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APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
September 15, 2020
APPROVED – September 29, 2020

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

PRESENT: Robert Haverty, Heather Forde (via telephone), Hal Lynde,
Jaie Bergeron, Kevin Cote, Town Administrator Brian McCarthy

ABSENT: None

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PLEDGE OF ALLEGIANCE

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MINUTES REVIEW:

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September 1, 2020:

MOTION: (Lynde/Cote) To approve the September 1, 2020 meeting minutes as amended.

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

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September 10, 2020:

MOTION: (Lynde/Cote) To approve the September 10, 2020 meeting minutes as written.

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

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ANNOUNCEMENT(S)

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Update - Drought Information

Mr. McCarthy read the latest press release from the New Hampshire Department of Environmental Services. It was noted that the Town continued to have a mandatory water ban. He told the Board it had been very effective, and they were approaching it as an informative/educational enforcement. The Town was working with people. Code Enforcement has been going out early in the morning, when they see a violation, they leave a door knocker with a copy of the water ban, so people know the expectations of the Town. He noted Pennichuck Water was also monitoring their customer's water usage and driving through town early in the morning.

Mr. Haverty mentioned he was in different communities over the weekend and said water bans were common. He noted Pelham was not the most aggressive town; he was in a community that prohibited watering of any kind with the exception of hand-held watering cans/hoses. He stated the water conditions being experienced were serious. He asked the Board if they wanted to take any further actions.

Ms. Forde believed with the temperatures decreasing she didn't feel there was a pressing need to enact stricter guidelines since there was less of a need to water lawns and gardens.

Mr. Cote believed they were almost through the watering season since it was beginning to the time of year that irrigation systems would start to be shut down.

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APPOINTMENT(S)

Fire Chief James Midgley and Health Officer Karen McGlynn – Pandemic Update

Ms. McGlynn provided the Board with the recent State numbers. New Hampshire has had 7,714 positive cases of Covid. Pelham currently has 8. She cautioned people not to relax regarding Covid; flu season was coming, and they need to stay on course until there is a vaccine. She asked that people continue to wear masks. She’s been working with the schools to ensure proper procedure is being followed. The system was working well, and guidance was being followed. Ms. McGlynn has periodically been doing a Zoom communication with the seniors to keep them up to date. Doing so has been valuable because it gave the seniors the opportunity to ask her questions. She’s also received questions about Halloween and informed she has a Zoom meeting scheduled with the State Department of Health at the end of September to review the guidance/recommendations for towns. Ms. McGlynn ended by reminding everyone to get their flu shot.

Chief Midgley stated flu season was beginning and would get thicker over the next couple months. The Senior Center would be setting up flu clinics. He added it was critical for people to consider getting a flu shot this year. He said a compromised immune system was a place for Covid to root into. He believed they would have high numbers of people getting their flu shots and suggested they get them early.

Mr. Haverty inquired if a person could get a flu shot too early. Chief Midgley replied they typically started in August; however, looking at statistics, he said they like to schedule near the end of September. Mr. Haverty asked if the effects of the shot wore off. Chief Midgley said it would wear off over time; the optimal time to have the shot is in September. He then spoke about the recent primary election and informed they had a Covid conscience flow through the voting area. He said it had gone well and believed they had a solid plan for the November election. Mr. Haverty agreed the process was flawless and everyone had done a good job.

Mr. Haverty understood there were other parts of the world the flu season had already started, such as in Australia. He’d heard through some news outlets that the flu was currently mild in those areas and questioned if that translated well for the United States. Ms. McGlynn had never seen people state the flu wasn’t hitting them. She felt they were too far apart to make that type of prediction. She believed because of Covid the flu would be a big issue. She reiterated people needed to get their flu shot.

Cable Coordinator James Greenwood – Cable Television budget update

Mr. Haverty reminded the Board when they reviewed the Cable budget Mr. Greenwood had included two priority list items: 1) coordinator salary increase (outside of the contractual increase) and 2) rate increases for employees (cable technicians). At the time of the Board’s vote regarding the budget they didn’t have the dollar figures, therefore they voted on the base budget and sent it to the Budget Committee to review. The Budget Committee reviewed the list items and indicated they would not decide pay increases and requested the Selectmen’s recommendation. Mr. Haverty noted if the Selectmen decide to add something to the Cable budget, they will need to revote the number and also revote the Town’s budget (with the amended number).

Mr. Greenwood told the Board he had worked for the Town twenty-two years and it had been nearly twelve years since he had seen anything other than a 2.5% increase. He was requesting a performance increase which he felt he deserved given the years he had been with the Town. He then discussed the requested increase for the cable technicians. He explained there was a pool of money from which there

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93 were different salary amounts (i.e. \$10.50, \$11, \$12). He was requesting the increase to compete with
94 the minimum wage paid in Massachusetts. The requested increase for the six technicians totaled
95 \$1,700.

96
97 Mr. Cote understood Mr. Greenwood had worked for the Town twenty-two years and questioned how
98 many times he had signed a contract. Mr. Greenwood replied he's signed once. He explained
99 department heads were originally a small union that had disbanded (approximately 2010) so each would
100 have an individual contract. Mr. Haverty inquired about the term on the existing contract. Mr.
101 Greenwood replied it was in place until he leaves. Mr. McCarthy stated they automatically renewed.
102

103 Mr. Bergeron questioned how often employees would request increases without going through a
104 contract renegotiation. Mr. McCarthy replied usually the contracts had a raise included or at the
105 discretion of the Town Administrator they could receive a merit increase; they were essentially even
106 regarding what people receive each year. He recalled the Cable Assistant's recent increases were a
107 result of that position not receiving increases for several years because there was previously some
108 confusion whether or not the position was in the union. When the union brought it to the Town's
109 attention the position was in the union the salary had to be corrected. Mr. Greenwood stated there was
110 wording in his contract that states after five years he could have had the opportunity to sit down with
111 the Selectmen and receive an increase above the 2.5%; however, that didn't happen and he had since
112 requested an increase.
113

114 Mr. Cote understood there was a contract in place that automatically renewed. He wanted to know
115 when it renewed. Mr. McCarthy replied it renewed at the first of the year. Mr. Cote asked if the request
116 was a negotiation based on the contract and if it would be done now. Mr. Haverty felt the discussion
117 should be done at the anniversary of the contract. He said Mr. Greenwood was asking for a pay
118 increase; if they were going to open up the contract there may be other pieces of it that could be
119 evaluated and reassessed. He felt the discussion/negotiation should occur at the anniversary. Mr.
120 Bergeron felt that would make sense.
121

122 Mr. Haverty inquired if the contract indicates when the Selectmen should be approached. Mr.
123 Greenwood believed it stated he could approach the Selectmen after five years and if that doesn't
124 happen, he could approach again two years later. He said he tried to have a discussion after five years,
125 but it never happened. Mr. Cote pointed out they were discussing the budget that would begin at the
126 first of the year. Mr. Greenwood noted the contract indicates he will receive the contractual increase
127 of 2.5%; his request is for an additional 10% that would be received April 1st if the budget is approved.
128 Mr. McCarthy noted the Board could enter into negotiation in January and have it take effect (April 1st)
129 after the budget is approved in March.
130

131 Mr. Cote stated his concern about following the right process. Mr. McCarthy replied it was typically
132 done during non-public session. Mr. Haverty wanted to know if the Board had an appetite to move to
133 the next step of having a discussion in non-public.
134

135 Mr. Bergeron recalled the Board speaking about a hiring freeze unless a position needed to be filled.
136 He said they may be entering another year of possibly doing the same thing making it difficult to give
137 out raises.
138

139 With regard to the process, Mr. Lynde believed Mr. Greenwood needed to first meet with Mr. McCarthy
140 and then appeal to the Board if he didn't like the outcome. He asked Mr. McCarthy if that had already
141 occurred. Mr. McCarthy replied no; he had no idea the increase was going to be requested. It came to
142 him the same time it was submitted to the Board. In his experience a department head makes and
143 appointment to meet the Board in non-public to discuss their contract. Mr. Haverty stated (years ago

144 during his prior term as Selectman) he was one of two Selectmen that negotiated individual contracts.
145 He said once the contracts were created, they were brought to the Board to vote in non-public and then
146 added to the budget. He asked if anyone had renegotiated their contract since then. Mr. McCarthy
147 replied everything automatically renews with the exception of Police Chief Roark who came in to meet
148 with the Board (in non-public) a couple years ago.

149
150 Mr. McCarthy told the Board he would review the existing contract so Mr. Greenwood could meet with
151 the Board. If they come to an agreement prior to reconsideration the Selectmen can submit to the
152 Budget Committee.

153
154 Mr. Haverty inquired how an increase would be funded if negotiations occur at the first of the year.
155 Mr. McCarthy believed if the Board were inclined, they could meet with Mr. Greenwood prior to that
156 time, and believed there was language to specify meeting prior to the anniversary. Mr. Haverty asked
157 Mr. McCarthy to send the contract to the Board for review so they could schedule a non-public with
158 Mr. Greenwood.

159
160 The Board will discuss the requested increase for the technicians after having discussions with Mr.
161 Greenwood.

162
163 **OPEN FORUM**

164
165 Ms. Jennifer Correa came forward to tell the Board there was considerable interest regarding trash pick
166 up and closing the Transfer Station. Mr. Haverty noted the conversation would be amongst Board
167 members; they typically don't take input from people, although they were currently in open forum and
168 welcomed her opinion. Ms. Correa said the sentiment percolating in Town was concern regarding the
169 closure of the Transfer Station and if there would be a vote before changes happen. Mr. McCarthy said
170 there would be a warrant article vote. Mr. Haverty described the procedure. He said it was likely the
171 Board would put out an RFP to solicit proposal from respected vendors. If they felt one would work
172 well for the Town, the contract would go in front of the voters on the ballot in March. Ms. Correa
173 mentioned people wanted to know if they would be able to opt-out. There was specific concern about
174 whether or not they would be charged for excess collection at the street if there would be a barrel limit
175 and if they will be forced to recycle. She said currently those paying for private service don't have to
176 worry about those things and can negotiate their own terms. Mr. Haverty stated it would be very
177 difficult for people to opt-out. He said when the Town enters into a contract with a provider that cost
178 gets buried within the tax rate. There was no way to opt-out other than not putting barrels out. Ms.
179 Correa said with that people may have difficulty finding private groups that would collect on days that
180 work for them. She said there was concern about trash being picked up on the correct day and what
181 that would mean for trash spilling out onto the streets. She said a lot of people go to the dump when it
182 is convenient for them; there are people that are concerned for the facility to remain open so they can
183 still go when it's convenient to fit their schedule. She added there was concern about citizens not
184 having a choice; the topic was getting considerable interest from a large variety of people.

185
186 Mr. Haverty stated the Board had talked individually about having a public hearing on the matter. He
187 thought that would be a great place to have people come in to let the Board know their thoughts. Ms.
188 Correa said her goal was to make sure the Board thought about public input as there was considerable
189 interest in doing so prior to the Selectmen voting. Mr. Haverty thanked Ms. Correa for coming forward.

190
191 **DISCUSSION**

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193 **Curbside Trash RFP**

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195 Prior to the meeting Mr. Cote provided the Board with a draft RFP to review.

196

197 Mr. Haverty thought the RFP was a good starting point and personally would like to see more built into
198 the scope to understand if they were seeking single stream, or separation of recyclables. He felt there
199 were a lot of questions to be answered and a lot of things that needed to be defined.

200

201 Mr. Lynde didn't know how companies would quote and questioned if they were being asked for a rate
202 per ton. Mr. Cote understood the first year of the contract would be the most expensive because the
203 Town would need the barrels which would be a purchase of approximately \$500,000 (either up front
204 or spread out over a few years). Most municipalities have two bins (per house) single stream with no
205 recycling. Mr. Lynde pointed out there were nine people who work at the Transfer Station and asked
206 if the intent was to terminate those employees or to keep the Transfer Station open. He said there was
207 issue of understanding how people would get rid of televisions, refrigerators, etc. Mr. Cote replied the
208 bigger companies allow for people to go onto their website and pay a separate fee for other items. Mr.
209 Lynde wanted to know if people would pay more or less than they currently do by bringing their own
210 items to the Transfer Station. He felt the process seemed premature. He personally liked the ability to
211 go to the Transfer Station on his own time with no limit to the number of bags he brought.

212

213 Mr. Haverty didn't believe they were capable of answering what would happen to the nine current
214 employees or if the Transfer Station would remain open until they received responses back from the
215 RFP. He stated he liked the Transfer Station and the fact that he could bring as much trash as he wanted
216 at his convenience. He was in favor of keeping the facility open in some fashion. Over the weekend
217 he had the opportunity to drive through a number of communities (southern New Hampshire and
218 Massachusetts). Some of the things he notices were items along the side of the road such as a
219 refrigerator, a couch, and a toilet. He wanted to make sure Pelham didn't turn into that type of
220 community and if those types of items can't get picked up as part of the normal business, that there was
221 a mechanism that people didn't have to drive through the Town and see those items on the side of the
222 road.

223

224 Mr. Haverty felt the nine employees (the Transfer Station) could not be understated. He added there
225 were also businesses, he knows of one local (trash pickup) business in Town that was also intangible
226 and had to be considered. He also knew in the end it came down to the taxpayers and the Board's job
227 to do what's best from a financial perspective. He was in favor of doing an RFP given the trash
228 (hauling) contract was ending in 2022. Another thing that crossed his mind was to work with a
229 consultant or agency to understand what would make sense for Pelham.

230

231 Mr. Cote understood there were multiple opinions regarding the Transfer Station and a lot of people
232 who want curbside pickup. He thought the Board might also be able to pursue having a consultant.
233 Mr. Haverty commented a consultant could address efficiency, but they won't be able to address the
234 intangibles around the convenience for residents.

235

236 Mr. Bergeron wanted to know if they could get information regarding a hybrid situation where the
237 company still picks up dumpsters (at the Transfer Station) as well as curbside. He's spoken to people
238 who have said it would be nice to have curbside as they had difficulty lifting their trash barrels into
239 their vehicles. He mentioned he lived in Pelham his whole life and had never brought trash to the
240 Transfer Station because he's always had dumpsters.

241

242 Mr. Lynde said there was still an issue regarding recyclables and added there was money to be made
243 with them if it was done right. He said glass was a lot of tonnage and weight; having a glass crusher
244 would allow the Town to produce material for the Highway Department. He said there were certain
245 things that could be recycled that would generate decent money and some things would generate

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246 excellent money. He suggested having Northeast Resource Recovery Association ('NRRA') meet with
247 the Board to discuss different aspects of recycling.

248

249 Ms. Forde emphasized they would just be sending out a request for proposals and would not legally
250 bind them to do anything. She felt getting as many proposals in prior to the contract renewal would
251 benefit the Town. Mr. Cote agreed given the Town's contract was ending in 2022. He said if they
252 don't do something for the next election, they will only have the Transfer Station. He commented the
253 sending out the RFP would allow options. He explained if they were to enter into a contract with a
254 trash pickup company, they would need approximately ten months to get equipment to service the
255 municipality.

256

257 Mr. Haverty agreed it did no harm to put out an RFP and get magnitude numbers and added they could
258 put out another RFP later to dial in the scope. They could also put out another RFP for the operation
259 of the Transfer Station; at this point they were simply asking questions.

260

261 Mr. McCarthy felt the next step should be to get a consultant to review the Town and the current
262 systems, so the Board doesn't miss anything. Mr. Haverty understood the Highway Agent and other
263 employees knew the operation, but he felt a consultant would provide information for what is going on
264 in the industry as well as how to best streamline the existing operation.

265

266 Mr. Haverty said they could contact a consultant to meet with the Board but didn't see any harm in
267 sending out an RFP to see what the numbers look like. He also wanted to do a public hearing sooner
268 rather than later. Mr. Cote said the companies look at the length of road milage and the number of
269 residential facilities in Town.

270

271 Mr. Lynde inquired if they knew how much tonnage was being picked up by other contractors. Mr.
272 Cote replied that was the difficult number to determine because they would be picking up the population
273 that's not currently going to the Transfer Station. He said there were quite a few private companies
274 currently working in Town. Mr. Lynde reiterated it would be worthwhile to have NRRA meet with the
275 Board.

276

277 Mr. Haverty inquired if they wanted to conduct a public hearing on curbside pickup during their next
278 meeting. Mr. McCarthy felt they should wait until they had more data. Mr. Haverty said if there was
279 a room full of people who were not interested in going to curbside pickup all the effort would be for
280 not. He said they could hold more than one public hearing at different times during the process. Mr.
281 McCarthy would like to obtain more data to understand if it's worth pursuing before holding a public
282 hearing. Mr. Bergeron felt it made sense to wait for data. Mr. Lynde was open to either one. He said
283 they had to face the issue of recycling and believed there were opportunities; NRRA had information
284 and numbers. Mr. Cote believed the Town would get a big surprise regarding recycling. With China
285 not taking it, most was now being buried or burned. He believed they would end up throwing away
286 recycling rather than recycling it. Ms. Forde said it was a highly unpalatable idea to throw away
287 recycling. Mr. Lynde reiterated NRRA could answer the Board's questions. He knew there were still
288 markets for recycling.

289

290 Mr. Haverty was hearing the Board wanted to have the consultant come in, get some data then do a
291 public hearing. At the same time, they will add specificity to the RFO and send it out. Mr. Cote noted
292 the companies would bid based on the number of houses and the road mileage; they will include the
293 services they offer above and beyond pickup. Mr. Bergeron inquired if the current company (Republic)
294 offered a hybrid of curbside and Town hauling. Mr. Haverty said at this point it would be impossible
295 to determine how many people currently go to the Transfer Station versus how many won't go if the

296 Town is doing curbside pickup. Ms. Forde suggested sending out a community survey for an additional
297 point of data. Mr. McCarthy will talk to the IT Administrator about creating a social media survey.

298

299 Mr. Haverty summarized the next steps: 1) survey, 2) consultant, 3) public hearing after receiving data,
300 and 4) simultaneously sending out (cleaned up) RFP.

301

302 **Tree Maintenance Program**

303

304 Mr. McCarthy read aloud an email received by former Selectman William McDevitt speaking about
305 the importance of funding for the maintenance of municipally owned (130+) ornamental trees. He
306 asked the Selectmen if they would ask the Budget Committee to include the cost of ornamental tree
307 maintenance in the 2021 Town Building budget and offered to speak to the subject with the committee.

308

309 Mr. Lynde felt they had to care for the trees and fully supported doing so.

310

311 Mr. Haverty asked Mr. Cote to speak to what an arborist might say and what a maintenance program
312 may look like. Mr. Cote discussed having an RFP but recalled there was difficulty having responses
313 the last time they put one out. Ms. Forde said it may be difficult for her to find a New Hampshire
314 Arborist, but she had contacts that she could have submit a plan. Mr. Cote believed they should be
315 looking for an International Certified Arborist.

316

317 Mr. Bergeron questioned if the trees needed to be maintained now or if they could wait, given they
318 were just done two years ago. Mr. Haverty said Mr. McDevitt noted the trees were pruned and probably
319 don't need to be, but there was some other work he alluded to in his email. Mr. Cote said there were
320 fertilizer programs that could be done; however, he said the most important thing they needed was
321 water, space, and air flow.

322

323 Mr. Haverty noted Mr. McDevitt threw out the figure of \$25,000 to bring to the Budget Committee.
324 He said they would have to send out an RFP and asked the Board if they wanted to earmark a dollar
325 amount for a later point or wait until spring. Mr. McCarthy suggested putting out an RFP with Mr.
326 Cote and Ms. Forde helping with the details to be included. He said he would pull the original RFP
327 and see the timeframe it specified.

328

329 Based on the number of trees and their growth, Mr. Cote believed the cost of a fertilizer program should
330 be approximately \$8,000. Ms. Forde believed during the current drought year the trees could use a
331 boost from fertilizer in the spring. She suggested having funding for a plant healthcare schedule.

332

333 Mr. Haverty asked the Board if they agreed with Ms. Forde and Mr. Cote working with Mr. McCarthy
334 to put out an RFP for thirty days and provide a recommendation to the Board. The Board could then
335 decide if they wanted to present a budget number for reconsideration in January. There was no
336 objection. Mr. Lynde said it was key to not lose any more trees from the Board not acting.

337

338 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

339

340 Mr. McCarthy informed the Board the Town received their first CARES Act check in the amount of
341 \$4,100 that primarily dealt with the Health Officer's salary and some of the maintenance worker's
342 salary for Covid-related items. Yesterday he submitted the Town's second CARES Act request
343 reimbursement from May 1- August 31 of approximately \$263,000. He was optimistic it would pass
344 since they were allotted \$321,166. He will keep the Board informed.

345

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346 Mr. Cote reported the Agricultural Commission would meet on Thursday evening and were working
347 on a proposed ordinance. The Code Enforcement Officer and Animal Control Officer will be meeting
348 with the commission at their meeting.
349

350 Ms. Forde stated she had been asked whether or not the Town will hold an adaptive Halloween this
351 year. At this time, she is waiting for direction from the State.
352

353 Being his first year working at the election, Mr. Bergeron felt the process went very smoothly and the
354 absentee aspect was organized and went well. He believed the next election would be just as safe and
355 run just as smoothly.
356

357 Mr. Lynde agreed everyone did a great job at the polls.
358

359 Mr. Haverty stated the Budget Committee would be meeting Thursday to continue their review of Town
360 budgets.
361

362 **REQUEST FOR NON-PUBLIC SESSION**
363

MOTION: (Lynde/Forde) Request for a non-public session per RSA 91-A:3,II,a (personnel)

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

364 It was noted that when the Board returned, after the non-public session, the Board would not take any
365 other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the
366 meeting. The Board entered into a non-public session at approximately 8:01pm.
367

MOTION: (Forde/Cote) To leave non-public session.

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

368 The Board returned to public session at approximately 8:17pm.
369

370 **ADJOURNMENT**
371

372 The meeting was adjourned at approximately 8:17pm.
373

374 Respectfully submitted,
375 Charity A. Landry
376 Recording Secretary
377