accepting Chardonnay Road as a Town Road**

74

75 A notice from the Planning Department states that the plan was approved on November 18,
76 2019. Chardonnay Road is an eight-lot subdivision that is currently fully occupied and located
77 off of Sherburne Road.

78

79 Chairwoman Corbett stated that they are looking for the Town to accept this Road so it can be
80 maintained during the winter months.

81

82 Mr. Cote explained that the developer has abandoned the rest of the project due to bankruptcy, so
83 the Town has to accept the Road or go through a legal process with the contractor regarding the
84 ownership as the Road. Accepting the Road is a quicker option that is better for the residents. He
85 added that although this is an unusual circumstance, the development is basically complete so
86 there are not too many consequences for the Town if they accept the Road. They can use the rest
87 of the bond from the developer to help with some of the remaining projects the Road needs.

88

89 Mr. Croteau asked if they will have to hire an outside engineer to complete the rest of the work.
90 Town Administrator Roark explained that originally it was supposed to be done by Herbert and
91 Associates, however, when the project went bankrupt, they were no longer interested. He stated

92 that he believes that they are now interested again in completing the work in the Spring, and the
93 Town will be paying for the work to be done using the rest of the bond.

94

95 Chairwoman Corbett opened up the discussion to the public. No one came forward to speak.

96

97 **MOTION:** (Cote/Croteau) To accept Chardonnay Road as a Town Road.

98

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

100

101

102 **Additional Encumbrance request from the Planning Department**

103

104 Ms. Penny stated that the Planning Department has one more additional encumbrance request.
105 She explained that there is \$80,000.00 in their 2022 budget to cover their Master Plan project.
106 There is currently a contract signed for \$80,060.00. Some spending has occurred, but the
107 remaining cost of the project is \$38,104.75. The Planning Director anticipates that this project
108 will finish up in the middle of 2023, so the remainder of the money will need to be encumbered
109 since there is no money in their 2023 budget for this project.

110

111

112 **MOTION:** (Cote/Croteau) To encumber \$38,104.75 in the Planning Department's budget.

113

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

115

116

117 **Final vote on 2023 Default Operating Budget**

118

119 Chairwoman Corbett explained that a default budget is the amount of the same appropriations as
120 contained in the operating budget authorized for the previous year, reduced, and increased as the
121 case may be by debt service contracts and other obligations previous incurred or mandated by
122 law and reduced by one-time expenditures contained in the operating budget and by salaries and
123 benefits of the positions that are in the proposed budget.

124

125 The 2023 default budget is \$19,943,898.00. The default budget is \$446,097.00 lower than the
126 2022 operating budget. The proposed 2023 operating budget as it stands today before budget
127 reconsideration is at \$21,209,478.00, therefore the 2023 default budget is \$1,265,580.00 lower
128 than the 2023 proposed budget.

129

130 Ms. Penny stated that the \$571,649.00 that she had to back off the default budget were one-time
131 appropriations.

132

133 **MOTION:** (Croteau/Cote) To approve the 2023 default budget of \$19,943,898.00.

134

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

136

137

138 **Public Hearing: Acceptance of special one-time bridge payment – In accordance with**
139 **Senate Bill 401 in the amount of \$249,956.47**

140

141 Chairwoman Corbett explained that this is to be used only for the construction or reconstruction
142 of municipally owned bridges.

143

144 Chairwoman Corbett opened up the discussion to the public. No one came forward.

145

146 Chairwoman Corbett stated that these are surplus funds that are distributed based on population
147 and municipal bridge deck surface area. They provide immediate resources to repair, maintain,
148 and construct municipally owned bridges and culverts. These funds must supplement local
149 budgeted funds.

150

151 **MOTION:** (Cote/Croteau) To accept the \$249,956.47 for the one-time bridge payment in
152 accordance with Senate Bill 401.

153

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

155

156

157 **Final warrant article review**

158

159 **Solar Warrant Article:** Should the Town of Pelham vote to modify the current solar energy
160 exemption pursuant to RSA 72:62 up to 100% of the assessed value of the qualifying equipment
161 as defined in RSA 72:61?

162

163 Under 72:61 the definition of solar energy systems for purposes of exemption under RSA 72:62
164 adopt before January 1, 2020, a solar energy system is a system that uses solar energy to heat or
165 cool the interior of a building or heat water for use in a building. It also means a system that
166 provides energy for a building using photovoltaic panels.

167

168 Mr. Bergeron noted that it does not clarify in the Warrant Article if this is just for residential or
169 not. The Board also noted that the current solar energy exemption is 10%. Mr. Bergeron stated
170 that a lot of surrounding Towns have made the change to a 100% exemption, and that adding
171 solar panels increases the value of a house by \$70,000.00 on average.

172

173 Mr. Cote noted that it increases the value by about \$1,500.00 a panel.

174

175 Mr. Croteau asked how many homes currently have solar panels and receive the exemption. Mr.
176 Bergeron stated he does not know the exact number, but that it is a small amount.

177

178 Recommend by Board of Selectmen (3-2).

179

180

181 **Increasing the Elderly Exemption Amount and Qualifying Income Warrant Article:** Should
182 the Town vote pursuant to RSA 72:39-A and 72:39-B to modify the current elderly exemption
183 and income limits from the property tax in the Town of Pelham for the qualified taxpayers as

184 follows: \$114,000.00 for those aged 65-74, \$164,000.00 for ages 75-79 and \$212,000.00 for ages
185 80 and above. In addition, the qualifying taxpayer must have an annual net income not exceeding
186 \$48,000.00 if single and not more than a combined net income of \$58,000.00 if married and
187 owning assets, excluding the person's residence, of not more than \$250,000.00?
188

189 Chairwoman Corbett explained that these increases are based on the 8.2% inflation rate between
190 2021 and 2022. The 2022 exemptions were: \$106,000.00 for those aged 65-74, \$152,000.00 for
191 those aged 75-79, and \$196,000.00 for those aged 80 or above. The income limits were
192 \$44,000.00 for single and \$54,000.00 for married. The net assets are still going to remain the
193 same at \$250,000.00.
194

195 Recommended by the Board of Selectmen (5-0).
196
197

198 **Blind Exemption Warrant Article:** Should the Town of Pelham vote to modify the current
199 blind exemption per RSA 72:37 from \$15,000.00 to \$57,800.00?
200

201 Chairwoman Corbett explained that most Towns have left the exemption at the state prescribed
202 \$15,000.00, allowing for amendment when the community decides to do so. Our current blind
203 exemption was adopted in 1982 and now, the cost of living has increased since then. The blind
204 exemption is not based on income; however, it requires the person to be certified by the State
205 Department of Education to be eligible for the exemption. Some neighboring communities
206 increased their exemption amount as of 2021. The average for the area is \$57,800.00.
207

208 Mr. Croteau asked if the person just has to live on the property or if they have to be an owner on
209 the deed. Mr. Bergeron explained that his assumption is they would have to be an owner, but he
210 is unsure. Ms. Penny stated that tax exemptions typically only apply to owners.
211

212 Chairwoman Corbett added that there is a very small number, in the single digits, that this
213 exemption applies to in Town.
214

215 Recommended by the Board of Selectmen (5-0).
216
217

218 **Optional Veteran's Tax Credit Warrant Article:** Should the Town of Pelham re-adopt the
219 optional veteran's tax credit of \$500 pursuant to RSA 72:28-II to include individuals who have
220 not yet been discharged from service in the armed forces?
221

222 Chairwoman Corbett explained that if this is re-adopted it will remain in place for the 2023 tax
223 year, if not the credit will revert to the \$50.00 as mandated by RSA 72:28-I and include
224 individuals who have not yet been discharged from service in the armed forces.
225

226 Mr. Croteau stated that he has spoken to Veterans who told him they moved to Pelham due to
227 this tax credit.
228

229 Recommended by the Board of Selectmen (5-0).

230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275

All Veteran’s Tax Credit Warrant Article: Should the Town of Pelham adopt the all-veteran’s tax credit?

Recommended by the Board of Selectmen (4-1).

Town Conservation Areas to Town Forrest Warrant Article: Shall the Town vote to establish as Town Forrest pursuant to RSA 31:110-113 the following parcels: tax map 31, lots 11-32, 11-34 and 11-35 formerly owned by Kleczkowski and add them to the abutting Blueberry Circle Town Forrest?

Chairwoman Corbett added that the enlarged Town Forrest will total approximately 57 acres and that there is no tax impact. Majority vote is required, and it is recommended by the Forestry Committee.

Mr. Croteau asked if that once it is considered a Town Forrest, is it controlled by the Forestry Committee. Mr. Cote confirmed that this is correct. Mr. Croteau asked if that means the Town must get permission from the Forestry Committee if they want to do anything with this portion of Town Forrest. Mr. Cote confirmed that this is correct. Mr. Croteau asked what the benefit of putting this into forestry is. Mr. Bergeron explained that the Forestry Committee has a set up with harvesting and taking care of the forest, whereas other Boards or Committees do not. Mr. Cote added that they maintain the trails as well.

Mr. Croteau stated that it is important for voters to know that once this is put into Town Forrest and controlled by the Forestry Committee, there are certain things that cannot be done on this land. He explained that the Forestry Committee has been in discussion about possibly banning electric bikes, which is over governing in his opinion. He added that he thinks the Board of Selection and Conservation Committee can work with the Forestry Committee to take care of the land, so that the Forestry Committee does not have full control.

Recommended by the Board of Selectmen (4-1).

Police Collective Bargaining Agreement Warrant Article: From 2023-2027, should the Town of Pelham vote to approve the cost items included in the five-year collective bargaining agreement ratified by the Board of Selectmen and Pelham Police Local 3657 of the American Federation of State, County and Municipal Employees?

This calls for increases in salaries and benefits, and to further raise and appropriate the sum of \$114,110.00 to fund for the current fiscal the year, the first year of the agreement, such sum representing the additional costs contributable to the increase in salaries and benefits required by the new agreement over those that we paid at the current staffing levels.

Recommended by the Board of Selectmen (5-0).

276

277 **Proposed Tax Exemption Warrant Article:** Shall the Town of Pelham vote to adopt the
278 provisions of RSA 72:81 and enable the Town to grant tax exemptions for new construction
279 performed on commercial or industrial uses?

280

281 The intent of the exemption is to provide incentives to build, re-build, modernize or enlarge
282 within the municipality. This exemption applies only for municipal and local school property
283 taxes assessed by the municipality. This exemption will not apply to the entirety of the property
284 value, but only to any increases in assessment value resulted from the new construction. The
285 period of time from which the property is eligible for exemption is ten years. The percentage of
286 authorized exemption is as follows: years 1 through 5 would be 50% off of any increased
287 assessment value, year six would be 40% off, year 7 would be 30%, year 8 would be 20% off
288 and years 9 and 10 would be 10% off. If put into place this would go into effect April 1, 2023
289 and will remain in effect for five years.

290

291 Recommended by the Board of Selectmen (3-2).

292

293

294 **Water Commission Proposed Warrant Article:** Should the Town of Pelham vote to expand
295 the established water utility district from those properties that are adjacent to and within 500 feet
296 of the following two water mainline extensions: an extension of the existing Marshall Road
297 water line beyond Pelham High School along Marsh Road to the intersection of Mammoth Road
298 and also an extension of the existing Pennichuck water line beginning at the Nashua and Main
299 Street intersection traveling East along Main Street to the intersection of Bridge Street and then
300 extending down Bridge Street to the Dracut Town-line to the Town of Pelham, New Hampshire
301 per RSA 31:134-149 and further to authorize the Board of Selectmen to appoint up to two
302 alternate members for two years to the five member Water Commission?

303

304 Ms. Takesian stated that if they change the water district to include the entire Town, she is
305 worried that the Town would be responsible for any expenses incurred in the district. She
306 explained that she cannot support taxing someone who is not getting a benefit from the water
307 lines. She added that she understands that the Town will probably not be paying for the
308 waterlines, however, other expenses will come along with the waterlines like maintaining them
309 and digging up the roads.

310

311 Mr. Bergeron stated that taxpayers are already paying for waterlines in the Town. He explained
312 that if you want to hook your house up to the waterline that goes in front of it, you have to pay
313 \$10,000.00 and will then receive a monthly bill but in regard to infrastructure he does not think
314 there is a big difference.

315

316 Mr. Cote stated that the Water Commission was established to address the MTBE in the area by
317 getting money from the State. He added that the issue is still not being addressed since the State
318 has now denied them twice. The purpose of the Water Commission is to provide water for
319 residents dealing with MTBE, and this has not happened yet. He explained that he is unsure if he
320 can support the entire Town becoming a water district since they need to focus on the two areas
321 with MTBE issues.

322
323 Ms. Abare, Chair of the Water Commission, explained that there are a few reasons as to why she
324 thinks it is important for the Water Commission to have jurisdiction over the entire Town. She
325 has explained that even though she does not have jurisdiction in certain areas, she is able to call
326 Pennichuck to fix certain water issues neighborhoods may be having. She added that in order to
327 help bring water to Pelham it is helpful for the Water Commission to have jurisdiction over all
328 areas.

329
330 Mr. Croteau asked if she could talk about the MTBE issues. Ms. Abare explained that Pelham
331 has applied for a grant from the DES, but it was returned a couple of times. If you receive the
332 grant, you need to have a Water Commission in place.

333
334 Mr. Cote asked what say the Water Commission has over Pennichuck if the Water Commission
335 gets jurisdiction over the entire Town. Ms. Abare explained that Pennichuck owns the franchise
336 but as they forge through the process of bringing water to Pelham, they may be able to get
337 certain pieces of the Town back into their control. She added that she has contacted the Town
338 Attorney regarding the possibility of negotiating with Pennichuck to get parts of the Town back
339 already.

340
341 Mr. Bergeron stated that there were not any changes on the tax impact to residents who do not
342 use the water because of the existing infrastructure. Ms. Abare agreed.

343
344 Ms. Takesian asked what their jurisdiction would be. Mr. Croteau explained that anything the
345 Water Commission wants to do will have to get approval from the Board of Selectmen first.

346
347 Ms. Takesian asked if the Water Commission needs full jurisdiction to complete the feasibility
348 study. Ms. Abare explained that currently any contracts that need to be signed for the feasibility
349 study will be signed by the Town not the Water Commission.

350
351 Recommended by the Board of Selectmen (5-0).

352

353

354 **DISCUSSION**

355

356 There Board of Selectmen had nothing to discuss.

357

358

359 **SELECTMEN AND TOWN ADMINISTRATOR REPORTS**

360

361 **Town Administrator Roark** reiterated that there will be a Master Plan Community Forum on
362 February 22, 2023 from 6-8pm at Sherburne Hall. The Master Plan has not been updated for over
363 ten years so this is a good opportunity for citizens to speak their mind. Also, he wanted to
364 announce the schedule for the Budget Committee's reconsideration. It will be on Thursday
365 January 12, 2023 at 6:30pm at Sherburne Hall. The Town Deliberative Session is on Tuesday
366 February 7, 2023 at 7:00pm in Sherburne Hall. The School Deliberative Session is on
367 Wednesday February 8, 2023 at 7:00pm in Sherburne Hall.

368
369 **Mr. Cote** had nothing to report.

370
371 **Mr. Bergeron** had nothing to report.

372
373 **Chairwoman Corbett** had nothing to report.

374
375 **Ms. Takesian** had nothing to report.

376
377 **Mr. Croteau** had nothing to report.

378
379
380 **REQUEST FOR NON-PUBLIC SESSION**

381
382 **MOTION:** (Croteau/Cote) Request for non-public session per RSA 91-A:3, II, A
383 (personnel).

384
385 **ROLLCALL VOTE:**

386
387 Selectman Cote – Yes
388 Selectman Bergeron – Yes
389 Selectman Corbett– Yes
390 Selectman Croteau – Yes
391 Selectman Takesian – Yes

392
393 (5-0-0) The motion carried.

394
395 It was noted that when the Board returned, after the non-public session, the Board would not take
396 any other action publicly, except to seal the minutes of the non-public session and to adjourn the
397 meeting. The Board entered a non-public session at approximately 8:03 pm.

398
399
400 **ADJOURNMENT**

401
402 Respectfully submitted,
403
404 Makayla Clougherty
405 Recording Secretary