

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
Wednesday, March 19, 2008 at 6:30 PM**

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**Present:** Vice Chairman Fred Kline; Selectman Larry Preston; Selectman Cindy Lewis; Selectman Tina Courtemanche

**Excused:** Selectman David Sheldon

**Staff:** Geoff Ruggles, Town Administrator

**1. CALL TO ORDER**

Vice Chairman Kline called the meeting to order at 6:30 PM.

**2. MEETINGS**

**David Rouleau, Resident, 407 Buck Street; Don Ingalls; Joe Lessard - Inspection Incident**

Mr. Ruggles apprised the Board of an incident involving Mr. Don Ingalls, Assessor and Mr. David Rouleau, resident.

Mr. Rouleau was present and claimed that Mr. Ingalls entered his residence illegally, when he wasn't home, and left a call-back card inside. He stated that this breaches public confidence in town officials when something like this happens. Mr. Ingalls emphasized that he did not open the door or enter the residence and that the door could have already been slightly ajar. He explained that the call-back card is intentionally thick so that it can be pushed in between a door and door jam or under a door. In this case, Mr. Ingalls pushed the call-back card between the front door and the door jam. He explained that this is common practice when leaving the card and that sometimes the card will go all the way through and land inside. The purpose of pushing the cards in as far as possible is so that they are not noticeable and won't cause attention to the fact that the residents may not be home, possibly for an extended period of time. Mr. Rouleau would prefer to have a message left on his answering machine requesting a call back or to have the card mailed to him.

The Selectmen discussed options for Mr. Ingalls to better identify himself when visiting residents along with the identification badge he currently wears. One option is to purchase magnets or decals for his vehicle that would further identify him when parked in a driveway. Mr. Ruggles will follow-up on ordering the magnets or decals.

The situation was resolved. Mr. Ingalls will try to place the cards out of sight without pushing too hard on the doors. Mr. Rouleau stated that he needs to replace his front door.

**Joe Lessard; Don Ingalls; Thomas Baumeister**

Selectman Preston gave a brief summary on the purpose of this meeting stating that it appeared Mr. Baumeister's backhoe, purchased through a home equity loan, was the reason his application for the disability tax exemption was denied.

Apparently, Mr. Baumeister's combined assets exceeded the maximum allowable amount in order to qualify for the exemption. Mr. Lessard reviewed all documentation and explained why the exemption was denied based on Mr. Baumeister's assets when the application was originally filed. It was determined that he may qualify now but will need to furnish some additional information including the amount owed currently and in April, 2007 when his application was originally filed and documentation from Knoxville Equipment on the current value of the backhoe.

**Action:** Selectman Lewis moved to request that Mr. Baumeister get the information on the loan from one year ago, what is left on home equity in paying for the backhoe and an estimate from Knoxland Equipment on the current value of the backhoe. The issue will then go back to assessing who will review it and report back to the Board. Selectman Courtemanche seconded. Motion passed 4-0.

Mr. Baumeister should submit the required documentation to Mr. Ruggles as soon as possible.

Mr. Baumeister stated that he would like to volunteer his time and service to the town in lieu of taxes. He expressed interest in working with Mr. Boisvert doing road work and would also like to help with the recycling program. Selectman Kline stated that they could certainly discuss his interest in the Roads Committee and the Solid Waste Committee however; the issue of the disability exemption/tax abatement would be handled independently from his interest in joining any committees.

### 3. CITIZEN COMMENT

None

### 4. OLD BUSINESS

#### **Perry Eaton Building Lease**

Mr. Ruggles is in receipt of a letter from Dr. John Graziano dated March 19, 2008, informing him that they are exercising their option for termination of the lease agreement between Inspiration Investments LLC and the Town of Pembroke effective May 8, 2008. The letter states that they will honor all of their lease obligations and asked for a June 30, 2008 deadline to meet their financial obligations.

Mr. Ruggles informed the Selectmen that no current payments have been made. They currently owe \$3,500 and an additional \$3,000 will be owed as of May 1, 2008. The Selectmen agreed that the eviction process should begin and requested that Mr. Ruggles draft a letter informing Inspiration Investments of the Board's decision which will give them an opportunity to become current in their financial obligations before the eviction takes place.

**Action:** Selectman Preston moved that Mr. Ruggles call Jae Whitelaw, Town Attorney, to move forward with the eviction process of Inspiration Investments LLC. Additionally, Mr. Ruggles should draft and send a letter to Inspiration Investments informing them of the Board's decision. Selectman Lewis seconded. Motion passed 4-0.

## 5. NEW BUSINESS

### **Election of Officers - Board of Selectmen Chairman, Vice Chairman**

**Action:** Selectman Preston moved to nominate Selectman Kline as Chairman and Selectman Lewis as Vice Chairman. Selectman Courtemanche seconded. Motion passed 4-0.

### **Committee Appointments**

The following committee assignments were made:

**Selectman Kline:** Budget Committee, CIP Committee, CTAP Committee, Roads Committee, 250<sup>th</sup> Anniversary Committee, Website Committee

**Selectman Lewis:** Planning Board, I-93 Widening Committee, Wage and Benefit Study Committee

**Selectman Preston:** Facilities and Grounds Committee, Solid Waste Committee, NE Resource Recovery Committee, TIF Committee, Energy Committee, Suncook Regional Benefits Committee

**Selectman Sheldon:** Conservation Commission, Recreation Commission, Recreation Needs Study Committee, Wage and Benefit Study Committee

**Selectman Courtemanche:** Budget Committee, CIP Committee, Economic Development Committee

**Dan Crean:** CATV Advisory Committee

**Action:** Selectman Preston moved to disband the Pembroke Hill TAC Committee. Selectman Courtemanche seconded. Motion passed 4-0.

### **Library Trustee Alternate Appointments**

Marie Brezosky - 1 year

Rosemary Nunnally - 1 year

Joyce Heinrich - 1 year

**Action:** Selectman Preston moved to approve the appointments of Marie Brezosky - 1 year, Rosemary Nunnally, 1 year, Joyce Heinrich - 1 year. Selectman Lewis seconded. Motion passed 4-0.

### **Energy Committee Appointment**

Dan Crean

**Action:** Selectman Preston moved to appoint Dan Crean as Chairman of the Energy Committee. Selectman Lewis seconded. Motion passed 4-0.

### **Household Hazardous Waste Grant Contract**

Mr. Ruggles explained that every other year, a collection of household hazardous waste is held at Public Works.

The total budgeted amount for this collection is \$5,500.00. A grant in the amount of \$880.00, based on a rate of \$0.12 per capita, is available from the Department of Environmental Services in the State Fiscal Year 2009 (Fall 08 and Spring 09). Mr. Ruggles is in receipt of the contract agreement for this reimbursement which needs to be signed and sent back to Mr. Dean Robinson, Coordinator, Household Hazardous Waste Program.

**Action:** Selectman Preston moved to accept the contract agreement for the collection of household hazardous waste and authorize the Chair to sign. Selectman Lewis seconded. Motion passed 4-0.

### **Town Meeting Ballot Costs**

The Selectman discussed ballot costs and whether or not the Town should continue to incur the entire cost or if the School District should be responsible for their portion. It was decided that the Town should not cover the entire cost and that the School District should be billed appropriately.

**Action:** Selectman Preston moved to request that the School District pay 50% of the ballot costs along with the coding fees. Selectman Lewis seconded. Motion passed 4-0.

### **Community Development Block Grant Program Policies Conflict of Interest; Code of Ethics; Financial Management Plan**

**Action:** Selectman Preston moved that the Board of Selectman sign the Community Development Block Grant Program Policies. Selectman Lewis seconded. Motion passed 4-0.

### **Minutes**

#### **March 5, 2008 - Public**

**Action:** Selectman Preston moved to approve the minutes of March 5, 2008 as amended. Selectman Lewis seconded. Motion passed 3-0. Selectman Courtemanche abstained as she was not present at the meeting.

### **Town Administrator's Report**

Mr. Ruggles reviewed a letter he sent to Mr. Corriveau, Village Square Builders, LLC, regarding a tax lien on his property. On March 10, 2008, Mr. Corriveau requested to have the Board of Selectmen either delay or remove the tax lien for outstanding current use penalty bills on his property located on North Pembroke Road. Additionally, Mr. Corriveau feels that the amount of current use penalty assessed may have been excessive. Mr. Ruggles sent him a letter stating that since he made this request just hours before the tax lien was to be executed, there was no way the Selectmen could have acted on the request, even if this type of deferral is permitted under the statutes. Mr. Ruggles also explained that once the lien is placed, the only way the tax collector can remove it is by either payment in full, or the Board of Selectmen abating the taxes.

Mr. Ruggles also wrote that though Mr. Corriveau missed the deadline for filing an appeal, the Selectmen still have the authority to reduce the penalty if warranted. If Mr. Corriveau believes this is the case, he needs to outline, in writing to the Board of Selectmen, the reasons why he believes the penalty is excessive and what he believes the correct amount should be.

Mr. Ruggles has received complaints regarding the sight distance when coming onto RT3 from Main Street. He will draft a letter to the Department of Transportation regarding concerns on the intersection.

The Broadway reconstruction project was discussed. Mr. Ruggles stated that the conceptual plans are complete. The Selectmen would like to hold a work session to discuss this project in more detail.

Mr. Ruggles received a call from Mr. Everett Stone who would like the Town to notify LGC informing them that he retired from his position with the Town of Pembroke and should be able to maintain his benefits. The Selectmen discussed this as it is not clear under what terms Mr. Stone left his position. The option of Mr. Ruggles checking into Mr. Stone's personnel file was entertained.

**Action:** A motion was made by Chairman Kline requesting that Mr. Ruggles review Mr. Stone's personnel file in an effort to confirm either retirement or resignation. After discussion, the motion and second were withdrawn.  
More discussion followed.

**Action:** Selectman Preston moved to deny Mr. Stone's request. No second. Motion failed.  
More discussion followed.

**Action:** Selectman Lewis moved to approve Mr. Stone's request for continuation of benefits. Selectman Kline seconded. Motion passed 4-0.

The Selectman discussed Mr. Brian Tufts' dedicated service to the Town of Pembroke.

**Action:** Chairman Kline moved that the current Board of Selectmen send a letter of thanks to Mr. Brian Tufts, former Selectman, for his six 6 years of dedication to the Town of Pembroke. Selectman Lewis seconded. Motion passed 4-0.

See attached Town Administrator's report for further updates.

## **Manifest**

**Action:** Selectman Lewis moved to approve the manifest as presented. Selectman Courtemanche seconded. Motion passed 4-0.

## **Tax abatements, exemptions & credits**

**Action:** Selectman Lewis moved to accept as recommended by the assessor. Selectman Courtemanche seconded. Motion passed 4-0.

**Committee Reports**

Selectman Lewis reported that Pembroke 600 will be presenting at the next Planning Board meeting.

**6. OTHER / CITIZEN COMMENT**

None

**7. NON-PUBLIC SESSION RSA 91-A:3 II(a) - Personnel**

**Action:** Selectman Preston moved and seconded by Selectman Lewis to enter non-public session in accordance with RSA 91-A:3 II(a) - Personnel at 9:46 PM.

Roll Call Vote:

Selectman Fred Kline (yes)  
Selectman Cindy Lewis, (yes)  
Selectman Larry Preston (yes)  
Selectman Tina Courtemanche (yes)  
Vote: Unanimous

The Board of Selectmen came out of non-public session at 10:20 PM.

**8. ADJOURNMENT**

**Action:** Selectman Lewis moved to adjourn the meeting at 10:22 PM. Selectman Courtemanche seconded. Motion passed 4-0.

Accepted by the Board of Selectmen

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Fred Kline, Chairman