1 2 **APPROVED** 3 TOWN OF PELHAM **BOARD OF SELECTMEN - MEETING MINUTES** 4 **December 17, 2019** 5 6 APPROVED – January 7, 2020 7 8 9 **CALL TO ORDER** - approximately 6:30PM 10 Mr. William McDevitt, Mr. Doug Viger, Mr. Hal Lynde, Ms. Heather Forde, PRESENT: Mr. Kevin Cote, Town Administrator Brian McCarthy ABSENT: None. 11 12 13 PLEDGE OF ALLEGIANCE 14 15 MINUTES REVIEW: 16 17 **December 10, 2019: MOTION:** (Forde/Lynde) To approve the December 10, 2019 meeting minutes as amended. **VOTE:** (5-0-0) The motion carried. 18 19 ANNOUNCEMENT 20 21 None 22 23 **OPEN FORUM:** 24 No one came forward. 25 26 27 **APPOINTMENTS** 28 29 Planning Director Jeff Gowan – Review Environmental Compliance Specialist job description 30 Prior to the meeting the Board was provided with the proposed job description to review. Mr. McDevitt 31 wanted to know what action Mr. Gowan was seeking. Mr. Gowan replied his preference was to move 32 forward and hire for the position although he was unsure if it fell under the category that required it to 33 be on the ballot. Mr. McCarthy believed it was previously agreed the salary wouldn't exceed the Budget 34 35 Committee requirements for a warrant article. He added if the Selectmen approve; the position would be included in the (Planning Department) budget during reconsideration. 36 37 38 Mr. McDevitt felt it would be useful for Mr. Gowan to provide a summary of the proposed position for the public to understand. Mr. Gowan explained the Town had an unfunded Federal mandate project: 39 40 Municipal Separate Storm Sewer System (MS4) they had to engage with. To date they've hired Geo Insight to consult and put together the requirements and permitting for the first year. They have entered 41 42 year two and found the applications are significant and require a tremendous amount of time which made it difficult for Mr. Gowan to keep planning projects (his other responsibilities) moving ahead. 43 Previously the Selectmen provided feedback that indicated it made sense to hire a full-time person for 44

the position. The draft job description was developed with the idea the position would focus entirely on the MS4 project, which he went on to summarize. He said his ultimate goal as a person is hired and becomes fully trained and up to speed was to back off the amount of work sent to the (current) consultant.

Mr. McDevitt asked if they could hire someone on agreement that their tenure would be 3-4 years and revisit at the end of that time. Mr. McCarthy believed the position would be a regular position and most likely qualify for union. He suggested speaking with legal for opinion. He pointed out the MS4 process wouldn't be going away and would become more complicated as time went on. Mr. Gowan believed the obligation would never go away.

Mr. Gowan told the Board he had done an analysis on the salary and reminded during the process of what a great benefit package the Town had. He noted the maximum salary (and benefits) allowed to for a position to not be included on the ballot is \$91,205.54 (for 2020). He spoke with Human Resources to break down the numbers and came up with the maximum salary would be \$52,000 with an assumed family insurance plan, along with dental, life insurance and New Hampshire Retirement. He noted the salary range may start in the low forties depending on the applicant's credentials.

 Mr. McCarthy envisioned Mr. Gowan giving a similar presentation to the Budget Committee during budget reconsideration. Mr. McDevitt stated they were conscious of staying under the Budget Committee threshold. The reason was if the position had to be on the warrant and the voters turned it down, they wouldn't be able to do the work which they were under Federal obligation to do. Mr. Gowan felt it made sense to have local control and in the long-term would be the most cost-effective manner to handle the process.

Mr. Lynde asked for the Budget Committee's threshold for a warrant article. Mr. McCarthy replied \$92,000. Mr. Lynde confirmed that figure included benefits. Mr. McCarthy answered yes.

Mr. McDevitt asked the Board if they agreed to have Mr. Gowan bring the position to budget reconsideration. There was no objection. Mr. McDevitt noted if the Budget Committee didn't approve at reconsideration the Selectmen had the opportunity to ask those in attendance at Deliberative Session to adjust the budget.

DISCUSSION

Polling place for the New Hampshire Primary

MOTION: (Viger/Forde) To identify Pelham High School as the polling place for the New Hampshire Primary.

VOTE:

(5-0-0) The motion carried.

It was noted students wouldn't be in session on primary day.

Zoning Board of Adjustment Resignation – Svetlana Paliy

- Mr. Cote questioned if resignations required a person to come in person or just submit a letter. Mr.
- McCarthy believed Ms. Paliy submitted a handwritten note to the Selectmen's office. Mr. Cote
- 89 thought it was important to have a process where people come into the Town Hall to submit their
- 90 resignation. Mr. McDevitt understood Mr. Cote's comments. He said people drop off letters or send
- emails. It was difficult when a person simply stopped showing up because then the board had a

vacancy they weren't aware of. He didn't have a concern with someone submitting a letter because it was a closure.

MOTION: (Viger/Lynde) To accept the resignation of Svetlana Paliy as a member of the Zoning Board of Adjustment.

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

Assessing Department encumbrance request

Mr. McCarthy read aloud a letter submitted by the Assessing Assistant Susan Snide. The department was looking to encumber \$6,165.00 from budget year 2019 to 2020 for the restoration of a survey map from 1833 of Mammoth Road (from Lowell, MA to Hookset, NH). The map (12.75"x52") was discovered in the Town Clerk's vault in 2016. The paper is brittle and disintegrating. The intention is to restore the map and display a reproduction in the Municipal Complex for public view. Mr. McCarthy described the restoration process. The original will be housed in the archival folder within the Town Clerk's vault in a custom-made box.

Ms. Forde asked if anyone had spoken to the Historic Society. There hadn't been a discussion. Ms. Forde suggested they may like a copy. Mr. McDevitt questioned if the map was pertinent to Pelham. Mr. McCarthy replied it was a map of the Town and roads from 1833, which he felt had historical significance. Mr. McDevitt discussed the options, 1) inquire if the Pelham Historical Society would like to contribute or fund the restoration, 2) send the map to the New Hampshire Historical Society or State Museum who was in a better position to preserve documents, or 3) fund the restoration out of tax payer funds. He would rather ask the Pelham Historical Society if they would like to make a contribution rather than have it paid for by the taxpayers. There was no objection to asking the historical society.

 Mr. Cote read the description of how the original would be housed. He suggested the State receive the original copy and the Town retain the production. Mr. McDevitt replied the dilemma was how well future Boards of Selectmen, Town Clerks and Assessors would preserve the valuable document. He felt they should first contact the Pelham Historical Society to see if they wanted to contribute. Mr. Cote wondered if there were any non-profits that would be willing to help. Ms. Forde believed schools with American history and/or archival departments may look to do restorations.

Mr. Lynde spoke about a document signed by King George VIII that was missing. He wished they would find it. He recalled seeing the document in 1973 when it was housed in the Town Clerk's vault at the old building (now the VFW building). Mr. McCarthy believed he had researched the location of the document and learned it was at the Secretary of State's office. He will research again and let Mr. Lynde know his findings.

Review of new Town of Pelham Bad Check Policy

Mr. McCarthy provided the Board with a draft policy for review. He noted it had been reviewed and approved by Town Counsel. He will add an agenda item for one of their January meetings.

Solar Leasing Program

Mr. Cote told the Board there was a meeting with a representative of Revision Energy (Ned Raynolds). Also, in attending was Selectman Lynde, Troy Bressette (School Board), Paul Gagnon and Al Steward (Conservation Commission). He felt it was a good meeting with a lot of information;

- they were interested in moving forward. He explained if they were to move forward, they needed the ability to lease land; to do so they need permission from the Legislative Body (voters). He understood it would be a different process if they were to buy land and solar panels. Mr. Cote noted the suggested warrant article language came from Mr. Raynolds. He then read the proposed warrant article aloud.
- Mr. Lynde commented it was critical for people to understand there would be a tax advantage; this year the current (top) rate would end, next year and the year after it would drop approximately 4%

147 (each year).148

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- Mr. Viger noted the current Board couldn't make the decision to enter into a long-term agreement. 149 150 He said a warrant article would be needed. Mr. Cote replied a question (from those attending the meeting) was if they could enter into an agreement similar to that with Comcast or Liberty Utilities). 151 Mr. McDevitt replied they could enter into an agreement for a service (i.e. phone service); however, 152 they didn't have the authority to enter an agreement for a long-term lease. He believed Town 153 Meeting could grant the authority to enter into a lease for 5-years, but it wasn't clear whether the 154 question had to go back to Town Meeting after the 5-year period. Mr. Viger replied there was a 155 difference between an outlay of taxpayer money versus an income. 156
- 157 158 Mr. McDevitt stated he was in favor of solar energy but had no idea of the details of the presentation. He said no one had come into the Board and describe what they wanted to do. He didn't know if they 159 would be supplying power to the grid, to a neighborhood or to municipal buildings. He didn't know 160 the cost to the taxpayers, if anything. He was not in favor of moving forward until he heard the 161 details as to what the benefits were. Mr. Cote replied they were looking to schedule a meeting for 162 163 January 21, 2020. Mr. McDevitt suggested not proposing a 30-year lease unless a majority of the 164 Board thought it would be a good idea. Mr. Cote believed the idea wasn't to move forward with lease, but to have the ability to have one if it was decided to have one. Mr. McDevitt replied he had 165 166 no problem laying the groundwork. Mr. Lynde explained the intent was for the benefit to the Town and School budgets. They've looked at the yearly electricity (kilowatt) usage; the goal would be to 167 get sufficient solar capability to maximize it. From what he understood there shouldn't be any need 168 169 for the Town to put money forward. He said maybe in the future if they wanted to buy the system, they would have to pay something. Mr. Cote stated the Board would have a presentation using hard 170 171 numbers.

Mr. McDevitt questioned if there was a specific plot of land picked out. Mr. Cote replied they had a specific 5-acre plot picked out by the Conservation Commission. He believed it was within the Merriam Cutter off Mammoth Road. He said they needed access to three-phase power. The Conservation Commission would identify more properties. Mr. Lynde briefly discussed the solar options and stated they would put together a package for a presentation.

Mr. McDevitt was concerned with meeting the deadline for warrant articles and suggested forwarding the proposed language to Town Counsel for review. Mr. Cote offered to contact Mr. Raynolds to see if he was available for the Board's January 7th meeting. Mr. McDevitt said if he wasn't available, he wouldn't support the article because the voters deserved to hear the details. He advised Mr. Cote if he wanted support for the article, he should start by making sure elected officials and residents are well informed. He added he wasn't against the idea, he just felt there should be transparency and information.

The warrant article and Rochester Lease language will be submitted to Town Counsel to see if they had any objections. Mr. McDevitt wanted to know if the proposed land would be carved out of an

189	existing conservation parcel.	Mr. Lynde believed permission would be granted to utilize the land for
190	a solar array.	
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Review of the 2020 Warrant Articles

Mr. McCarthy stated he included the agenda item to keep the articles on the Board's 'radar'. Nothing had changed since their last meeting.

Mr. Lynde inquired if the sports betting would be included on the warrant. Mr. McCarthy replied the Board decided to include the article on the warrant so the voters could decide if they wanted to endorse it.

Approval for the Liberty Utilities Light Replacement Project

During the Board's last meeting Mr. McCarthy reported they were waiting a response. He had since received a response from Liberty Utilities in the affirmative for all four projects. They approved the request for updating the lights at the Municipal Building storage area, Fire Department, Hobbs Community Center and Library. He said the project was identical to the last in which they paid 50% of the cost for the lights and the remaining balance is put onto the electric bill. He noted the payback timeframe wouldn't be long.

The Town exposure cost were as follows:

Town Hall Storage area \$2,272 (20-month payback- monthly installment \$113.63) Library - \$4,747.98 (24-month payback – monthly installment \$200.13) Hobbs Community Center -\$840 (8-month payback – monthly installment \$108.25) Fire Department - \$3,499 (24-month payback – monthly installment \$145.81)

Mr. Lynde confirmed all the lights would be replaced within the buildings. Mr. McCarthy replied they would replace some light fixtures and bulbs.

The total project cost was approximately \$15,000. Mr. Lynde wanted to know the estimated savings for electricity. Mr. McCarthy replied he was not provided with any calculation. He felt it was fair assessment to say the LED bulbs would be more energy efficient based off the previous program.

MOTION: (Viger/Forde) To approve \$15,000 (Town's 50% portion) to be rolled into the electric bill to replace and update lights to LED in the Town Storage facility (Municipal Building), Library, Hobbs Community Center and Fire Station.

VOTE:

(5-0-0) The motion carried.

Tax deeded properties update

Mr. McCarthy spoke to the attorney and understood the last contact with the owner of the empty parcel was the owner would be walking away and indicated the Town could do what they want with the parcel. He stated the attorney would be starting the paperwork to acquire the property. The second property was an occupied residence that was up for sale. Mr. McCarthy understood during the last conversation with the owner there was a tentative agreement the taxes would be paid back when the home was sold. He stated the sale fell through and the attorney had started the paperwork to acquire the property.

Discussion regarding recent Legislation

Mr. Lynde told the Board the Town participated in the aggregation of electric power (between towns) set up through the Nashua Regional Planning Commission ('NRPC'). He informed Legislation now allowed the Town to aggregate everyone within the town. During the annual New Hampshire Municipal Association conference, he spoke with two outfits that do it and suggested he invite them to speak with the Board. Mr. McDevitt thought it would be a good idea.

TOWN ADMINISTRATOR / SELECTMEN REPORTS

Mr. McDevitt thanked the members of the Garden Club for the display in the Town Center and Library. He pointed out a vehicle had smashed into two of the granite posts in the Town Center and one significant damage. He believed it was the third time within four years. He felt the Board should consider installing a bollard or something similar. There will be further discussion at a later date.

Mr. McCarthy asked the Board to review the following encumbrances. The first came from the Planning Department. Planning Director Jeff Gowan came forward and explained he hoped to encumber the remaining MS4 line item which currently contained \$11,863.83. He also asked to encumber the Specials line item for the Master Plan update \$5,000. He noted the 2020 budget contained \$5,000 and hoped the encumbrance would allow for additional chapters to be updated. He explained the Nashua Regional Planning Commission would do the chapter updates. He would like to update the housing chapter and a couple others that were topics of discussion.

Mr. Viger felt they were encumbering money for the sake of encumbering money without a plan as to what the past was. He said they had the money left over and didn't carry out the plan for this year. He said they were moving forward and creating a plan for the following year. He won't support encumbering the money for next year.

MOTION: (Cote/Forde) To encumber \$11,863.83 in the Planning Department MS4 line item and \$5,000 from the Specials line item.

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VOTE:

(4-1-0) The motion carried. Mr. Viger voted in opposition.

Mr. McCarthy called attention to a document listing additional encumbrances. He explained things had come up since the Board's last meeting. The first was the Fire Department's garage heating system; two of the four heaters were defective. He stated the heaters were still under warranty and would be replaced under it. The estimates to replace both were between \$6,000-\$8,000 and possibly more. He wanted to encumber \$10,000 from the 2019 budget into the 2020 budget for such.

Mr. McDevitt suggested authorizing them separately. Mr. Viger questioned if there was any money left in the line fire station warrant article. Mr. McCarthy answered no; it had been expended down to approximately \$1,000. Mr. Lynde suggested using the remainder. Mr. McCarthy noted it contained under \$1,000; he would use it. The Board asked that the warrant article be spent. Mr. McCarthy replied that he would do so.

- **MOTION:** (Forde/Lynde) To encumber \$10,000 from the 2019 budget into the 2020 budget for the Fire Department (to replace two heaters).
- **VOTE:** (5-0-0) The motion carried.

Mr. McCarthy told the Board he would bring the Planning Department renovation project forward. He understood there was previous discussion about it not being in the Capital Improvement Plan; however, a couple weeks ago they had a problem with an irate citizen in the department that caused quite a bit of disturbance (Police were called and person was removed from the building). He was concerned with security as employees within the department have no place to flee. He wanted to take another look at moving the Planning Department into the classroom space previously reviewed. He added the department had outgrown the space they currently occupied. He spoke with the Town's handyman and understood the renovation project would cost between \$250,000-\$300,000.

Mr. Viger stated it was a tremendous amount of money to encumber and believed it belonged as a warrant article. He would not support an encumbrance but would consider a warrant article for the funds to come from the fund balance.

Mr. Cote would like to see a comparison of the current space to the proposed three classrooms. He also felt other options should be explored.

Mr. Viger pointed out encumbrances were for the purpose of carrying over things that were existing from the previous year. He said the proposed was a new project.

Mr. Lynde wanted to see how the money would be spent, to review the plans and fully understand the costs. Ms. Forde questioned how the current space would be used if the Planning Department moved. Mr. McCarthy replied his plan was to make the existing space into a permanent Town meeting room; board meetings would move out of Sherburne Hall.

Mr. McDevitt didn't hear anyone arguing that the project was unnecessary; however, he didn't see support for it.

Mr. McCarthy went on to speak about the phone system upgrade (\$7,000). He explained it hadn't reached its life cycle; however, it hadn't received any updates since installation in 2014. There were features, firmware and updates that should be done to ensure the phone system functions optimally. Mr. Cote asked for additional information regarding the request. Mr. McCarthy replied each year updates/upgrades had come out (by Carousel) but the Town hadn't purchased any. Mr. Cote asked if Consolidated could guide the Town. Mr. McCarthy answered no; he said they wanted to make sure the phones were compatible with the transition. He added the Town's IT specialist (Brian Demers) was concerned and didn't want to have any surprises as they went through the process.

Ms. Forde inquired who would do the updating. Mr. McCarthy replied Mr. Demers would be in charge of updating the phone system. Mr. Cote asked for a cost breakdown. Mr. McCarthy stated the \$7,000 request would be for everything to get the phone system up and running with the latest software offered by Carousel.

Mr. Viger felt they were trying to spend money they hadn't spend during 2019 and therefore the request should be brought up during budget reconsideration rather than an encumbrance.

Mr. Cote asked when the Consolidated contract would begin. Mr. McCarthy replied it had already started. They were in Town earlier in the day and beginning the transition.

Ms. Forde wanted to know if the \$7,000 cost was due to the Town not keeping up with updates. Mr. McCarthy answered yes. Ms. Forde asked what the annual cost would have been. Mr. McCarthy didn't have the figures.

- Mr. McDevitt inquired if it could be paid/spent from the 2019 budget. Mr. McCarthy said he could.
- 329 Mr. Lynde asked what steps were needed to do the work now. Mr. McCarthy replied he would authorize
- 330 Mr. Demers to purchase the upgrade and make it happen. Mr. McCarthy stated he didn't want to spend
- the money without first bringing it before the Board and having a public discussion. Mr. McDevitt
- asked how long the 'books' remained open. Mr. McCarthy said they usually didn't close the books
- until February/March and noted he couldn't spend 2019 money out of the 2020 budget; everything
- would need to be billed within the 2019 fiscal year.

There was no objection to Mr. McCarthy starting the update/upgrade process and spending the money out of the 2019 budget.

Mr. McCarthy discussed Library carpet replacement (\$25,000). He told the Board because of last year's flood and the heat in the building the insurance company agreed to replace some of the carpeting within the building. The areas they elected to clean didn't look good afterward. He spoke with the insurance carrier and was told they will not approve a replacement. Carpeting in the building was original to when it was built in 2003. He called attention to the perpetual leak in the rear of the building that continued to damage the carpet. He would like to install the non-skid tile (similar to the Municipal Building) to the rear administration room.

Mr. Cote wanted to know the total square footage of the area that needed replacement. Mr. McCarthy didn't have the square footage but described the areas they would like to address. Ms. Forde confirmed the non-skid would only be installed at the back-entrance area. Mr. McCarthy answered yes.

Mr. McDevitt inquired why they wouldn't include the proposal with reconsideration. Ms. Forde noted it was an issue they had dealt with during the year and therefore felt it made sense to encumber the cost. Mr. Viger asked them to consider how it would be handled if there was no additional money left in the budget. He stated they would include it with requests for reconsideration. He didn't think they should spend money just because there was money left over from the budget.

Mr. Cote understood carpet had a lifespan and questioned if it would be reasonable to look at the Library in total and determine if the building needed a general update so they could put a quote into next year's budget. Mr. McDevitt didn't hear the Board moving to encumber funds. He asked the Board if they would reconsider the cost of such. Mr. Lynde understood the budget contained a line for Town Buildings that wasn't specific. Mr. McCarthy said his request for encumbrances used the format from previous years; however, based on the Board's comments he will go back to reconsideration and add the items into the lines for Town Building projects.

Mr. McCarthy ended by noting there were some changes that would be made to the IT budget during reconsideration. They were looking to upgrade AccuFund to a cloud-based server host. Mr. Lynde preferred to use a server and questioned if the Town would continue to use its server. Mr. McCarthy replied Mr. Demers would deactivate it if the Town didn't use or need it. Mr. Lynde asked if the cloud could get hacked. Mr. McCarthy deferred the question to IT and noted if it did the company would be better suited to handle the situation than the Town. Mr. McDevitt believed having information on the cloud was good back up for the Town. Mr. McCarthy added the Town would have a lot more protection using a cloud service than if they housed information on their own server. Mr. Lynde knew in the past they've found problems and had to go back in time to review records and questioned if they would have that capability. Mr. McCarthy answered yes; they would have the Town's whole system. Mr. McDevitt suggested having Mr. Demers come to the January 7, 2020 meeting to have a brief discussion regarding the items for reconsideration.

It was noted that budget reconsideration was scheduled for January 16, 2020

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379 380	Mr. Cote informed he would attend the next agricultural commission meeting on Thursday, December				
381	Mr. Cote informed he would attend the next agricultural commission meeting on Thursday, December 19 th at 7pm. The meeting is open to the public.				
382	19 at 7pm. The meeting is open to the public.				
383 384	Mr. Lynde summarized the recent Planning Board meeting and cases that were discussed.				
385	Ms. Forde offered a friendly reminder that snow-covered roads were slippery, and vehicles need to				
386 387	slow down.				
388 389	REQUEST FOR NON-PUBLIC SESSION				
309	MOTION:	(Lynde/Cote) Request for a n	on-public session per RSA 91-A:3,II, a (personnel)		
	VOTE:	(5-0-0) The motion carried.			
390 391 392 393	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 8:10pm.				
575	MOTION:	(Lynde/Cote) To leave non-public session.			
	VOTE:	(5-0-0) The motion carried.			
394 395	The Board ret	urned to public session at approx	imately 8:46pm.		
396	ADJOURNMENT				
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398	The meeting was adjourned at approximately 8:46pm.				
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400			Respectfully submitted,		
401			Charity A. Landry		
402			Recording Secretary		