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APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
June 9, 2020
APPROVED – June 23, 2020

CALL TO ORDER – Mr. Haverty called the meeting to order at approximately 6:30PM

Mr. Haverty stated as Chairman of the Pelham Board of Selectmen: I find that due to the ongoing State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to today’s meeting which was authorized pursuant to the Governor’s Executive Order. I am confirming to the public that:

- 1) We are utilizing the Zoom platform, the Town’s Facebook page, Pelham TV, Pelham You Tube Channel and a telephone call in number to provide different options for the public access to this meeting. All Board members are able to hear one another and to speak with one another during this meeting.
- 2) Notice to this meeting and how to gain public access to and listen to the meeting has been posted on the Town’s website. If you’re having difficulty accessing the meeting there is a phone number and email address posted on the Town’s website to let us know.
- 3) If the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

All votes taken during the meeting will be done by roll call vote, as will attendance. Mr. Haverty asked that when your name is called for the attendance roll, please confirm your attendance, and please identify as the right to know law requires, who, if anyone, is in the room with you. He then asked for roll to be called.

ROLL CALL VOTE:

PRESENT: Robert Haverty – present; no one in the room
Heather Forde – present; her children were in the room
Jaie Bergeron – present; no one in the room
Hal Lynde – present; no one in the room
Kevin Cote – present; no one in the room
Brian McCarthy – present; no one in the room

ABSENT: None

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PLEDGE OF ALLEGIANCE

MINUTES REVIEW:

May 26, 2020:

MOTION: (Lynde/Cote) To approve the May 26, 2020 meeting minutes as amended.

Ms. Forde – Yes

ROLL CALL Mr. Bergeron – Yes

VOTE: Mr. Haverty – Yes

Mr. Lynde – Yes

Mr. Cote - Yes

(5-0-0) The motion carried.

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ANNOUNCEMENT(S)

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There were no announcements.

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APPOINTMENT(S)

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Fire Chief James Midgley – COVID-19 Pandemic update

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Chief Midgley joined the meeting via Zoom and provided the Board with the recent COVID-19 national, State, and local statistics. He noted the percentage of positive cases based on the number of tests being done had shown a downward trend. Some states that had released their restrictions were starting to see some upward trends. He informed the Fire Department had submitted FEMA requests. The first responder funds have been received from the State and turned over to the Town for disposition. They are waiting to hear about the fire grants from the COVID-19 funds that will be given out. Chief Midgley informed he was able to procure some personal protection equipment online and hoped it would show up.

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Mr. McCarthy stated he spoke with Health Officer Karen McGlynn earlier and discussed the possibility of the Governor rescinding the 2.0 Order on Monday June 15th. He suggested the Town begin to consider reopening parks, playgrounds, basketball, and tennis courts, etc. and perhaps reopening Town Hall (with stipulations). He said Ms. McGlynn's response was to proceed with caution. Mr. McCarthy then read a portion of Ms. McGlynn's email aloud that related to the latest COVID information.

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Mr. McCarthy asked the Board if they wanted to consider opening Town Hall, parks etc. on Monday (June 15th) with stipulations. With regard to Town Hall, he suggested people wear masks. He noted every (office) area within the building had plexiglass for the protection of the employees. He added in another week if there is a report of an uptick of cases they could revert back closing and conducting business as they previously were.

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Mr. Haverty stated he was comfortable opening Town Hall, which could be reverted back to the current work model in the event of an uptick of cases. He commented they had been following the recommendations of the State as to whether or not they should do certain things and did not want to begin doing so at this point. Mr. McCarthy agreed. He thought the Town should wait to hear the Governor's comments during his upcoming press conferences.

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Mr. Cote understood regarding the 2.0 Order on Monday would allow areas south of Concord would have a 50% opening and areas north of Concord would have 100% opening. Mr. McCarthy heard that rumor but was unable to confirm it. Mr. Cote asked if the 'stay-at-home' order would be rescinded in general. Mr. McCarthy replied that is the 'chatter'.

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82

Mr. Cote heard talk earlier on regarding whether or not heat would kill COVID-19; similar to flus and then come back in the fall. He asked if they were now saying the virus could keep going despite summertime heat. Chief Midgley replied they did not know if what they were doing was pushing the numbers down or if the heat was pushing the numbers down. He said they were fairly confident it would make a re-emergence later in the year without a vaccine. They currently believed heat was

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87 making a factor; however, they were also taking exceptional measures. He said there were a lot of
88 unknowns. Mr. Cote commented they had loosened restrictions for other boards and suggested it might
89 be a good idea for them to go back to regular meetings with restrictions in play. Mr. Haverty
90 commented he would very much like to get back to holding meetings in Sherburne Hall so the public
91 could attend in person. He stated the Board had been consistent in how they act and would look to the
92 State to provide more guidance. He was optimistic they would be meeting in Sherburne Hall by June
93 23rd.

94
95 Mr. McCarthy read the World Health Organization issued a statement saying asymptomatic people
96 cannot transmit the disease. Mr. Cote believed it was not that they ‘can’t’ it was very hard for them to
97 do so.

98
99 Mr. Lynde noted the Michigan Supreme Court ruled the decisions made by their governor were not
100 constitutional. He felt that may have contributed to their big spike. Relative to hot weather, he heard
101 the report of southern states blossoming with COVID, although he said this could be related to
102 everything opening up. Mr. Lynde stated they had made progress in reducing the numbers and believed
103 they should be cautious in how they proceed. Mr. Haverty agreed. He wanted to follow the experts.

104
105 Mr. Bergeron was on board with reopening the playgrounds and Town Hall. He recommended they
106 keep heavy cleaning of equipment and Town Hall.

107
108 If parks were to open, Ms. Forde felt concerns could be eased if they cleaned playground equipment
109 every night. She questioned if Parks and Recreation had the staff to do so. Parks and Recreation
110 Director Brian Johnson (via Zoom) stated they could contract out the cleaning.

111
112 Mr. Lynde asked if a decision had been made regarding fireworks (Independence Day celebration).
113 Mr. Haverty believed they were considering having the fireworks on June 27th with a rain date of June
114 28th; the public would be at the Village Green and the fireworks launch pad would be Lyons Park. Mr.
115 McCarthy stated the plans were tentative. They still had a lot of hurdles to go over. It would be based
116 on what may/may not come out of the Governor’s office. With respect to cleaning the parks, the Town’s
117 cleaning company has purchased (disinfectant) spray equipment to clean the playground. He said the
118 same technology would be used within Town Hall; the recommendation is to spray every four hours.
119 He reminded the Board that the Cares Act would cover the cost of the expense as it relates to COVID-
120 19.

121
122 **Parks and Recreation Director Brian Johnson – Pelham Veteran’s Memorial Park (‘PVMP’)**
123 **project**

124
125 Mr. McCarthy noted a revised estimate had been forwarded to the Board late in the afternoon. Mr.
126 Johnson (via Zoom) stated the cost would be \$20,966 to build a pavilion at PVMP. He explained the
127 Board (in 2018) approved him to get bids to buy a pavilion for the summer camp. Currently campers
128 do not have a shaded place to eat. The pavilion would be 24ftx32ft and allow for approximately eight
129 picnic tables underneath. The previously approved funding had been diverted to fix roof leaks in the
130 lodge building. He said they were now revisiting the pavilion; Morton buildings had been awarded the
131 bid in 2018 and he would like to move forward with them at this time.

132
133 Mr. Haverty understood the timing of the building was no accident because it would provide shelter to
134 campers without crowding them into the lodge allow social distancing. Mr. Johnson informed the
135 building would not be built in time for camp; construction would occur after this summer’s camp. Mr.
136 Johnson mentioned he had met with the Building Inspector Roland Soucy to review other options, but
137 it did not appear possible to move forward with Morton to have the building erected by July 7th.

138

139 Mr. Bergeron asked if Morton provided a date when they could erect the building. Mr. Johnson replied
140 it would be sometime in August. Mr. Haverty wanted to know the reason for the delay. Mr. Johnson
141 stated Morton had been shut down for weeks and work had backed up.

142

143 Mr. Haverty suggested putting out a request to local builders informing the park needs a building put
144 up within a specified time so camp can be run with proper social distancing. He hoped someone would
145 be able to get the building up faster than waiting until August. Ms. Forde agreed.

146

147 Mr. Bergeron stated he had done some research on the cost of the building and found the price
148 (constructed/installed) received from Morton was good, it was just they could not install it in time. Mr.
149 Haverty said if they do not have an auxiliary shelter for the campers, he felt camp would be called off.

150

151 Mr. Cote commented camp ran for six weeks and questioned if they could rent a tent during that time.
152 Mr. Johnson said he could look into it. Mr. Lynde pointed out the size of the pavilion would not hold
153 150 children. He believed they would have to share the space between the pavilion and the lodge. Mr.
154 Johnson said that was correct. Mr. Cote asked if it would be more cost effective to rent a large tent
155 every year. Mr. Johnson saw a tent as an emergency short-term solution, not as a long-term solution.

156

157 Mr. Haverty felt they could pursue both paths. They could put the specifications out on the website
158 and see what they received for responses to build a similar structure and they could have Mr. McCarthy
159 look at renting a tent although they may be hard to come by. Mr. Bergeron said he spoke with the
160 owner of Grand Rental to ask how tent rentals were going and was told lots of people were renting but
161 they had an abundance of them. He believed they needed to have something for when camp starts.

162

163 Mr. McCarthy believed Mr. Johnson should contact Grand Rental and rent the biggest tent possible and
164 at the same time schedule a build time with Morton Buildings for August. Mr. Johnson told the Board
165 he spoke with Mr. Soucy who seemed confident he would be able to put something together; it was the
166 bid process holding things up. Mr. McCarthy questioned what that meant. Mr. Johnson believed Mr.
167 Soucy could build something as the original plan was for Morton Buildings to deliver and Mr. Soucy
168 would put it up.

169

170 Mr. Haverty stated under normal circumstances it would fall under the Town procurement policy to go
171 out to bid. If Morton could get the building delivered and installed for the camp opening, he would be
172 in favor of circumventing their own policy to help alleviate putting pressure on the day camp. But
173 because they could not, Mr. Haverty felt they had to put it out to bid. Mr. McCarthy said he would
174 work with Mr. Johnson to put an RFP out. He still thought Mr. Johnson should procure a tent as soon
175 as possible. Mr. Haverty agreed. He said the first phone call should be to the Fire Inspector for an
176 opinion about using a tent and the second phone call should be to rent a tent. He told Mr. McCarthy
177 they should have a conversation with Chief Midgley to have the tent inspected on a routine basis with
178 an abundance of caution. Mr. McCarthy will post the advertisement by tomorrow with a closing date
179 of June 22nd so the Board could have a discussion during their next meeting on June 23rd.

180

181 Mr. Cote asked the if the RFP will include a stipulation for the project to be completed by a specific
182 date. Mr. McCarthy replied the RFP will have a commencement and completion date.

183

184 **Highway Agent Frank Ferreira – Bid recommendations**

185

186 Mr. Ferreira joined the meeting via Zoom. Prior to the meeting he provided the Board with his
187 recommendations for the 2020 paving bids. He read through the information.

188

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MOTION: (Lynde/Cote) To award the paving bid to R & D Paving.

ROLL CALL Ms. Forde – Yes
VOTE: Mr. Bergeron – Yes
Mr. Haverty – Yes
Mr. Lynde – Yes
Mr. Cote - Yes
(5-0-0) The motion carried.

189

MOTION: (Lynde/Cote) To award the crack sealing bid to Superior Seal Coating.

ROLL CALL Ms. Forde – Yes
VOTE: Mr. Bergeron – Yes
Mr. Haverty – Yes
Mr. Lynde – Yes
Mr. Cote - Yes
(5-0-0) The motion carried.

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191

Ned Raynolds - Revision Energy agreement and project path review

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193

Mr. Ned Raynolds of Revision Energy joined the meeting via Zoom.

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Mr. McCarthy stated the Town had agreed to a Letter of Intent with Revision Energy to start the process of evaluating Town buildings. He mentioned there was some language within the agreement that Town Counsel revised. The revision was forwarded to Mr. Raynolds who responded to the agreements. He said it appears Revision Energy is willing to accept Town Counsel's changes and move on with the program.

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Mr. McCarthy asked why they were operating off a letter of intent. Mr. Raynolds replied the letter of intent was the first step and expressly states they will negotiate the Power Purchase Agreement ('PPA'). He said the goal of the letter was to communicate mutual expectations during the development phase. He described the project development table contained in the letter of intent. He stated the Town of Pelham has demonstrated being serious about pursuing a project. He said the goal was to offer a deal the Town could accept. Mr. McCarthy pointed out the dates (on page 2 of the letter of intent) would need to be refreshed because some had already passed. He asked Mr. Raynolds to review the proposed points Town Counsel wanted to resolve. He added if those changes are accommodated, Town Counsel was comfortable with him signing the letter of intent. Mr. McCarthy understood the Fire Department and Police Department needed to be evaluated; however, no one was being allowed in during this time due to COVID-19. He believed some of the information could be accessed/obtained by other means. Mr. Raynolds understood and informed they were equipped with appropriate attire for COVID. Mr. McCarthy replied he would let the Fire Chief make the decision (regarding access).

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Mr. McCarthy stated if any Board member had questions regarding the letter of intent or Town Counsel's response, they could reach out to him.

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The Board thanked Mr. Raynolds for speaking with them.

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DISCUSSION

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222

Status of Town Beach/Summer Camp starting June 22, 2020

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223

224 Mr. McCarthy stated the Board had a discussion earlier in the meeting. The summer camp registration
225 period had begun. Camp will operate as the State dictates. With regard to the Town beach, if
226 everything goes as expected (Monday June 15th), the Town could issue permits to citizens for usage of
227 Pelham Veterans Memorial Park ('PVMP') for after 5pm during the week and open on weekends. He
228 noted the Health Officer was not comfortable mixing the public with children at the beach during the
229 week.

230

231 Mr. Haverty did not know how much utilization the beach would have after 5pm during the week. Mr.
232 McCarthy replied there were people who launch their kayaks from PVMP at night. He understood the
233 camp would be cleaned (sprayed) twice per day during camp and they could also clean it first thing in
234 the morning. Mr. Haverty recalled they previously indicated the park would be cleaned two times per
235 day and now he was hearing it would need to be cleaned three times per day. He said he wanted the
236 camp to be clean when the campers arrived in the morning and during the day.

237

238 Mr. Bergeron wanted to know what would be cleaned if the public was allowed usage after 5pm. Mr.
239 McCarthy replied bathrooms were only open when a lifeguard is present. All buildings will be locked
240 after 5pm. He said they would clean the metal picnic tables at the camp. Mr. Haverty understood other
241 areas within the beach were used by the public and were an opportunity to be contaminated.

242

243 Mr. Cote asked if other Town parks would have similar cleaning conditions. Mr. McCarthy indicated
244 the Parks and Recreation staff would be going through the parks twice per day. Mr. Cote felt the most
245 important time was first thing in the morning. He asked if there was really a need to clean a third time
246 if they were going to be cleaned in the morning and in the afternoon. Mr. McCarthy recommended an
247 additional cleaning if people were allowed in the park in the afternoon. The cleaning schedules were
248 currently tentative; they could set any type of schedule. He noted the associated costs would be
249 reimbursed to the Town. Mr. Haverty explained the idea was to clean the parks between usages. He
250 wondered if they might have cleaning spray bottles available for public use to spray surfaces down
251 when they are done using the area.

252

253 The Board briefly discussed how to move forward and possibly limited the number of beach passes
254 sold. Mr. McCarthy stated he would speak with Mr. Johnson about creating a beach pass system for
255 weekdays 5pm until dusk and on weekends from 7am until dusk. He said they can try it out and have
256 the Police monitor the population on the beach during those times. He said it would be trial and error
257 but thought it would be a great idea to open the beach and parks to the citizens. Mr. Haverty asked if
258 the Board could reach a consensus to have Mr. McCarthy and Mr. Johnson develop a plan. Ms. Forde
259 asked that the Health Officer be involved with the discussions. She also wanted it to be clear to citizens
260 if there was an outbreak the Board would cease activities. Mr. Cote understood the discussion was to
261 create a limited number of passes to the beach. He asked if they were also looking into how to enforce
262 social distancing. Mr. McCarthy replied that would require someone monitoring the crowds; there
263 would not be anything outside of a periodic police car and the Health Officer checking in and reporting
264 back to the Board. Mr. Cote wanted to know the procedure/process with vehicles parking outside the
265 park and people walking in. Mr. McCarthy believed it would be a trial basis and they would see how
266 it goes. He said if the Health Officer was not comfortable with the number of people or if they were
267 not practicing safe social distancing, they would have to make a decision (on the spot) to possibly clear
268 people out.

269

270 Mr. Haverty wondered if the Town would be placed in a predicament with angry citizens if they
271 encountered a situation and had to turn off the beach passes. Mr. McCarthy believed they could issue
272 passes with a disclaimer that the pass could be revoked at any time and the beach could close at any
273 time if there is a health concern. Mr. Lynde felt when passes were given out, people should be notified

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274 to have respect regarding social distancing; any violation would cause for repeal of the pass. Mr.
275 Haverty felt the passes should simply be sold with a disclaimer that indicates passes are subject to
276 revocation at any point pending guidance from the State regarding a public health crisis.

277

278 Mr. Bergeron suggested posting signs on the beach regarding social distancing.

279

280 Mr. Cote questioned if the Health Officer had the legal authority through the RSA to shut the beach
281 down. Mr. McCarthy answered yes. He said the State indicated local authorities will enforce the
282 COVID related rules/regulations/stipulations. Mr. Cote confirmed the authority was with the 'Health
283 Officer' not the 'Board of Health'. Mr. McCarthy answered yes. He explained 'technically' the Board
284 of Health is the Board of Selectmen, but the Board appointed an agent (Ms. McGlynn) to enforce/ensure
285 the codes and regulations were being followed. Mr. Cote asked if the Town had that in place as a
286 policy. Mr. McCarthy suggested the Board giving Ms. McGlynn the authority to enforce any
287 infractions in the COVID-19 program and take action if there is a public health issue or potential issue.
288 Mr. Haverty pointed out Ms. McGlynn currently had that authority and there was nothing the Board
289 needed to do. Mr. McCarthy stated whatever protocol they put together will first be passed by Town
290 Counsel to ensure they were not infringing on anyone's rights and every action is authorized either by
291 statute or by the health code.

292

293 Mr. Cote asked if they should have a consensus of the Board to let Ms. McGlynn take the lead. Mr.
294 Lynde replied she already had the right to do so.

295

296 **Tree & Bench Policy review/Liberty Utilities banner update**

297

298 Mr. McCarthy noted he was keeping the Tree & Bench Policy review on the Board's 'radar'. He would
299 like a full discussion and possible vote during the Board's next meeting. Any questions should be
300 directed to him prior to that time. He noted the policy was revised to include banners.

301

302 Mr. McCarthy reported Liberty Utilities approved the hanging of the Sgt. Daniel Gionet banners that
303 were hung on either side of the bridge on Main Street. He said the banners look fantastic and Sgt.
304 Gionet's mother was incredibly happy and grateful to the Town for following the project through.

305

306 **2021 Pelham's 275th Anniversary Town Charter Celebration next year.**

307

308 Mr. McCarthy pointed out Pelham's 275th anniversary would be July 2021. He had some
309 communications with Pelham Community Spirit who were willing to be part of the celebration. He
310 asked the Board's thoughts. Ms. Forde thought forming a committee would be a good idea and getting
311 the bigger groups to come together.

312

313 **Proposed 2021 BOS Budget schedule**

314

315 Mr. McCarthy mentioned during a previous meeting he spoke about the possibility of having a more
316 stream-lined budget review season this year. He said they would have two meetings with department
317 heads present and have the Board vote at the following meeting. He would like all budgets completed
318 by July 14th so the Board could begin their review July 15th. He spoke about the tentative schedule.
319 There was no objection. Mr. McCarthy noted with the proposed schedule it would make the final
320 budgets available to the Budget Committee earlier.

321

322 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

323

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324 Ms. Forde reminded everyone the high school seniors would have their parade on Friday beginning at
325 1pm.

326

327 Mr. Cote recalled last year at this time the Board spoke about tree replacement and decided to work
328 with Delahanty. He will forward the estimate to the Board. He will look at the trees and provide
329 information for the Board to vote on at their next meeting.

330

331 **ADJOURNMENT**

MOTION: (Forde/Lynde) To adjourn the meeting.

ROLL CALL Ms. Forde – Yes

VOTE: Mr. Bergeron – Yes

Mr. Haverty – Yes

Mr. Lynde – Yes

Mr. Cote - Yes

(5-0-0) The motion carried.

332

333 The meeting was adjourned at approximately 8:32pm.

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Respectfully submitted,
Charity A. Landry, Recording Secretary