

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Wednesday October 18, 2006**

Present: Selectman Larry Preston; Selectman Larry Young, Sr.; Selectman Brian Tufts;
Selectman Dan Crean and Selectman Fred Kline.

Staff: Troy R. Brown, Town Administrator; Laura Scott, Town Planner.

1. CALL TO ORDER

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

2. NON-PUBLIC SESSION

RSA 91-A:3, II (b)– Hiring

Action: Selectman Tufts moved to go into non-public session under the provisions of RSA 91-A:3 II (b). Selectman Young seconded. Sel. Preston -yes; Sel. Young-yes; Sel. Tufts-yes; Sel. Crean-yes; Sel. Kline-yes. Motion passed 5-0 and the Board went into non-public session at 6:33 p.m.

Action: Selectman Tufts moved to come out of non-public session and hold the minutes confidential. Selectman Young seconded. Motion passed 5-0 and the Board came out of non-public session at 6:35 p.m.

3. OLD BUSINESS

North Pembroke Road and Church Road Project Updates

Emile Lacerte explained work on North Pembroke Road began today and hopefully paving will be done on Friday. Church Road is moving forward with some of the repairs needed for winter and should be done soon. There was discussion of encumbering the road funds for the work that will need to be done next year.

4. NEW BUSINESS

Perry Eaton Building Leasing

Various issues relative to the leasing of the Perry Eaton building to John Graziano of Inspirational Investments were discussed. The upstairs bathroom renovation was discussed, it was suggested that only the vanity upstairs should be replaced and the room painted and not to put a lot of money into this extra bathroom. Mr. Graziano asked that it be made pleasant without putting a lot of money into it at this time. It was felt this is a good compromise at this time due to the lack of available funds to fully renovate the upstairs bathroom. Selectman Crean felt that enough money has been put into this building and recommended no further monies be spent and that it be presented for the residents to again vote on at Town Meeting. It was the consensus of the remainder of the Board that it would be inadvisable to not lease the building to Mr. Graziano because of these minor issues. Mr. Brown explained that Mr. Graziano has asked for the security deposit to be waived so that he could put those monies toward his fit-up of the building for items such as carpeting and paint that will immediately add value to the building. Selectman Young felt that since Mr. Graziano is a resident and well known in Town and would be upgrading the building waiving of the security deposit should be considered. It was recommended that further discussion of the terms of the lease be undertaken at this time and discuss the security deposit

after. Some lease issues discussed were the least term should end on October 31, penalties for late payments, and use of common areas. Mr. Graziano explained that the issues he has concern with are the security deposit, the use of the common areas day and evening if not being used, and signage. Selectman Young reviewed the revisions. It was asked if everyone was clear on the changes. Selectman Tufts felt no motion was needed at this time and that the lease document as revised could be finalized at the next meeting. The municipal parking lot was discussed and language regarding changing the status, if so needed, will be included in the lease agreement.

5. PUBLIC HEARING

Procedure to Change Class VI Road to Class V Road

Mr. Brown explained that Town Counsel has taken another look at the procedure and it has been reviewed by the Planning Board and is recommended to be passed.

Selectman Preston moved to open the public hearing at 7:25 p.m. and asked for any comments from the public. As there were no public comments the public hearing was closed at 7:26 p.m.

OLD BUSINESS (Continued)

Procedure to Change Class VI Road to Class V Road

Selectman Crean felt that the process as presented is legally deficient regarding 231:28 relative to layout. Selectman Crean said he is unclear as to what this is as it is not an ordinance. It was explained that it is a procedure as to how to proceed.

Action: Selectman Tufts moved to adopt the procedures as presented. Selectman Young seconded. Motion passed 4-1. Selectman Crean was opposed.

6. NEW BUSINESS

Perry Eaton Building Costs and Estimates

Comparative annual figures for the expenses of the Perry Eaton Building to date were discussed so that it can be shown what the costs to the town have been for the maintenance and improvements to the building to accurately present to taxpayers at town meeting.

Letter of Credit Sand Road (Pembroke Crossing)

Laura Scott, Town Planner, explained that a letter of credit has been received on Sand Road and it has been reviewed and approved by Town Counsel. The Letter of Credit is for the reconfiguration of Sand Road. A pre-construction meeting is scheduled for tomorrow.

Action: Selectman Tufts moved to accept the letter of credit with the addition of the notification coming to the Town Administrator. Selectman Kline seconded. Motion passed 5-0.

Action: Selectman Tufts moved to have the Chairman sign the letter of credit on behalf of the Board of Selectmen. Selectman Young seconded. Motion passed 5-0.

Ashley Drive Road Deed and Drainage Easement

Laura Scott reviewed the information regarding the reconfiguration of Ashley Drive to a cul-de-sac, it is currently configured as a "T" turnaround. She presented the drainage easement and road deed and a letter stating that there is no mortgage on the property which will all be recorded at the registry.

Action: Selectman Tufts moved to accept the Ashley Drive Road Deed and Drainage Easement and authorize the Chairman to sign on behalf of the Board of Selectmen. Selectman Young seconded. Motion passed 5-0.

Poor Town Road Building Permit Expiration Date

Mr. Brown explained the situation regarding the Poor Town Road building permit. He explained that there has been no activity in the area or on the property. Conservation Commission is in discussion with Mr. Eames on purchase of the property. Since the building permit has not been issued there is no expiration date. Ms. Scott explained Mr. Eames is looking to sell the property. Mr. Brown explained that should the lot be sold it would be up to the purchaser to comply with the conditions. It was recommended that a memo be put in the file detailing this issue for the future.

Groundwater Quality Monitoring and Reporting – Landfill

Mr. Brown explained that the first round of groundwater monitoring will be starting in November. KV Partners has submitted the low bid.

Action: Selectman Crean moved to award the 3 year contract to KV Partners subject to annual appropriation at Town Meeting. Selectman Young seconded. Motion passed 5-0.

Appointments

Action: Selectman Tufts moved to appoint Cindy Lewis as a member of the Planning Board. Selectman Crean seconded. Motion passed 5-0.

Minutes

September 20, 2006 Non-Public

Action: Selectman Kline moved to accept the non-public minutes of 9/20/2006 as amended. Selectman Young seconded. Motion passed 5-0

October 4, 2006 Public

Action: Selectman Crean moved to accept the public minutes of 10/4/2006 as amended. Selectman Young seconded. Motion passed 5-0

October 4, 2006 Non-Public

Action: Selectman Tufts moved to accept the non-public minutes of 10/4/2006 as amended. Selectman Young seconded. Motion passed 5-0

October 11, 2006

Action: Selectman Young moved to accept the non-public minutes of 10/11/2006 as amended. Selectman Kline seconded. Motion passed 5-0

October 12, 2006

Action: Selectman Tufts moved to accept the non-public minutes of 10/11/2006 as amended. Selectman Young seconded. Motion passed 5-0

Town Administrator's Report

CEO Officer interviews have been scheduled soon with three candidates.

Ambulance Proposals were opened at Allenstown Town Hall last week. Three were received and ranged from \$45,000 to \$230,000. They are under further review at this time.

Hazardous Waste Day is scheduled for 10/28/06 at the Transfer Station.

DOT Fuel Facility meeting is scheduled for Monday October 30th at the PA cafeteria. Mr. Brown will send out emails with further information on this meeting.

Mr. Brown explained that there has been some information that the National Guard is interested in prime commercial property in Pembroke for their use. Consensus of the Board was to strongly oppose the taking of the limited prime commercial property in Pembroke for a non-taxpaying entity. Notice will be sent to legislators.

Manifest

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

Tax Abatements, Exemptions and Credits

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

Goal Setting Meeting

The results of the recent meeting held at the Perry Eaton Building were reviewed with the TA.

Committee Reports

Recreation Commission – Selectman Young reported that the Commission is recommending the membership at be 5 regular members with two alternates. It was recommended that this be put on the Selectmen's agenda for discussion.

Planning Board – Selectman Young reported there were no changes other than Cindy Lewis being appointed a full member.

Emergency Planning – Selectman Young has submitted for reimbursement to the Town for time spent at various regional Emergency Planning meetings.

EDC – Selectman Kline reported minutes have been submitted

Roads Committee – No meeting

CTAP – No meeting

Recreation Needs Committee – Waiting for initial meeting to be scheduled.

Cable TV – Selectman Crean is waiting for further information from Comcast. It seems the proposal has been delayed in the administrative department at Comcast.

Solid Waste Committee – Selectman Tufts reported they had visited Goffstown to tour their solid waste facility.

Conservation Commission – Selectman Tufts reported the Commission will come back to the Board soon regarding their recommendations for the use of their funds.

ADJOURNMENT

Action: Selectman Crean moved to adjourn. Selectman Kline seconded. Motion passed 5-0 and the meeting adjourned at 9:06 pm.

Accepted by the Board of Selectmen

Larry J. Preston, Chair