

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
Wednesday, April 2, 2008 at 6:30 PM**

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

**Staff:** Geoff Ruggles, Town Administrator

**1. CALL TO ORDER**

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

**2. MEETINGS**

None

**3. CITIZEN COMMENT**

None

**4. OLD BUSINESS**

**Public Works Garage**

Geotechnical Services, Inc. (GSI) has completed testing on the Public Works garage and has submitted a report outlining a description of the facility, an evaluation of data obtained at the site and recommendations for courses of action Pembroke may take to maintain the facility. It was observed by GSI that the facility has undergone structural distress and that the rear wall has rotated (tilted) outward as evidenced by a ½ inch to ¾ inch gap, which has opened along the floor slab and the rear wall contact. It is their understanding that the facility is located within the area of a past solid waste landfill. Expedition Drilling, Inc. of Manchester drilled four test borings on March 25, 2008, under the supervision of a GSI Field Engineer along the rear wall and the south wall. The test borings were advanced to depths of 22 feet to 27 feet and revealed characteristics of a Municipal Solid Waste Landfill. Some material encountered was construction debris (with trace amounts of asphalt), wood, leaves and rubber. The distressed condition of the facility is directly related to settlements the structure has undergone which have decreased over time however, settlements are likely to continue.

GSI believes that the most effective approach would be to install several settlement reference points at critical locations of the structure and survey their elevations periodically for one year and that a tiltmeter be installed on the wall. The tiltmeter has a digital output and will be monitored periodically measuring the progressive magnitude of rotation. After a period of one year, GSI will be able to project the future performance of the structure. GSI recommends remedial measures which include; Slab Jacking/Compaction Grouting, Mini-Piles (Pin Piles) and Jet Grouting.

The Selectmen discussed the evaluation done by GSI. Selectman Lewis will attempt to get approximate pricing for repairs and Mr. Ruggles will get pricing for the recommended monitoring equipment.

## 5. NEW BUSINESS

### **Police Cruiser Bid Waiver**

In a memo dated 3/24/08, Chief Lane requests that the Board of Selectmen waive the three bid requirement for the purchase of a 2008 Ford Victoria Police Cruiser. He requests that the purchase be made through MHQ Municipal Headquarters as it is the largest provider of police vehicles in the country. MHQ offers all services required for the vehicle rather than shuttling the car between separate vendors to have the necessary equipment installed. There is no other vendor in NH that offers this degree of service. Chief Lane also states that the base price of the vehicle is at or below the NH State bid price and Pembroke has successfully done business with MHQ since 1993.

The Selectmen discussed the bid waiver, the bidding process and options for obtaining alternate pricing on the cruiser. Selectman Preston stated that it is the Board's responsibility to see that all purchases over \$5,000.00 go through the bidding process. Selectman Sheldon suggested that the Selectmen approve Chief Lane's request for this year but that more detailed information be brought to the CIP Committee in August.

**Action:** Selectman Sheldon moved to approve Chief Lane's request to purchase the new cruiser through MHQ this year but that the police department supply additional information to the CIP Committee in August, 2008 to support competitive bids in the future. Selectman Preston seconded. Motion passed 5-0.

### **Suncook River Avulsion Report**

Chairman Kline gave an overview on a hearing he attended in Epsom regarding the Suncook River. The Suncook River Avulsion, Geomorphology-based Alternatives Analysis was reviewed. The analysis includes a summary of the geomorphic assessment and evaluation, and relative costs of alternatives to treat and/or restore the river in Epsom. The Selectmen believe that Pembroke needs to begin addressing the issues surrounding the portion of the river located in Pembroke. It appears that once the river in Epsom is restored, Pembroke's problem will not worsen however, action still needs to be taken to treat portions of the river in Pembroke and Allenstown. The Selectmen requested that Mr. Ruggles send a letter to DES, on behalf of the Board of Selectmen, outlining Pembroke's concerns with regard to the river and to request input on how the treatment/restoration of the river can be accomplished in Pembroke. The Selectmen also suggested that Mr. Ruggles speak with Board Members in Allenstown for their input.

**Action:** Selectman Sheldon moved that Mr. Ruggles initiate communication with Allenstown regarding the Suncook River and write a letter to the appropriate authorities (DES), on behalf of the Board of Selectmen, addressing Pembroke's concerns regarding the Suncook River. Selectman Courtemanche seconded. Motion passed 5-0.

Chairman Kline plans to attend the next hearing in 4-6 weeks.

### **CTAP Workshop**

A CTAP Local Government Workshop Catalog was distributed and discussed. The Board of Selectmen will be attending the Planning Board meeting on Tuesday, April 8 at 7:00 PM to discuss the Planner position and will discuss the CTAP workshop catalog at that time. Chairman Kline will get more information on the workshops and forward it to Mr. Ruggles, who will then prepare packets for the Planning Board. It was decided that the EDC should be informed and involved in any workshops however; they will not need to attend the Planning Board Meeting. The next CTAP meeting is scheduled for May 22, 2008.

### **Appointments**

Recreation Committee: Rose Galligan; Dave Seavey; Sue Seidner

Zoning Board: Tom Lapizzo; Mick Pinard; Dana Carlucci

**Action:** Selectman Preston moved to appoint Rose Galligan, Dave Seavey, and Sue Seidner to the Recreation Committee for their respective terms as recommended and to appoint Tom Lapizzo, Mick Pinard, and Dana Carlucci to the Zoning Board for their respective terms as recommended. Selectman Sheldon seconded. Motion passed 5-0.

### **Downtown Parking**

Selectman Preston stated that the way the parking permit system is currently set up, you cannot have a parking permit unless you register your vehicle in town. This makes it difficult for tenants that have living quarters in the downtown area to have overnight guests from November 15 to April 15 due to no available parking. Some options were discussed but no decision made.

### **Board of Selectmen Meetings**

Selectman Sheldon addressed the issue of changing the Board of Selectmen meetings to Monday evenings. Mr. Ruggles will consult with other boards and committees to determine if this change would cause any conflicts. Mr. Ruggles will report back to the Board on the input he receives.

### **Minutes**

#### **March 19, 2008 - Public**

**Action:** Selectman Preston moved to approve the minutes of March 19, 2008 as amended. Selectman Courtemanche seconded. Motion passed 4-0. Selectman Sheldon abstained as he was not present at the meeting.

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

A letter dated March 31, 2008 was received by Mr. Ruggles on April 2, 2008 from Inspiration Investments informing him that they have vacated the building and are requesting an amount of \$11,500 be returned to them referencing a \$15,000 security deposit (cost of improvements) minus the amount they owe the Town. Inspiration Investments feels that they fulfilled their obligations and requests that Pembroke correct the ramifications of the eviction notice and the direct violation of the contract.

This letter was discussed and it was decided by the Board that Mr. Ruggles send an acknowledgement letter to Inspirations Investments that he is in receipt of their letter and that their statements will be taken under advisement by the Board of Selectmen. It was also decided not to move forward with the eviction process, based on the fact that they have vacated the building. Additionally, it is clear that Inspiration Investments did not become current with their rental payments or arrearages and that the Town of Pembroke is not required to return the security deposit amount requested.

**Action:** Selectman Sheldon moved that Mr. Ruggles send an acknowledgement letter to Inspiration Investments, LLC stating that the Town is in receipt of their letter and that their statements will be taken under advisement by the Board of Selectmen. Additionally, the Town of Pembroke will not move forward with the eviction process. Selectman Courtemanche seconded. Motion passed 4-1. Selectman Preston voted no.

Mr. Ruggles reported that he is in receipt of a notice from LGC regarding the NH Retirement Plan and Senate Bill 1645 which modifies the plan. This notice strongly requests that the Board notify the State Senator as soon as possible. If the bill does not pass, it will cost the Town approximately \$64,000.00. Selectman Preston suggested that Mr. Ruggles send a letter, on behalf of the Board, outlining the Town's position for the bill.

**Action:** Selectman Preston moved that Mr. Ruggles send a letter, on behalf of the Board of Selectmen, outlining the Town's position of support for Senate Bill 1645. Selectman Lewis seconded. Motion passed 5-0.

Mr. Ruggles will be meeting with the Youth Soccer on April 3<sup>rd</sup>. He will impress upon them that Memorial Field is a community project and everyone's considerations need to be taken into account. A map of the field has been located and will be used as a worksheet.

The Wage and Benefit Study is almost complete. Mr. Ruggles will present a preliminary report at the May 7<sup>th</sup> Board of Selectmen meeting.

Mr. Ruggles has updated the current website.

See attached Town Administrator's report for further updates.

## **Manifest**

**Action:** Selectman Sheldon moved to approve the manifest as presented. Selectman Lewis seconded. Motion passed 5-0.

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

**Action:** Selectman Sheldon moved to accept as recommended by the assessor. Selectman Lewis seconded. Motion passed 5-0.

## **Committee Reports**

### Chairman Kline

Old Home Day Committee - The committee has been encouraging people to exit areas of Memorial Field on a side road rather than driving over a field. It was determined that parking for Old Home Day and the Regatta cannot change but it is their opinion that any damage caused by parking is gone within approximately two weeks. Additionally, Chairman Kline will contact LGC regarding insurance for Old Home Day.

250<sup>th</sup> Anniversary Celebration - Chairman Kline is getting a lot of interest and support in the way of volunteers for the celebration. Mr. Charles Mitchell apparently has access to information from the 200<sup>th</sup> anniversary and will forward it to Chairman Kline when he is able retrieve it.

Roads Committee - The Selectmen discussed the amount of members currently on the Roads Committee. The Committee should consist of five regular members (including a Planning Board representative and a Selectman), two alternate members and the Public Works Director. They currently have six members and two alternate members. No decision was made, however the option of changing Town Code to add an additional member was discussed. Selectman Lewis thinks this may have already been reviewed and possibly updated in the past. Mr. Ruggles will research previous BOS minutes to determine if this is the case and will report back to the Board.

Chairman Kline will be meeting with the Engineering Group in May for an update on the Broadway reconstruction project. The Roads Committee has asked Ray Korber to present the status of the project at an upcoming meeting. There was some discussion over the budget for this project, the costs associated with Mr. Korber attending meetings and whether or not the Roads Committee is authorized to use budgeted funds without coming before the Board. Selectman Lewis stated that she is not in agreement with the plan for the reconstruction project and even more so now after this winter.

EDC - Sally Hyland gave a presentation for the EDC on the Solid Waste/Recycling/Transfer Station project. The issue regarding the dumpsters blocking the back alley has come up and will need to be addressed. Additionally, John Payne's term as Chairman is up and it is unclear as to whether he will agree to another term.

**6. OTHER / CITIZEN COMMENT**

The Sewer Commission will be attending the next BOS meeting.

**7. ADJOURNMENT**

**Action:** Selectman Sheldon moved to adjourn the meeting at 9:40 PM. Selectman Lewis seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

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Fred Kline, Chairman