

1 APPROVED
2 TOWN OF PELHAM
3 BOARD OF SELECTMEN MEETING
4 MINUTES
5 September 29, 2015
6 **APPROVED – October 13, 2015**
7

8 **CALL TO ORDER** - approximately 6:30PM
9

PRESENT: Mr. Harold Lynde, Mr. William McDevitt, Mr. Doug Viger, Ms. Amy Spencer,
Town Administrator Brian McCarthy

ABSENT: Mr. Paul Leonard

10
11 **PLEDGE OF ALLEGIANCE**
12

13
14 **MINUTES REVIEW**
15

16 **September 15, 2015**

MOTION: (McDevitt/Viger) To approve the September 15, 2015 meeting minutes as amended.

VOTE: (2-0-2) The motion carried. Mr. Lynde and Ms. Spencer abstained.

17
18 **ANNOUNCEMENTS**

- 19 ➤ **Pelham Farmer's Market – Wednesdays from 3pm to 7pm on the Village Green;**
20 ➤ **Budget Committee Opening to fill two vacancies – Complete Volunteer Application and**
21 **submit to Town Administrator Brian McCarthy or attention Board of Selectmen;**
22 ➤ **Trustee of the Trust Funds, Need to fill one vacancy – Complete Volunteer Application**
23 **and submit to Board of Selectmen**
24 ➤ **Parks and Recreation Annual Haunted Woods Event “Zombie Apocalypse” October 23**
25 **& 24 and October 30 & 31 from 7pm to 10pm at Pelham Veterans Memorial Park. For**
26 **more information see Parks and Recreation webpage at www.pelhamweb.com;**
27 ➤ **At the September 21st Planning Board meeting Joseph Passamonte was appointed to fill**
28 **Mike Sherman's member seat until March, 2016. The board also appointed alternate**
29 **members Mike Sherman and Robert Molloy to 3-year terms.**
30

31 **OPEN FORUM**
32

33 No one came forward.
34

35 **APPOINTMENTS**
36

37 **Kaela Law – Liberty Utilities Filing at the Public Utilities Commission ('PUC') regarding gas**
38 **services to Pelham / Windham**
39

40 Ms. Law came forward and read aloud a prepared statement (*see Attachment A*).
41

42 Ms. Spencer thanked Ms. Law for providing the Board with information. She felt there was a lot of
43 information to 'digest'. It was noted that additional documentation and testimony could be found on
44 the Public Utility Commission ('PUC') website.

45

46 Mr. Lynde commented he attended a meeting with representatives of Liberty Utilities, Planning
47 Director Jeff Gowan and Conservation Chairman Paul Gagnon. The statement made by Liberty
48 Utilities during that meeting was they were independently coming into Town to tap into existing
49 (Concord Lateral) pipelines. At present, proposal was for a takedown station in an area off Route 38
50 (behind Demetrious Restaurant) with a line running up Route 38 and ending in the area of Livingston
51 Road, and a r line running down Route 38, to Willow Street to Marsh Road and continue to the Town
52 center. In the Town's statement to them, the Town was on record as opposing the new pipeline
53 coming through, but would entertain a takedown station using the existing Concord Lateral.
54 Allowing such would not change Pelham's position on the new 30 inch line (Kinder Morgan project).
55 Mr. Lynde commented if Pelham could get that type of takedown station, it would benefit businesses
56 and the Town by providing an alternate source of heating fuel that has the potential of being less
57 costly than what they currently had.

58

59 Ms. Spencer believed the point being made was that there may be more to the Liberty Utility proposal
60 than the Town was aware, and that it should be further explored prior to moving forward. Ms. Law
61 noted that the energy landscape was changing and there were other cost-effective solutions to natural
62 gas; although she wasn't advocating one way over another.

63

64 Mr. Viger stated the Town was still vested in the coalition and had also vested money (along with
65 other communities) to defend against the pipeline project. He believed the number one priority was
66 to keep fighting with the coalition against the bigger pipeline project, understanding there may be
67 benefits to the Liberty Utilities proposal. Mr. Lynde responded by saying the reality was Liberty
68 Utilities had filed with the PUC for permission to increase service using existing pipelines in New
69 Hampshire. He was unsure what the Town could say to stop it. Ms. Spencer felt the Town should
70 look into whether or not they should do something about it, and find out if it was actually independent
71 of the large pipeline project. Mr. Lynde replied that in the application Liberty Utilities had to show
72 they had existing resources to meet the demand that would come off the proposed addition.

73

74 During his time on the Board of Selectmen, Mr. McDevitt said there had been a recurrent theme from
75 the business community, particularly along Route 38, that they wanted water, sewer and gas. He
76 recalled former Selectmen Gleason having numerous conversations with utility companies about
77 extending gas lines into Pelham, primarily for the benefit of the business community. He said he
78 would look at the proposal but questioned how the Town would determine if there was a link between
79 the two projects. Ms. Spencer believed there had been an admission in the testimony referenced by
80 Ms. Law of there being some sort of link. Mr. McDevitt said in the discussions regarding the pipeline
81 project it had been said over and over that there would be no benefit to the Town; however, now they
82 were being told there might be a benefit.

83

84 Mr. Lynde proposed the Town take the position that the Liberty Utilities project was good, as long as
85 it didn't enhance the approval of the Northeast Direct Line, which the Town opposed. The question
86 was if Liberty Utilities had the existing capacity to do their project without the Northeast Direct Line.
87 Ms. Spencer stated they could concurrently have existing capacity and still be using it as a
88 justification for the larger pipeline project. She agreed it may be a good thing for the Town and
89 business community, but given the potential insinuation that there was some sort of link between the
90 two, she felt the Selectmen should consider the situation before making a decision.

91

92 Ms. Deb Ryan, member of the Pelham Economic Development Committee ('PEDC') came forward
93 for the discussion. She stated there were two separate projects, which at times got mixed up with
94 each other. She wanted people to be careful about doing that. She read aloud a prepared statement on
95 behalf of the PEDC (*See Attachment B*). The PEDC asked that the Selectmen seek more details about
96 the Liberty Utilities project, since for years there had been a cry by those on Route 38 for water, gas
97 and sewer. Because of her involvement on the committee, Ms. Ryan tipped off the School District
98 when doing the recent high school project to make sure the underground nozzles be converted to
99 potentially prepare for natural gas delivery. She felt reviewing alternative energy was a wonderful
100 idea, however the committee didn't have necessary funds to review a cost benefit analysis and
101 believed that would need to be done under the direction of the Selectmen.
102

103 Ms. Spencer stated at this point she didn't know enough to make a decision about signing on with
104 Liberty Utilities. She encouraged everyone to ask themselves before they made a decision. She felt
105 further exploration was necessary to find out if the projects were related as well as finding out the
106 short-term and long-term costs to the Town.
107

108 There was a brief discussion regarding current capacity. Ms. Law stated the Pipeline Awareness
109 Network for the Northeast was using the same attorney representing the Municipal Coalition. The
110 attorney was seeking an answer as to why the pipeline needed replacement. She explained Liberty
111 Utilities was somehow under the Kinder Morgan umbrella and would benefit from the construction of
112 the Northeast Direct Pipeline, which she believed was the reason they were pushing for the project.
113 Mr. McCarthy understood that the Liberty Utilities connection was through their affiliation with
114 Algonquin, who was affiliated with Kinder Morgan.
115

116 Mr. McDevitt spoke of the complicated process of utility pricing. The difficulty would be how to
117 come up with funds to hire an expert, which was not included in the budget. He said another question
118 was if it would be worth it. Mr. Lynde believed if the Kinder Morgan project didn't exist the Town
119 would be in favor of the Liberty Utility proposal based on the presentation and the understanding that
120 the Town would receive significant benefits. Ms. Law told the Board she had seen references on the
121 PUC website to a pipeline replacement project for the Nashua Lateral (off the Concord Lateral) from
122 a couple years ago that was never finished, and still in the process of being replaced. Given this fact,
123 she questioned why they would rush through the distribution for Pelham and not charge upfront cost,
124 when the Nashua Lateral replacement project hadn't been completed. Mr. Lynde felt they needed to
125 justify the capacity. Ms. Law called attention to the fact that Kinder Morgan indicated the Concord
126 Lateral was not presently running at capacity and had room without the Northeast pipeline. She noted
127 none of the pipelines ran at capacity during the summer months.
128

129 The Board discussed what they would do with the information presented. Mr. McCarthy noted that
130 the Nashua Regional Planning Commission might be able to assist Pelham in creating a cost-benefit
131 analysis. Mr. Lynde felt it would be nice to have data regarding the potential demand for Pelham
132 from the lines. Ms. Ryan felt there should be a way to do a calculation conversion of the propane use
133 and what would be needed for natural gas. She believed the long-term cost-benefit analysis would be
134 pertinent for making a decision. Ms. Law cautioned from what she's heard during the scope meetings
135 that the cost of natural gas could jump if it started being exported from the Northeast, and not just
136 from the Gulf Coast. She noted there was also speculation that the new pipeline would be used for
137 export. Historically when the price of natural gas spiked so did the price for electricity. She said the
138 energy landscape was changing and there may be better cost solutions to decrease the energy bills in
139 Town.
140

141 Mr. Lynde wanted to ask NRPC how Pelham could find out the capacity of the Concord Lateral and
142 what Pelham would get from it. He would like to understand the demand and if there was true

143 justification. He felt if they had capacity to provide service, it shouldn't be counted as part of the
144 offset for the Northeast line. Ms. Law replied State Representative Charlene Takesian had posed
145 those questions to the PUC. Ms. Law will review to find out if they responded. She felt it was
146 reasonable to ask the PUC questions specific to Pelham. Mr. Viger believed the Board agreed that the
147 Town needed more information but didn't know who could be tasked to do so.

148

149 In reviewing Town history, Ms. Ryan believed there may be some studies and previous work
150 completed. She said there may be answers to what the businesses along Route 38 needed and why.

151

152 Mr. Lynde and Mr. McCarthy will work together to formulate a plan based on the questions and
153 comments from the discussion. Mr. McDevitt suggested asking NRPC if they would recommend an
154 expert to assist the Town. Mr. McCarthy suggested they might have one on staff. He recalled seeing
155 cost-benefit analysis within some of the correspondence from them. Mr. Lynde will provide an
156 update at the next meeting.

157

158 **Michael Porter, Eagle Scout Candidate – Presentation of Eagle Scout Project for a propose**
159 **storage shed for the Library**

160

161 Mr. Michael Porter came forward and presented his Eagle Scout project. The proposal was to place a
162 storage shed at the Library that would house chairs and supplies for their outdoor activities. He
163 showed photographs of the (10ftx12ft – vinyl sided) shed that would be purchased. The shed will be
164 located behind the existing garden, along the tree line to the right side of the Library (when facing the
165 front of the building).

166

167 Mr. Lynde understood the project would be done at no cost to the Town. Mr. Porter replied that was
168 correct. Mr. Lynde confirmed Mr. Porter had spoken to the Library Director. At this point, Library
169 Director Irja Finn came forward and told the Board the Library was very excited Mr. Porter had
170 approached them. In the past they stored a lot of their materials in the municipal building, which was
171 difficult to move back and forth. Having the shed at the Library would allow them to store their
172 materials on-site.

173

174 Mr. McCarthy questioned if it would be beneficial to have the shed closer to the building. Ms. Finn
175 replied the shed would be used mainly for summer items; they didn't want to make it a target for
176 vandalism. Mr. McCarthy confirmed he would not be responsible for the shed. The Board told him
177 he would not.

178

179 Mr. McDevitt reviewed the proposed location and believed it wouldn't distract from the overall look
180 of the Village Green. He suggested there may be discussion in the future about having shrubs or
181 small plants in front of the shed.

182

183 Mr. Porter told the Board he was looking to locate the shed within the next two weeks.

MOTION: (McDevitt/Spencer) To approve Michael Porter's Eagle Scout project to build a
shed at Pelham Library as presented, and authorize Mr. McCarthy to sign any
document on the Selectmen's behalf.

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

184

185 Ms. Finn stated Mr. Porter had a Go Fund Me account for fundraising. The account could be found
186 by doing a search on Go Fund for projects being done in Pelham, New Hampshire. Mr. McCarthy
187 asked Mr. Porter to send him a website link so it could be included on the Town website.

188

189

OTHER BUSINESS

191

Noise Ordinance – Final Draft for Approval

193

194 Mr. Lynde explained that the Board received a copy of the proposed Noise Ordinance which was a
195 collaboration of Mr. McCarthy and Ms. Spencer. The Board reviewed the document and offered one
196 grammatical amendment. A motion was made by Ms. Spencer to approve the Ordinance; seconded
197 by Mr. Viger. Mr. McDevitt suggested conducting a public hearing. Mr. Lynde agreed. Ms. Spencer
198 withdrew her motion and Mr. Viger withdrew his second.

199

200 Mr. Lynde stated a public hearing would be posted for the next meeting; subject to that hearing the
201 Board would then take action to approve.

202

Non-Union Employee Wage Review

204

205 Mr. McCarthy provided the Board with a listing of non-union/ part-time employees, and some full-
206 time employees, along with the year salaries. Without being specific, Mr. McDevitt stated there had
207 been a question regarding one or two non-union employees and the consistency of salary. He said he
208 had a question about one or two on the list, but recognized it would appropriate for discussion in non-
209 public session.

210

211 Mr. Lynde felt they could use the New Hampshire Municipal Association website as a resource to
212 review comparable jobs/salaries. He said if any of the Selectmen had comments specific to any
213 individual they could discuss such during non-public session.

214

Legal Service – Discussion regarding a possible RFP for services

216

217 Mr. McCarthy stated during a recent Budget Committee meeting, one of the members asked when
218 legal services had been bid out for comparison pricing. He said it hadn't been done for quite some
219 time and asked the Board if they wanted to set aside time to review doing so. Mr. Viger replied he
220 appreciated the comment during the Budget Committee meeting but understood it was the purview of
221 the Selectmen for when and if they would go out to bid. Ms. Spencer agreed. She cautioned the
222 Board about bidding out for legal work, noting cost savings often came from staying with the same
223 group of people conducting legal work because then they didn't have to spend additional time getting
224 'up to speed'.

225

226 Mr. McCarthy stated institutional knowledge was invaluable. The Town benefitted with the current
227 law firms by the fact they knew the 'ins and outs' of the Town. He noted there were a number of
228 times older cases were referenced and the law firms had all the backup documentation available
229 quickly. The two law firms currently being used were very successful defending the Town.

230

231 Mr. McDevitt felt the Board could discuss the pros and cons of bidding out. He felt it was risky to
232 bid out the professional services, but at the same time, it was a respectful and fair question to ask.

233

234 Mr. Lynde pointed out the Town had made recent changes, such as encouraging department heads to
235 review the State Statute books and utilize the legal services provided by the New Hampshire
236 Municipal Association. He said they had also hired a law firm more conversant/experienced in
237 personnel matters. Having two firms had proven to be beneficial.

238

239 Mr. McDevitt indicated Mr. Viger could let the Budget Committee know that the Board had a
240 discussion on the topic and decided not to go out to bid at this time. He said there were multiple
241 reasons for the decision which they felt very strongly about.

242

243 **Discussion - Crosswalk between Marsh Road and Fire Station at the exit of Village Green**

244

245 Mr. Lynde understood there was a crosswalk in the area between Marsh Road and the Fire Station at
246 the exit of the Village Green, but it was not very visible. Mr. McCarthy walked the area with the
247 interim Highway Agent and elected to move the crosswalk further south from the present location.
248 He described the area where the crosswalk would be moved, which would provide adequate distance
249 from the roundabout so warning signs could be erected and be clearly visible to drivers.

250

251 Mr. Viger asked if there would be value in having the Highway Safety Committee review the
252 proposal. Mr. McCarthy replied he would bring the proposal to them. Mr. McDevitt asked that there
253 be an education component to moving the crosswalk, so children, parents and drivers would become
254 informed that the crosswalk was moved. Mr. McCarthy intended to send information to all three
255 schools, place information on the website and include it in the Selectmen's announcements. The
256 crosswalk will be clearly marked on the ground and by posted signs. There will be a temporary
257 crosswalk sign at the present location until the new crosswalk was completed.

258

259 The matter was referred to the Highway Safety Committee for comment.

260

261 **Discussion regarding Kinder Morgan meeting**

262

263 Mr. Lynde spoke about a meeting he attended with Mr. McCarthy that was conducted approximately
264 2 weeks ago with two representatives of Kinder Morgan. They came in to provide a status update.
265 They spoke in general about the pipeline location/route through Pelham and recommended changes in
266 concern for the protection of the aquifer. They left the meeting with the understanding that Pelham
267 would provide additional information to Kinder Morgan and give them the opportunity to respond.
268 Mr. McCarthy stated they were very receptive to proposed changes in the area of the pipeline. At
269 present they were in a position of possibly being able to jog the pipeline away from sensitive areas.
270 He will send them a map highlighting sensitive areas Pelham would like avoided. Kinder Morgan has
271 been receptive to Pelham making these recommendations.

272

273 **Lynch Lawsuit Update**

274

275 Mr. McCarthy informed the Board that Mr. Lynch submitted a request to Superior Court for
276 reconsideration of the Fin-Lynch lawsuit decision. It was believed this could be a prelude to an
277 appeal. He asked Town Counsel for a cost estimate for defense of an appeal to Supreme Court, if one
278 were to be filed. Town Counsel replied it would be anywhere between \$10,000 and \$12,000, which
279 had not been budgeted. He questioned if the Board wanted to review the legal budget and possibly
280 add additional funds in the events an appeal came forward.

281

282 The Board discussed the situation and how to proceed. Mr. Lynde suggested apprising the Budget
283 Committee that there may be a need to increase the Legal budget, but felt the Board should wait to
284 take action until budget reconsideration in January. The Board agreed.

285

286 **Discussion Human Resource position**

287

288 Mr. McCarthy spoke about a training he attended at the New Hampshire Municipal Association
289 ('NHMA') during which they discussed the Affordable Care Act and associated impacts it would

290 have on communities. Through the discussion it became apparent to him that the whole process
291 would be very daunting for the Town. He presently did not have staff available to handle what was
292 coming. There is a list of reporting requirements to the government and the IRS. If the Town does
293 not get the required forms done in a timely manner, or sends information with errors and/or omissions
294 the Town will be susceptible to significant fines. Mr. McCarthy explained the Town did not have a
295 human resources person; those duties were currently being divided between the Town Administrator,
296 Finance Director and others. He asked if the Board was receptive to hiring a human resources person.

297

298 Mr. Viger believed Mr. McCarthy had done his homework and felt if they had a good enough
299 presentation they might be able to get enough votes at the Budget Committee to accept the position in
300 the budget. Ms. Spencer understood a new position required a warrant article. She said if they didn't
301 want to ask for taxpayer approval, they might consider converting an existing position, rather than
302 bringing on a new position. She didn't dispute the need but would hesitate to circumvent the process.
303 Mr. Lynde asked if she was receptive to hiring a human resources person. Ms. Spencer said it would
304 depend.

305

306 Mr. McDevitt stated the requirement for a warrant article was just something the Budget Committee
307 had imposed on the Board of Selectmen. It was something the Budget Committee could also undo.
308 He noted when he began on the Board of Selectmen the Town had the same number of people
309 working in the Selectmen's office as they did at present. He didn't like adding another position;
310 however, he didn't have a solution for employee relations and government requirements. He said he
311 would support the position.

312

313 Mr. Lynde noted there were quite a few costly personnel issues within the past few years that should
314 be considered. Mr. McCarthy added that during the past 20 years the manner in which companies
315 interacted with employees had changed. He said they had been able to get by with the current staff,
316 but was concerned about an unexpected issue coming up that may be beyond their experience, which
317 could end up being a costly mistake for the Town. Mr. Lynde asked Mr. McCarthy to create a
318 presentation for the Board that included a job description, salary range and explanation of how they
319 would fit into the organization. Mr. McDevitt suggested bringing the Budget Committee up to date
320 during review of the Selectmen's budget and let them know they may be back to ask for the position
321 during reconsideration. Mr. McCarthy told the Board he had already done the research and would
322 submit it for review when appropriate. Mr. Viger will give the Budget Committee a 'heads up'
323 briefing during the review of the Selectmen's budget.

324

325 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

326

327 Mr. McCarthy provided a summary of the Fire Department vehicle bid awards, which were opened on
328 Monday, September 28th at 9:20AM. He then briefed the Board about the phones at the Senior
329 Center, which had been knocked out by a power surge resulting from an accident in front of the high
330 school. The Senior Center was currently on a backup system. He filed an insurance claim with
331 Property Liability Trust to cover some of the damage under the insurance policy. Mr. McCarthy had
332 also tasked attorney McCall at the Police Department to get restitution for overtime and damages due
333 to the accident. He also tasked the phone system company with putting together a bid. He was told
334 because the Town had recently upgraded to the new phone system, they now had the ability to install
335 satellite phone systems that would link up to the municipal building system. This meant the Senior
336 Center, Highway and Transfer Departments, Cemetery, Muldoon Park, PVMP and possibly the Scout
337 Lodge at Raymond Park would connect to the municipal phone system. Mr. McCarthy said he would
338 review the information and bring a presentation back possibly for reconsideration of the Town
339 Building's budget. Mr. Lynde questioned if land lines would be needed. Mr. McCarthy said he
340 would conduct research, if they were needed the budgets could be adjusted.

341

342 Mr. McCarthy received a request for the committee reviewing the Highway and Transfer
343 Departments to be called the Highway Transfer Facility Committee. There was no objection. Ms.
344 Spencer noted Budget Committee Vice Chair Dave Cate volunteered to be a member of the
345 committee. Mr. McCarthy informed there was a position open and informed if anyone was interested
346 they should submit a volunteer application, or contact him at telephone 603-508-3074.

347

348 Mr. McCarthy announced that the POW Dedication was scheduled for November 11, 2015 in the
349 Town Hall lobby at 11 AM.

350

351 Mr. McCarthy ended by informing that the auction for the three properties would occur in the October
352 10th timeframe. The auctioneer was drafting an agreement for signature with the Town and would
353 meet with him within the coming week.

354

355 Ms. Spencer took a moment to commend and thank the Fire Department and Police Department for
356 their quick, efficient and effective responses to all of the incidents that had occurred in the last few
357 weeks.

358

359 Mr. McDevitt spoke of a discussion with Pennichuck Water, which was in the early stages, to address
360 water concerns that had appeared in the west side of Town. He noted that the Town didn't own any
361 water system, wells or pipes to run water to residences. The discussion with Pennichuck Water was
362 to find out if they could run water, and if so, at what cost. Mr. McDevitt reported he would be
363 conducting a segment about arsenic in well water during the next broadcast of his show "All About
364 Town" on PTV, which he believed would air in the coming month.

365

366 **REQUEST FOR NON-PUBLIC SESSION**

367

MOTION: (McDevitt/Spencer) 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. Lynde-Yes; Mr. McDevitt-Yes; Mr. Viger-Yes; Ms. Spencer-Yes

368

369 It was noted that when the Board returned, after the non-public session, the Board would not take any
370 other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the
371 meeting. The Board entered into a non-public session at approximately 8:40pm.

372

373 The Board returned to public session at approximately 9:10 pm.

374

MOTION: (Viger/Spencer) To seal the minutes of the non-public session indefinitely.

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

375

376

377 **ADJOURNMENT**

378

MOTION: (Viger/Spencer) To adjourn the meeting.

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

379
380 The meeting was adjourned at approximately 9:10pm.

381
382 Respectfully submitted,
383 Charity A. Landry
384 Recording Secretary
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ATTACHMENT A

419
420 Hello, my name is Kaela Law of Briarwood Rd and part of the Pelham/Windham Pipeline Awareness
421 group. I'm going to just get right into it, if that's okay ... I've written down what I would like to say so
422 that I stay on topic.

423
424 William J Clark of Liberty Utilities testified before the PUC regarding both dockets 14-380 and 15 -
425 362

426 I was in attendance in Concord at the PUC hearing for docket 14-380 which discusses the Precedent
427 Agreement between Liberty Utilities and Tennessee Gas Pipeline Company for capacity on the
428 proposed Northeast Energy Direct Project (the big 30" line Kinder Morgan wants to run through

429 town). Initially Liberty Utilities wanted to sign up for 115,000 DTH (which is what they call the
430 measure of units for natural gas) per day. During the testimony it came out that Liberty actually only
431 required 65,000 dth per day. Liberty would use 50,000 dth per day to replace all the gas traveling
432 through the Concord Lateral, and the remainder would be available for any potential new
433 customers. Again, Liberty is trying to sign up for capacity on the Northeast Energy Direct Pipeline so
434 that they can replace all the gas already traveling through the Concord Lateral. This in point of fact,
435 makes it clear that the supply for the Concord Lateral and therefore any gas distribution we would
436 receive in Pelham would be coming from the Northeast Energy Direct Pipeline. Are there any
437 questions regarding those numbers?

438 In the line of questioning during Clark's testimony he was being asked about expansion plans to
439 validate the siting of the Northeast Energy Direct pipeline in the state of NH. He was asked "Is
440 Liberty exploring potential new franchise territories that could create additional conversion
441 opportunities?" and he responded "Yes, Liberty is currently exploring franchise opportunities in two
442 communities contiguous to our existing franchise area. Liberty has had discussions with local
443 officials in those communities as well as potential customers."

444 Come to find out these two communities are Pelham and Windham, which is what the PUC docket
445 15-362 discusses, the distribution along route 38. The reason I am reading this for you is because
446 Mr. Clark is using the towns of Pelham and Windham to help create a justification for the Northeast
447 Energy Direct pipeline which the town of Pelham and every other town along the route in New
448 Hampshire, has opposed.

449 Dr. Pradip Chattopadhyay of the Office of Consumer Advocates also participated in docket 14-380
450 and will be participating in 15-362 as well. As part of testimony, Dr. Chattopadhyay concluded that
451 Liberty is trying to sign up for much more gas than they would actually require leaving stranded
452 costs somewhere, most likely to the ratepayers and states: "it is clear that current ratepayers are
453 burdened with a significantly higher average price per DTH (which again is how they measure units
454 of natural gas) than future ratepayers ... It is fundamentally unreasonable to require ratepayers now
455 to unnecessarily bear significantly greater burden compared to ratepayers in the future"

456 That said, I see no reason why Pelham should rush into signing up to become one of these
457 "burdened ratepayers" by becoming natural gas customers considering the pipeline projects on the
458 horizon. Additionally, there is a tariff being proposed that Electric Ratepayers also

459
460 cover the costs of construction for the Northeast Energy Direct Pipeline. All of Pelham's electric
461 customers are from Liberty. All of Pelham's residents would see charges on their electric bills to
462 construct the Northeast Energy Direct Pipeline and I hope that the town officials would not
463 condemn us (for lack of a more appropriate term) to paying additional gas charges to construct it as
464 well, especially if so many of us in Pelham are being asked to give up parts of or all of our properties
465 so that they can construct it. There is very little to redeem either of these pipeline projects in the
466 town of Pelham as they are being presented to us at this time. There are many economic reasons, as
467 well as environmental reasons and state's rights reasons to oppose the Northeast Energy Direct
468 Pipeline project and by extension to question this natural gas distribution through Pelham.

469 Pelham has two existing natural gas pipelines running through town, a 12" and a 20" pipeline
470 running side by side here ...(roughly, I drew a red line over this map as an example but it is not the
471 exact route, I did it by memory of where I've seen those orange posts sticking up through town)
472 Pelham has a compressor station here on Industrial Ave. The Northeast Energy Direct Pipeline would
473 be here, this green line. If all is said and done and Liberty Utilities and Kinder Morgan get the
474 approvals they are seeking, the Northeast Energy Direct pipeline would bring gas across Southern
475 NH, cross over the Concord Lateral near the north side of town, swoop down through Pelham, touch
476 Dracut and then come back up through the already existing pipeline system. Dracut is opposing this

477 project as well as many other towns in Massachusetts. Additionally there would be a Pig Receiver
478 station in Pelham, and with this distribution system a Take Station. That is A LOT of pipeline
479 infrastructure for one town to shoulder.

480 I am requesting that the Pelham Board of Selectmen find out more about this distribution project.
481 The map that accompanies the PUC docket 15-362 does not show where the take station would be
482 located. It also does not mention that 1 mile of distribution pipe costs \$1 million dollars. From
483 William Clark's testimony in the PUC docket 15-362, he says, "The direct cost for the Pelham
484 construction, including services and meters, is estimated at \$940,224, and that a new
485 interconnection will need to be constructed on the existing Concord Lateral in Pelham, the cost of
486 which has been estimated at \$1,249,779" Again, this expensive interconnection or "take station" is
487 not shown on the map. Nor does it show where they would need to operate a main line beneath
488 Beaver Brook. How will they run distribution pipeline through town which is zoned for 1 acre lots? I
489 do not think this distribution is economically feasible for the town of Pelham's residential heating
490 customers.

491 I want to request that since this PUC docket pertains to the town of Pelham, that the town of
492 Pelham participates in the state proceedings regarding it. I wonder if Attorney Kanuff who
493 represents the Municipal Coalition, which we are a part of, could offer assistance. Whether the
494 Board of Selectmen drafts a letter to submit or actually intervenes in this process, I'm not sure.
495 Perhaps a strong letter would suffice?

496 I'd also like to make a request of the Pelham Economic Development Committee that they produce
497 a cost/benefit analysis for gas pipeline distribution to see if it will really be worth it in the long run,
498 all variables that I have discussed here considered. Would it be proper to charge the Pelham
499 Economic Development Committee to also look into cost/benefit analysis of putting solar panels up
500 on town buildings and schools and using heat pumps weighed against the costs of the pipeline
501 infrastructure to lessen our energy costs? I'd want to note and have them factor in that our
502 community is actively participating in the NH Saves program to become more energy efficient.
503 Energy Efficiency and options such as solar and heating pumps would also provide local jobs,
504 whereas this docket 15-362 states clearly that there will be no new employees as a result of these
505 endeavors. Energy Efficiency will save the town money, and if the town and planning board
506 considers solar panels atop the new High School, Fire Station, or Town Hall it would also help them
507 to better direct potential solar panels for residences in town, having gone through the process
508 themselves. I know that there are many here in Pelham interested in solar panels. The sun is always
509 shining and therefore solar panels provide a very long term and maintainable power source,
510 whereas many of the drilling companies, from what I have read, in the Marcellus Shale region are
511 going bankrupt and halting their drilling activities. The prices of natural gas are highly volatile,
512 especially in the winter. These are just a few things I would like you to consider.

513 I also know there are people in town who would like to see natural gas so I am not asking you to
514 condemn this "tapping in" option from the Concord Lateral entirely, but asking that you give it a
515 serious and fact driven consideration and to understand that although the two pipeline projects are
516 seemingly different there is a strong correlation between them as I believe Liberty Utilities is using
517 one simply in order that they are try to bring justification to the other.

518 If there are any questions I will do my best to answer them. Thank you

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ATTACHMENT B

Good evening. My name is Debbie Ryan and I am one of the members of the Pelham Economic Development Committee. We are a volunteer organization with the purpose of promoting local economic growth and development.

We are aware that more energy is needed in New Hampshire to supply local business with affordable electricity and heat. One of the main issues is that there is a lack of infrastructure to supply this energy.

Many of you are aware of the plan by Kinder Morgan to run a 30 inch pipeline through town. Thank you Kaela Law and others who have been providing information about the pipeline to residents. Kinder Morgan states that this pipeline will create more affordable energy for the state of New Hampshire. However, we are not aware of any immediate plans to allow the town to tap into the pipeline for local use.

There are many pros and cons to the Kinder Morgan project. However, I am not addressing that particular project this evening.

My point in speaking tonight is to bring your attention to the fact that we have options in town that already exist.

Pelham currently has two 12 inch gas pipes running through town, which belong to Tennessee Gas. Until now, Pelham has had NO access to this gas. We have been unable to take advantage of this resource in our own backyard.

Affordable energy is key to economic growth in Pelham and Southern New Hampshire in general. With this in mind, the PEDC approached Liberty Utilities about a year ago to ask about tapping into those existing lines.

As chance would have it, Liberty Utilities wanted to have a discussion with Pelham. Their plan is to build a "take station" in town. Unlike the large compressor station planned by Kinder Morgan, this is a small building that will allow Pelham to tap into the gas lines that are already in place here in town.

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574 Phase one of the plan is to provide natural gas along the Rt 38 corridor, as well as town and school
575 buildings. By tapping into this resource that already exists, residents could see significant savings in
576 heating costs for public buildings. Many local businesses would benefit as well.

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578 As the project phases continue, Liberty Utilities expects to expand the natural gas service to
579 residents, thus providing a lower-cost option for heating.

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581 This project also increases safety for the town. Currently, there is a "tank farm" in town for natural
582 gas. As this particular infrastructure continues to age, it poses a potential safety hazard to residents.

583

584 Tapping into the existing Tennessee Gas lines will eliminate the need for those tank farms, and thus,
585 increasing safety and eliminating the need to spend money to save on replace them.

586

587 Bear in mind, though, as Liberty Utilities expands the lines, more gas will be required. Whether this
588 comes from the proposed Kinder Morgan project, or more gas is released through the existing lines
589 remains to be seen.

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591 However, the PEDC sees this particular project as a big win for Pelham. By tapping into the smaller
592 pipelines that are already in place, more affordable energy will be available to local businesses and
593 residents alike.

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595 We encourage the Selectmen to seek more details from Liberty Utilities about this particular project.