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3 **APPROVED**
4 **TOWN OF PELHAM**
5 **BOARD OF SELECTMEN–MEETING MINUTES**
6 **March 21, 2023**

7 **CALL TO ORDER** – Chairwoman Corbett called the meeting to order at approximately
8 6:30pm
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11 **PRESENT:** Jaie Bergeron, Heather Corbett, Kevin Cote, Jason Croteau, Charlene Takesian,
12 Town Administrator Joseph Roark
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15 **ABSENT:** None
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18 **PLEDGE OF ALLEGIANCE**
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21 **MEETING MINUTES REVIEW**
22

23 March 7, 2023
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25 **MOTION:** (Cote/Croteau) To approve the March 7, 2023 meeting minutes as amended.
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27 **VOTE:** (5-0-0) The motion carried.
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30 **OPEN FORUM**
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32 No one came forward to address the Board in open forum.
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35 **Election Of Officers**
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38 **MOTION:** (Croteau/Bergeron) To appoint Selectman Kevin Cote as the next Board of
39 Selectmen Chair.
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41 **VOTE:** (5-0-0) The motion carried.
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44 **MOTION:** (Corbett/Croteau) To appoint Selectman Jaie Bergeron as the next Board of
45 Selectmen Vice-Chair.
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47 **VOTE:** (5-0-0) The motion carried.
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BOS Committee Assignments

Ms. Takesian agreed to remain the representative for the Agricultural Committee.

Mr. Croteau agreed to remain the representative for the Budget Committee. Ms. Takesian will remain the alternate.

Mr. Bergeron agreed to remain the representative for the Bridge Projects.

Chairman Cote agreed to remain the representative for the Capital Improvement Project.

Ms. Corbett agreed to remain the representative for Congestion Mitigation Air Quality.

Chairman Cote agreed to become the representative for Council on Aging.

Mr. Bergeron agreed to become the representative for Economic Development.

Ms. Corbett agreed to become the representative for the Energy Solar Committee.

Ms. Corbett agreed to become the representative for the Forestry Committee.

Chairman Cote will be the Hazmat Director as he is the Chair of the Board of Selectmen.

Mr. Bergeron agreed to remain the representative for the Master Plan Sub-Committee.

Mr. Bergeron agreed to remain the representative for the Nashua Regional Planning Commission.

Mr. Croteau agreed to remain the representative for the OHRV Advisory Committee.

Ms. Corbett agreed to remain the representative for the School Board.

Ms. Takesian agreed to become the representative for the Planning Board. Mr. Croteau agreed to remain as the alternate.

Mr. Croteau agreed to remain the representative of the Salem Chamber of Commerce.

Ms. Takesian agreed to remain the representative of the Water Commission.

Public Hearing: Renewal of the Cable Television Franchise Agreement with Comcast of Connecticut / Georgia / Massachusetts / New Hampshire / New York / North Carolina / Virginia / Vermont, LLC

95 Katherine Miller, Esq. with DTC Lawyers and Jim Greenwood, the Town’s Cable Coordinator,
96 approached the Board regarding the renewal of the cable television franchise agreement with
97 Comcast.

98
99 Attorney Miller stated that she has been working with the Town Administrator and Cable
100 Coordinator to produce a new cable television franchise agreement. She explained that the terms
101 of the agreement are almost the same as what was discussed with the Board of Selectmen when
102 they first discussed this back in February. However, Attorney Miller explained that there have
103 been some improvements to the franchise agreement in regard to the minor changes to
104 standardized costs for new connections at a longer distance, and a slightly lower density
105 requirement for new development. She stated that the Town does not have any control over the
106 prices, programming selection, or the fact that it is packaged in tiers. The Town also does not
107 have any control over the internet or telephone service. The Town does however have the ability
108 to negotiate over the terms of the franchise agreement. One improvement in regards to the
109 information on the Town’s local access channels. She stated that they decided not to add the
110 option for high-definition on the local access channels due to the high cost for the Town.
111 Attorney Miller added that this is for a ten-year term in order to hold Comcast to providing cable
112 television services in Town for those ten years, since cable companies will eventually want to
113 stop providing cable television and not have to negotiate with Towns and pay franchise fees. The
114 Town is also receiving a lump-sum payment to cover the payments that had been missed since
115 the last franchise agreement expired. The Town will be receiving \$28,000.00 within 120 days.
116 After the initial lump-sum, there will be a recurring annual payment to help pay for the capital
117 for the local access equipment.

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120 **MOTION:** (Corbett/Croteau) To approve the cable television franchise agreement with
121 Comcast.

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

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126 **Interviews/Appointments: ZBA, Agricultural Commission, Conservation Commission, and**
127 **Water Commission candidates**

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129 Zoning Board of Adjustment – Danielle Masse-Quinn

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131 Danielle Masse-Quinn, of 9 Meadow Lane, is applying for the three-year full-time member
132 position for the Zoning Board of Adjustment.

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134

134 Ms. Masse-Quinn stated that she will be able to bring a lot of experience to the Zoning Board of
135 Adjustments. She explained that she has experience in many facets of the law as she was a para-
136 legal for twelve years. She stated that she is also an elected official on the Pelham Planning
137 Board, the Vice-Chair of the Master Plan Sub-Committee, on the Agricultural Commission, and
138 is a member of the NRPC Steering Committee. She also has been a member of the CIP Sub-
139 Committee, Open Space Sub-Committee, and Workforce Sub-Committee. She would now like to
140 be the Planning Board’s representative to the Zoning Board of Adjustment. She would like this
141 position to further explore her interest in law and educate herself. Ms. Masse-Quinn stated that
142 her goal in this position is to be able to offer her legal knowledge to the Board while working

143 professionally with the Board for the best interests of the Town and its community. She added
144 that she believes these decisions are based on hard facts, law, and evidence, not the personal
145 judgment of one person or group.

146
147 Ms. Takesian asked if Ms. Masse-Quinn would become a representative of the Zoning Board of
148 Adjustment for the Planning Board or if she would be a full-time member of the Zoning Board of
149 Adjustment.

150
151 Chairman Cote explained that Mr. Bergeron, who is a member of the Zoning Board of
152 Adjustment, will not be reapplying as his term is up in 2023. Mr. Cote stated that there is a legal
153 issue with having crossover members on Land Use Boards. However, if Mr. Bergeron comes off
154 of the Zoning Board of Adjustment, then they will be able to add a crossover member. Ms.
155 Takesian asked if Ms. Masse-Quinn would be a full-time voting member. Mr. Cote stated that
156 she would be.

157
158 Ms. Masse-Quinn also stated that she took the handbook test for the Zoning Board of Adjustment
159 and passed it.

160

161

162 Zoning Board of Adjustment - Ken Stanvick

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164 Ken Stanvick, of 5 Birch Lane, stated that he has been a resident of Pelham for about 50 years
165 and has had two sons who have gone through the Pelham school system. He joined Conservation
166 Commission as an alternate and eventually became a full-time member. He explained that he
167 sees a linkage between the Conservation Commission and the Zoning Board of Adjustment.

168

169 Mr. Bergeron asked about Mr. Stanvick being a crossover member on the Zoning Board of
170 Adjustment. Chairman Cote noted that he believes he can be a crossover member but when it
171 comes time to vote only one crossover member can vote. Mr. Stanvick added that it is also a rule
172 that he cannot look at the same case at the same time on both the Zoning Board of Adjustment
173 and the Conservation Commission.

174

175 Ms. Takesian asked if Mr. Stanvick was currently an alternate on the Zoning Board of
176 Adjustment. Mr. Stanvick confirmed that he is currently an alternate. Mr. Bergeron asked if Mr.
177 Stanvick would be interested in the alternate term if he is not chosen for the three-year term. Mr.
178 Stanvick explained that he believes he can make a bigger contribution by being a full-time voting
179 member.

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181

182 **MOTION:** (Croteau) To appoint Ken Stanvick to the three-year full-time term on the Zoning
183 Board of Adjustment.

184

185 There was no second motion.

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187

188 **MOTION:** (Bergeron/Takesian) To appoint Danielle Masse-Quinn to the three-year full-time
189 term on the Zoning Board of Adjustment.

190

191 **VOTE:** (5-0-0) The motion carried.
192

193 Ms. Takesian explained that she thinks Ms. Masse-Quinn will be more of an asset to the Zoning
194 Board of Adjustment due to her legal knowledge and experience on the Planning Board.
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196
197 **MOTION:** (Takesian/Croteau) To appoint Mr. Stanvick to the three-year alternate position
198 on the Zoning Board of Adjustment.
199

200 **VOTE:** (5-0-0) The motion carried.
201

202 Chairman Cote told Mr. Stanvick that if he can accept or deny this appointment to fulfil the
203 alternate position on the Zoning Board of Adjustment.
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205 Ms. Takesian noted that there is still one open alternate position for a three-year term on the
206 Zoning Board of Adjustment.
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208
209 Chairman Cote stated that there are seven open positions for the Agricultural Commission. There
210 are two full-time three-year positions open, one alternate position for a one-year term, two
211 alternate positions for two-year terms, and two alternate positions for three-year terms.
212

213 Agricultural Commission – Steve Doherty
214

215 Steve Doherty, of 105 Bush Hill Road, stated that he has been a Pelham resident for over 50
216 years and he is applying for the three-year full-time position as he has been a member of the
217 Agricultural Commission for the last three years and is currently the treasurer.
218

219
220 Agricultural Commission – Michelle Cooke
221

222 Michelle Cooke, of 14 Hinds Lane, is applying for the two-year alternate position for the
223 Agricultural Commission. Ms. Cooke stated that she is currently an alternate on the Commission
224 and would like to continue doing this so she can learn more.
225

226
227 Agricultural Commission – James Fisher
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229 James Fisher, of 47 Seavey Road, is applying for the three-year alternate position for the
230 Agricultural Commission. Mr. Fisher stated that he has always been interested in agriculture as
231 he grew up on a farm that he now continues to maintain as his own property.
232

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234 **MOTION:** (Takesian/Corbett) To appoint Steve Doherty to the three-year full-time position
235 for the Agricultural Commission.
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237 **VOTE:** (5-0-0) The motion carried.
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MOTION: (Takesian/Corbett) To appoint Michelle Cooke to the two-year alternate position for the Agricultural Commission.

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

MOTION: (Takesian/Corbett) To appoint James Fisher to the three-year alternate position for the Agricultural Commission.

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

Chairman Cote noted that the Agricultural Commission is still looking to fill a full-time three-year term position, and three more alternate positions for a one-year, two-year and a three-year term. He noted that the Agricultural Commission is fairly new but has done a lot of good work in Town.

Ms. Cooke noted that she was interested in the full-time position. Mr. Cote asked if anyone on the Board was opposed to making Ms. Cooke a full-time member for a three-year term. No one on the Board opposed.

MOTION: (Takesian/Corbett) To appoint Michelle Cooke to the three-year full-time term position for the Agricultural Commission.

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

Chairman Cote stated that the Conservation Commission has two full-time three-year positions open and one three-year alternate position open.

Conservation Commission – David Abare

David Abare, of 39 Parkside Drive, stated that he has been living in Pelham for just over a year and was appointed to the Conservation Commission back in May of last year, so he is applying again for the full-time three-year position so he can continue on the Commission. He would like to continue to protect the Town's land, and he is working with the State currently to write a conservation plan along with the Town's master plan.

Conservation Commission – Kelvin Webster

Kelvin Webster, of 52 Marsh Road, stated that he has been living in Pelham for a year and a half and wants to get involved in the Town. He is applying for a three-year full-time position. He has been a landscape designer for fifteen years and has presented in front of many Conservation Commissions in the State of Massachusetts. He is looking to protect the natural environment.

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MOTION: (Corbett/Croteau) To appoint Kelvin Webster to the three-year full-time term position for the Conservation Commission.

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

MOTION: (Bergeron/Croteau) To appoint David Abare to the three-year full-time term position for the Conservation Commission.

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

Chairman Cote noted that there is still one three-year alternate position open for the Conservation Committee.

Water Commission – William Scanzani

Bill Scanzani, of 1 Victoria Circle, is applying for a three-year full-time position on the Water Commission. Mr. Scanzani stated that he has been appointed to the Water Commission twice now, and is looking for another three-year reappointment. He added that he was also on the Planning Board for twenty-five years. Mr. Scanzani stated that he knows the Water Commission has a lot of tough work ahead, and he believes that Pelham has a distribution problem, not a water problem. He believes they need to look at the infrastructure they are using and how the water is distributed in order to get more answers.

Mr. Scanzani noted that Sam Thomas, who was set for an appointment with the Board tonight, is not present due to being out of Town on business. He stated that Mr. Thomas has a lot of engineering experience and currently works in the water industry for a company that does a lot of good work.

Water Commission – Chris Hopkinson

Chris Hopkinson, of 4 Shelly Drive, stated that he has lived in Pelham for five years, and although he does not have prior experience on a Board in Town, he is applying for the three-year full-time position for the Water Commission. He stated that he wants to be able to give back to the community. He added that even though his background is in healthcare, the Water Commission interests him.

Ms. Corbett asked Mr. Hopkinson if he could be more specific about his background in healthcare. Mr. Hopkinson stated that he has been a nurse for seventeen years. Ms. Corbett told Mr. Hopkinson that the Town is looking for a Health Officer currently as well. Mr. Hopkinson noted that he did apply for that position.

Kim Abare speaking on behalf of Sam Thomas (37 Litchfield Circle) – Water Commission

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336 Kim Abare, the Water Commission Chair, approached the Board as Sam Thomas' proxy to speak
337 on his behalf. Ms. Abare stated that Mr. Thomas is an engineer by trade and has been an
338 incredible value to the Water Commission. He has been able to provide them with a lot of
339 information, has laid pipes and has served as their liaison with the engineering firm they are
340 utilizing.

341
342 Ms. Takesian asked if Mr. Thomas was a member of the Planning Board. Chairman Cote stated
343 that he is an alternate member of the Planning Board, and the Chair of the Master Plan
344 Committee.

345
346 Ms. Takesian asked if the vote passed to allow two alternate positions on the Water Commission.
347 Town Administrator Roark stated that the vote got passed to allow the two alternate positions.
348 Chairman Cote stated that they are officially looking to fill two alternate positions for the Water
349 Commission.

350
351 Ms. Abare stated that there is another individual who applied for an alternate position that will be
352 meeting with the Board at their next meeting in two weeks.

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355 **MOTION:** (Bergeron/Corbett) To appoint Sam Thomas to the three-year full-time term
356 position for the Water Commission.

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

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361 **MOTION:** (Bergeron/Croteau) To appoint William Scanzani to the three-year full-time term
362 position for the Water Commission.

363

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

365

366 Mr. Bergeron noted that they will be posting about the Water Commission's open alternate
367 positions for people to apply.

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370 **DISCUSSION**

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372 **91A Request, email policy change**

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374 Town Administrator Roark stated that Town added a small section to the policy regarding text
375 messages. If a Town employee conducts any Town business through text message it can be
376 subject to a Right-to-Know request. They also added a disclaimer to the bottom of Town emails
377 that states that these emails are subject to the 91A Right-to-Know policy and if you were to
378 receive one of these emails by mistake to delete it and let the sender know.

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381 **MOTION:** (Corbett/Croteau) To accept the 91A request policy amendment.

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383 **VOTE:** (5-0-0) The motion carried.
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386 **SELECTMEN AND TOWN ADMINISTRATOR REPORTS**
387

388 **Town Administrator Roark** stated that there was a sealed bid process in order to auction off the
389 single stream trailer which has been decommissioned from the Transfer Station. The bid opened
390 on February 5, 2023 and closed on March 9, 2023. There was only one bid, and it was from Ryan
391 Crete of Park Street Auto Sales in Lawrence, Massachusetts. The bid amount was \$2,071.00. The
392 Town needs to accept the bid.
393

394 **MOTION:** (Corbett/Croteau) To accept the \$2,071.00 bid for the trailer.
395

396 **VOTE:** (5-0-0) The motion carried.
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399 **Ms. Corbett** had nothing to report but thanked all the voters and the Police and Fire Department
400 for coming out last week.
401

402 **Mr. Bergeron** agreed with Ms. Corbett, and also thanked the Highway Department.
403

404 **Ms. Takesian** had nothing to report.
405

406 **Mr. Croteau** agreed with Ms. Corbett and Mr. Bergeron.
407

408 **Chairman Cote** had nothing to report.
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410

411 **REQUEST FOR NON-PUBLIC SESSION**
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413 **MOTION:** (Corbett/Croteau) Request for non-public session per RSA 91-A:3, II, A and E
414 (personnel) and (negotiation of pending claims litigation).
415

416 **ROLLCALL VOTE:**
417

418 Selectman Corbett – Yes
419 Selectman Bergeron– Yes
420 Selectman Cote– Yes
421 Selectman Takesian – Yes
422 Selectman Croteau – Yes
423

424 (5-0-0) The motion carried.
425

426 It was noted that when the Board returned, after the non-public session, the Board would not take
427 any other action publicly, except to seal the minutes of the non-public session and to adjourn the
428 meeting. The Board entered a non-public session at approximately 7:27 pm.
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430

431 **ADJOURNMENT**

432

433 Respectfully submitted,

434

435 Makayla Clougherty

436 Recording Secretary