

MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Wednesday, March 21, 2007

Present: Selectman Larry Preston; Selectman Brian Tufts; Selectman Fred Kline;
Selectman Cindy Lewis; and Selectman David Sheldon

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

1. CALL TO ORDER

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

2. PUBLIC HEARINGS

North Pembroke and Borough Road Weight Limits

The Chair opened the public hearing at 6:30 p.m. Town engineer, Mike Vignale of KV Partners explained the scope of the engineering study they did regarding load limits on the sections of North Pembroke Road and Borough Road. This study was undertaken due to the posting of the North Pembroke Road bridge. The sections of North Pembroke and Borough Road involved in the study were North Pembroke Road from the bridge to Borough Road; Borough Road from Rt. 106 to North Pembroke Road and from North Pembroke Road to Robinson Road. Based on their analysis of the road conditions it was recommended that there be a weight restriction on North Pembroke to Borough; no restriction on Borough to Robinson; and a weight reduction for different axle bases on Borough to Rt. 106. Following Mr. Vignale's report the Chair opened the hearing for public comment. Roland Lemoine, Roads Committee member, stated that posting the roads is closing the barn after the horse is gone. He felt that the bridge had been neglected in the past and has become a problem, but the two businesses that need to have their trucks travel on these roads should not be penalized for that. Frank Merrill of Pembroke Sand and Gravel agreed with Mr. Lemoine and explained that posting weight limits on the roads will shut down his business as he will not be able to sell his product. Brandon Guida, attorney representing Mr. Merrill, asked for a copy of the weight restriction report. Mr. Brown will provide him with a copy. Mr. Guida also asked if there will be further input on this decision. Selectman Preston felt a decision will be made tonight. Dan Plourde, speaking for Oscar Plourde, a Roads Committee member, felt that other roads should be looked at for posting not only the sections in question tonight. He also felt that road plates should be put on the bridge to make it usable. Selectman Preston explained that has been done but the understructure of the bridge is not stable. Henry Huntington of New England Flower Farm agreed with Mr. Merrill and Mr. Lemoine and explained he is just getting into his busiest time and needs to be able to get his trucks out. Kevin Ball, attorney representing Mr. Huntington asked if there was any option to delay the road posting due to the disproportional effect it would have on these two businesses. There was a discussion of the status of the bridge and the options for repair this summer. Mr. Guida stated that the problem was lack of maintenance on the bridge that has caused this situation and the two businesses should not be castigated. Selectman Lewis was in agreement and understands the problem with increased truck traffic on the roads but did not see there is anything else that can be done. Selectman Tufts stated he would not want to see two businesses penalized by posting of the roads but he also wanted to know the options and would not want to have Borough Road destroyed as a lot of money has been spent to improve it. He also recommended looking to lowering of the posted speed limits in the residential areas that the trucks would be using. Selectman Tufts asked Mr. Merrill when his business would start getting busy. Mr. Merrill said that he had delayed some things to work around this problem and has also been working with Mr. Lacerte, Public Works Director. Mr. Merrill felt that my mid-April he would be getting busy. Mr. Merrill also explained that he will be installing GPS devices in his trucks to make sure they are not exceeding speed limits in the residential areas.

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He explained that the police have been monitoring his trucks and have not found any to be exceeding the speed limits. It was also recommended that Mr. Merrill and Mr. Huntington work around the school bus schedule so that trucks will not be interfering with children getting on or off. As there was no further comment the Chair closed the public hearing at 7:12 p.m.

Action: Selectman Tufts moved to not post weight restrictions on Borough Road and North Pembroke Road for this season but to look at it again next season; to request information from the Roads Committee regarding the unpaved section of Robinson Road and the Town Administrator contact Chichester regarding that section; and to contact the City of Concord regarding proceeding with Option 2 of the summer bridge repair proposal from the State. Selectman Sheldon seconded. Motion passed 5-0.

3. CITIZEN'S COMMENTS

Kevin Krebs, 429 North Pembroke Road, asked if the Board is able to discuss the 424 North Pembroke Road cluster development that is planned. Selectman Lewis excused herself as she was on the Planning Board when that development was presented. Selectman Tufts explained to Mr. Krebs that he can discuss it with the Board but the Board has no authority to overturn the Planning Board's decisions. Mr. Krebs understood that and asked where he should appeal the decision to as he believes a zoning ordinance was not upheld. Selectman Tufts explained that he should appeal to the Zoning Board if he believes a zoning ordinance is not being upheld and that Laura Scott could show him the process for filing his appeal to ZBA.

Dan Crean, East View Drive, stated that as a taxpayer he wants Town expenditures to be kept as low as possible and felt that one of the issues leading to the problems with the North Pembroke Road bridge has been the overloading of the trucks that were using the bridge. Mr. Crean recommended going with the lower cost repair option for the suggested summer repairs and have the heavy truck users fund the to the preferred middle repair option.

Roland Lemoine, Planning Board member, asked if resumes are required with volunteer interest forms. Mr. Brown explained the volunteer interest form has been revised per the recommendation of the Board and applicants can either attach a resume or detail their experience on the form. The form is then submitted to Linda Williams who will distribute to the Chairs of the various committees of interest as indicated on the form.

4. NON-PUBLIC SESSION

RSA 91-A:3 II, (a) & (b)– Employee Review and Hiring

Action: Selectman Tufts moved to go into non-public session under the provisions of RSA 91-A:3 II (a) & (b). Selectman Lewis seconded. Sel. Preston -yes; Sel. Tufts-yes; Sel. Kline-yes; Sel. Lewis-yes; Sel. Sheldon-yes. Motion passed 5-0 and the Board went into non-public session at 7:20 p.m.

Action: Selectman Tufts 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 Lewis seconded. Motion passed 5-0 and the Board came out of non-public session at 7:40 p.m.

5. OLD BUSINESS

Stantec Landfill Closure Contract

Mr. Brown explained that this contract with Stantec will address the last items to be completed to finalize the work for conditional approval by DES. Stantec will also provide a set of construction documents for bidding on the closure. Total amount of the contract is \$6,700.00.

Action: Selectman Tufts moved to authorize the Town Administrator to enter into the contract with Stantec for the amount stated. Selectman Kline seconded. Motion passed 5-0.

Appointments

Action: Selectman Tufts moved to appoint Kathy Cruson as an alternate member of the Planning Board with a term to expire April 30, 2009. Selectman Lewis seconded. Motion passed 5-0.

6. NEW BUSINESS

DPW Equipment Bids

Emile Lacerte explained that the low bidder on the pot hole reclaimer/patcher had asked if Mr. Lacerte could be authorized to order the item while awaiting acceptance of the bid by the Board of Selectmen so that they could get it at the bid price. Mr. Brown will contact Mr. Lacerte tomorrow with the decision.

Minutes

March 7, 2007 Public

Action: Selectman Tufts moved to approve the public minutes of March 7, 2007 as amended. Selectman Kline seconded. Motion passed 3-0. Selectmen Sheldon and Lewis abstained.

Manifest

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

Tax abatements, exemptions and credits

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

TA Report

Fire Chief Harold Paulsen met with Chet Martel who is going to handle the advertising and sale of the surplus fire truck.

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Police Cruiser Bids - Chief Lane has presented the bids and, as in the past, would want to purchase the cruisers through MHQ. If authorized to do so, the bidding process will need to be waived.

Action: Selectman Tufts moved to waive the bidding process on the police cruisers and to accept the bids from MHQ. Selectman Sheldon seconded. Motion passed 5-0.

Pothole Patcher/Reclaimer and Utility Truck Bids

Action: Selectman Tufts moved to accept the bid on the Pothole Patcher/Reclaimer and utility truck. Selectman Kline seconded. Motion passed 5-0.

Emergency Generator – Chief Paulsen presented a report on the generator and is looking for direction from the Board as to how to proceed. Following discussion it was felt this item would not be a good purchase.

Action: Selectman Kline moved to have the Town Administrator to instruct Chief Paulsen to not proceed with the purchase of the emergency generator. Selectman Sheldon seconded. Motion passed 5-0.

Public Works has had several accidents involving DPW vehicles. These incidents involved property damage but no personal injuries. Also the sidewalk plow was broken down during the recent snowstorm.

Buck Street Property – Action has been taken recently regarding the problem with storage of junk vehicles/boats on the property. Mr. Brown has spoken to the property owners who find themselves in a problem situation as the major offender, who is not the property owner, is not able to address the situation due to personal issues.

NIMS training has been scheduled with Rob Farley on Thursday April 19th.

Emergency Management Director

Action: Selectman Lewis moved to promote Tom Petit to Emergency Management Director and appoint Larry Young, Sr. as Deputy Emergency Management Director. Selectman Kline seconded. Motion passed 5-0.

Pembroke 600 has a conditional subdivision approval and as the planner was directed to not be involved in this due to conflict of interest, Mr. Brown is requesting that Mike Vignale of KV Partners be consulted on this project. Selectman Tufts felt that this decision should be up to the Planning Board. Mr. Brown explained the Planning Board has approved the plan with conditions. The developer and Mr. Vignale would be working on addressing those conditions. Selectman Preston advised Mr. Brown to move forward on this issue with Mr. Vignale but to secure the approval of the Planning Board for this.

Code Enforcement Officer submitted his resignation today. MRI has been contracted to provide an interim CEO services. It was suggested Mr. Brown advertise for a new CEO as soon as possible.

Committee Reports - None

BOS Elections

Action: Selectman Lewis moved to appoint Selectman Tufts as Chair and Selectman Kline as Vice-Chair. Selectman Sheldon seconded. Motion passed 5-0.

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BOS Committee Appointments

Action: Selectman Tufts moved to appoint:

- Selectman Preston as the BOS Representative on CIP, Budget Committee, Grounds and Facilities Committee, Pembroke Hill TAC Committee, and TIF Committee
- Dan Crean as Chair of the Cable TV Advisory Committee
- Selectman Tufts as BOS Representative on Conservation Commission, Solid Waste Committee, NE Resource Recovery Committee, I-93 Widening Committee and the Union Contract Negotiations Team
- Selectman Kline as BOS Representative on EDC, Roads Committee, CTAP and Budget and CIP Committee Alternate.
- Selectman Lewis as the BOS Representative to the Planning Board, Wage and Benefit Study Committee
- Selectman Sheldon as BOS Representative to the Recreation Commission, Recreation Needs Study Committee and Wage and Benefit Study Committee.

Selectman Kline seconded. Motion passed 5-0.

7. CITIZENS COMMENTS

Roland Lemoine asked where the funds for the emergency generator that was voted on at Town Meeting would go. Selectman Tufts explained that it would go back into the General Fund as it was only to be used for the purchase of the generator.

Mr. Lemoine also asked that a member of the Planning Board be involved in the interview process for the Code Enforcement Officer

8. NON-PUBLIC SESSION

RSA 91-A:3 II, (a) – Employee Review

Action: Selectman Tufts moved to go into non-public session under the provisions of RSA 91-A:3 II (a). Selectman Kline seconded. Sel. Preston -yes; Sel. Tufts-yes; Sel. Kline-yes; Sel. Lewis-yes; Sel. Sheldon-yes. Motion passed 5-0 and the Board went into non-public session at 8:55 p.m.

Action: Selectman Tufts 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 Kline seconded. Motion passed 5-0 and the Board came out of non-public session at 9:45 p.m.

9. ADJOURNMENT

Action: Selectman Kline moved to adjourn. Selectman Young seconded. Motion passed 5-0 and the meeting adjourned at 9:46 p.m.

Accepted by the Board of Selectmen

Larry J. Preston, Chair