

**MINUTES**  
**BOARD OF SELECTMEN**  
**TOWN OF PEMBROKE, NH**  
**Wednesday, May 30, 2007**

---

- Present:** Selectman Larry Preston; Selectman Brian Tufts; Selectman Fred Kline; and Selectman Cindy Lewis
- Excused:** Selectman David Sheldon
- Staff:** Troy R. Brown, Town Administrator; Linda Williams, Administrative Secretary; Scott Lane, Chief of Police; Harold Paulsen, Fire Chief; Muriel Previe, Welfare Director; Jim Boisvert, Public Works Director; Jack Dever, Interim CEO.
- Others:** Paul Whittemore, Water Superintendent; Rep. Frank Davis; Tom Petit, Emergency Management Director; Larry W. Young, Sr., Deputy Emergency Management Director

## **1. CALL TO ORDER**

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

## **2. MEETINGS**

### **Bachelor Road Residents and State Officials Neighborhood Meeting re: Flood Issues**

After welcoming the residents of Bachelor Road and the State officials, Mr. Brown explained that the purpose of this meeting was to provide information to residents who were impacted by the April floods and to gather feedback as to the Town's response during and after the event. Information on the status of the Suncook River and flooded properties will also be given. To begin the meeting Mr. Brown asked residents to critique the response of Town emergency officials.

William Allaire, 817 Bachelor Road, recommended that during the flooding and cleanup afterwards it would be helpful if the road was opened for the residents only. Mr. Allaire explained that while cleaning out their houses residents were putting items on their property to dry out and others were coming down the road and taking them. Mrs. Allaire was also almost swept away during the flooding as she was trying to evacuate her home and people were in the way taking photos.

Some other recommendations were to clean up the silt on the road before it dries out and causes clouds of dust whenever driven over, also having a dumpster there for a longer period of time for residents to use as they clean up,

Rick Durofchalk, 813 Bachelor Road, stated that he appreciated what the Town did in picking up the damaged items left on the corner. He did recommend better notification for residents as the only information he had this was going to be done was from a neighbor. Mr. Brown felt that having some type of signboard at the end of the road for messages for residents would be one way to notify them.

Ron Swiggard, 815 Bachelor Road, felt that for the residents that were without a home it would have been better if they had information about emergency shelters. Mr. Brown explained that there was miscommunication regarding the opening of the Allentown shelter that was also going to handle Pembroke residents.

Susan Intinarrelli, 723 Bachelor Road, was impressed that the Town trucks came by fairly quickly. She has asked the Highway Dept. to come to clean up debris at the end of the road that someone pushed into the trees. Jim Boisvert, Public Works Director, explained that the Town can only clean in the right of way and cannot go on to private property but he would look into it.

Linda Spofford, 805 Bachelder Road, stated that there is a lot of debris that washed into the trees near the old bridge.

Tom Baumeister, 809 Bachelder Road, said that the Town owns the road up to the bridge abutment and should clean the debris. He is also very concerned with the clay that is in the river.

It was explained that FEMA will remove items on private property if there is a threat to public safety. Ms. Intinarelli asked if the residents moved items to the road would the Town pick it up. Mr. Brown said he would look into that. Mr. Boisvert will check with FEMA about the dumpster.

Mr. Allaire also thanked the Town for waiving the building permit fees for the residents who were flooded and appreciated everything Mr. Boisvert and the Highway Department had done to help. He also asked if there was any plan to abate taxes on the flooded properties.

Mr. Brown explained that will be looked into and that there is a formal tax abatement process to apply for an abatement. Mr. Brown will talk with the assessors regarding valuing property in flood area which could be difficult as there is no sales information to be compared for property of this sort but there could be some sort of factors that may apply to land value in this circumstance.

### **Recovery and Disaster Relief**

Andy Labrie, of the Community Action Program, is the director of homeless programs for Merrimack County and the primary contact regarding information as to assistance that is available to flood victims. Mr. Labrie explained that checks will be going out soon to applicants and the first focus for assistance are the folks in Epsom and Allentown whose homes have been condemned due to the flood. He explained that the funds they are distributing come from the telethon and are only to be used for items like furnaces, etc. and will not cover furniture or personal property.

Mike Poirier of the N.H. Bureau of Emergency Management, explained that there is assistance CAP can provide other than money such as volunteers to help get things done like clean up. He also explained the FEMA funds are limited to \$28,000 for renovation of the home or rental assistance, for other items you will need to apply to SBA to see if you are able to support a loan.

### **FEMA Issues**

Lee Ann Cheney, FEMA Assistance Coordinator was introduced and asked residents to contact her regarding FEMA issues. It was stated by residents that one issue with FEMA is the way they make people feel hopeful and then send them elsewhere and they still find no assistance.

### **Suncook River**

Steve Landry from the NH DES Watershed Division was introduced to talk about the status of the river and the Epsom issue study. Mr. Landry explained that due to the issue in Epsom the Suncook River is on the list of impaired rivers and has triggered Section 319 funding. Epsom has applied for a restoration grant which is a 60/40 grant with 40% coming from non-federal funds. Epsom has committed funds to this issue. Mr. Landry explained that thought needs to be given to long-term correction of the sedimentation and cloudy water in the river which will not stop unless something is done. The deposit of the sediment on the river bottom has raised the level of the river thereby causing flooding with a lesser amount of rain than previously. The study will provide information as to how to handle this situation and should be completed by next summer. It was asked if this type of flooding could be expected by Bachelder Road residents each year. He does expect there will be

more high flows due to these events and their affect on the Suncook River. Mr. Allaire asked if there was anything the residents could do to help with this effort. Mr. Landry expected that when the Epsom study gets rolling a Technical Advisory Committee will need to be set up with concerned towns to decide what needs to be done. There was discussion as to the issues affecting the Suncook River and the consensus of the residents was to get going and correct the problems the river now has since it rerouted itself. Mr. Landry understood the frustration of the residents and explained that the State does not have the funds to correct this situation. He explained that they will be looking for federal funds for this project.

Lisa Rochford, 722 Bachelder Road, asked if there were a cost benefit analysis showing the costs to the towns along the Suncook River for the recent flooding events. Mr. Landry explained an analysis would be done when requesting federal funding.

Senator Sylvia Larsen was unable to attend this meeting but her representative explained that Senator Larsen is working on this project and encouraged residents to contact her office and she will help to expedite the process.

Sandra Paul, 818 Bachelder Road, stated that it is most important to keep in communication with the residents in the area as to what is going on at the State and Federal levels and let them know what they can do to help.

### **Dams**

Jim Gallagher, Chief Engineer of the NH Dam Bureau, explained that it is the responsibility of the Bureau to oversee the safety of all the dams in the State of which there are 3100. There was discussion of whether lake levels contributed to the flooding. Mr. Gallagher explained that getting the lakes up by Memorial Day for recreation is important and they will be looking into if lake levels should be lowered during the spring to help with flooding events. He explained that there will be a meeting June 19<sup>th</sup> in Allenstown regarding this and other river issues. There was discussion of the Buck Street Dam. Mr. Gallagher stated that something will have to be done with the dam in the upcoming years and they are looking into various options. Mr. Baumeister explained that if the dam is taken out wetland areas populated by various wildlife will be lost and he would not want that to happen.

### **Safety Issues**

Mr. Poirier explained that the soil in resident's yards will be tested this Friday for petroleum and petroleum byproduct contamination. Paul Whittemore, Water Works Superintendent, explained that the water has been tested and there are no issues with the drinking water the only issue was with the wells in Bear Brook Park. Those wells were shut down during the problem and other wells were used. Also the flood plain will be rezoned and that will take a couple of years. It was explained that anyone wanting to raise their house elevation would have to work with their insurance broker and go through the Town permitting process. Ms. Intinarelli asked about buyout options. Mr. Poirier explained that the Town will have to work with interested residents to apply for grant monies for buyout. He explained that there is usually a 75/25 cost share with federal funds covering 75% and the Town covering the 25%.

Mr. Brown thanked the residents and speakers for their input and ideas on this issue. There was a brief intermission before the regular meeting resumed.

### 3. OLD BUSINESS

#### **Route 3 Corridor Study Committee Representative**

CNHRPC is going forward with the study. Mr. Brown has talked with Laura Scott and she would be willing to be a representative on the committee. Selectman Lewis said that this has not gone to the Planning Board and an appointment should be delayed to see if anyone on the Planning Board wanted to be the representative. A recommendation from the Planning Board will be requested.

#### **Pole Attachments**

Mr. Brown explained that he has received agreements from PSNH regarding decorative banners and flags to be hung on their poles. No action is needed at this time as further information is needed. They have indicated that they will not allow the OHD banner to be hung on their pole. A meeting will be scheduled with PSNH and interested parties to discuss this issue. Selectman Kline took this opportunity to present a letter to Mr. Brown requesting a donation to Old Home Day.

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

Mr. Brown reported that there is a problem regarding the bridge repair. NH DOT has let the towns know that they will not go with option 2 and would only be able to do option 1. The funding can still be accessed through the State for option 1 but a private sector contractor would have to be found to do the work. It is expected to be approximately \$300,000 for option 1 as compared to \$180,000 for option 2 with the State doing the repair work. This change would increase the cost to the Town from \$18,000 for option 2 to an estimated \$60,000 for option 1. Mr. Brown also reported that he has heard from the engineering firm that they are surprised that the Town will be looking to replace this bridge in 7 years after the repair as they expect the repairs being done should make the bridge viable for another 20-30 years.

**Action:** Selectman Preston authorized the Town Administrator to move ahead on North Pembroke Road bridge repairs with the assumption that the costs for option 1 will be as anticipated. Selectman Lewis seconded. Motion passed 4-0.

#### **Code Enforcement Officer Search**

Mr. Brown gave out a package of the resumes of the candidates for CEO. Recommendations will be gathered and discussed at a June meeting.

### 4. NEW BUSINESS

#### **CAP Housing Project Review**

Mr. Brown reported that Town Planner, Laura Scott, has expressed concern to him regarding completing plan review of this project since the architect is Selectman Cindy Lewis. Ms. Scott's concern is that there could be consequences of writing up her findings during the review process and therefore is asking to be taken out of the process so that there will be no conflict of interest or overlook of items. Selectman Preston did not agree. He gave the example that if he pulls a permit for one of his properties, would the town have to hire an outside building inspector to do the work. He felt that this is part of the duty of the position and Ms. Scott should continue to fulfill her responsibilities to the Town. Selectman Kline stated that in light of recent activities he understood the request and asked for advice on stepping down when there may be a conflict of interest. Selectman Tufts asked Selectman Lewis if she was stepping down on this issue. Selectman Lewis

stated she would if the CAP project was discussed but if the discussion was regarding staff issues she would not step down. Selectman Tufts explained that he tended to agree with Selectman Preston and felt that there are several individuals who will make a decision on the review and felt this request lacks professionalism as Town staff are expected to go forward and do their jobs. Selectman Preston also stated that no one can force a selectman to recuse themselves on an issue. Selectman Kline agreed and stated they can advise a selectman to do so. For clarification purposes Mr. Brown stated that during the review process findings by the Fire Chief, Police Chief, and Town Planner are submitted to the Planning Board as advisory and the final decisions are made by the Planning Board. Roland Lemoine, Planning Board Chair, explained that they have a subcommittee that is working on reorganization of the Technical Review Process. He went on to say the Planner would review the plans to confirm they meet the ordinances and the Planning Board makes the final decision.

### **Appointments**

#### **Kevin Krebs – Alternate Planning Board Member**

**Action:** Selectman Preston moved to appoint Kevin Krebs as an alternate member of the Planning Board with a term to end 4/30/10. Selectman Kline seconded. Motion passed 4-0.

#### **Mick Pinard and Paul Parasis – Alternate Members Zoning Board**

Selectman Tufts felt that it is important to have diversification on the ZBA and that these individuals indicated on their volunteer form they are or have been involved in careers associated with construction or real estate sales. There are currently two members on the ZBA with careers in this area.

**Action:** Selectman Kline moved to ask ZBA to reconsider the appointments. Selectman Preston seconded. Motion passed 4-0.

### **Minutes**

May 9, 2007 Public

**Action:** Selectman Preston moved to approve the public minutes of 5/9/07 as presented. Selectman Lewis seconded. Motion passed 3-0. Selectman Kline abstained.

May 16, 2007 Public

**Action:** Selectman Preston moved to approve the public minutes of 5/16/07 as amended. Selectman Kline seconded. Motion passed 3-0. Selectman Tufts abstained.

### **Manifest**

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

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

None

### **TA Report**

The website has switched service providers and an email account can be set up for selectmen or other Board members who request it.

Plausawa Hill Road Trash Collection – A new letter requesting reconsideration of the decision regarding trash collection has been received from Mr. Chronis. Selectman Tufts explained that if this is an amendment to the petition Mr. Chronis cannot speak for the petitioners previously listed, he will have to submit the amendment with new signatures from the petitioners. Selectman Tufts asked for information as to the estimated costs to upgrade this road so that it is accessible to the trash truck all year.

Emerson Mills is seeking reimbursement for their trash collection. Mr. Brown will forward the request to the Planning Board for their review.

Pembroke 600 is looking for a extension on their subdivision plan and will be meeting with the Planning Board.

### **Committee Reports**

CTAP – will be meeting tomorrow night. Selectman Kline's request for the discretionary fund grant that he sent on March 8<sup>th</sup> was not received at CTAP and a new and different form will have to be submitted.

**Action:** Selectman Preston moved to have Selectman Kline submit the request. Selectman Lewis seconded. Motion passed 4-0.

CIP Committee will be beginning their meetings soon.

Conservation Commission – The Committee is rewriting some of their recommendations following the input they received at the public hearing held recently.

### **Selectman Privilege**

Selectman Tufts explained that due to a recent rumor, he wanted to clarify that members of the Board of Selectmen have no special privileges to make any request of Town staff. Mr. Brown explained that Dave Sheldon came to him recently requesting information on the history of trash collection on Plausawa Hill Road. Mr. Brown sent him to Ms. Scott for this information. Selectman Tufts said there was no problem and that as an individual Mr. Sheldon has a right to request that information. Selectman Lewis stated it was not a rumor as it was said at the Planning Board meeting that Ms. Scott would be available to assist selectmen at any time. Selectman Preston suggested that if a selectman came to a staff member with a request, the staff member should submit a memo to the Board of Selectmen regarding the request. Also any request of the staff member would have to be handled during regular work hours. It was explained that the information Mr. Sheldon requested was gathered during regular staff work hours, not on a weekend as was incorrectly reported. Selectman Tufts recommended any further information on this issue be directed to Mr. Brown.

## **5. CITIZENS COMMENT**

None

**6. ADJOURNMENT**

**Action:** Selectman Kline moved to adjourn. Selectman Lewis seconded. Motion passed 4-0 and the meeting adjourned at 10:02 p.m.

Accepted by the Board of Selectmen

---

Brian B. Tufts, Chair