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APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN MEETING
MINUTES
October 27, 2015
APPROVED – November 10, 2015

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CALL TO ORDER - approximately 6:30PM

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

ABSENT: Mr. Paul Leonard

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PLEDGE OF ALLEGIANCE

PUBLIC HEARING

The Pelham Board of Selectmen will hold 2nd of two Public Hearings on Tuesday, October 27, 2015 at 6:35PM to discuss: The Town of Pelham’s Proposed Noise Ordinance.

Mr. Lynde explained that during March, 2015 Town Meeting a warrant article was presented to ask voters for the authority to draft a noise ordinance. That warrant article was approved and during the last several months an ordinance has been drafted for review and discussion. Ms. Spencer, who was involved in drafting the ordinance, provided a summary overview and offered final adjustments to: Section 3G – striking (in two places) ‘Monday-Saturday; Section 4 – strike the last sentence and having the paragraph end with the word ‘abatement’.

Mr. Lynde opened the hearing to public input. No one came forward.

MOTION: (Spencer/McDevitt) To approve the Noise Ordinance as presented with stated amendments during the hearing.

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

PUBLIC HEARING

The Pelham Board of Selectmen will hold the 1st of two Public Hearings on Tuesday, October 27, 2015 to discuss the Town of Pelham’s proposed Ambulance Billing Policy.

The Selectmen reviewed the draft policy as presented during the October 13, 2015 meeting.

Mr. Lynde read aloud the stated purpose of the proposed Ambulance Billing Policy as follows:

The purpose of this policy is to outline ambulance billing and collection procedures for use if fire department emergency medical services. This policy applies to all users and/or responsible parties and establishes a consistent fee schedule shown and appended to this policy as Schedule “A”.

Deputy Fire Chief Paul Leischner provided an overview of the proposed Ambulance Billing Policy and the benefits of having it in place for the residents, Fire Department and Town.

Mr. Lynde opened the hearing to public input. No one came forward. The public hearing was recessed until the second public hearing, at which time, unless otherwise noted, the Selectmen with adopt the policy.

44

45 **MINUTES REVIEW**

46

47 **October 13, 2015**

MOTION: (McDevitt/Spencer) To approve the October 13, 2015 meeting minutes as written.

VOTE: (3-0-1) The motion carried. Mr. Viger abstained.

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49 **ANNOUNCEMENTS**

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➤ **With great sadness** the Selectmen announced the recent passing of Retired Fire Captain Al Farwell and former Planning Board member Carolyn Law;

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➤ **Pelham Board of Selectmen** will hold the 2nd of two Public Hearings on Tuesday, November 10, 2015 at 6:35pm regarding: *The Town of Pelham's Proposed Ambulance Billing Policy*, The Pelham Board of Selectmen to take public comment and vote on the proposed Ambulance Billing Policy;

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➤ **Public Auction** for three Town owned properties taken for tax deed to be held on Friday, October 30th at the property locations at the time and place listed:

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○ 1:00PM – Parcel #1 – 181 Hobbs Road – 4 bedroom / 2 bath, Ranch

58

○ 1:30PM – Parcel #2 – 14 Atwood Road – 3 bedroom / 1 bath, Cape

59

○ 2:00PM – Parcel #3 – 18 Chagnon Lane – 1 acre of vacant land

60

➤ **Pelham Farmer's Market** – Wednesdays from 3pm until Dark inside Town Hall – Schedule for November and December the Farmer's Market will be held on the 1st & 3rd Wednesday of each month inside Town Hall – more information to follow;

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➤ **Pelham Board of Selectmen** - seeking citizen volunteers for a Highway Department/Transfer Station Facility Evaluation Committee. If interested, please fill out a volunteer application to the Selectmen's Office for consideration and interview, Attention Brian McCarthy;

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➤ **Trustee of the Trust Funds**, Need to fill one vacancy – Complete Volunteer Application and submit to Board of Selectmen

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➤ **Pelham Community Coalition** – free screening of 'The Anonymous People' on Thursday, October 29, 2015 at 6:30PM in Sherburne Hall, Q & A to follow movie;

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➤ **Parks and Recreation** Annual Haunted Woods Event "Zombie Apocalypse" October 30 & 31 from 7pm to 10pm at Pelham Veterans Memorial Park. For more information see Parks and Recreation webpage at www.pelhamweb.com;

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➤ **Pelham Trick or Treat** hours – Saturday, October 31, 2015 from 5pm to 8pm;

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➤ **POW/MIA Empty Chair Display Dedication** to be held Wednesday, November 11, 2015 at 11AM in the Pelham Town Hall Lobby.

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79 **OPEN FORUM**

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No one came forward.

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83 **APPOINTMENTS**

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85 **Nashua Regional Planning Commission ('NRPC') Director Tim Roache – Introduction and brief overview of NRPC Services**

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87

NRPC Director Tim Roache and Assistant Director Jen Czysz came forward to meet with the Board and provide an overview of NRPC services provided to the Town. He explained NRPC was a local resource to enhance community planning and transportation efforts. They acted as an information sharing forum and tried to be a voice for all their communities at the State and Federal levels. Mr.

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92 Roache summarized the areas they had assisted Pelham during the past few years and what was
93 envisioned for the future.

94

95 Ms. Czysz provided the Board with a copy of the NRPC Executive Summary, titled ‘Telling the
96 Story’ from their recently completed regional plan. During the process they did an extensive amount
97 of data gathering, typical for the planning process, and conducted outreach which allowed them to
98 exemplify the issues and concerns faced by many of the residents across the region. The information
99 can be used in a town’s master plan and other planning processes. NRPC went worked in conjunction
100 with the other regional planning commissions in the State to determine regional commonalities. The
101 planning commissions collaborated to develop a planning matrix gateway.

102

103 Mr. Roache spoke of how NRPC also acted as a forum for their communities to allow them to work
104 together on regional issues. They have open communication and felt Pelham was in a good position
105 with having a Selectman Representative sit on the NRPC Board and the Chair of the Zoning Board
106 was also the Chair of the NRPC. Ultimately, it helps to have one voice speak for the region and Mr.
107 Roache felt they could be very effective doing so when needed.

108

109 Mr. Lynde thanked Mr. Roache and Ms. Czysz for meeting with the Board. Pelham values the
110 services of NRPC and appreciate what is provided. He noted it would be very costly to the Town if
111 they were to try to replicate the services provided by the NRPC. Mr. Lynde understood there was an
112 issue coming up regarding stormwater management (‘MS4’) and questioned what role the NRPC
113 would have. Ms. Czysz told the Board the NRPC played host to the Regional Stormwater Coalition,
114 and as staff participated. She said part of their recent conversation was the new MS4 requirements.
115 A member of the Environmental Protection Agency (‘EPA’) attended their meeting and spoke to the
116 changes within the permit that was currently out for comment. The group discussed what they could
117 do collaboratively to meet some of the permit requirements since they came from the Federal
118 Government without additional funding. At this point they were waiting to see the final version of
119 the permit.

120

121 Mr. McDevitt noted there were times when things came down from the Federal Government that
122 were beyond the Town’s ability to deal with. He noted Pelham tried to keep staffing to an appropriate
123 level. He felt the MS4 was something the NRPC would be able to help the Town, given their
124 expertise in land issues.

125

126 Mr. McCarthy expressed his thanks to the NRPC staff and their assistance with the NED pipeline
127 project. He said they had done an outstanding job gathering information, obtaining maps and
128 providing good feedback.

129

130 Mr. Lynde noted the Town had three bridge projects in various stages of development. The State’s
131 Main Street (Gionet) Bridge will be delayed until the downstream bridges are completed. He
132 provided a status summary for the Willow Street Bridge and the Abbott Bridge.

133

134 The Board thanked Mr. Roache and Ms. Czysz for meeting with them and providing an update of
135 services.

136

137 **Transfer Station Director Stan Walczak – Discussion regarding engineer for the Capital**
138 **Improvement Plan**

139

140 Mr. Walczak explained during the Board’s August 4th meeting he met with the Board to discuss the
141 need for funds in regard to an engineering study for the Transfer Station’s Capital Improvement Plan.
142 The Board recalled the plan and the request for funding. Mr. Lynde drafted a spreadsheet of

143 department expenses / revenues through September (to be discussed later in the meeting) along with
144 an estimate through the end-of-year. He noted the bottom line budget was in good shape. Specific to
145 the Transfer Station (using straight line approximation) they will have approximately \$30,000
146 remaining at budget completion. The request amount for engineering was \$4,400.

147

148 Mr. McDevitt recalled the Board having a lot of conversation on the topic and recalled they wanted to
149 wait until November to see if the 2015 budget had enough money.

MOTION: (McDevitt/Spencer) To approve the engineering plan for the Transfer Station as presented and approve \$4,400 for such.

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

150

151 Mr. Lynde understood the outcome would be a firm set of plans and better estimate of what the
152 project cost would be. Mr. Walczak answered yes; they felt they had good numbers for most aspects,
153 the remaining question was the amount of site work and design alterations that would be required.

154

155 **OTHER BUSINESS**

156

157 **Discussion - Funding / Donation for Pelham Community Coalition**

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159 Mr. Lynde explained the issue was brought up as to whether or not the Selectmen should provide
160 funding for Pelham Community Coalition ('PCC'), similar to funding provided to other programs.
161 He stated the Selectmen had gotten involved in the process of creating PCC in April, 2013. Through
162 the initial discussions, the Board gave Mr. Lynde the 'go ahead' to start putting together a coalition to
163 begin raising awareness. Because he was intimately involved and a coalition member, Mr. Lynde
164 stepped down from the Board for the discussion. Vice Chairman McDevitt led the discussion. He
165 commented that there was a place within the budget for various organizations.

166

167 Ms. Spencer noted there was a place in the budget where the Town provided charitable donations to
168 organizations that provide services to the Town that they would have paid for in one way or another.
169 She had cause during the past couple months to deal with PCC on a personal level assisting a friend
170 access services that were greatly needed during crisis. She believed PCC provided services to Pelham
171 and residents that was not otherwise being provided and felt they would be able to provide more of a
172 vital service and outreach if they were to have more of a budget. Ms. Spencer understood they
173 applied for grants and received one last year; however with more funding they could do more. She
174 suggested making a meaningful donation of \$2,000-\$3,000 to allow the PCC to expand their vital
175 services to residents.

176

177 Mr. Viger felt it should not just be the Town that takes on the initiative. He believed since it was a
178 Town-wide issue, the School should match the contribution amount. Ms. Spencer agreed.

179

180 Mr. McDevitt spoke to the donation. He noted the other organizations provided services directly to
181 citizens. He questioned if they should instead consider donating to a local referral center. Ms.
182 Spencer understood that PCC provided direct referral services and with funding could go further with
183 their assistance. She spoke to a person at a local center about making a donation. If that was done, it
184 would have to be under a type of 'scholarship' for a resident to participate in their program and at a
185 much greater cost than the suggested donation amount to PCC. She spoke of the outreach work being
186 done by the PCC and how a donation could expand services being provided to the Town.

187

188 Ms. Deb Ryan, a member of the School Board and PCC, came forward for the discussion. She stated
189 they had received a few donations and continue to apply for grants. She spoke about donating
190 directly to a service provider and cautioned there would be no guarantee that Pelham residents would
191 have a direct benefit from such. The PCC was working on becoming multi-faceted; however, their
192 biggest mission was to provide awareness and education. They would like to have the community
193 know they exist and be the 'go to' place to find resources.

194

195 Mr. Viger questioned if there were other organizations that provided immediate care to residents that
196 the PCC couldn't. He wanted to know if the PCC would make money available to a one-on-one
197 basis. Ms. Ryan replied this was the first time they discussed the possibility of receiving a donation.
198 They would work with any stipulations. Ms. Ryan felt using the funds for a broader purpose would
199 be beneficial to the community as a whole. She noted the School District had always collaborated
200 with PCC and would be willing to contribute toward future initiatives.

201

202 Those interested in making a donation can do so to: Pelham Community Coalition, P.O. Box 537,
203 Pelham, NH 03076.

204

205 Ms. Spencer spoke of the direct services that the PCC could provide such as possibly a telephone hot
206 line.

207

208 Mr. Hal Lynde (speaking as a resident and PCC member) stated his driving force was to raise
209 awareness and get people educated. He noted there was a booklet available for download from the
210 School District website called 'Growing up Drug Free – A Parent's Guide to Prevention'. There is a
211 New Hampshire Organization called New Futures that has a list of resources. Mr. Lynde spoke of the
212 importance of assisting people with finding the resources for treatment. He said funding would assist
213 the PCC in the process. The efforts will be coordinated with the Police and Fire Departments. Ms.
214 Ryan saw their immediate effectiveness being areas of education and awareness to become more of a
215 resource for people to contact and learn where to get help.

216

217 There was a brief discussion regarding the Gloucester Program. Ms. Spencer felt the Board should
218 possibly entertain a similar program. She spoke to the scope of services that the donation would
219 enhance, which she understood would continue the outreach awareness and provide a direct referral
220 service.

MOTION: (Spencer/Viger) To donate \$3,000 (within the 2016 Town budget) to Pelham
Community Coalition to continue its outreach, education and life-line type
services.

VOTE: (3-0-1) The motion carried. Mr. Lynde abstained.

221

222 The Selectmen will present 'new' information to the Budget Committee during reconsideration. Ms.
223 Ryan noted that the School was considering their contribution for inclusion in their 2017 budget. She
224 offered to discuss the topic during Budget Committee review of this year's budget.

225

226 **Discussion - 2016 Budgetary Warrant Article**

227

228 The Selectmen reviewed the list of proposed Warrant Articles for 2016 Town Meeting.

229

1) \$50,000 to be placed into a capital reserve for Highway maintenance facility.

230

231 2) Highway Block Grant acceptance

232 3) Senior Center Bus Capital Reserve

- 233 4) Legal Fees for Pipeline Coalition (possibly \$50,000 placeholder)
 234 Mr. McCarthy noted if FERC approved the process and the Town entered into the intervenor
 235 process with the coalition and attorney, the associated cost had an early estimate of \$300,000-
 236 \$500,000 (between the towns in the coalition). Mr. McDevitt noted if the article failed, the
 237 Town would not be able to spend any legal fees toward the pipeline in 2016 based on the law.
 238 He said the vote might be an indicator how the Town feels about the pipeline. Mr. Viger felt
 239 the topic should go in front of the voters and wasn't comfortable making a decision without
 240 their support through a warrant article. Mr. Lynde suggested finding out what other towns
 241 were requesting. He said the figure could be updated up to the first deliberative session.
 242 5) \$250,000 for Transfer Station Capital Reserve Project for the compactor.
 243 Transfer Station Director Stan Walczak believed the proposed figure was good, but cautioned
 244 he didn't know the cost of site work until after engineering. He was comfortable with the
 245 request.
 246 6) Forest Maintenance Capital Reserve
 247 7) Crooker family land purchase – non-money item.
 248

249 Mr. Viger stated another warrant article to consider might be a capital reserve for the replacement of
 250 the boiler within the Town Hall. He noted there were outstanding questions about natural gas,
 251 propane, and oil. There was a brief discussion, and the Board decided to hold off for now.
 252

253 Ms. Spencer recalled a discussion about the Town's increased responsibility in connection with the
 254 Affordable Care Act and possibly bringing on a person to facilitate issues. She questioned if there
 255 would be a warrant article or further discussion. Mr. McCarthy recalled the Board tabling the
 256 discussion until he presented a plan for the transition.
 257

258 **Discussion continued (from October 13th meeting) - Water District**
 259

260 The Selectmen continued discussion from their previous meeting. Mr. McDevitt explained the
 261 Selectmen were addressing what was believed to be significant water well problems in some areas off
 262 Sherburne Road. They spoke with Pennichuck Water to see if there was a solution and received an
 263 initial proposal costing \$6 million. Under State Law they reviewed forming a water district, but
 264 understood Pennichuck was prohibited from expanding the water lines into areas with existing homes,
 265 unless the Town was willing to pay for it to be done. After it's paid, Pennichuck would own the
 266 infrastructure. Mr. McDevitt noted during the past session the Legislature passed RSA 52-A, which
 267 may be an opening to forming some type of provision for that area of Town. He felt the Town should
 268 send a letter to those who may be affected and ask if they would like to meet with the Board, or a
 269 subset of the Board, before any additional time is invested. He offered to work with Mr. McCarthy to
 270 draft a letter.
 271

272 Mr. Viger recalled the Board tried to establish a water village district in the 2007 timeframe, for the
 273 apartments on Highland Avenue and learned at that time it wasn't a quick fix. It was a multi-pronged
 274 approach that could take nearly two-years.
 275

276 In looking at RSA 52-A:1 (definition of special assessment), Ms. Spencer said it sounded like what
 277 had been done on Spring Street Extension in the past; a special assessment was added to their tax
 278 bills. She felt the RSA may allow them to do something more expediently than forming a village
 279 district. Mr. McDevitt stated there would have to be a partnership between those who were impacted,
 280 the Board of Selectmen and the remainder of the Town. He said it may work under RSA 52-A with
 281 the idea of doing some type of betterment assessment, although the RSA seemed to relate to roads
 282 and not lend itself to water infrastructure. He wanted to know if residents were interested. It was
 283 believed that the project would cost in the millions of dollars. Mr. McCarthy noted to extend the line

284 from Hudson into Pelham was approximately six miles. The estimated cost was one million dollars
285 per mile.

286

287 Mr. McDevitt told the Board he would work with Mr. McCarthy to draft a letter to residents. The
288 Board would have an opportunity to review the letter prior to it being sent out. Mr. McCarthy noted
289 he contacted NHMA on the topic and would be receiving a written summary of the conversation that
290 will be shared with the Board. Mr. McDevitt commented if the RSA didn't cover this kind of a
291 situation, the Board could work through the local delegation for it to be changed to allow for funding
292 an infrastructure without owning it.

293

294 **Discussion - NH Route 38 at Old Gage Hill Road – Dangerous intersection**

295

296 Mr. Lynde indicated that the Board received a memo from Police Chief Joseph Roark with statistical
297 data regarding motor vehicle accidents at the intersection of Route 38 and Old Gage Hill Road. They
298 discussed the challenges of the intersection with the sight alignment coming out of Old Gage Hill
299 heading North on Rt. 38 as well as the difficulties with vehicles turning left into the store.

300

301 Ms. Spencer lives in the area and didn't feel decreasing Old Gage Hill Road to one lane/one direction
302 would be the solution to the problem. She created a bullet-point memo that showed the down-sides of
303 doing so would far outweigh the up-sides of doing so. She said it could increase the response times
304 of first responders to get in and out of the area and it would increase the travel time of residents to
305 access the Town center and school busses to transport children. Ms. Spencer also believed if the
306 intersection from Old Gage Hill was narrowed to one lane, a police officer would need to be present
307 to enforce it. Also the triangular area at Ledge Road/Old Gage Hill Road would then experience
308 congestion and possible accidents. She would be vehemently opposed to the proposal and would
309 want numerous public hearings because the drawbacks far outweighed the benefits.

310

311 Mr. McDevitt agreed it was a difficult situation. He suggested starting with simple things, such as a
312 sign with a blinking light indicating 'Dangerous Intersection'. Mr. Viger noted that the Department
313 of Transportation ('DOT') didn't address possibly creating one access point to the store. Currently
314 there was no curbing and it becomes confusing for drivers when multiple vehicles exit the store at the
315 same time. He felt more exploration was needed. Mr. McDevitt recalled years ago they met with the
316 DOT on site to discuss many options. He was a bit disappointed that their only solution at this time
317 was to make the intersection a one way street. Mr. Viger noted he was not in favor of having a police
318 officer at the intersection. Ms. Spencer agreed with Mr. McDevitt's suggestion of a blinking sign and
319 curbing at the store to see if it would help the situation.

320

321 Mr. Lynde felt the suggestions were all good ideas, but wanted to know who could provide the Board
322 with a solution. Mr. McCarthy felt the Board should task the Highway Safety Committee ('HSC')
323 with opening a dialog with the DOT to help solve the problem. Ms. Spencer didn't want to leave the
324 decision for a solution to the State because they don't access the roads on a daily basis. She wanted
325 to keep the HSC and Selectmen involved to make the ultimate decision for a solution. Mr. McDevitt
326 noted that he HSC would make a recommendation to the Selectmen. He added if the Town was set
327 against the DOT recommendation, the DOT wouldn't move forward.

328

329 Mr. McCarthy will ask the HSC to approach the DOT to see if there are easily implementable and
330 incremental solutions.

331

332 **Discussion – Sherburne Road / Mammoth Road intersection**

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334 Mr. Lynde stated the Board drafted a letter to Executive Councilor Christopher Sununu identifying
 335 the issues and indicating Pelham is willing to put money forward to help fix the problem. There is
 336 approximately \$33,000 set aside. Mr. Lynde noted the annual cost for traffic control was
 337 approximately \$24,000.

338

339 **Review – Third Quarter 2015 Revenue and Expense Report**

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341 The Board was provided with a breakdown of revenues and expenses through the end of September.
 342 Mr. Lynde drafted a summary spreadsheet containing an end-of-year estimate. The Board reviewed
 343 the information.

344

345 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

346

347 Mr. Viger told the Board he was asked by Presidential candidates to use Sherburne Hall for ‘town
 348 hall’ type meetings. He questioned the policy for public space, such as Sherburne Hall, Senior Center
 349 etc. Mr. Lynde knew there was a policy to rent Sherburne Hall for a small fee. Mr. McDevitt
 350 recalled in the past the Senior Center was used with no fee. The Board encouraged candidates to
 351 come to Town.

352

353 Mr. McCarthy received correspondence from the New Hampshire Pipeline Coalition who was asking
 354 each town to sign a pre-drafted letter. The letter will be sent to Senator Shaheen, Senator Ayotte and
 355 Representatives Guinta and Kuster requesting them to take a position on the Kinder Morgan pipeline
 356 project and to state their case. The Board received a copy of the letter for review. They had no
 357 objection to the proposed letter being sent out.

358

359 Mr. McCarthy provided a status update of the Town Hall, Historical Society building and Senior
 360 Center projects contained in the budget.

361

362 Ms. Spencer thanked the Board for their consideration and support of making a donation to the
 363 Pelham Community Coalition. She also thanked the Board for supporting her opposition to making
 364 Old Gage Hill Road a one-lane road at the Rt. 38 intersection.

365

366 Mr. McDevitt noted Liberty Utilities would hold a meeting in Sherburne Hall to discuss the
 367 expansion of the electric lines. He noted the meeting was for Hillsborough County and assistance
 368 may be needed from the Police Department to direct people where to park.

369

370 Mr. McCarthy summarized the meeting action items as follows:

371

- Schedule applicants for Highway / Transfer Committee to be present at next BOS meeting;
- Set up a capital reserve fund for Highway facility;
- Post handyman position;
- Contact Highway Safety Committee to discuss them opening dialog with the NHDOT re: Old Gage Hill Road / Route 38 intersection as to try to remedy the current traffic issues.

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REQUEST FOR NON-PUBLIC SESSION

MOTION: (McDevitt/Viger) Request for a non-public session per RSA 91-A:3,II, a
 (Personnel)

ROLL CALL: Mr. Lynde-Yes; Mr. McDevitt-Yes; Mr. Viger-Yes; Ms. Spencer-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 9:01pm.

The Board returned to public session at approximately 9:13pm.

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

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

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ADJOURNMENT

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

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

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The meeting was adjourned at approximately 9:14 pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary