

MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Wednesday, March 7, 2007

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

Solid Waste Committee – Sally Hyland, Roland Lemoine, Emile Lacerte, Public Works Director

Ms. Hyland reviewed what the Committee has been working on since their previous meeting with the Board of Selectmen last November. Some of their recommendations have been implemented and they are now looking for more specific recommendations for action from the Board. Recycling at the Transfer Station has been expanded to include commingled paper and plastic. The Committee also recommended some fees be increased and that taking of construction debris and demolition be eliminated. Ms. Hyland explained that the Concord Transfer Station will take the construction and demo waste from neighboring communities for a fee. Elimination of this debris will allow for the closing of the transfer station on Tuesdays. The fees recommended to be increased are for disposal of items such as refrigerators, TV's and electronics. There was discussion of the proposed changes. It was explained that it is very important to educate Town residents as to the much higher tipping costs they will have to bear if changes aren't implemented soon to eliminate as much as possible from the waste stream. The Solid Waste Committee has prepared brochures to be handed out at Town Meeting explaining the cost increases to the Town and how it will affect property taxes. Selectman Preston thanked the Committee for the impressive work they have done to facilitate changes in recycling and trash disposal. There was discussion of when to hold the public hearing. It was recommended that before holding the public hearing a special issue of the Town newsletter be sent out regarding the need for changes to solid waste disposal so that residents can be fully informed for the public hearing.

Action: Selectman Crean moved to implement the changes to recycling for mixed containers.
Selectman Young seconded. Motion passed 5-0.

Chief of Police Scott Lane

Parking Fees

Chief Lane recommended increasing parking fees which were last increased in 2001. In addition to increased fees he also recommended a fire hydrant parking violation be changed from a class 5 violation to a class 3 violation. Chief Lane also requested the authority to tow vehicles found to be in violation. He explained that his department has a very intense towing policy in place. Selectman Crean recommended a change in the language of the towing policy to state the towing will be of the vehicles in violation. It was also recommended that the fire hydrant violation stay a class 5. A public hearing will be scheduled.

Schedule Change and Patrol Shifts

Chief Lane has reviewed the pending legislation, HB 123 and HB 81, regarding work scheduling and found that it does not apply to public safety. Chief Lane will begin implementation of the scheduling changes.

3. CITIZENS COMMENT

Bob Bourque, Planning Board Chairperson, stated his frustration that the last two appointees recommended by the Planning Board were denied by the Board of Selectmen who are also requesting that resumes be submitted with the recommendations. Mr. Bourque said that this has never been requested in the past and he is asking for clarifications of what the requirements will be for appointment of new members. Selectman Preston explained that the Board of Selectmen are looking to have more background information on the recommended appointees so they are able to make an informed decision of the people they are putting on the boards. The volunteer sign up form will be revised to include the additional information requested. Mr. Bourque understood the need for this information but felt that there was a failure to communicate this to the Planning Board and other chairpersons so that this situation could have been avoided. Selectman Crean agreed that it should have been made clear to the committee chairs what information they would need to make appointments and that the Board of Selectman have a responsibility to the town when making appointments.

Mr. Kevin Krebs, 429 North Pembroke Road, stated his concern regarding lack of notification when the assessor is coming to inspect properties. His wife had returned home recently and found footprints around their house and was frightened it was a robber. They later found out it was the Town assessor. Mr. Krebs asked that some sort of notice that the assessor was at a property be left on the door or that a phone call be made. Selectman Crean recommended contacting property owners in the morning when the assessor will be coming to inspect the property. Mr. Brown will talk with the assessing company to see what can be done. Mr. Krebs also questioned the reasoning of the assessor who raised the quality of construction level for his home to "above average". Selectman Young explained that the same situation occurred for someone he knows and the explanation was that the improvements made to the home with up to date materials was the reason. Mr. Krebs also questioned how the assessor comes to his decision. Selectman Kline explained that the assessing process can be confusing and that the conditions and appearance of properties are evaluated to determine what the fair market value of the property would be. Mr. Krebs was not sure what the fair market value of his property is as he had not had an appraisal done. Selectman Crean also explained that the assessors are held to strict standards by the State of NH when preparing their assessments.

Jim Kowalik, 425 North Pembroke Road, agreed with Mr. Krebs regarding the assessors giving some notice. He had the same situation at his home and his family was also worried.

Cindy Lewis, resident on Broadway, questioned the intent of warrant Article 3, Public Entertainment Ordinance to require facilities, such as a hall that could accommodate 600, to have to request this permit. It was explained it is not the intent that facilities that are permitted to have large gatherings come under this ordinance. The intent is to address issues such as when a resident has an event at their house which will have 200+ guests attending. This will give 60 days notice to safety personnel to address issues that may arise.

4. OLD BUSINESS

Route 3 Corridor Study

Mr. Brown spoke with Sharon Wasson of CNHRPC regarding the Route 3 Corridor Study. Ms. Wasson stated that it was not the intent of CNHRPC to charge more to the Town of Pembroke for this study. They will be looking for the amount of \$2,554.00 as Pembroke's portion for the study. There was discussion of prior correspondence dated April 2006 from CNHRPC stating the study was going to be done and membership fees would cover the costs to the towns involved. Mr. Brown explained that per the information he had received, that was the original plan but the total funding amount requested was not received. It was explained that upon completion this study document would be public information. Consensus was that if this was just going to be a compilation of information from traffic counts there is no need for a study of that type of information. The Town of Pembroke would want to have information regarding alternative roadways to Route 3. Selectman Kline stated that as the representative to CTAP there will be discretionary funds available to the Town from CTAP's grant money that could be used for the study. Mr. Brown felt that for the investment of \$2,554.00 it would be worthwhile. The Board agreed that a baseline study regarding alternatives to Route 3 is needed but since this document would be public information the Town will be able to access it for that use.

Action: Selectman Tufts moved to decline to participate in the Route 3 Corridor Study. Selectman Young seconded. Motion passed 4-1. Selectman Kline objected.

Cable Franchise Agreement

Selectman Crean and Mr. Christensen have come to agreement with the final few issues of the Comcast agreement. Mr. Christensen presented 5 agreements to the Board for signatures.

Action: Selectman Kline moved to approve the Board of Selectmen sign the Comcast agreement. Selectman Young seconded. Motion passed 5-0.

Action List

Mr. Brown reviewed the action list for updating

5. CITIZEN'S COMMENT

Jim Kowalik, 425 North Pembroke Road, had several questions for the Board regarding subdivision plans on North Pembroke Road. He asked for clarification of several items so that he could come up with a clear understanding of the process. His first question was in regard to the intent of the Board of Selectmen regarding following the Master Plan. Selectman Young explained that the Master Plan is a fluid document and is changing all the time. The guidelines listed in the Master Plan were approved by Town residents and are only advisory not binding. It is up to the Planning Board to propose updating of the Master Plan. The remainder of Mr. Kowalik's questions were in regard to the planning process and not under the authority of the Board of Selectmen. It was recommended Mr. Kowalik speak to the Town Planner regarding his questions. His questions were in regards conceptual approval of plans, notices to abutters and others, plan approval, appeal of approved plans, road acceptance, and impact on regional planning of proposed development. Selectman Crean explained the State legislation regarding the responsibilities of a Planning Board and recommended retaining the services of a land use attorney if they were looking to appeal an approved subdivision. Such an appeal would go to State Court as there is no appeal process through the Planning Board.

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6. NEW BUSINESS

Minutes

February 21, 2007 Public Minutes

Action: Selectman Crean moved to approve the public minutes of February 21, 2007 as amended. Selectman Tufts seconded. Motion passed 5-0.

Manifest

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

Abatements

Action: Selectman Crean moved to the tax abatements, exemptions and credits as recommended by the Assessor. Selectman Tufts seconded. Motion passed 5-0.

Draft Informational Material for Town Meeting

The Board went over the draft information prepared by Troy Brown and revised language. There was discussion of Article 3 regarding the Large Gathering Ordinance. The intent of this article was to allow safety personnel to know 60 days in advance of any events over 200 guests that a property owner may be having. It is not intended to restrict businesses in Pembroke that have had site plan approval for gatherings of 200+ . Town Counsel will be consulted regarding clarification of this article.

TA Report

Engineering report on weight limits for North Pembroke Road and Borough Road is estimated to cost \$3,600 per the town engineers.

Action: Selectman Crean move to proceed with the engineering study of North Pembroke Road and Borough Road. Selectman Kline seconded. Motion passed 5-0.

White Sands Conservation Area – Laura Scott is trying to coordinate a meeting with PSNH, Chief of Police and Recreation to discuss White Sands. Mr. Brown explained that it is important to make a decision regarding people driving into White Sands as soon as possible.

Fairway Drive acceptance progress is being made with the drainage problems

Landfill Closure – A new contract with Stantec is being prepared

Thanks to Linda Williams for all the work done for the Town Report and Newsletter.

Thanks to Geoff Ruggles for the work he has done on the Town website. Thanks also to Kevin Foss and Bob Momarquet for all they have done on the new website which should be ready to go soon.

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Questions regarding the Planning Board and issues regarding bonds and letters of credit were discussed. Direction is needed on this as to who will be the agent. Mr. Brown recommended there be a formal process prepared regarding this issue.

The Charter School issue has been researched and it would be exempt from zoning and taxation. The cost to the Town in lost tax revenue will be about \$12,000.

Committee Reports

Planning Board – As previously discussed in Citizens Comment, the Chair of the Planning Board was concerned regarding the recent appointments.

CTAP - There will be discretionary grant monies available to Town to be used on certain items at the discretion of the town. Those discretionary items will need to be discussed.

Conservation Commission has prepared an information flyer for Town Meeting regarding the Land Use Change Tax.

I-93 Widening – There was no consensus on the Rt. 106 Connector which was found not to be important to the widening of I-93.

Selectman Crean attended Northeast Resource Recovery Association meeting on February 28. The meeting was to discuss issues regarding New Frontiers Industries.

Board members took this opportunity to thank Selectman Dan Crean, who is not running for reelection, for his service to the Town of Pembroke. It was noted that his experience and expertise as an attorney was a great asset to the Board and he will be missed.

Annual Notifications

Action: Selectman Tufts moved to authorize the Chair to sign the annual notifications to the owners of town land only with taxable personal property. Selectman Crean seconded. Motion passed 5-0.

7. ADJOURNMENT

Action: Selectman Tufts moved to adjourn. Selectman Crean seconded. Motion passed 5-0 and the meeting adjourned at 9:57 p.m.

Accepted by the Board of Selectmen

Larry J. Preston, Chair