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**APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN–MEETING MINUTES
JULY 11, 2023**

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

PRESENT: Jaie Bergeron, Heather Corbett, Kevin Cote, Jason Croteau, Town Administrator Joseph Roark

ABSENT: Charlene Takesian

PLEDGE OF ALLEGIANCE

MEETING MINUTES REVIEW

June 20, 2023

MOTION: (Croteau/Corbett) To approve the June 20, 2023 meeting minutes as amended.

VOTE: (4-0-0) The motion carried.

OPEN FORUM

No one came forward in open forum.

APPOINTMENTS

Al Steward, Conservation Commission: Seeking Board approval to manage and assess Class VI and Class A trails

Mr. Steward’s reasoning for coming before the Board of Selectmen was to ask to be authorized with the responsibility to make Class VI roads and Class A trails legal and work with the Fire and Police Departments to see which should be discontinued completely, unlocked, or made emergency ways for safety reasons. He explained that the Town has seven Class VI roads, totaling approximately six miles. Some of the Class VI roads have been partially changed over to Class A trails. Mr. Steward showed a map of St. Margaret’s Drive, a road that goes through the middle of the gun range. Class VI roads are created by layouts pursuant to RSA 231:21, discontinuance subject to gates and bars pursuant to RSA 231:45, or failure of the Town to maintain and repair such highway in suitable condition for travel thereon for five successive

49 years or more as set forth in RSA 229:5, VII. Mr. Steward explained that although all Class VI
50 roads are deemed subject to gates and bars, the select board must still regulate such structures to
51 assure public access as stated in RSA 231:21-a, I. However, the public, including motor vehicles,
52 cannot be barred from using a Class VI road, except as weight limits, seasonal or otherwise,
53 prohibited as stated in RSA 231:191. He noted that even if this is put into place, Class A trails
54 can be used by owners of land abutting the trail, land served exclusively by such a trail for non-
55 developmental use or access to existing trails.

56

57 Mr. Steward stated that as soon as a Class VI road is created there is no longer a burden on the
58 Town to maintain it in any way, except it allows the municipality to undertake such “work
59 deemed necessary to render such way passable by firefighting equipment and rescue or other
60 emergency vehicles roads”. Mr. Steward thinks that this would be a good responsibility for the
61 Conservation Commission because they have funding to use and can work with the Board of
62 Selectmen and Town to make sure no one is at a disadvantage.

63

64 Mr. Croteau asked if the Town has been in the wrong all this time for locking the Class VI road
65 gates, according to the RSAs that Mr. Steward presented. Town Administrator Roark explained
66 that you cannot lock a Class VI road, and if private property owners are locking the Class VI
67 road gates or the Town officially does it - this goes against the RSAs. Chairman Cote asked if
68 you are allowed to put a lock on a Class A trail gate. Mr. Steward said you cannot. He added that
69 you can come up with trail restrictions and turn it into a Class B walking trail.

70

71 Chairman Cote explained that although he agrees with everything Mr. Steward said regarding
72 how they should handle the Class VI roads and Class A trails, he does not believe this is a job for
73 the Conservation Commission as it does not align exactly with what their responsibilities are. He
74 sees this as more of a Town wide responsibility. Mr. Steward explained that the Board of
75 Selectmen is the responsible entity and has the right to delegate this and maintain access. Mr.
76 Bergeron stated that it might be a good idea to have the Conservation Commission conduct
77 research to see what issues are present and bring that information back to the Board of
78 Selectmen, but he does not think the Conservation Commission should have the full
79 responsibility either. Mr. Steward stated that the Conservation Commission does try to help with
80 open space issues, and he considers this open space. Mr. Cote asked what Mr. Steward’s plan
81 was if the rest of the Conservation Commission was not interested in dealing with this. Mr.
82 Steward explained that it was fine with him if they were not interested, but he still wanted to
83 bring the issue before the Board of Selectmen, so they were aware they were going against the
84 RSAs.

85

86 Mr. Croteau asked Mr. Steward if he was suggesting donating St. Margaret’s road to Fish and
87 Game. Mr. Steward explained that the Town should discontinue it and convince Fish and Game
88 to consider a conservation easement on their property. Chairman Cote noted that this would
89 require a Town vote, and the Board would need to draft a warrant article. Chairman Cote suggest
90 Mr. Steward brainstorm with the Conservation Commission and work with other departments in
91 Town on the steps the Town should take going forward. Town Administrator Roark explained
92 that one of the Conservation Commission’s duties is to manage conservation and recreation land,
93 and he thinks these trails fall under recreation. Chairman Cote noted that a lot of this land is
94 private property still, so they need to be careful about managing it. Town Administrator Roark
95 suggested tasking Mr. Steward in providing the Board of Selectmen with a detailed list of the
96 roads and trails, and they can decide at a future meeting how to handle the needed changes.

97 Chairman Cote suggested providing abutters with a notice on the rules as well. Ms. Corbett
98 asked if they could send the Highway Department out to remove locks if that counts as
99 maintaining the land. Chairman Cote stated that it does not count as maintaining the land and
100 they are allowed to do this. Mr. Steward stated that the Conservation Commission will discuss
101 this at their next meeting. Mr. Croteau suggested Mr. Steward meet with Police and Fire to get
102 information from them as well.

103

104

105 **Interviews/Appointments: Pelham Economic Development Committee**

106

107 Mr. Bergeron explained that the Town currently has two candidates for the Pelham Economic
108 Development Committee. The first candidate is Kimberly Abare.

109

110 MOTION: (Croteau/Corbett) To appoint Kimberly Abare to the Pelham Economic
111 Development Committee.

112

113 VOTE: (4-0-0) The motion carried.

114

115

116 The next candidate is John Geanson. He was unable to attend the meeting for an interview. Mr.
117 Croteau asked what the term limit was for this position. Bergeron stated that there is a three-year
118 term limit.

119

120 MOTION: (Corbett/Croteau) To appoint John Geanson the Pelham Economic
121 Development Committee.

122

123 VOTE: (4-0-0) The motion carried.

124

125

126 Mr. Bergeron explained that the Town was looking for five members to join the Committee, and
127 since they only currently have two members, he offered to also join the Committee, so they have
128 three members and are able to vote.

129

130 MOTION: (Corbett/Croteau) To appoint Jaie Bergeron to the Pelham Economic
131 Development Committee.

132

133 VOTE: (3-0-1) The motion carried.

134

135

136 Mr. Bergeron encouraged more people to apply to volunteer, as they have two more spots open.

137

138

139 **DISCUSSION**

140

141 Nothing was up for discussion.

142

143

144 **SELECTMEN AND TOWN ADMINISTRATOR REPORTS**

145
146 **Mr. Croteau** stated that Pelham 10U and 12U district baseball teams are doing very well.

147
148 **Chairman Cote** had nothing to report.

149
150 **Mr. Bergeron** had nothing to report.

151
152 **Ms. Corbett** thanked Pelham Community Spirit for the Independence Day fireworks show, and
153 thanked everyone who had their face painted, as they raised \$200.00 for the Muscular Dystrophy
154 Association.

155
156 **Town Administrator Roark** had nothing to report.

157
158
159 **REQUEST FOR NON-PUBLIC SESSION**

160
161 **MOTION:** (Corbett/Croteau) Request for non-public session per RSA 91-A: 3, II (a)

162
163 **ROLLCALL VOTE:**

- 164
165 Selectman Corbett – Yes
166 Selectman Bergeron– Yes
167 Selectman Cote– Yes
168 Selectman Croteau – Yes
169
170 (4-0-0) The motion carried.

171
172 It was noted that when the Board returned, after the non-public session, the Board would not take
173 any other action publicly, except to seal the minutes of the non-public session and to adjourn the
174 meeting. The Board entered a non-public session at approximately 7:10 pm.

175
176
177 **ADJOURNMENT**

178
179 Respectfully submitted,
180
181 Makayla Clougherty
182 Recording Secretary