

1
2
3
4
5
6
7
8
9

**APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN MEETING
MINUTES
November 10, 2015
APPROVED – December 8, 2015**

10
11
12

CALL TO ORDER - approximately 6:30PM

13
14
15
16
17

PRESENT: Mr. Harold Lynde, Mr. William McDevitt, Mr. Doug Viger (arrived after the meeting commenced), Mr. Paul Leonard, Town Administrator Brian McCarthy

18
19

ABSENT: Ms. Amy Spencer

20
21
22
23

PLEDGE OF ALLEGIANCE

24
25
26
27
28
29

PUBLIC HEARING

30
31
32
33
34
35
36
37
38
39

The Pelham Board of Selectmen will hold the 2nd of two Public Hearings regarding the Town of Pelham's proposed Ambulance Billing Policy. The Pelham Board of Selectmen will take public comments and vote on the Ambulance Billing Policy.

Deputy Fire Chief Paul Leischner came forward to answer any questions.

Mr. Lynde stated the Board had discussed the proposed policy at previous meetings and conducted the first of two public hearings. They were now conducting the second of two hearings. He opened the hearing to public input. No one came forward. The Board had no further questions/comments.

MOTION: (Leonard/McDevitt) To approve the Ambulance Billing Policy.

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

MINUTES REVIEW

Mr. Viger arrived.

October 27, 2015

MOTION: (McDevitt/Leonard) To approve the October 27, 2015 meeting minutes as amended.

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

ANNOUNCEMENTS

- **2015 Tax Rate** – Has been set at \$23.26 per thousand dollar of property valuation.
- **Town Office and Transfer Station Closure** – Wednesday, November 11, 2015 in observation of the Veteran's Day Holiday;
- **Pelham Farmer's Market** – November 18th, December 2nd and 16th 3pm until 7pm in the Municipal Building;
- **Senator Kelly Ayotte Pelham Office Hours** – Friday, November 13th from 9am to 10am;
- **Pelham/Windham Pipeline Awareness Information Forum** – Thursday, November 12th from 6pm to 9pm in Sherburne Hall, 6 Village Green;

- 40 ➤ **Pelham Board of Selectmen** - seeking citizen volunteers for a Highway
 41 Department/Transfer Station Facility Evaluation Committee. If interested, please fill
 42 out a volunteer application to the Selectmen's Office for consideration and interview,
 43 Attention Brian McCarthy;
 44 ➤ **Trustee of the Trust Funds**, Need to fill one vacancy – Complete Volunteer Application
 45 and submit to Board of Selectmen;
 46 ➤ **POW/MIA Empty Chair Display Dedication** to be held Wednesday, November 11, 2015
 47 at 11AM in the Pelham Town Hall Lobby
 48 ➤ **Board of Selectmen Schedule** – next meeting December 8th; with the following dates
 49 reserved-Call of the Chair: November 17th, December 15th & December 22nd;
 50 ➤ **Southern NH Festival of Trees**–begins Friday, November 27th thru Saturday, December
 51 5th. A more detailed schedule can be found on their website: snhfestivaloftrees.pelhamcommunityspirit.org.
 52

53 **OPEN FORUM**

54
 55
 56 No one came forward.

57 **APPOINTMENTS**

58 **Highway Department / Transfer Station Facility Committee Candidate Interview – John** 59 **Jeanson**

60
 61
 62 Mr. Jeanson submitted a volunteer application for membership on the Highway Department/Transfer
 63 Station Facility Committee. He told the Board he studied finance and was currently an accountant.
 64 He felt it was his civic duty to help the community and believed his experience would help the
 65 committee. In his line of work he conducted cost-benefit analysis and felt it would help when
 66 reviewing different solutions that would be beneficial for the Town as well as for the Town
 67 employees.
 68

69
 70 Mr. Leonard thanked Mr. Jeanson for coming forward and volunteering. He spoke about the task of
 71 the committee. Mr. Viger felt it was important for the committee to keep an open mind when
 72 reviewing options.
 73

74 Mr. Lynde believed Mr. Jeanson would do well on the committee since their review would include
 75 cost-benefit analysis. There was a brief discussion about when the Selectmen hoped to receive a
 76 report; they agreed to set an informal goal of July 1, 2016, which would fall in line with the
 77 commencement of budget season.
 78

MOTION: (Leonard/McDevitt) To appoint John Jeanson to the Highway Department /
 Transfer Station Facility Committee.

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

79
 80 Mr. Lynde asked Mr. Jeanson to consider submitting an application to be a Trustee of the Trust
 81 Funds. Mr. Jeanson said he would review the position for consideration.
 82

83 **Planning Director Jeff Gowan and Assessing Assistant Sue Snide – Multiple Highway Safety** 84 **Committee Recommendations**

85

- 86 Mr. Gowan and Ms. Snide came forward to review recent recommendations made by the Highway
87 Safety Committee ('HSC').
- 88 1) Potential relocation of pedestrian crosswalk in front of the Fire Station – consensus of HSC
89 that it should not be relocated because of safety concerns in winter months due to plowed
90 snowbanks prevent access to sidewalks and force pedestrians to walk in the roadway.
91 Subsequently to the HSC recommendation, Mr. Gowan said the Acting Highway Agent felt it
92 might be beneficial to add three-dimensional crosswalk signs to help identify the existing
93 crosswalk. Mr. McCarthy understood the signs had been ordered. There will also be a sign
94 located in the middle of the road, similar to what is in front of the VFW.
 - 95 2) Proposed relocation of a No Trucking sign on Hobbs Road – to warn trucks in time to take an
96 alternate route. Mr. Gowan told the Board the sign had already been moved.
 - 97 3) Removal of new Pelham Inn sign that blocks vehicle sight at Route 38 intersection – Mr.
98 Gowan told the Board the sign had been removed/relocated.
 - 99 4) Re-energize street light to illuminate Sherburne Road/Mammoth Road intersection – Mr.
100 Gowan told the Board this had been done. Mr. McCarthy noted in the past the intersection
101 was illuminated and some years ago the State took the light down. Once he contacted the
102 State to explain the traffic and visibility issues, and that a Police Officer was directing traffic,
103 they agreed to turn the light back on.

104
105 Mr. Gowan explained that the remaining items were addressing issues:

- 106 A. 5A Hickory Hill Road – Owner created their own address as 1 Maplewood because they
107 have a rather long driveway. Mr. Gowan noted there were two options, first to ask the
108 owner to do a voluntary change of address evaluation, or have the owner adhere to actual
109 address. Ms. Snide explained the driveway was between #5 and #7 with no room in
110 between, so they would either have to name their driveway or renumber all of Hickory
111 Hill Road. She noted there was a similar instance on Tenney Road where a private
112 driveway was named rather than having the entire road renumbered. The Board
113 discussed the two options and asked for a HSC recommendation of what was the best
114 solution for first responders.
- 115 B. Gumpas Hill Road – seven seasonal camps accessible by foot only. They have no street
116 address, no running water or electricity. The camps are located off the end of Granite
117 Drive. The tax bills indicate the properties as being Gumpas Pond or Gumpas Pond Road
118 with no associated number. HSC recommend the camps be addressed and numbered with
119 the name Trout Path so emergency responders can get to the structures when needed. A
120 corresponding sign should be constructed where the path is located. Owners have not yet
121 been notified. If the Selectmen agree with the recommendation, owners will be asked to
122 complete a voluntary address change. The Selectmen agreed with the recommendation.
- 123 C. Hinds Lane – a camp accessible only by a path. HSC recommends giving an address on
124 Small Mouth Path. If the Selectmen agree with the recommendation, the owner will be
125 asked to complete a voluntary address change. The Selectmen agreed with the
126 recommendation.
- 127 D. Lox Lane – vacant lot often used as a site for illegal burns. HSC recommendation to
128 assign the vacant lot the address of 22 Lox Lane, through voluntary address change, with
129 a sign posted at the pathway entrance so emergency responders can locate it when
130 needed. The owner has indicated their willingness to proceed. Mr. Viger asked who was
131 responsible for posting the sign. Mr. Gowan felt it would be reasonable, as part of the
132 voluntary address change, to ask the owner to post a sign. The Selectmen agreed with the
133 recommendation.
- 134 E. Island within Little Island Pond – seasonal structure located on the island. HSC
135 recommendation to utilize the voluntary address process to give the lot identification as
136 Loon Island. The Selectmen agreed with the recommendation.

137 F. 10 Webster Avenue – The lot has access from Kosik Terrace. The owner refuses to use
138 that name or voluntarily change their address. They insist on remaining 10 Webster
139 Avenue. Mr. Gowan stated that the access was on Kosik Terrace and emergency
140 responders would not find the structure from Webster Avenue. HSC requests that the
141 Board of Selectmen hold a public hearing (as required by RSA) to compel an address
142 change to Kosik Terrace. Mr. Gowan said it would be the same process followed with
143 other address changes during the previous E911 process. The Selectmen will schedule a
144 public hearing. Mr. Gowan said they could reach out one more time for a voluntary
145 address change and notify if that fails a public hearing will be held.

146
147 **OTHER BUSINESS**

148
149 **2016 Budgetary Warrant Article Vote**

150
151 The Selectmen reviewed the proposed language of the Warrant Articles for 2016 Town Meeting.
152 *(The following is a summary and not meant to represent final language for 2016 ballot)*
153

- 154 1) Compensated Absence - \$100,000 to be placed in the Compensated Absence Fund. Balance
155 in fund \$14,000; unfunded liability is \$456,335. It was believed that the proposed Town
156 Operating Budget contained a line for \$30,000. There was a known potential (of two
157 employees) coming in the next year that would total \$120,000. The Selectmen discussed
158 options. Mr. Lynde suggested having a goal of leaving \$100,000 in a capital reserve and
159 budget for the potential that would significantly take from the capital reserve. Mr. Viger had
160 the same thought. He suggested that the warrant article read ‘for future payouts’ and at
161 reconsideration add the funds for current exposure (of the two known employees), with the
162 understanding whatever wasn’t paid out would be given back. The Selectmen decided to
163 keep the warrant article amount at \$100,000 and increase the Operating Budget during
164 reconsideration to cover the possible exposure of the two employees, with the understanding
165 that money would be returned if not spent.
- 166 2) Kinder Morgan Pipeline Legal Fee - \$25,000 due to the Town’s involvement with the
167 regional coalition in opposition to the proposal. Mr. McCarthy said he listed \$25,000, but has
168 since received a letter from the coalition that indicated they were looking for a contribution in
169 2016 from Pelham between \$42,000-\$49,000. The Selectmen discussed the request and felt it
170 was important for people to have a realistic number for consideration. The warrant will list
171 \$49,000.
- 172 3) Sale of Town owned property (taken by tax deed in 1972 - 0.78acre) off Andover Road for
173 \$13,300 to Kevin and Constance Crooker. Mr. McCarthy indicated the wording was similar
174 to one on the ballot last year. Warrant to note that the conservation commission approved the
175 proposal. Mr. Lynde questioned if the property had any restrictions. He also wanted to know
176 why the Town wouldn’t auction the property. The lot was under one acre and adjacent to the
177 Crooker property, which was also undersized. Between the option of a public auction or
178 having a warrant, the Crookers preferred to have a warrant. Mr. McCarthy understood Mr.
179 Crooker would like to construct a garage on the vacant lot. It was unknown if the proposed
180 lot would be made part of the Crooker’s lot, or if it could be built on. Mr. Lynde would feel
181 more comfortable if the intent was to combine the lot with the Crooker’s existing lot. After
182 further consideration, the Selectmen tabled the proposed article for further discussion at a
183 later meeting.
- 184 4) Senior Center Bus Capital Reserve - \$25,000. The current bus was believed to be purchased
185 in 2007 and becoming a maintenance problem. If the warrant is approved, Mr. McCarthy
186 said the goal was to use the capital reserve, plus trade-in value of existing bus to purchase a
187 new a bus.

- 188 5) Transfer Station steel building, trash compactor and trailer - \$250,000. The stated figure was
- 189 approximate and may be refined once site engineering is completed. Mr. McDevitt felt it was
- 190 a large amount of money to come out at one time and ordinarily they would bond or note that
- 191 type of amount. He noted if the article didn't pass the taxpayers would pay more money for
- 192 single-stream recycling. He felt the Selectmen should consider funding the total proposal
- 193 from the fund balance. The Town consistently returns money to the general fund. It was
- 194 noted there were a lot of things funded by using money from the fund balance, such as the
- 195 road to Muldoon, portion of the fire station etc. There was a consensus of the Board to fund
- 196 the proposal in total (\$250,000) by using the fund balance; article language will be amended
- 197 accordingly. The voter's guide will contain the cost breakdown of the project.
- 198 6) Forest Maintenance - \$35,000. Article wording consistent with previous years.
- 199 7) Highway Department Maintenance Facility Capital Reserve Fund - \$50,000. To be used for
- 200 the construction of a Highway Department maintenance facility to house highway department
- 201 staff and equipment. The article will be amended to create a capital reserve and include
- 202 language to make the Selectmen the agents to expend. There was a brief discussion regarding
- 203 the purpose of the fund. It was decided to name the fund Highway Department/Transfer
- 204 Station Capital Reserve Fund; an explanation will be included in the voter's guide for such.
- 205 In summary, the article will: a) create a capital reserve fund for Highway and Transfer, b)
- 206 raise and appropriate \$50,000, and c) make the Board of Selectmen agents to expend. Mr.
- 207 McDevitt suggested that the wording should be as inclusive as possible since it was difficult
- 208 to change the purpose of a capital reserve fund. Mr. McCarthy replied he would review the
- 209 Willow Street/Tallant Road article for possible wording and also contact NH Municipal
- 210 Association for opinion. .
- 211

MOTION: (McDevitt/Leonard) To approve the Compensated Absence Fund- \$100,000 warrant article.

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

212
213

MOTION: (McDevitt/Leonard) To approve the Kinder Morgan - \$49,000 warrant article.

VOTE: (3-0-1) The motion carried. Mr. Viger voted no.

214
215

MOTION: (McDevitt/Leonard) To approve the Senior Center Bus Capital Reserve Fund - \$25,000 warrant article.

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

216
217

MOTION: (McDevitt/Viger) To approve the Transfer Station compactor - \$250,000 warrant article.

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

218
219

MOTION: (McDevitt/Viger) To approve the Forest Maintenance - \$35,000 warrant article.

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

220

221

MOTION: (Viger/McDevitt) To approve Highway Department / Transfer Station Capital Reserve - \$50,000.

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

222

223

Mr. Lynde noted that the warrant article for the sale of Town property would be discussed at future meeting.

224

225

226

Update on Auction Results

227

228

Mr. McCarthy provided the Board with an update on the recent Town property auction that took place October 30, 2015. The results are as follows:

229

230

181 Hobbs Road – auctioned for \$125,000 (net proceeds to Town approximately \$40,000)

231

14 Atwood Road – auctioned for \$87,000 (all proceeds kept by Town)

232

17 Chagnon Lane – auctioned for \$40,000 (net proceeds to Town approximately \$18,000-\$20,000)

233

234

Proceeds to Town will be returned to the General Fund to offset taxes.

235

236

Discussion - Winter Mailbox Replacement Policy

237

238

Mr. McCarthy stated he was tasked to review the existing policy adopted in 2001. He and the acting Road Agent amended the existing policy and provided a draft to the Selectmen for review. The Board reviewed the proposed policy and offered minor amendments. Policy attachments to include the Unites States Postal Service mailbox guidelines and RSA 231:90.

239

240

241

242

243

A public hearing will be scheduled prior to adopting the policy.

244

245

Discussion – MOU for Land Use Board Legal Representation

246

247

Deferred to the next meeting.

248

249

Review – Pennichuck East Water Supply Interest Letter

250

251

The Selectmen were provided with a draft letter to be sent to people potentially impacted by water availability in the southwest portion of Town. The Board reviewed the letter. Based on the Pennichuck map, Mr. McDevitt read the list of streets encompassed in the area being discussed. He felt once the letter was amended it should be sent to the residents on those streets, at the Town’s expense. The Selectmen agreed. Mr. McDevitt will work with Mr. McCarthy.

252

253

254

255

256

257

TOWN ADMINISTRATOR / SELECTMEN REPORTS

258

259

Mr. McDevitt noted he had been doing periodic videos with the PTV and would like to do a program that provided an update regarding roads, bridges, water etc. There was no objection.

260

261

262

Mr. Lynde reported he attended a drug court in Nashua. He explained the criteria and process for a person to be involved, which included the commitment by the person to follow a rehabilitation program laid out by the drug court that lasted between 12-24 months.

263

264

265

266

Mr. McCarthy summarized the meeting action item(s) as follows:

267

- Schedule a public hearing for December 8th – mailbox policy;

- 268 • Schedule a public hearing for a later meeting – owners of 10 Webster;

269

270 **REQUEST FOR NON-PUBLIC SESSION**

271

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

ROLL Mr. Lynde-Yes; Mr. McDevitt-Yes; Mr. Viger-Yes; Mr. Leonard-Yes

CALL:

272

273 It was noted that when the Board returned, after the non-public session, the Board would not take any
274 other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the
275 meeting. The Board entered into a non-public session at approximately 8:33pm.

276

277 The Board returned to public session at approximately 9:07pm.

278

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

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

279

280

281 **ADJOURNMENT**

282

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

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

283

284 The meeting was adjourned at approximately 9:08pm.

285

286

287

288

Respectfully submitted,
Charity A. Landry
Recording Secretary