

1  
2  
3  
4  
5  
6  
7  
8

**APPROVED**  
**TOWN OF PELHAM**  
**BOARD OF SELECTMEN - MEETING MINUTES**  
**September 29, 2020**  
**APPROVED – October 13, 2020**

9  
10  
11  
12  
13  
14

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

**PRESENT:** Robert Haverty, Heather Forde, Hal Lynde, Jaie Bergeron, Kevin Cote,  
Town Administrator Brian McCarthy

**ABSENT:** None

15  
16  
17  
18

**PLEDGE OF ALLEGIANCE**

19  
20  
21  
22  
23  
24  
25  
26  
27

**MINUTES REVIEW:**

**September 15, 2020:**

**MOTION:** (Forde/Cote) To approve the September 15, 2020 meeting minutes as written.

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

28  
29  
30  
31  
32  
33

**OPEN FORUM**

Agricultural Commission Chair Jenny Larson came forward. She said she saw the Selectmen had agenda items regarding the Agricultural Commission resignation and vacancies. She told the Board the available positions were currently: one 2-year full time, one 3-year alternate position and one 2-year alternate position. She added the commission would like to have a Facebook page to provide citizens with a manner to contact them. Mr. Haverty replied the members should have Town email addresses for communication. IT Administrator Brian Demers is in the process of setting them up. He noted he would purchase individual licenses so the members could each have their own pelhamweb email address.

**MOTION:** (Cote/Bergeron) To approve the Agricultural Commission to set up a Facebook page.

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

Mr. McCarthy stated for consistency Mr. Demers would set the Facebook page up as he had done for other boards/committees.

**REQUEST FOR NON-PUBLIC SESSION**

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

**ROLL CALL** Mr. Haverty – Yes

**VOTE:** Ms. Forde – Yes

Mr. Bergeron – Yes

Mr. Lynde – Yes

Mr. Cote - Yes

BOARD OF SELECTMEN MEETING/September 29, 2020

(5-0-0) The motion carried.

34 It was noted that when the Board returned from the non-public session, they would conduct the  
35 remaining business on the agenda.

36

37 The Board entered into a non-public session at approximately 6:37pm.

38

39 The Board returned to public session at approximately 7:16pm.

40

**MOTION:** (Cote/Lynde) To indefinitely seal the minutes of the non-public session.

**ROLL CALL** Mr. Haverty – Yes

**VOTE:** Ms. Forde – Yes

Mr. Bergeron – Yes

Mr. Lynde – Yes

Mr. Cote - Yes

(5-0-0) The motion carried.

41

42 **ANNOUNCEMENT(S)**

43

44 **Update - Drought Information**

45

46 Mr. McCarthy provided an update from the Department of Environmental Services of the State's  
47 drought condition, which is likely to continue during the next three months. He described what  
48 enforcement 'looked like' within the Town according to the Code Enforcement Officer. To date  
49 everyone is getting into compliance after becoming informed and fines have not been implemented.

50

51 Mr. Haverty questioned if there were any issues with wells reported to the Town. Mr. McCarthy  
52 received one phone call from a citizen who was starting to have some problems with their well.

53

54 Ms. Forde questioned if they were at the point of telling people 'no more lawn watering'. Mr. Cote  
55 noted that season was already here. With that being the case, Ms. Forde wanted to know if they could  
56 tell people there was no more lawn watering. Mr. Cote was fine with doing that. Mr. Haverty believed  
57 there was still room for education and believed people would be getting ready to shut watering down  
58 for the season. He understood posting a notice would take three days, which would bring them into  
59 October. He was not opposed to saying 'hand watering only' with the 'usual' exceptions applying.

60

61 Mr. Lynde asked if the Town would shut off their sprinklers. Mr. McCarthy answered yes. He said  
62 within three days of posting the ban in the newspaper the new restrictions would be in place. He will  
63 shut off the Town's sprinklers tomorrow. Mr. Haverty believed the Board ensures all the Town's  
64 properties adhere to the water restrictions.

65

**MOTION:** (Cote/Forde) To ban all outdoor lawn irrigating (per RSA 41:11,d) effective in three  
days (after posting); the usual exceptions apply.

**VOTE:** (4-1-0) The motion carried. Mr. Bergeron voted in opposition.

66

67

68 **APPOINTMENT(S)**

69

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

71  
72 Ms. McGlynn stated cumulatively the State had 8,208 positive Covid results, of which 7,430 have  
73 recovered. There have been 439 deaths. Numbers currently state that Pelham has 1-4 cases; however,  
74 she stated that was not correct. She wanted to make clear it was important for the public to come  
75 forward if someone isn't practicing safety. Ms. McGlynn has had a lot of inquiries regarding  
76 Halloween. There will be discussions with the State during the week; after which the Town will discuss  
77 how they will proceed. She noted there had been a lot of discussion regarding out-of-Town travel with  
78 college students coming home for fall break. As it currently stands, if a college student is coming in  
79 from out of New England, that student must quarantine for two weeks in their home. If a parent goes  
80 out to pick the college student up, the parent will also need to quarantine for two weeks.

81  
82 Chief Midgley noted the State's numbers were continuing to decline. He said communications have  
83 leveled out through the State and focused on recovery and how to getting fund back that had been spent.  
84 Mr. McCarthy asked for the status of FEMA. Chief Midgley replied they received the Police  
85 Department's portion of the FEMA money; however, they were still waiting for the Fire Department  
86 and Town Building funds (each department is billed out separately through different programs). He  
87 said there were other funds that could not be requested until the budget amounts were spent; currently  
88 certain personal protection equipment cannot be purchased because there is no stock to purchase. He  
89 said funding won't stop until September of next year so the department will have time to stock up.

90  
91 Mr. Cote understood there were a lot of articles regarding Covid research and methods of treating it.  
92 He said a research team discovered Covid antibodies didn't bind to cells, which offered different  
93 information than having a vaccine. Ms. McGlynn replied there were three vaccines in the third phase  
94 trial; the third one (from Johnson and Johnson) was different from the first two, in that it went into the  
95 'T' cells for longer/permanent defense. She said the big question was how long it will work. The first  
96 trials will require a booster after an initial shot. The third option is for having one shot and being done.  
97 She was anxious to see where the information goes. Ms. McGlynn stated masks work in different ways  
98 and helps to weaken the virus.

99  
100 Mr. Lynde asked what percentage of New Hampshire citizens had been tested for Covid-19 and how it  
101 compared with other states. Chief Midgley recalled it was approximately 21% but he didn't know how  
102 it compared with other states.

103  
104 **Hobbs Community Center Director Sara Landry (Senior Center) – Budget re-vote**

105  
106 Mr. McCarthy informed a spread sheet had been created to show all the numbers (i.e. insurance,  
107 retirement) for the Board to review when discussing hiring new people.

108  
109 Mr. Haverty understood the discussion was purely budgetary given the Board had already been  
110 amenable to increasing the administrative position from 20 hours to 40 hours per week. Mr. McCarthy  
111 noted \$13,525 would need to be added to change the position to 40 hours per week. The Senior Center  
112 salary budget would increase along with associated increases to insurance and retirement. Total request  
113 change (including salary, insurance, retirement, taxes) of \$41,875.17.

114  
115 Mr. Lynde questioned what health plan was budgeted. Mr. McCarthy replied they budget for the most  
116 expensive plan; if a different plan is chosen by the employee, the budget is reduced.

117  
118 2020 operating budget for Senior Center: \$146,643.

119 The new 2021 Senior Center budget is \$161,861.

120

BOARD OF SELECTMEN MEETING/September 29, 2020

**MOTION:** (Forde/Bergeron) To approve \$161,861 as the new 2021 Senior Center budget.

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

121

122

**Planning Director Jeff Gowan: Budget revote, MS-4 Application, Public hearing request to accept new Town Roads, IDDE fine schedule & the Hudson project**

123

124

125

. The Selectmen began by discussing the amended Planning Department budget for the new full-time inspector positions with a total salary change of: \$58,000, Insurance change of \$4,437, retirement change of \$7,596.07 and taxes change of \$4,437. Mr. McCarthy noted the original budget request did not include retirement and insurance for the new position.

126

127

128

Mr. Haverty confirmed the Board had already voted regarding the position and were now only reviewing the budget number associated with it.

129

130

2020 operating budget for the Planning Department: \$507,131

131

The new 2021 Planning Department budget is: \$535,804

132

133

134

135

**MOTION:** (Cote/Forde) To approve \$535,804 as the new 2021 Planning Department budget.

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

136

137

Planning Director Jeff Gowan came forward with Zoning/Planning Administrator Jennifer Beauregard.

138

Mr. Gowan provided the Board with an update of the MS-4.

139

140

Mr. Gowan spoke about five roads that were ready for acceptance and asked that a public hearing be scheduled for October 27th. He told the Board the Road Agent and Planning Compliance Inspector were pleased with the roads being completed. As built plans have been approved and Town Counsel has reviewed the draft warranty deed and found it to be in good shape. The roads are: 1) Chestnut Lane, 2) Rolling Ridge Lane, 3) Aspen Drive, 4) Powderhorn Circle and 5) Majestic Avenue (from Spaulding Hill Road to the intersection with Aspen Drive).

141

142

143

144

145

146

147

There was no objection to scheduling a public hearing for road acceptance on October 27, 2020.

148

149

Mr. Gowan provided the Board with a draft of the Illicit Discharge Fine Schedule. He believed a public hearing was necessary and suggested (if the Board agreed) to hold it on October 27<sup>th</sup> with the other hearing. He said right now they could work through an attorney and judge; however, that wasn't efficient. The schedule proposes to establish a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> step with modest fines that increase with each step. He said it wasn't an aggressive fine schedule, the intention was to get people into compliance without having to go to court every time.

150

151

152

153

154

155

156

Mr. Bergeron inquired what was currently in place. Mr. Gowan referenced the statutes that allowed them to pursue fines that had to be awarded by a judge. Mr. Bergeron asked if the Town calls the Department of Environmental Services ('DES') in the event something is found. Mr. Gowan answered yes and added the DES wants the Town to be able to take action. He said the goal was to educate and work with people to get them 'on board' and only take the 2<sup>nd</sup> and 3<sup>rd</sup> step if they were not cooperating.

157

158

159

160

161

162

Mr. Cote asked if the schedule also dealt with commercial properties. Mr. Gowan replied it dealt with any violator of an illicit discharge. He reiterated the goal was to always try to bring people into compliance and not just be punitive. Mr. Gowan ended by providing the Board with a summary of steps they were currently taking and how they will proceed with the MS-4.

163

164

165

166

167 Mr. Gowan then spoke to the Board regarding the Hudson Logistics Center Project. He said it was a  
168 377-acre project located where Green Meadow Golf Course is currently situated. There will be a three-  
169 lot subdivision to locate three fulfillment warehouses. The proposed facility size in aggregate is 2.6  
170 million square feet. A traffic impact study (450 pages) was conducted in September 2020. He will be  
171 attending (possibly with Mr. McCarthy and Ms. Beauregard) the Hudson Planning Board meeting on  
172 October 21, 2020 that will focus on traffic. The project was deemed of regional impact which gives  
173 Pelham a seat at the table. Mr. Gowan discussed the process the Town took during the Tuscan Village  
174 project in Salem, NH and believed having a representative consultant for the Hudson project would be  
175 approximately the same cost. He asked the Board to consider whether or not they felt it made sense to  
176 hire a consultant.

177

178 Mr. Lynde asked if it was fair to assume east/west traffic would significantly increase. Mr. Gowan  
179 didn't know if it was just based on trucking. He said where the buildings were located had highways  
180 wrapped around them. He said it was possible/likely to cause changes in the traffic patterns for the  
181 larger arteries and maybe in the smaller roads based on commuters changing their commute route. Mr.  
182 Lynde wanted to know the status of the roundabouts (Mammoth Road/Sherburne Road and Mammoth  
183 Road/Marsh Road). Mr. Gowan replied the Town and its consultant were doing everything they could.  
184 Getting approvals to go to the next stage was a slow process. They are currently waiting for the  
185 Department of Environmental Services to indicate the Town has completed the preliminary design stage  
186 and entered the final design stage. He provided the Board with a brief summary of the project status.  
187 Mr. Lynde questioned if the Town needed to acquire land in the area of the project. Mr. Gowan replied  
188 the Town could not negotiate or act on any right-of-way purchases until the State approves the  
189 preliminary plan.

190

191 **Assessing Assistant Susan Snide – Budget re-vote**

192

193 Assessing Assistant Susan Snide came forward for the discussion.

194

195 Mr. McCarthy explained during Budget Committee review of the budget a question was raised  
196 regarding the document software. In further review of the contract, it indicates the cost will be \$7,407  
197 and not the \$10,000 cost listed in the budget voted by the Board. He commented while the Selectmen  
198 were looking at other budgets, he decided to 'clean up' the Assessing budget at the same time.

199

200 Mr. Haverly asked if there were any contingencies associated with the cost. Ms. Snide answered no.  
201 It was a straight software and cloud hosting purchase.

202

203 2020 operating budget for the Assessing Department: \$206,640

204 The new 2021 Assessing operating budget is: \$228,722

205

**MOTION:** (Lynde/Cote) To approve \$228,722 as the new 2021 Assessing Department budget.

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

206

207 **Cable Coordinator Jim Greenwood – Budget Re-vote**

208

209 Mr. McCarthy explained during budget review the requests for increases were set aside and the number  
210 bottom line number was approved and forwarded to the Budget Committee. He said if the Board were  
211 inclined to increase the staff salary line from \$10.50 to \$11.00 per hour it would represent a total salary  
212 line increase of \$1,782.50. With respect to the recent contract negotiation with the Cable Coordinator,

BOARD OF SELECTMEN MEETING/September 29, 2020

213 the salary would increase \$3,521.42 with no change to insurance; the retirement increase is \$1,146.82  
214 and total taxes change is \$194.19.

215

216 2020 operating budget for the Cable Department: \$145,873

217 The new 2021 Cable Department operating budget is: \$150,603

218

**MOTION:** (Lynde/Bergeron) To approve \$150,603 as the new 2021 Cable Department budget.

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

219

220 **Budget Re-vote**

221

222 Mr. McCarthy noted they had not yet received the new insurance numbers.

223

224 With regard to the retirement budget line, Mr. McCarthy explained when the Board voted the number,  
225 it was a placeholder (\$1,917,125). With the new retirement number and the changes voted by the  
226 Board, the new number is \$2,093,332.

227

**MOTION:** (Cote/Forde) To approve \$2,093,332 as the new 2021 Retirement budget.

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

228

229 The 2020 approved Town Budget was \$17,768,706.

230 The new 2021 Town Budget (including all changes) is \$18,189,616.

231

**MOTION:** (Cote/Forde) To approve \$18,189,616 as the 2021 Town Budget.

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

232

233 **DISCUSSION**

234

235 **FD Resignation**

236

237 Mr. Haverty read aloud a formal resignation letter submitted by Nick Ridge to Fire Chief James  
238 Midgley. The Selectmen extended well wishes to Nick in the future.

239

240 **Agriculture Commission resignation**

241

242 Mr. Haverty read aloud the resignation letter submitted by Cindy Kirkpatrick from the Agricultural  
243 Commission effective August 28, 2020. The Selectmen wished her well.

244

245 **Post Agriculture vacancies**

246

247 The vacancies are as follows: one 2-year full-time member position, one 3-year alternate position and  
248 one 2-year alternate position.

249

250 Mr. McCarthy will post the vacant positions for a period of two weeks beginning Friday and closing  
251 October 16, 2020. Applicants will then be scheduled for interviews with the Selectmen.

252

253 **Curbside Trash RFP& Survey update / Northeast Resource Recovery Association Update**

254

BOARD OF SELECTMEN MEETING/September 29, 2020

255 Mr. Lynde reviewed the scope of use within the RFP and wanted to know how people would opt-out  
256 of the program. Mr. Cote suggested the Board first review the recent survey before discussing the RFP.

257

258 Mr. McCarthy noted the survey was still open; the current ‘snapshot’ was leaning toward not having  
259 trash pick-up and leave the services ‘as is’. Mr. Haverty reviewed the survey responses (approximately  
260 830 received to date). Given that responses were now trailing off, he felt they should close the survey.  
261 Mr. McCarthy will post the response information on social media.

262

263 Mr. Cote questioned if there was any information regarding a consultant. Mr. McCarthy spoke with  
264 Bonnie Bethune from Northeast Resource Recovery Association about the Town’s objectives to assess  
265 the Transfer Station and question what it would take to move to curbside pickup if they decided to do  
266 so. He said Ms. Bethune has agreed to do a walk through of the facility and also provided contact  
267 information for trash pick-up. He felt it would be a great value to have them review the site and provide  
268 further consult. Mr. Cote thought this was a great opportunity to have the operation looked at to figure  
269 out its future. He said if curbside didn’t work the Town couldn’t have a station that was falling apart  
270 and felt the consultants could help make it a better solution. He said they had to move forward quickly  
271 because it had to be voted on in March.

272

273 Mr. McCarthy noted Hampstead had curbside pickup with limited use of their transfer station. Nashua  
274 is larger than Pelham, but they could seek information from them. He said Merrimack was looking into  
275 doing something. Mr. Cote heard from a resident who suggested the Town review the Meredith, NH  
276 recycling station. He will reach out to see what they were doing.

277

278 Mr. Lynde said in the past the Town had a recycling center; however, a past director moved the facility  
279 into single stream. He believed the Town should obtain a glass crusher as they had in the past. He said  
280 there were other things they could do and would like to assist in doing some analysis. Mr. Cote said if  
281 they decide to continue with a transfer station there were certain requests made for items. He noted  
282 most retailers made money on cardboard and suggested they might consider investing in a bailer to sell  
283 the cardboard. He said in looking at other towns and bringing a consultant in will be good to get  
284 information. He said a hybrid (curbside and transfer station) might be a good option.

285

286 Mr. McCarthy suggested the Board consider doing another RFP to bid out the services they were  
287 currently getting to understand what a new contract would be. Mr. Haverty understood the consultants  
288 would inform exactly what to put out to RFP. He felt the first step is to speak with consultants before  
289 putting anything out in an RFP.

290

291 With regard to the RFP, Mr. Cote suggested keeping an open RFP for various options such as curbside,  
292 recycling, blended model and/or operation of a transfer station.

293

294 Mr. Lynde commented it seemed the Town already had a blended model; some people choose to pay  
295 to have their trash picked up. Mr. Haverty said they may be over thinking the situation. He said there  
296 were private haulers that gave residents options for curbside pickup and at the same time people could  
297 use the transfer station. He said residents weren’t being asked to pay for curbside if they didn’t want  
298 to use it. With that, he also recognized there might be some efficiencies to be had in the manner they  
299 were currently operating and was amenable to putting out an RFP.

300

301 Mr. Haverty asked the Board if they wanted to do an RFP for the transfer station and a separate RFP  
302 for curbside or an RFP for a blended model or an open-ended RFP for a company to ‘solve’ the trash  
303 problems. Ms. Forde felt they should release a broad RFP to see what options there were and have  
304 leverage with any future contract negotiation. Mr. Bergeron agreed they should know the numbers.  
305 Mr. Lynde pointed out the problem was with the single-stream recycling. He noted when considering

306 curbside, they would have to also assume the cost of the 25% of people already utilizing a service.  
307 There was an agreement to put out a broad RFP. Mr. Cote said the companies are going to want to  
308 know the road mileage and number of residences. Mr. Lynde reviewed the statistics of solid waste and  
309 recycling from the last few years.

310

311 Mr. McCarthy told the Board he would redo the RFP and have it ready for review at the next meeting.  
312 He will proceed with having the consultants review the operation and submit an evaluation.

313

314 **Draft Warrant Article review**

315

316 Mr. McCarthy informed he had started a draft document for the Selectmen to review. He put out an  
317 email to department heads informing warrant articles are due November 5<sup>th</sup> to the Budget Committee.  
318 He summarized the current articles.

319

320 **Quote from Delahunty Nursery for tree replacement**

321

322 Mr. Cote stated he had Delahunty re-send a quote (for tree replacement). Last year's quote came in at  
323 \$4,639.92. He said the Town has asked for four additional trees; the new quote is \$6,994.88. He noted  
324 the quote covered installation and warranty. Mr. McCarthy questioned if they had encumbered money  
325 last year, or if they had just received the quote. Mr. Cote replied they received a quote that was voted  
326 and approved. Mr. McCarthy said they didn't expend the money out of last year's budget so the Board  
327 would need to revote.

328

**MOTION:** (Lynde/Forde) To accept Delahunty's offer to replace trees at a cost of not more than  
\$7,000.

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

329

330 Mr. McCarthy stated they received an email regarding having an arborist to come in and do tree work.  
331 Approximately two weeks ago he and Mr. Cote walked the Town properties. Mr. Cote informed there  
332 were a lot of things going on with the trees that don't require treatment. He discussed the observations  
333 and recommendations.

334

335 Mr. McCarthy noted there was a request to put \$25,000 in the budget for tree maintenance and asked  
336 if that was something they should be doing. Mr. Cote replied it was too much money. He understood  
337 a lot of pruning was done approximately 2-3 years ago; hard pruning is generally good for 5-10 years.

338

339 Mr. Lynde asked if the recommendation was to remove all (existing) mulch. Mr. Cote answered yes  
340 (remove old mulch); they should be able to see the tree flare. He added it was good to have mulch, just  
341 not too much. It was good to remove old mulch every 2-3 years and add new mulch. Mr. McCarthy  
342 believed the landscaper cleaned out the mulch every year; he'll follow up. Mr. Cote stated there were  
343 a lot of things the Town could do now at a low cost and take another look in a year or two.

344

345 Mr. Haverty understood the budget request was too much. He said they also understood there were  
346 low-cost things they could do by using existing resources during the appropriate times of year. They  
347 will readdress the topic next year.

348

349 Mr. Lynde suggested Mr. Cote sit down with Boyden Landscaping (Town's landscaper) for a  
350 discussion.

351

352 **Trustee expenditure requests**



353

354 Mr. McCarthy provided the Board with two requests for review. 1) Highway Building Capital Reserve  
355 – first payment on the Highway Building \$87,990. He provided a status summary of the project. Mr.  
356 Cote questioned if the foundation had gone out to bid. Mr. McCarthy answered yes.

357

**MOTION:** (Cote/Forde) To authorize the expenditure of \$87,990 from the Highway Building  
Capital Reserve.

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

358

359 Mr. McCarthy said the second request was from Article #5 (Cistern Repair Capital Reserve) March 12,  
360 2013 Town warrant. \$78955 for cistern repair.

361

**MOTION:** (Cote/Lynde) To approve the expenditure from the Cistern Repair Capital Reserve.

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

362

363

364 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

365

366 In advance of the upcoming election, Ms. Forde felt the Board should discuss a ‘plan B’ in the event  
367 the Town’s Covid numbers increase. Mr. Haverty agreed. Mr. McCarthy felt they should put a working  
368 group together with the Town Moderator to develop a backup system. Mr. Haverty was informed in  
369 the past by the moderator that the Selectmen assign the poll location. Ms. Forde felt the Supervisors of  
370 the Checklist should be involved. Mr. Haverty noted they were looking at a couple options and asked  
371 Mr. McCarthy to ask for Town Counsel to review. He shared Ms. Forde’s concern.

372

373 **ADJOURNMENT**

374

**MOTION:** (Forde/Cote) To approve

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

375

376 The meeting was adjourned at approximately 9:00pm.

377

378

379

380

381

Respectfully submitted,  
Charity A. Landry  
Recording Secretary