

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Wednesday, August 1, 2007**

- Present:** Chairman Brian Tufts; Selectman Larry Preston; Selectman David Sheldon; and Selectman Cindy Lewis
- Excused:** Selectman Fred Kline
- Staff:** Troy R. Brown, Town Administrator; Scott Lane, Chief of Police; James Boisvert, Public Works Director; Reno Nadeau, Solid Waste Foreman; Harold Thompson, Sewer Commissioner
- Others:** Roland Lemoine; Daniel Crean; Dana Carlucci; Jocelyn Carlucci; Sally Hyland; Gerry Fleury; Greg Gosselin; Pastor Bonanno, Grace Capital Church

1. CALL TO ORDER

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

2. PUBLIC HEARINGS

Rename Evergreen Lane to “Gooses Way”

Mr. Gosselin was present and explained his reasons for requesting to change the name of Evergreen Lane to Gooses Way. He stated that the other two residents that live on Evergreen Lane have no opposition to the change. Mr. Gosselin submitted a letter from Mr. Michael Soucy, Evergreen Lane attesting to that fact.

Chairman Tufts opened the Public Hearing at 6:33 P.M and asked for comments from the public.

There was some discussion about it being a private way and that the Selectmen have the authority to approve a name change. Also discussed was the requirements of the 911 system and the change being made with police, fire, sewer and water. It was determined that the Town would inform these organizations of the change. The only cost for the name change would be the street sign which Mr. Gosselin would be responsible for.

Chairman Tufts closed the hearing at 6:38 P.M.

Action: Selectman Sheldon moved to accept the name change of Evergreen Lane to Gooses Way as requested. Selectman Preston seconded. Motion passed 4-0.

Acceptance of FEMA Grant

Mr. Brown gave an overview of the FEMA Grant and explained that the Town has received the final payment of two checks totaling \$53,377.01. This grant will be used in part to offset funds that have already been used. Mr. Brown is waiting for the outstanding request regarding mitigation on the culvert for Church Road in which a total of \$70,000 was requested.

Chairman Tufts opened the Public Hearing 6:44 P.M and asked for comments from the public. There being none, he closed the hearing at 6:45 P.M.

Action: Selectman Preston moved to accept the FEMA Grant funds. Selectman Sheldon Seconded. Motion passed 4-0.

Acceptance of NH Charitable Foundation Grant

Chief Lane discussed the check he received from the NH Charitable Foundation, Woodbury Family Fund for \$5,000. The grant was awarded to support “the outstanding work of the Pembroke Police Department”. He requested that this donation be accepted and put into the Police Departments D.A.R.E. Donations account.

Chairman Tufts opened the Public Hearing at 6:46 P.M and asked for public comments. There being none, he closed the hearing at 6:47 P.M.

Action: Selectman Sheldon moved to accept the funds into the D.A.R.E Program. Selectman Lewis seconded. Motion passed 4-0.

Resolution 2007-05 White Sands Parking

Chief Lane discussed the parking issue on White Sands Road. He asked that the “of the paved portion” be removed from the resolution. Parking will be prohibited both on the north and south side of the road for a distance of 300ft from Bow Lane westerly towards the Merrimack River. Signs will be posted.

Chairman Tufts opened the Public Haring at 6:49 P.M. and asked for public comments. There being none, he closed the hearing at 6:50 P.M.

Action: Selectman Sheldon moved to accept the resolution with the removal of “of the paved portion” as requested by Chief Lane. Selectman Preston seconded adding to authorize the Chairman of the Board to sign. Motion passed 4-0.

Resolution 2007-06 Solid Waste & Recycling Committee

Mr. Brown explained that approximately 1½ years ago an Ad Hoc Committee was established to look at the town’s overall operation and provide recommendations. They have requested to become a long standing committee. Sally Hyland and Gerry Fleury were present to provide input on the resolution. The Board requested the following changes be made to the resolution; Committee shall consist of four members vs. five with three alternates vs. two, the Selectman would be a voting member vs. non-voting member, the committee would not assist in the development of the annual operating budget and that the programs and fees be reviewed annually. Selectman Preston questioned the long term need for the Committee. Ms. Hyland feels that public education will never cease which creates a continual role for the committee.

Chairman Tufts opened the Public Hearing at 7:06 P.M. and asked for public comments. There being none, he closed the hearing at 7:07 P.M.

Action: Selectman Lewis made a motion to accept the resolution with the following changes; Committee shall consist of four (4) regular voting members and three alternate members; the Selectman shall serve as a voting member; #6, reviewed “annually”; #7 will read “Develop short and long-term solid waste management and recycling goals and plans with the Public Works Department”. Selectman Sheldon seconded. Motion passed 4-0.

Resolution 2007-07 Energy Committee

This committee would consist of three members and two alternates. The purpose of the committee would be to develop goals and objectives to improve energy efficiency of municipal buildings, facilities, equipment and vehicles to make them as energy efficient as possible and create a safer environment for the future.

Chairman Tufts opened the public hearing at 7:11 P.M. and asked for public comments. There being none, he closed the hearing at 7:13 P.M.

Action: Selectman Sheldon moved to accept the resolution as written. Selectman Preston seconded. Motion passed 4-0.

Resolution 2007-08 BOS Audio Tape Policy

Mr. Brown gave an overview of the policy explaining that some changes have been made by legal counsel and read the revised resolution.

Chairman Tufts opened the Public Hearing at 7:17 P.M.

Mr. Fleury asked if it was possible to purchase a copy the tapes recorded at board meetings. Mr. Brown explained that a resident can come in with their own equipment and make a copy of the tapes. Mr. Fleury’s concern is that a resident may request a copy after it has been erased.

Mr. Crean suggested that the resolution include that the tapes could be erased after 30 days unless there is known litigation pending.

It was discussed among the Board that further changes be made to the resolution. Mr. Brown will review it with legal counsel and bring it back to the Board at the next BOS meeting.

Chairman Tufts closed the hearing at 7:23 P.M.

3. CITIZEN’S COMMENT

Roland Lemoine, Planning Board Chairman, has concerns over not being included in the TRC meetings. He is also concerned over issues pertaining the development at Pembroke Crossing regarding the Code Enforcement Officer, permits for sprinklers and stamped plans and a cease and desist order. Mr. Brown will look into these issues and policies.

Chairman Tufts stated that the TRC was developed to support the Planning Board and he recommends that Mr. Brown go to the Planning Board for clarification of the TRC membership and establish what they want that to be.

4. **OLD BUSINESS**

Solid Waste Fees & Uses

The solid waste fees and uses were discussed a length. Ms. Hyland explained that there would not be a charge to dispose of CPU's and that staff would separate them out. It was recommended by the Board that some changes be made to the fee schedule including removing the charge for Miscellaneous Electronic Equipment, 0-1 lb Tanks and Canisters and Small Appliances and Machinery without CFC's. Also discussed was to revise the fee schedule to permit residents a limited number of less than one ton non-burnable loads, requiring a fee of \$20. The implementation of a coupon system was discussed making it mandatory that residents purchase coupons in advance from either the Public Works Office or the Town Clerks Office. It was also suggested that a sign be posted at the facility regarding any new procedures.

Action: Selectman Preston moved to accept the recommendations as presented by the Solid Waste and Recycling Committee with the following changes: Non-burnable be changed from non-accepted to a coupon system with a limit of two loads per day at \$20 per load and staff to develop a way to implement the system, and to accept at no extra fee, small appliances and machinery without CFC's, 0-1 lb tanks, canisters and miscellaneous electronic equipment. Selectman Preston added the provision that the solid waste and recycling staff come back to the Board for approval of any recommendations for implementing the non-burnable policy. Selectman Sheldon seconded. Motion passed 4-0.

Chairman Tufts requested that these changes and new fee schedule be effective September 1st and that notice of the changes be posted at the facility.

Election / Polling Location

Mr. Brown explained that Grace Capital Church has offered their facility for the Polls. The search for a location other than Village School is being reviewed due to parking issues. Several other locations were discussed including the Bingo Hall, Pembroke Academy and Three Rivers School. Mr. Carlucci feels that it would negatively affect several businesses in town if the polls were not held in the village area due to decreased exposure. The general feeling of the Board is that if the location is moved from Village School, it should be in a more centralized and convenient location. Mr. Brown will contact Thomas Haley, School Superintendent, for his input and will add this to the agenda for the 8/29/07 BOS meeting.

5. **NEW BUSINESS**

Acceptance of Resignation - Andrew Winters, EDC Member

Action: Selectman Preston moved to accept the resignation of Andrew Winters, EDC, and asked that a letter of thanks be sent. Selectman Lewis seconded. Motion passed 4-0.

Minutes

July 11, 2007 public

Action: Selectman Preston moved to approve the public minutes of 7/11/07 as presented. Selectman Lewis seconded. Motion passed 4-0.

July 11, 2007 non-public

Action: Selectman Preston moved to approve the non-public minutes of 7/11/07 as presented. Selectman Lewis seconded. Motion passed 4-0.

July 18, 2007 public

Action: Selectman Preston moved to approve the public minutes of 7/18/07 as presented. Selectman Lewis seconded. Motion passed 4-0.

July 18, 2007 non-public

Action: Selectman Preston moved to approve the non-public minutes of 7/18/07 as presented. Selectman Sheldon seconded. Motion passed 4-0.

6. OTHER / CITIZENS COMMENT

Pastor Bonanno was present to discuss the issue of the driveway and parking lot at Grace Capital Church and the letter he received from Mr. Jack Dever, Building Inspector. Pastor Bonanno explained that he was not aware that they were in violation and apologized for the oversight. He stated that the church is rectifying the situation and reviewing plans for future expansion.

7. NON-PUBLIC SESSION – RSA 91-A:3, II (b) Employee Hiring

Selectman Preston moved and seconded by Selectman Sheldon to enter non-public session in accordance with RSA 91-A: 3, II (b) - employee hiring at 9:26 P.M.

Roll Call Vote:

Chairman Tufts (yes)

Selectman Cindy Lewis (yes)

Selectman Larry Preston (yes)

Selectman David Sheldon (yes)

Vote: Unanimous

The Board of Selectmen came out of non-public session at 9:44 P.M.

8. PUBLIC SESSION CALL TO ORDER

Chairman Tufts called the meeting to order at 9:45 P.M.

9. NEW BUSINESS (Cont.)

Town Administrators Report

Mr. Brown reported that the background information has been completed for the new Building Inspector and Mr. Everett Hodge will begin work on August 13, 2007. The CDBG Grant has been completed and submitted. He has sent a letter to NHDOT regarding the N. Pembroke Road Bridge and Nancy Mayville will contact him if she requires further information. The paving and shoulder work will be completed by the end of this week. Mr. Brown was approached by the Health Officer and Sewer Department that there is a possible failed leach field on Pembroke Street. He is working with the Town Attorney to get legal permission for the health officer to enter the property so he can conduct a test through a septic system company. Mr. Brown also discussed the CEO transition with MRI. He is working with CATCH and Community Action on the Townsend Property issue to see what they can do to help with the outstanding property taxes. The director of CATCH will attend the next BOS meeting. Buyout letters have been sent to Bachelder Road residents for feedback on their position. The Pembroke 600 meeting was cancelled and rescheduled for August 9, 2007 at 1 P.M. Mr. Brown contacted Mr. Krebs regarding the North Pembroke Road cluster subdivision. Mr. Krebs would like Mr. Brown to recalculate the buildable area on the approved subdivision as he thinks there was a calculation error. If there was an error, Mr. Brown will consult with legal counsel. Mr. Brown has sent a letter to the Town Attorney regarding the Hurney Day Care facility. The carport will be removed and he is waiting for more information on the other issues. The Perry Eaton Building rent was discussed. The renter of that property has been withholding rent due to issues regarding the building. Selectman Preston requested that Mr. Brown call the Town Attorney to request a Demand For Rent/Notice To Quit immediately. The next union meeting is scheduled for August 9, 2007.

Mr. Brown reviewed a tentative agenda for the August 15, 2007 BOS meeting and future BOS meetings.

Manifest

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

Tax abatements, exemptions & credits

Action: Selectman Preston moved to approve the tax abatements, exemptions and credits as recommended by the Assessor. Selectman Lewis seconded. Motion passed 4-0.

8. ADJOURNMENT

Action: Selectmen Sheldon moved and seconded by Selectmen Lewis to adjourn the meeting at 10:25 P.M.

Accepted by the Board of Selectmen

Brian Tufts, Chairman