

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Wednesday, September 5, 2007
6:30 PM**

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

Staff: Geoff Ruggles, Interim Town Administrator

1. CALL TO ORDER

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

2. MEETINGS

Emerson Mills - Trash Collection

Paula McLeer, Emerson Mills Condominium Association, Board President, was present, along with four other board members, to request reimbursement of one half of Emerson Mills' trash collection costs. She distributed a packet containing a letter of request and copies of their Board of Directors Meeting Minutes. Ms. McLeer discussed increased tax revenue generated by Emerson Mills and feel they are entitled to this reimbursement due to the substantial increase. It is their position that they are home owners who pay property taxes to the town and should receive the same services as any other resident. Ms. McLeer reviewed agreements that Hooksett and Concord have with associations for reimbursement of trash pick up costs.

The conversion of Emerson Mills from apartments to condominiums was discussed along with property taxes. Chairman Tufts stated that apartments or condominiums that contain over 5 units do not receive trash pick up by the town and that this policy is part of the Town Code. It was discussed by the Board that making an exception for Emerson Mills would set a precedent to allow the same for all other current and future associations. Ms. McLeer does not feel that there are many associations in Pembroke that would require such reimbursement. Selectman Preston clarified that 70% of Pembroke is undeveloped.

Action: Selectman Preston moved to deny the request for reimbursement for one half of Emerson Mill's trash collection expenses. Selectman Kline seconded. Motion passed 5-0.

3. CITIZEN'S COMMENT

None

4. OLD BUSINESS

Staff Correspondence

A piece of correspondence in the form of e-mail from Jack Dever was discussed. It was decided that some form of investigation into the allegations in the letter be initiated. Chairman Tufts suggests contacting Town Counsel to get input and to possibly get Chief Lane involved. Selectman Sheldon discussed a temporary suspension of a particular member of the Planning Board until the situation is resolved. Chairman Tufts suggests that the Board move forward with contacting Counsel and Chief Lane before proceeding with any action.

Action: Selectman Kline moved to review with Town Counsel how to best move forward with an investigation into these matters so that the Board can determine if there is any truth to the allegations. Selectman Sheldon seconded. Motion passed 5-0.

Mr. Ruggles will contact Town Counsel. Chairman Tufts requested that this issue be added to the agenda for September 12th at 6:00 P.M. and to ask Chief Lane to attend.

5. NEW BUSINESS

CNHRPC Brownfield Grant

The Central New Hampshire Regional Planning Commission is applying to the US Environmental Protection Agency for two community-wide brownfield assessment grants and is requesting a letter of support from Pembroke.

Action: Selectman Preston moved to approve Mr. Ruggles to write a letter of support to CNHRPC and he will be authorized to sign on behalf of the Board. Selectman Kline seconded. Motion passed 5-0.

Preliminary 2007 Tax Rate

Mr. Ruggles discussed the 2007 tax rate estimate.

Minutes

August 29, 2007 public

The Board would like to add the start time of the meeting at the top of the minutes.
Action: Selectman Preston moved to approve the public minutes of 8/29/07 as amended. Selectman Kline seconded. Motion passed 4-0. Selectman Sheldon abstained.

August 29, 2007 non-public

The board would like the appropriate names added to the minutes and requested to add the start time of the meeting at the top of the minutes.

Action: Selectman Preston moved to approve the non-public minutes of 8/29/07 as amended. Selectman Kline seconded. Motion passed 4-0. Selectman Sheldon abstained.

Town Administrators Report

Mr. Ruggles updated the requested action list and updated the Board on several items. He located the list of members on the Recreation Needs Study Committee and will contact them soon to confirm interest. The 250th anniversary of the town is November 1, 1759. Mr. Ruggles has spoken to Ray Korber, Stantec, who informed him that they are still finalizing documents on the landfill closure. Everett Hodge is working on getting signatures for the equitable waiver with ZBA for the NH Tool sign. The Water Commission is fine with the auditors and Mr. Ruggles signed a letter of agreement which he sent out on Friday. The auditors will need a letter signed by the Selectman, Water Commission and Sewer Commission stating that all information presented was correct. The form for DOT regarding the North Pembroke Road Bridge was completed, confirming that Pembroke raised \$60,000 toward future repairs of the bridge. Mr. Ruggles will draft a letter this week regarding the town's position on the repair/replace option. Mr. Ruggles has a meeting on September 10th to discuss final conditions to get Haleighs Court ready for acceptance by the town. He continues to work with engineering on the Church Road property transfers. The revised plans for the Broadway reconstruction project are almost finalized by KV Partners based on public input received at the last public hearing. KV Partners will be ready for another public hearing in approximately 2-3 weeks. DOT is asking if the Town wants to provide input or comments regarding the roundabout. Before providing any input, Chairman Tufts requested that a public hearing be held on September 26, 2007 for one hour beginning at 6:30 P.M and that the state be notified of the hearing. Mr. Ruggles sent a letter of thank you to Grace Capital Church for their offer to use their facility for a polling location. He also spoke with Chief Lane regarding setting up a meeting for next week to discuss traffic patterns in the village area. Mr. Ruggles will also set up a meeting with K. Foss to discuss broken links on new web pages. Mr. Ruggles sent the union proposal September 5th and spoke to a mediator who explained some of the mediation and negotiation process. A letter was sent to the developer regarding Pembroke 600 requesting that they contact Mr. Ruggles when they are ready to move forward. Mr. Ruggles has obtained the assessed values of all properties involved in the Pre-Disaster Mitigation Grant on Bachelder Road, has added costs for demolition and legal costs for purchasing the properties and will prepare and send this information out Thursday. Mr. Ruggles has a meeting Thursday, September 6th with Chief Paulsen and representatives from Allentown and Tri-Town to discuss options for ambulance service in preparation for the meeting with the Boards of Selectman on Wednesday, September 12th at 6:30 P.M. A draft of the Noise Ordinance from Chief Lane has been received and distributed to the Board and the attorney's office for review. Officer Kitson has resigned and his last day will be September 12th.

Manifest

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

6. OTHER / CITIZENS COMMENT

None

7. NON-PUBLIC SESSION – RSA 91-A:3, II (e) Pending Litigation

Selectman Preston moved and seconded by Selectman Sheldon to enter non-public session in accordance with RSA 91-A: 3, II (e) - pending litigation at 7:43 P.M.

Roll Call Vote:

Chairman Tufts (yes)

Selectman Cindy Lewis (yes)

Selectman Larry Preston (yes)

Selectman David Sheldon (yes)

Selectman Fred Kline (yes)

Vote: Unanimous

The Board of Selectmen came out of non-public session at 8:24 P.M.

8. ADJOURNMENT

Action: Selectmen Preston moved to adjourn the meeting at 8:24 P.M. Selectmen Kline seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

Brian Tufts, Chairman