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2
3 **NOT APPROVED**
4 **TOWN OF PELHAM**
5 **BOARD OF SELECTMEN–MEETING MINUTES**
6 **NOVEMBER 14, 2023**

7 **CALL TO ORDER** – Chairman Cote called the meeting to order at approximately
8 6:30pm
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10
11 **PRESENT:** Jaie Bergeron, Heather Corbett, Kevin Cote, Jason Croteau, Charlene Takesian,
12 Town Administrator Joseph Roark
13

14
15 **ABSENT:** None
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18 **PLEDGE OF ALLEGIANCE**
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20
21 **MEETING MINUTES REVIEW**
22

23 November 7, 2023
24

25 The meeting minute review was postponed until the next Board of Selectmen meeting.
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27

28 **OPEN FORUM**
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30 No one came forward in open forum.
31

32
33 **APPOINTMENTS**
34

35 **Public Hearing: Pelham Community Power Committee’s proposal to consider the adoption**
36 **of a Community Power Plan in accordance with RSA 53-E:6V.**
37

38 Chairman Cote stated that this is the first of two public hearings. The second public hearing will
39 be held on Monday, November 20, 2023, at the Community Center. He explained that
40 Community Power creates new electricity supply choices for Pelham residents and businesses
41 with the potential for cost and environmental benefits beyond that of the Default Service supply
42 from the electric distribution utilities. Instead of simply utilizing the utilities’ electricity supply,
43 Pelham will bundle together the electricity needs of its residents and businesses and put out a bid
44 for an electricity supplier to provide the necessary electricity at competitive prices. With
45 Community Power, Pelham can make strategic pricing decisions about when to solicit bids and
46 lock in fixed pricing for multiple years. Pelham can also increase the amount of renewable
47 energy available to individual customers and the community. Liberty and Eversource will
48 continue to manage billing and maintain wires and poles.

49

50 Chairman Cote invited Troy Bressette, a member of the Pelham Community Power Committee,
51 and Bob Hayden, President of Standard Power, to present in front of the Board.

52

53 Mr. Hayden stated that the goal of this program is to reduce energy costs for residents in Pelham.
54 He went on to explain that community power helps to secure competitive pricing. Standard
55 Power uses and supports local renewable energy. Mr. Hayden added that their services to
56 anybody, including community power customers, include the building of local projects or the
57 recovery of failed projects.

58

59 Mr. Hayden explained that Pelham Community Power Supply will change your bill's supply
60 costs. Their plan will have a default choice, where if you do nothing, you will get a plan that has
61 a legal requirement of renewable energy, which is 23.4%, and then an additional 5-10%. He
62 explained that there will be two mailings, but 80% of residents will have the default choice since
63 they choose to do nothing. He added that residents will have the choice between using less
64 renewable energy or more renewable energy as well, but there are cost differences.

65

66 Mr. Hayden stated that their main goal is rate relief for customers upon the program launch.
67 Their goals also include stable rates preferred by customers and long-term savings on electric
68 bills through program design, implementation, and evolution. They also have no individual
69 customer contracts or fees and customer protections. He also talked about the results of the
70 survey they held in Pelham. They had 139 respondents, 138 homes, and 1 business. They found
71 that the Town Website and Facebook are the best methods for program reach out. In the survey,
72 they asked if they were interested in adding additional renewable energy. Mr. Hayden explained
73 that 54% of respondents stated that they would like extra renewables if they could pay about the
74 same as they pay today. 11% of respondents stated that they would like extra renewables and
75 they are willing to pay a little more than they pay today. 7% of respondents stated that they
76 would like 100% renewable energy and are willing to pay more. Finally, 28% of respondents
77 stated that they would not like more renewable energy.

78

79 Mr. Hayden went on to explain the different program options available to residents, which are
80 based on rate and renewable energy differences. The options are Pelham Basic, Pelham Plus,
81 Pelham 50%, and Pelham 100%. The Pelham Plus option has a competitive rate and targets 1-
82 10% additional renewable energy. Mr. Hayden also explained the timeline of the project. They
83 are currently drafting the Community Power Plan with public input.

84

85 Chairman Cote asked why they would opt for the 100% renewable energy plan. Mr. Hayden
86 explained that this is a personal choice that only 2-5% of residents per Town make, and they
87 make it because they believe in it personally. He added that renewable energy replaces carbon
88 fuels. Chairman Cote clarified that he was wondering how it works regarding aggregating power.
89 Mr. Hayden explained that there are two different markets. The renewable energy certificates
90 separate the two marketplaces. Chairman Cote asked if they negotiate the rates as renewable. Mr.
91 Hayden stated that there is a minimum requirement called the renewable portfolio standard that
92 says all electricity sold in New England has to have 23.4% renewable energy. Any renewable
93 energy added to the plan is in addition to the 23.4%, and this is a customer choice. Mr. Bressette
94 clarified that the default option for customers if they do not make a different choice is the
95 Pelham Plus option, which is a competitive rate with a small amount of additional renewable
96 energy. Mr. Bressette added that the customer can opt up or down, but this is the default.

97
98 Chairman Cote asked what exactly the Town is voting on. Mr. Bressette explained that there are
99 a couple of different options the committee is considering for the language of the warrant article.
100 He added that they are simple and straightforward. The first option is: To see if the Town will
101 vote to adopt the Pelham Community Power Plan, which authorizes the Board of Selectmen to
102 develop and implement Pelham Community Power as described there, under RSA 53-E:7. The
103 program would provide a new default electric supply and new renewable energy supply options
104 for customers in Pelham. There is no cost to the Town budget and no obligation to participate.
105 Customers can opt out at any time and return to the utility default service. Mr. Bressette noted
106 that they would add language about the Board of Selectmen’s support and the majority vote
107 needed.

108
109 Ms. Corbett asked about residents who already use a third-party service for their electric needs,
110 and how they can get back into the collective bargaining pool. Mr. Hayden explained that if the
111 resident came off their current plan they would show up as “unserved” the following month and
112 would receive a mailing putting them into the new plan within 60 days. If the resident is
113 proactive and calls them, they can be started immediately when they leave their other plan. Ms.
114 Corbett asked how it works for new residents. Mr. Hayden stated that as soon as their meter
115 exists in their name they go into the pool, and they can also call to get added to the plan
116 immediately. All changes must occur at the meter read date. Ms. Takesian asked how residents
117 could get in touch with them. Mr. Hayden stated that they can be contacted via phone, email, or
118 the Internet. He added that there will be more contact information on the Town website once
119 their site is up and running.

120
121 Chairman Cote opened up the discussion to the public.

122
123 Sharon Jozokos, 10 Rocky Hill Road, approached the Board. Ms. Jozokos stated that she is on
124 the Pelham Community Power Committee. Ms. Jozokos asked Mr. Hayden which contact
125 information would be on her bill, Liberty Power, or Pelham Community Power. Mr. Hayden
126 explained that both contact information is relevant, and if there are questions about the power
127 supply, Liberty Power will direct them to contact Pelham Community Power. Ms. Jozokos also
128 asked what would happen if they could not get a better deal than what Liberty is offering. Mr.
129 Hayden explained that they will not recommend signing a contract unless it is a much better deal
130 than what they currently have. He added that the guarantee is that rates will be lower in the start,
131 what happens after the initial cycles is out of their hands, but people can opt out whenever they
132 choose. He also stated that it is rare that the rates will ever increase that much.

133
134 Mr. Hayden noted that the Committee will finish the process and will be asking the leadership of
135 the community to sign a contract when that time comes. Mr. Bressette added that they are almost
136 finished with the final draft of the plan and will publish it on their website once their survey
137 results are completed at the end of November.

138
139 **Vote on the Collective Bargaining Agreement / Local #1801 of the American Federation of**
140 **State, County and Municipal Employees (AFSCME) Pelham Public Works and Municipal**
141 **Employees.**

142
143 Town Administrator Roark explained that they need to vote on whether or not they are going to
144 support the recently negotiated collective bargaining agreement with the Pelham Public Works,

145 and municipal employees. He noted that this group includes the Highway Department workers,
146 Transfer Station workers, as well as most of the support staff in Town Hall. Their contract
147 expires on March 31, 2024. They began collective bargaining back in July. They were able to
148 come to a tentative agreement that has been approved by the support staff's group. This
149 agreement involves modest raises, slight increases in employee healthcare contributions, and
150 other language changes. Town Administrator Roark stated that he believes this is a fair contract
151 that was well negotiated with give and take from both parties. The warrant article will be for a
152 five-year contract. The 2024 cost will be \$142,713.00. The cost in 2025 will be an additional
153 \$122,644.00. The 2026 cost is \$98,605. The 2027 cost is \$90,784.00. The 2028 cost is
154 \$100,114.00. Town Administrator Roark noted that the 2028 cost increases due to it including
155 three months of 2029. He added that if they support it tonight it will be placed on a warrant
156 article and reviewed by the budget committee. The costs will be listed on the warrant article and
157 described in more detail in the voter's guide.

158
159

160 **MOTION:** (Takesian/Corbett) To approve the 2024 special warrant article draft for the
161 tentatively agreed upon collective bargaining agreement between the Town of
162 Pelham and AFSCME #1801.

163

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

165

166

167 **Discussion to grant authorization rights to the Town Administrator for the NHDES Used**
168 **Oil Collection Assistance Grant Application being submitted by the Pelham Transfer**
169 **Station.**

170

171 Town Administrator Roark explained that they have done this before for the New Hampshire
172 Highway Safety Grants, but this is kind of a new thing. He stated that there has been a trend of
173 government groups not being comfortable with department heads applying for grants because in
174 other Towns they have applied for grants without gaining approval from the Selectmen. Town
175 Administrator Roark is requesting the Board of Selectmen grant him authorization to sign the
176 grant applications. Rhonda at the Highway Department and Transfer Station has done a great job
177 finding grants. The Town has spent \$5,879.11 on disposing of used oil turned into the Transfer
178 Station. They also are looking for \$500.00 to clean the two tanks that collect the oils. The grant
179 they applied to would reimburse the Town \$6,379.11 for the used oil and tank maintenance.
180 Town Administrator Roark noted that there is no guarantee of how much they will receive from
181 the grant.

182

183 **MOTION:** (Corbett/Croteau) To authorize Town Administrator Roark to sign the NHDES
184 Used Oil Collection Assistance Grant Application being submitted by the Pelham
185 Transfer Station.

186

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

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189

190 **DISCUSSION**

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192 **Hawkers and Peddlers Ordinance**

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194 Chairman Cote explained that other towns have sections for food trucks and how they are
195 allowed to operate in their Hawkers and Peddlers ordinances. Chairman Cote stated that there
196 will be a public hearing during their first meeting in December to amend the ordinance.

197

198 Town Administrator Roark added that the current ordinance does not have any true penalties for
199 lack of compliance. He noted that now that the ordinance has been in place for some time, they
200 know what needs to be changed or added.

201

202 Chairman Cote stated that the part of the ordinance that refers to peddlers, or door-to-door
203 salesmen, needs to be updated to specify hours of operation. Town Administrator Roark agreed,
204 adding that they need to specify the hours barring weekends, nights, and holidays.

205

206 Ms. Takesian asked if they would have a revision for the next meeting. Chairman Cote stated
207 that they will, and this will be added to a new section of the ordinance.

208

209 Mr. Croteau asked if ice-cream trucks need a Hawkers and Peddlers license. Chairman Cote
210 stated that they do. Town Administrator Roark clarified that only one license is needed for town-
211 wide soliciting. He added that there are different levels of permitting and licensing depending on
212 what type they need and different health codes.

213

214 Ms. Takesian asked for clarification about trucks that move around to different locations around
215 Town. Chairman Cote explained that there are site plans for each location, and they must follow
216 them. Ms. Takesian asked how they would know if they were not being followed. Chairman Cote
217 explained that they would do inspections or find out more information if there were complaints
218 from residents. Town Administrator Roark added that property owners need to know the site
219 plans and requirements it when allowing trucks to park there.

220

221 Town Administrator Roark added that they are going to require food trucks to get licensed
222 through the state, meaning they will have to go through sanitation training and other health code
223 requirements. If they do not have a license through the state they will not get a permit from the
224 Town.

225

226

227 **Locks on Gates in Town Forests**

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229 Mr. Croteau stated that the Board has had discussions in the past about removing the locks on
230 gates in the Town forests. He would like to get a consensus from the Board so they can remove
231 all locks from Town gates, he noted the gates could still stay up. He also added that the locks
232 have been removed in the past but then put up again a day later. Mr. Croteau stated that although
233 Forestry is in charge of the Town forests, he believes the Board of Selectmen should be in charge
234 of locking the gates. He does not think the Board of Selectmen should be the gatekeepers, but if
235 they come to a consensus to remove the locks they can discuss who should be in charge of it.

236

237 Town Administrator Roark stated that if the Board agrees about the locks being removed from
238 Town-owned gates on Class A trails and Class VI roads, the Forestry Committee or the
239 Conservation Commission would be in charge of the locks.

240

241 Ms. Corbett stated that her concern is that these locks were put on to prevent any further damage,
242 and if they remove them they will need a plan to deal with any damage issues if they arise.
243 Chairman Cote agreed.

244
245 Mr. Bergeron stated that he believes there is a warrant article stating Class A roads will be
246 locked. Town Administrator Roark asked if Class VI roads could be locked. Chairman Cote and
247 Mr. Croteau stated that Class VI roads cannot be locked. Town Administrator Roark read from
248 the 2022 warrant article about Class A roads. Chairman Cote noted that based on this warrant
249 article there should not be any locks on Class A or Class VI roads unless the Board chooses to
250 impose the restriction, which they have not. Mr. Croteau stated he would like to remove all locks
251 on all gates in Town forests. Chairman Cote suggested the Board of Selectmen vote to remove
252 all locks on all gates in Town forests then they can decide what restrictions they should impose.
253 Mr. Bergeron asked what other gates there were besides the Class A and Class VI gates. Mr.
254 Croteau explained that there are many locked gates in every Town forest. Chairman Cote noted
255 that some of those gates are controlled by Forestry and not the Board of Selectmen. Mr. Croteau
256 added that there are locked gates on many trailheads, all Class VI roads, and all Class A trails.

257
258 Chairman Cote asked if any locked gates in Town forests would impede snowmobilers. Mr.
259 Croteau stated that there are.

260
261 Ms. Takesian asked if they could find out where all the locked gates were and then discuss it at
262 the next meeting. Mr. Croteau asked what difference the location makes. Ms. Takesian explained
263 that she would like to know the locations of the locked gates and why they were locked. Mr.
264 Bergeron stated that he believes the gates are there because Forestry did not want OHRVs going
265 through them, and as Selectmen he does not think they have the right to say anything about
266 Forestry's trails. He added that they only have a say over the Class A trails. Mr. Croteau stated
267 that he thought the Forestry gates were under the Board of Selectmen's jurisdiction. Town
268 Administrator Roark stated that they need to find out more information, but he thinks that the
269 Board of Selectmen has a lot of authorization over the Class VI roads and designated trails. He
270 added that he does not think Class VI roads are allowed to be locked. Chairman Cote stated that
271 you also cannot block access to a Class VI road, as they are a public roadway.

272
273 Chairman Cote stated that he does not think there should be any locks on Class VI roads, or the
274 warrant article specified Class A trails unless the Board imposed a restriction, which they have
275 not. Ms. Takesian agreed. The Board agreed they need more information to discuss the gates
276 managed by Forestry. They agreed to discuss it at their next meeting in December.

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279 **SELECTMEN AND TOWN ADMINISTRATOR REPORTS**

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281 **Selectmen Corbett** had nothing to report.

282

283 **Selectmen Bergeron** reported that he was able to go to the Veteran's Day ceremonies and
284 thanked all the volunteers.

285

286 **Chairman Cote** reported that Pelham resident Richard Lannon was voted Nashua's 2023 Citizen
287 of the Year.

288

289 **Selectmen Takesian** reported that starting on December 1, 2023 the Transfer Station will begin
290 separating recyclables. The Festival of Trees starts on November 24, 2023. She thanked all of the
291 people and businesses who advertised in their book, and all of the tree donors. She stated that on
292 December 16, 2023 at noon there will be a ceremony at Gibson Cemetery for Wreaths Across
293 America. They got 555 wreaths to be placed on every Veteran’s grave in Gibson Cemetery.

294
295 **Selectmen Croteau** reported that his family worked with the Good Neighbor Fund to stuff
296 stockings for troops, and the organization does an amazing job.

297
298 **Town Administrator Roark** reported that NHMA states that in 1999 the legislature enacted an
299 RSA that clarifies that all Class VI roads shall be deemed subject to gates and bars. These gates
300 and bars may not interfere with public use and must be able to be opened and closed by anyone.
301 He stated that it is their job to make sure the gates are not locked.

302
303

304 **ADJOURNMENT**

305

306 **MOTION:** (Corbett/Takesian) To adjourn the meeting.

307

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

309

310 The Board of Selectmen adjourned the meeting at approximately 7:57pm.

311

312

313 Respectfully submitted,

314

315 Makayla Clougherty

316

Recording Secretary