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**APPROVED**  
TOWN OF PELHAM  
BOARD OF SELECTMEN MEETING  
MINUTES  
January 6, 2015  
**APPROVED – January 20, 2015**

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**CALL TO ORDER** - approximately 6:30PM

PRESENT: Mr. Edmund Gleason, Mr. William McDevitt, Mr. Hal Lynde, Mr. Doug Viger,  
Mr. Robert Haverty, Town Administrator Brian McCarthy

ABSENT: None.

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**PLEDGE OF ALLEGIANCE**

**MINUTES REVIEW**

**December 23, 2014**

**MOTION:** (Lynde/Viger) To approve the December 23, 2014 meeting minutes as amended.

**VOTE:** (3-0-2) The motion carried. Mr. McDevitt and Mr. Haverty abstained; they were not present for the December 23<sup>rd</sup> meeting.

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**ANNOUNCEMENTS**

- **Public Hearing - Budget Committee reconsideration per RSA 31:5 for the Pelham Municipal 2015 fiscal budget and the Pelham School 2015/2016 fiscal budget will be held Monday, January 12, 2015 at 7pm at the Pelham Elementary School Media Center, 61 Marsh Road, Pelham, NH**

**OPEN FORUM**

No one came forward to address the Board.

**APPOINTMENTS**

**State Representatives – for discussion regarding future Pelham projects and concerns**  
**Eric Estevez, Greg Smith and Charlene Takesian**

On behalf of the Board, Mr. Gleason thanked the Representatives for accepting the invitation to meet with the Selectmen. The primary purpose of the meeting was to congratulate the Representatives on their election to represent the Town of Pelham. He noted it was a milestone for Pelham to have three representatives and believed it would have a positive effect. Mr. Gleason wanted the Representatives

BOARD OF SELECTMEN MEETING/January 6, 2015

40 to be aware there were things the Town was dealing with that had implications for the State. Some  
41 of those items were:

- 42 • Sherburne Road / Mammoth Road intersection – safety concern with traffic flow
- 43 • Route 38 / Old Gage Hill Road intersection – safety concerns & pending actions
- 44 • Willow Street Bridge reconstruction - ongoing project
- 45 • Abbott Bridge – red listed by State / working to have engineering study done
- 46 • Pennichuck – implemented increase in rates – possible discussion of future plans
- 47 • Expansion of electric capacity through existing power lines by National Grid, PSNH etc. –  
48 initial dialog/presentation during January 20<sup>th</sup> meeting
- 49 • Kinder Morgan gas pipeline discussions

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51 The Board and Representatives discussed the items that would be coming forward in the future. Mr.  
52 McCarthy provided a summary regarding the situation of Pennichuck increasing their rates and  
53 having those new rates be retroactive to September, 2014. He commented that there had been no  
54 notification of the increase; the only reason it was brought to his attention was through the Fire  
55 Chief's diligence when reviewing recent invoices. Multiple attempts have been made to contact  
56 Pennichuck, with no positive result.

57

58 Mr. Smith questioned if Kinder Morgan would meet with the Selectmen to discuss the pipeline. Mr.  
59 Gleason replied there had been two preliminary discussions (exploratory meetings), one with Kinder  
60 Morgan and one with National Grid. It was made clear to those companies there would need to be  
61 public hearings, to which they were agreeable. National Grid will meet with Selectmen January 20<sup>th</sup>.  
62 Kinder Morgan has expressed desire to conduct public hearings and would be scheduling a regional  
63 meeting using the Sherburne Hall facility. Mr. Smith stated he would like to be involved and wanted  
64 to ensure Pelham and Hudson had an opportunity to weigh in. Representative Takesian and Estevez  
65 felt the same. Mr. McCarthy noted any information provided to the Town and/or affected abutters  
66 will be posted on the Town website.

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68 Mr. Estevez was honored to be elected and have the opportunity to meet with the Selectmen. He  
69 looked forward to serving the Town to the best of his ability at the State House. He stated he would  
70 be a liaison between the Town officials and the State officials and agencies. His priority will be to  
71 bring local State aid back to the Town. He will also work with the Congressional Delegation to bring  
72 back Federal funds. Mr. Estevez asked the Board to contact him if they ever needed help or support.

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74 Ms. Takesian was honored to be in her second term and overwhelmingly re-elected by the people in  
75 Pelham. She was hopeful that the Representatives would be able to resolve some of the issues being  
76 discussed.

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78 Mr. Gleason spoke of the flow down of responsibility from the State to the Town that had occurred  
79 during the past several years, which was a hardship to the taxpayers. He stated it would be beneficial  
80 to stop additional 'flow downs' to the Town as it is an ongoing struggle to protect the tax rate. Ms.  
81 Takesian told the Board of a proposed bill she may co-sign that would eliminate the cap on education  
82 funding. She explained currently there was a cap on what money a district could gain when students  
83 came into district; however, when students left district the money for those students was lost. She  
84 noted Pelham was \$3 million dollars short because they fell under that cap during (at least) the last  
85 four years. She said if the bill went forward she didn't know if Pelham could recoup the money, but  
86 at least going forward the schools would get their fair share of education funding.

87

88 Mr. McDevitt discussed the intersections of Sherburne Road/Mammoth Road and Route 38 / Old  
89 Gage Hill Road. He explained the Department of Transportation had reviewed the intersections,  
90 reviewed the traffic and had plans, but nothing ever happened. He noted there wasn't much the  
91 Town could do about Sherburne Road with it being a State intersection. He understood the Planning  
92 Department had collected some funds in an account to help alleviate some costs, but at this point was  
93 probably minor compared to what might be necessary. Mr. McDevitt spoke about the safety issues  
94 and asked the Representatives to do what they could to help with the two intersections. Ms. Takesian  
95 appreciated the concern. She told the Board the climate in Concord was for no spending and no new  
96 taxes. Mr. McDevitt was extremely concerned someone would be killed at the intersection. Ms.  
97 Takesian understood. She told the Board she voted in favor of the gas tax (road toll), which had gone  
98 mostly to finishing the Rt. 93 project, but hoped the Town would see money from it eventually.  
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100 The Selectmen thanked the Representatives for meeting with them. Mr. Gleason suggested having  
101 periodic meetings to keep open communication. The Representatives were in agreement.  
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103 Mr. Lynde provided an overview of the two competing projects (gas pipe line and power lines) that  
104 may impact Pelham. Ms. Takesian commented it would be important for Pelham to express their  
105 concerns. Mr. Gleason made note that Pelham had spoken to Kinder Morgan of their dissatisfaction  
106 that gas lines went through Pelham without the Town receiving the benefit of being provided gas. He  
107 learned it wasn't in Kinder Morgan's purview; it was the responsibility of the distributor (Liberty  
108 Utilities). He stated the Town would try to force Liberty to put some distribution points available to  
109 Pelham for potential introduction of natural gas. No firm answer has been received; however Liberty  
110 has indicated they would take it under consideration. Mr. Gleason stated he was made aware there  
111 was some public interest in natural gas in the area of the municipal complexes and Route 38.  
112

113 The Board thanked the Representatives again for meeting with them.  
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115 **Fire Chief James Midgley – Regarding Pennichuck Water / Hydrant Rate Increase**  
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117 Fire Chief James Midgley commented about recent discussions regarding the 2015 budget shortfall  
118 based on what had been occurring with Pennichuck Water. In October, 2014 he noticed a significant  
119 spike in the department's water rates, specifically for the distribution system and hydrant fees. After  
120 a great deal of attempting to contact Pennichuck, they were able to get an answer to their inquiries.  
121 Chief Midgley told the Board Pennichuck had restructured how they calculated rates for supply; the  
122 old way was by availability and hydrant fees, the new way was being calculated by inch/foot of 6-  
123 inch or greater lines, plus hydrant fees. He explained there was a rate case dating back to July 2013  
124 and Pennichuck was looking to see how they could recoup fees between July 2013 to September  
125 2014. Chief Midgley contacted the Public Utilities Commission ('PUC') to express his discontent  
126 with Pennichuck Water Supply. The PUC was of great assistance. He believed the department's  
127 projected shortfall owed from the previous rates is \$20,538, which would put the Fire Department's  
128 2015 budget under funded by approximately \$24,894. He explained the rate increase and told the  
129 Board anyone on Pennichuck Water would experience the increase. He said the PUC hadn't made a  
130 final decision; the Chief indicated the department would owe \$20,000+ for the coming year, which  
131 would be broken out into twelve parts and add it onto the already increased water rates.  
132

133 Mr. Gleason recalled the Selectmen approving a budget reconsideration of approximately \$24,000+  
134 for the 2015 budget. He noted the Board would still have to address the increase for water in the  
135 Town budget. Mr. McCarthy replied he would request an increase of 12% for water within the  
136 Town's budget. Mr. Gleason questioned if there was any knowledge of additional increases in 2015.

137 Chief Midgley expected the rates to hold for 2015, but given the increase trend expected water rates  
138 to continue to increase after that.

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140 **Planning Director Jeff Gowan:**

141 – **E911 Roll Out**

142 – **Flood Study Update**

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144 **E911** - Mr. Gowan told the Board all impacted residents were sent a packet of information and  
145 advice for going through the address change process. He was pleased to report the Planning  
146 Department received fewer telephone calls than they did during the last phase of address changes.  
147 Most people have been very understanding and were simply seeking clarification. The effective date  
148 for the address changes will be January 15<sup>th</sup>. The Highway Department will post all new signs  
149 (public and private). The final draft of the revised map has been reviewed. Mr. Gowan will  
150 distribute the final .pdf versions of that map to the appropriate entities. Hard copy maps will be  
151 provided to emergency responders, local delivery companies, and the Pelham and Hudson post  
152 offices. He invited residents to contact him with any questions/comments.

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154 During the previous meeting there was an inquiry regarding the enhanced features of E911. After  
155 conducting research, Mr. Gowan learned how E911 voluntarily collected medical information and  
156 later further learned that the Fire Department had a superior system for voluntary resident data.

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158 Fire Chief James Midgley came forward to explain the Automatic Number Identification ('ANI') and  
159 Automatic Location Identification ('ALI') systems, both of which are tied together. The Fire  
160 Department had initiated a system to collect voluntary resident information that assisted emergency  
161 responders. Typical information shared between the Police & Fire Departments is in regard to  
162 medical issues, emergency medications, pets, knock boxes, key codes, hidden keys etc. Chief Midgley  
163 stated he personally entered information onto the system; only he had access to the paper copies. He  
164 discussed the benefits of having the system in place.

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166 Mr. Gleason questioned how to get word to residents regarding the system. Chief Midgley replied  
167 they've tried getting word out during community night and through the Senior Center. They've also  
168 done community outreach to have smoke detectors installed in every house. These efforts were done  
169 with the help of a grant.

170

171 Mr. Haverty suggested working with local pharmacists to get the word out to residents about the  
172 system. He said there were people who had medical needs and had a great relationship with their  
173 pharmacist. When patrons picked up medications, the pharmacists could suggest filling out a form  
174 for the Fire Department. Chief Midgley thought it was a good suggestion.

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176 Mr. Gowan stated E911 was also interested in locations (residential and business) that had hazardous  
177 materials on site. Chief Midgley said information regarding hazardous materials was collected  
178 through the Hazmat District and entered into a State database accessible at the local level. He noted  
179 during inspections information such as construction type, location of electrical panels, generators etc.  
180 was noted.

181

182 Mr. Gleason was happy for the dialog to make residents aware of the Fire Department's capability to  
183 hold pertinent data. He asked if they planned any additional outreach. Chief Midgley replied he  
184 conducted outreach with the Seniors on the information program and smoke detectors. He added  
185 people from the department meet with the Seniors on a bi-monthly basis.

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Mr. Gleason questioned if the E911 project was now complete. Mr. Gowan replied the big project was now finished; they may need to answer questions. He noted there may be instances where one or two addresses needed to change to correct problems, but nothing major.

**Flood Study Update** - Mr. Gowan informed that VHB had nearly completed phase II of the flood study. They may be ready to present information as early as the January 20<sup>th</sup> meeting. The draft report will be sent in advance of any meeting for review. He summarized the work done so Quantum and the State could review bridge concepts and determine final spans. Quantum will be seeking permission from the Town to commence initial on-site work. He noted that the model was separate from the flood study work.

The Selectmen discussed when to have VHB present their information. It was decided to schedule VHB during the January 20<sup>th</sup> meeting.

Mr. Gowan informed that the Planning Board conducted a public hearing following Town Counsel's advice to make some language changes to the 2006 Impact Fee Enabling Ordinance. All the proposed changes were supported by the Planning Board and it will be a ballot item in March, 2015. Any new impact fees established will include language that corresponds with the new Supreme Court ruling regarding who is entitled to impact fee refunds.

**OTHER BUSINESS**

**Additional Reconsideration Items – Discussion and Vote**

Mr. Gleason stated during the previous Selectmen's meeting they approved all the items submitted for reconsideration. At that time they were not aware that the Pennichuck increase was applicable to the general water supply and have now ascertained that it is applicable. He noted the Town Building's water budget line would need to be adjusted.

Mr. McCarthy explained once the problem was brought to their attention, last year's water expenditures were reviewed. It was realized that rates had increased in September. To adequately fund next year's budget, he recommended increasing the proposed budget 12% from the newly increased rate and not from last year's budget figure.

Mr. Gleason understood the proposed increase was \$2,220; bringing the current budget from \$12,900 up to \$15,120. He summarized the items that will be submitted to the Budget Committee for reconsideration, which will represent a total reduction in the operating budget by \$97,000.

**MOTION:** (McDevitt/Haverty) To reconsider the budget number vote on Town Buildings.

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

Mr. Lynde commented that they would be changing the bottom line number for Town Buildings. The reason for doing so was to increase the water line from \$12,900 to \$15,120. The new budget for Town Buildings will be \$647,308.

**MOTION:** (Lynde/Haverty) To amend the bottom line number for Town Buildings to \$647,308.

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

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**TOWN ADMINISTRATOR / SELECTMEN REPORTS**

Mr. Lynde discussed the Safe Homes project, where parents have signed up to assert their home is safe and not allow use of alcohol or drugs. Over 650 parents have signed up; information has been uploaded onto the Police dispatch system. Mr. Viger encouraged people to communicate and confirm where their children are visiting.

Mr. Viger reported that the Budget Committee reviewed the union contracts and would vote during their reconsideration meeting on January 12, 2015. Mr. McCarthy noted he had apprised some Budget Committee member of the items coming for discussion at reconsideration.

**REQUEST FOR NON-PUBLIC SESSION**

**MOTION:** (Haverty/Lynde) Request for a non-public session per RSA 91-A:3,II, c (Matters which, if discussed publicly, would affect adversely the reputation of any person)

**ROLL CALL:** Mr. Gleason-Yes; Mr. McDevitt-Yes, Mr. Viger-Yes; Mr. Lynde-Yes; Mr. Haverty-Yes

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It was noted that when the Board returned, after the non-public session, the Board would not take any other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the meeting. The Board entered into a non-public session at approximately 7:47pm.

The Board returned to public session at approximately pm.

**MOTION:** ( ) To seal the minutes of the non-public session indefinitely.

**VOTE:** ( ) The motion carried.

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**ADJOURNMENT**

**MOTION:** ( ) To adjourn the meeting.

**VOTE:** ( ) The motion carried.

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The meeting was adjourned at approximately pm.

Respectfully submitted,  
Charity A. Landry  
Recording Secretary