

**MINUTES**  
**BOARD OF SELECTMEN**  
**TOWN OF PEMBROKE, NH**  
**Wednesday, February 7, 2007**

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**Present:** Selectman Larry Preston; Selectman Brian Tufts; Selectman Dan Crean;  
Selectman Larry Young, Sr. and Selectman Fred Kline.

**Staff:** Troy R. Brown, Town Administrator; Linda A. Williams, Administrative  
Secretary.

## **1. CALL TO ORDER**

Chairman Preston called the meeting to order at 6:30 P.M.

## **2. MEETINGS**

### **Tom Petit, Town Moderator**

Before beginning discussion of the warrant articles, Selectman Preston asked the Board to consider what, if any, recommendation they want to give to the Church Road Warrant Article #8. Selectman Kline stepped down for this item. Selectman Crean gave a summary of the background on this issue for Mr. Petit. Article #8 will include an amount of \$500 the residents will each pay for the transfer of the property. Mr. Petit felt that there are precedents set by other property transfers of this type and recommended the precedent be upheld. He felt it is not recommended to make any changes to precedent unless it is a unique situation. Selectman Young explained that they did not see another way to handle this issue. Fred Kline, resident of 310 Church Road, explained that the property has been surveyed twice in the past as part of the alignment process. Mr. Kline and the other Church Road residents involved do not feel they should be required to pay again for surveying since it has been done. Mr. Kline and the others involved were told at the beginning the costs to them would be minimal and they were shocked to suddenly get a notice in November 2006 that they would each have to pay \$1,400. Mr. Petit understood the issue of costs but again stated that he was not in favor of a change in precedent as it will be that way from then on. Selectman Preston felt that since this is a warrant article it may appear it is supported by the Board and asked if there was a motion to decide on a recommendation. Selectman Crean explained that there are often articles on a warrant that are not supported by the Selectmen. Selectman Crean also explained that the surveys that were done were not done to set the property bounds for the residents. There were no agreements with the landowners at that time and the surveying for bounds would not be done without those agreements. Mr. Petit explained that the Board will need to have an answer for Town Meeting as residents will ask the Board what their position is on this.

**Action:** Selectman Young moved to not take a position on the Church Road Article as the Board of Selectmen are not looking to change any current precedents. Due to the late awareness of this issue there was not sufficient time for a petition to be circulated for the article to be put on the warrant and as a courtesy to the Church Road residents the Board of Selectmen have included this article for the Town to make a decision on. Selectman Tufts seconded. Motion passed 4-0. Selectman Kline abstained.

Selectman Kline returned. The Board reviewed the remaining Warrant Articles with Mr. Petit. Some items discussed were the change to division of the LUCT Tax, TIF Funding, Sewer and Water Department budgets. Selectman Crean suggested that due to the problems and delays with the current sewer plant upgrade that a warrant article be added asking if Town residents want other regional sewer options to be investigated.

**Action:** Selectman Crean moved to include an article on the warrant to read as follows: "To see if the Town will vote to authorize the Board of Selectmen to investigate the feasibility of various alternatives to the current situation regarding the Allenstown wastewater treatment facility and cooperate with the Pembroke Sewer Commission, regional municipalities and the State and Federal governments with respect to such facility investigation". Selectman Young seconded. Motion passed 5-0.

Mr. Brown also brought up the complaints that have been received from residents regarding the problems with parking for voting at the Village School. Mr. Brown and Chief Lane have discussed various ideas to improve parking at the Village School and it was suggested setting up a lighting trailer to light the parking area at the Village School. Other venues for voting have also been discussed and Grace Capital Church has offered their facility for voting. This would be a good choice as it is easily accessible and has sufficient parking and interior area available for voting.

#### **Chief of Police Scott Lane**

Chief Lane proposed changes to the Town ordinance regarding the process to recoup unpaid parking fines. Currently a letter is sent and if the person does not pay they are sent a notice and summons to court if they default on the payments. This process has not been very effective. Chief Lane reported that last year there was \$9,800.00 in parking violations of which approximately \$7,900.00 was collected and that includes late fees. The change proposed is that after three unpaid violations an orange notice will be put on the vehicle when officers find it on the street. The notice will state that the vehicle will be towed if payment is not received within 7 days. Chief Lane would want this change to go into effect on May 1<sup>st</sup> 2007. Selectman Tufts also recommended raising the fees for parking violation to \$10 increasing incrementally to \$25, \$35 and to \$150 for a Class 4 violation. Selectman Crean expressed his concerns regarding towing and the towing rotation process and the image this may give to the Town. Selectman Crean recommended raising the fines to a deterrent level and to aggressively pursue the violators. Selectman Crean would need to see the details on towing before making any decision. Chief Lane stated that they do have a good policy regarding towing rotation and felt that these changes are worthwhile as the uncollected fees are approximately 25% of the parking fine revenue.

#### **Special Operations Unit**

Chief Lane gave information on the Central NH Special Operations Unit. The Special Operations Unit is not specifically a SWAT Team and would be activated for circumstances not handled by the State Police who have curtailed their assistance in certain situations due to budget constraints. This Unit is looking to expand into Merrimack County to start up a southern team. Chief Lane was not an advocate of these units previously but the South Eastern NH Team is very professional and meets all the State and Federal standards. The cost for the Pembroke Police Department would be \$2,500 per year, and additional costs to the Department for training and uniforms. The annual fee could be deferred for up to a year. Chief Lane also felt this would be good for staff retention as this is the type of unit attractive to those in law enforcement. LGC is in support of this and will insure the officer while on call with the unit. Selection process for unit members is with an oral board and a physical agility test. Chief Lane would like to start with one officer in the Unit this spring and add another in the fall. The Board asked to see the agreement with the Special Operations Unit.

### **Patrol Shifts**

Chief Lane is looking to change shift schedules so that they will work better for his officers. He is proposing changing to a 4 day/10 hour per day patrol schedule. The only budget impact he can see is with personal days, would the officers be reimbursed for 8 or 10 hours. Selectman Tufts felt there might be a problem with shift overlap. Selectman Crean felt that it is a good idea but explained there are bills in the legislature regarding this which might affect these changes. Chief Lane will check with LGC regarding those bills. He wants to start these shift changes by mid April.

**Action:** Selectman Tufts moved to go forward with the patrol shift change and to keep updated on the pending legislation that might affect this decision. Selectman Young seconded. Motion passed 5-0.

### **CITIZENS COMMENT**

None

### **OLD BUSINESS**

#### **North Pembroke Road Bridge**

Mr. Brown gave an update on the costs of the Pembroke Road Bridge emergency repair. The anticipated costs for the emergency repair should be approximately \$22,000. The State will pay 80%, assuming the Bridge Aid funding is jointly applied for, and Concord and Pembroke will split the 20% balance 50/50. It was asked that the work done by Concord and Pembroke to help keep the repair costs down be clearly identified before agreeing to paying the 50/50 split. The estimated costs of the repair work to be done to the bridge this summer should be approximately \$125,000. There will be a meeting at the bridge next week to assess the scope of the work needed. Mr. Brown also spoke to State officials about the Bailey Bridge. They do have the components and install them for emergency purposes. The State official could not make a commitment of the time the Town will need the Bailey Bridge and also it was uncertain if it would be able to be installed on North Pembroke Road as a flat and straight area is needed approaching the area of the installation. Estimated costs to install and remove would be \$50,000 each with an annual rental of \$6,000. There was concern with spending \$100,000 plus to repair a bridge that will eventually be replaced. Selectman Kline asked if the posted weight restriction will be 15 or 20 tons. Mr. Brown has received a letter from the State stating it would be 15 tons.

#### **Landfill Closure KV Partners**

Mr. Brown met with Ray Korber of KV Partners regarding the status of the landfill closure. Mr. Korber has done a great job compiling all the information on the history of this project. Mr. Korber is recommending that we continue working with Stantec to finish the project. It is estimated that it will cost \$6,600 to finalize the project.

#### **Dover Resolution**

Selectman Preston recommended modifying the letter he presented for review to be used for Pembroke to send to our legislators. Mr. Brown will modify the letter and have it at the next meeting.

## **Minutes**

January 24, 2007 Public Minutes

**Action:** Selectman Tufts moved to approve the public minutes of 1/24/07 as amended. Selectman Crean seconded. Motion passed 5-0.

January 24, 2007 Non-Public Minutes

**Action:** Selectman Tufts moved to approve the non-public minutes of 1/24/07 as presented. Selectman Kline seconded. Motion passed 4-0. Selectman Crean abstained

January 31, 2007 Non-Public Minutes

Deferred for discussion in non-public session.

## **TA Report**

John Graziano will be having an open house soon at the Perry Eaton Building

The Public Works Department employees had their union election today and they voted to unionize 9-2. A negotiating team for the Town was discussed.

**Action:** Selectman Tufts moved that Selectman Larry Young, Selectman Larry Preston and Troy Brown be appointed to the negotiating team. Selectman Kline seconded. Motion passed 5-0.

## **Manifest**

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

## **Tax Abatements, Exemptions and Credits**

**Action:** Selectman Tufts moved to approve the tax abatements, exemptions and credits as recommended by the assessor. Selectman Young seconded. Motion passed 5-0.

## **Committee Reports**

Emergency Management – The State needs a letter from the Town regarding the appointment of Tom Petit as the Deputy Emergency Management Director.

CTAP – A meeting was held last week. There is no money being released yet.

EDC – SCORE representatives will be at the next meeting to present their program and the benefits they offer to small businesses.

CATV – Selectman Crean met with Brian Christensen of Comcast and has eliminated some of the major stumbling blocks regarding costs. Plan to have a committee meeting next week and hope to meet to approve the contract by the end of the month.

Budget Committee – Have finished their meetings and are preparing information for the Town Meeting.

## 6. NON-PUBLIC SESSION

RSA 91-A:3 II, (a)– Employee Review

**Action:** Selectman Crean moved to go into non-public session under the provisions of RSA 91-A:3 II (a). Selectman Tufts seconded. Sel. Preston -yes; Sel. Tufts-yes; Sel. Crean-yes; Sel. Young-yes; Sel. Kline-yes. Motion passed 5-0 and the Board went into non-public session at 10:05 p.m.

**Action:** Selectman Kline moved to come out of non-public session and seal the minutes confidential as they deal with a personnel matter that could adversely effect an employee's reputation. Selectman Young seconded. Motion passed 5-0 and the Board came out of non-public session at 10:35 p.m.

## 7. ADJOURNMENT

**Action:** Selectman Kline moved to adjourn. Selectman Young seconded. Motion passed 5-0 and the meeting adjourned at 10:35 p.m.

Accepted by the Board of Selectmen

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Larry J. Preston, Chair