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2
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

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 March 7, 2023

24
25 **MOTION:** (Cote/Croteau) To approve the March 7, 2023 meeting minutes as amended.

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

28
29
30 **OPEN FORUM**

31
32 No one came forward to address the Board in open forum.

33
34
35 **Election Of Officers**

36
37
38 **MOTION:** (Croteau/Bergeron) To appoint Selectman Kevin Cote as the next Board of
39 Selectmen Chair.

40
41 **VOTE:** (5-0-0) The motion carried.

42
43
44 **MOTION:** (Croteau/Bergeron) To appoint Selectman Jaie Bergeron as the next Board of
45 Selectmen Vice-Chair.

46

47 **VOTE:** (5-0-0) The motion carried.
48
49

50 **MOTION:** (Croteau/Bergeron) To appoint Selectman Kevin Cote as the next Board of
51 **Selectmen Chair.**
52

53 **VOTE:** (5-0-0) The motion carried.
54
55

56 **BOS Committee Assignments** 57 58

59 Ms. Takesian agreed to remain the representative for the Agricultural Committee.
60

61 Mr. Croteau agreed to remain the representative for the Budget Committee. Ms. Takesian will
62 remain the alternate.
63

64 Mr. Bergeron agreed to remain the representative for the Bridge Projects.
65

66 Chairman Cote agreed to remain the representative for the Capital Improvement Project.
67

68 Ms. Corbett agreed to remain the representative for Congestion Mitigation Air Quality.
69

70 Chairman Cote agreed to become the representative for Council on Aging.
71

72 Mr. Bergeron agreed to become the representative for Economic Development.
73

74 Ms. Corbett agreed to become the representative for the Energy Solar Committee.
75

76 Ms. Corbett agreed to become the representative for the Forestry Committee.
77

78 Chairman Cote will be the Hazmat Director as he is the Chair of the Board of Selectmen.
79

80 Mr. Bergeron agreed to remain the representative for the Master Plan Sub-Committee.
81

82 Mr. Bergeron agreed to remain the representative for the Nashua Regional Planning
83 Commission.
84

85 Mr. Croteau agreed to remain the representative for the OHRV Advisory Committee.
86

87 Ms. Corbett agreed to remain the representative for the School Board.
88

89 Ms. Takesian agreed to become the representative for the Planning Board. Mr. Croteau agreed to
90 remain as the alternate.
91

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

93
94 Ms. Takesian agreed to remain the representative of the Water Commission.
95

96
97 **Public Hearing: Renewal of the Cable Television Franchise Agreement with Comcast of**
98 **Connecticut / Georgia / Massachusetts / New Hampshire / New York / North Carolina /**
99 **Virginia / Vermont, LLC**

100
101 Katherine Miller, Esq. with DTC Lawyers and Jim Greenwood, the Town’s Cable Coordinator,
102 approached the Board regarding the renewal of the cable television franchise agreement with
103 Comcast.

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

124
125
126 **MOTION:** (Corbett/Croteau) To approve the cable television franchise agreement with
127 Comcast.

128
129 **VOTE:** (5-0-0) The motion carried.

130
131
132 **Interviews/Appointments: ZBA, Agricultural Commission, Conservation Commission, and**
133 **Water Commission candidates**

134
135 Zoning Board of Adjustment – Danielle Masse-Quinn

136
137 Danielle Masse-Quinn, of 9 Meadow Lane, is applying for the three-year full-time member
138 position for the Zoning Board of Adjustment.

139
140 Ms. Masse-Quinn stated that she will be able to bring a lot of experience to the Zoning Board of
141 Adjustments. She explained that she has experience in many facets of the law as she was a para-
142 legal for twelve years. She stated that she is also an elected official on the Pelham Planning
143 Board, the Vice-Chair of the Master Plan Sub-Committee, on the Agricultural Commission, and
144 is a member of the NRPC Steering Committee. She also has been a member of the CIP Sub-
145 Committee, Open Space Sub-Committee, and Workforce Sub-Committee. She would now like to
146 be the Planning Board's representative to the Zoning Board of Adjustment. She would like this
147 position to further explore her interest in law and educate herself. Ms. Masse-Quinn stated that
148 her goal in this position is to be able to offer her legal knowledge to the Board while working
149 professionally with the Board for the best interests of the Town and its community. She added
150 that she believes these decisions are based on hard facts, law, and evidence, not the personal
151 judgment of one person or group.

152
153 Ms. Takesian asked if Ms. Masse-Quinn would become a representative of the Zoning Board of
154 Adjustment for the Planning Board or if she would be a full-time member of the Zoning Board of
155 Adjustment.

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

163
164 Ms. Masse-Quinn also stated that she took the handbook test for the Zoning Board of Adjustment
165 and passed it.

166
167
168 Zoning Board of Adjustment - Ken Stanvick

169
170 Ken Stanvick, of 5 Birch Lane, stated that he has been a resident of Pelham for about 50 years
171 and has had two sons who have gone through the Pelham school system. He joined Conservation
172 Commission as an alternate and eventually became a full-time member. He explained that he
173 sees a linkage between the Conservation Commission and the Zoning Board of Adjustment.

174
175 Mr. Bergeron asked about Mr. Stanvick being a crossover member on the Zoning Board of
176 Adjustment. Chairman Cote noted that he believes he can be a crossover member but when it
177 comes time to vote only one crossover member can vote. Mr. Stanvick added that it is also a rule
178 that he cannot look at the same case at the same time on both the Zoning Board of Adjustment
179 and the Conservation Commission.

180
181 Ms. Takesian asked if Mr. Stanvick was currently an alternate on the Zoning Board of
182 Adjustment. Mr. Stanvick confirmed that he is currently an alternate. Mr. Bergeron asked if Mr.
183 Stanvick would be interested in the alternate term if he is not chosen for the three-year term. Mr.

184 Stanvick explained that he believes he can make a bigger contribution by being a full-time voting
185 member.

186
187

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

190

191 There was no second motion.

192
193

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

196

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

198

199 Ms. Takesian explained that she thinks Ms. Masse-Quinn will be more of an asset to the Zoning
200 Board of Adjustment due to her legal knowledge and experience on the Planning Board.

201

202

203 **MOTION:** (Takesian/Croteau) To appoint Mr. Stanvick to the three-year alternate position
204 on the Zoning Board of Adjustment.

205

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

207

208 Chairman Cote told Mr. Stanvick that if he can accept or deny this appointment to fulfil the
209 alternate position on the Zoning Board of Adjustment.

210

211 Ms. Takesian noted that there is still one open alternate position for a three-year term on the
212 Zoning Board of Adjustment.

213

214

215 Chairman Cote stated that there are seven open positions for the Agricultural Commission. There
216 are two full-time three-year positions open, one alternate position for a one-year term, two
217 alternate positions for two-year terms, and two alternate positions for three-year terms.

218

219 Agricultural Commission – Steve Doherty

220

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

224

225

226 Agricultural Commission – Michelle Cooke

227

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

231
232

233 Agricultural Commission – James Fisher

234

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

238

239

240 **MOTION:** (Takesian/Corbett) To appoint Steve Doherty to the three-year full-time position
241 for the Agricultural Commission.

242

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

244

245

246 **MOTION:** (Takesian/Corbett) To appoint Michelle Cooke to the two-year alternate position
247 for the Agricultural Commission.

248

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

250

251

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

254

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

256

257

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

262

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

266

267

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

270

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

272

273

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

276

277 Conservation Commission – David Abare

278

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

284

285

286 Conservation Commission – Kelvin Webster

287

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

292

293

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

296

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

298

299

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

302

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

304

305

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

308

309

310 Water Commission – William Scanzani

311

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

319

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

324
325

326 Water Commission – Chris Hopkinson

327

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

333

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

338

339

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

341

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

347

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

351

352 Ms. Takesian asked if the vote passed to allow two alternate positions on the Water Commission.
353 Town Administrator Roark stated that the vote got passed to allow the two alternate positions.
354 Chairman Cote stated that they are officially looking to fill two alternate positions for the Water
355 Commission.

356

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

359

360

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

363

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

365

366
367 **MOTION:** (Bergeron/Croteau) To appoint William Scanzani to the three-year full-time term
368 position for the Water Commission.

369
370 **VOTE:** (5-0-0) The motion carried.

371
372 Mr. Bergeron noted that they will be posting about the Water Commission's open alternate
373 positions for people to apply.

374
375
376 **DISCUSSION**

377
378 **91A Request, email policy change**

379
380 Town Administrator Roark stated that Town added a small section to the policy regarding text
381 messages. If a Town employee conducts any Town business through text message it can be
382 subject to a Right-to-Know request. They also added a disclaimer to the bottom of Town emails
383 that states that these emails are subject to the 91A Right-to-Know policy and if you were to
384 receive one of these emails by mistake to delete it and let the sender know.

385
386
387 **MOTION:** (Corbett/Croteau) To accept the 91A request policy amendment.

388
389 **VOTE:** (5-0-0) The motion carried.

390
391
392 **SELECTMEN AND TOWN ADMINISTRATOR REPORTS**

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

399
400 **MOTION:** (Corbett/Croteau) To accept the \$2,071.00 bid for the trailer.

401
402 **VOTE:** (5-0-0) The motion carried.

403
404
405 **Ms. Corbett** had nothing to report but thanked all the voters and the Police and Fire Department
406 for coming out last week.

407
408 **Mr. Bergeron** agreed with Ms. Corbett, and also thanked the Highway Department.

409
410 **Ms. Takesian** had nothing to report.

411

412 **Mr. Croteau** agreed with Ms. Corbett and Mr. Bergeron.

413

414 **Chairman Cote** had nothing to report.

415

416

417 **REQUEST FOR NON-PUBLIC SESSION**

418

419 **MOTION:** (Corbett/Croteau) Request for non-public session per RSA 91-A:3, II, A and E
420 (personnel) and (negotiation of pending claims litigation).

421

422 **ROLLCALL VOTE:**

423

424 Selectman Corbett – Yes

425 Selectman Bergeron– Yes

426 Selectman Cote– Yes

427 Selectman Takesian – Yes

428 Selectman Croteau – Yes

429

430 (5-0-0) The motion carried.

431

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

435

436

437 **ADJOURNMENT**

438

439 Respectfully submitted,

440

441 Makayla Clougherty

442 Recording Secretary