

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Wednesday, December 20, 2006**

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

Excused: Selectman Fred Kline

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

1. CALL TO ORDER

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

2. PUBLIC HEARINGS

Ordinance 2006-01 Zoning Board of Adjustment Fees

Selectman Preston opened the public hearing at 6:31 p.m. Troy Brown explained that the fee schedule currently in place is not adequate to cover the costs of printing and posting of public notice advertisements and the Zoning Board is requesting they be adjusted. Zoning Board Chairman, William Bonney, explained that the Zoning Board wants to make sure that the person requesting the hearing pays their fair share of the necessary costs. Selectman Preston asked if there was any public comment. There was none and the public hearing was closed at 6:33 p.m.

Action: Selectman Young moved to adopt the Zoning Board of Adjustment fee structure as presented. Selectman Tufts seconded. Motion passed 4-0.

Ordinance 2006-01 Handicap Parking Kimball Street

Selectman Preston opened the public hearing at 6:34 p.m. Mr. Brown explained that the resident of 24 Kimball Street, Judy Mader, has a handicapped son who is transported via a handicap van service. Mrs. Mader came to Mr. Brown to request a designated parking area on Kimball Street in front of their home that would be only for the van to park to pick up and drop off her son. The van needs additional space because of the ramp that opens for loading of her son's wheelchair. Kimball Street is very narrow and when cars are parked on the street it is impossible to safely load and unload her son, a process that can take 20-30 minutes. Mr. Brown, Chief Lane and the handicap outreach representative from the State met on Kimball Street this past fall to evaluate the situation. The State representative recommended posting a "handicapped parking for resident only" in front of 24 Kimball Street. This would allow the van to park and allow enough space to drop the ramp safely. There was concern with restricting parking on a public street for one resident. It was asked of Chief Lane if enforcement would be a problem. Chief Lane said it would not be a problem to enforce and he had no concerns regarding the restriction. Mrs. Mader recommended the Board contact a handicap law attorney for explanation of the federal law regarding handicap rights. Selectman Crean asked if designating it a no parking zone only for active loading or unloading would be helpful. Mrs. Mader felt that would work. The hearing was then opened for public comments. Gerry Fleury, Kimball Street, presented information showing the homes on Kimball Street. Mr. Fleury has no objection to the restricted space in front of their residence but he was concerned with the request submitted by Mrs. Mader to restrict parking on other areas of Kimball Street. Jim Segedy, 29 Kimball Street, was concerned that the Mader's would lose a parking space if that was designated a loading zone. Mrs. Mader said that would not be a problem. Mr. Segedy stated that he had no problem with the restricted parking in front of the

Mader residence but was not in favor of restrictions on the rest of the street. Mr. Brown explained that the Board is only discussing the space in front of the Mader residence. Mr. Mader clarified that they are asking for this so that the handicap van can park near their house to unload their son and not out in the middle of the street which restricts traffic from going through. There was discussion of the class of fine which would only be \$5.00. It was felt that if it was designated a handicap space the fine of \$250 would be more likely to lead to compliance. Mrs. Mader explained again the importance of reviewing the federal law considering and offered to have a handicap law attorney contact Mr. Brown. Due to the need to obtain further information regarding this issue the hearing was recessed to the January 10, 2007 Selectman's meeting.

3. NEW BUSINESS

Drug Investigation

Chief Lane gave a brief update of the status of the Rebecca Way drug bust. It was explained that the house had much mold damage from the moisture of the marijuana growing operation. The U.S. Attorney is investigating seizure of the properties involved throughout the state.

Assessing Update – Joseph Lessard

Mr. Lessard of MRI updated the Board as to the status of their annual review of a section of the town. The MRI staff updates a quarter of Pembroke each year to comply with their contract with the Town and with State law regarding property valuation. Mr. Lessard explained that the assessors who visit the property have a photo id and letter of introduction from the Town. If someone is home they ask to come in to verify information. If no one is home they do an external evaluation and will contact the property owner if something looks like it needs further investigation. Mr. Lessard explained that the quarterly reviews are not a revaluation of those properties. The assessor is just verifying the information on file and looking for any differences. Mr. Lessard also explained the process of determining the property value ratio. He explained that State law requires the property valuations to be close to market value. Another revaluation will need to be done by 2009. Mr. Lessard also explained that they have not received many abatement requests for 2006.

Nicholas and Linda Halias Abatement

Selectman Preston stepped down on this item. Mr. and Mrs. Halias are requesting abatements of prior year property taxes due to the error that was discovered during the quarterly update. It was explained that the period for filing for abatement for prior years has passed. It was explained that since no abatements requests were filed by the due date for the tax years in question Mr. and Mrs. Halias are not eligible. It was explained that it is up to the property owner to review their property listing to make sure it is correct as errors may occur. That is why an application period of several months is given. Mr. and Mrs. Halias were not aware of this error until they were contacted by the Town Assessor Donald Ingalls. Mr. Ingalls let them know of the error that was realized during the quarterly review of town properties. Mr. Ingalls believes the error might have occurred during the 2004 revaluations when properties were entered into a new computerized database. Mr. Halias voiced his concerns with the number of errors that have been found on his assessment and if this was occurring on other assessments. It was explained that during a revaluation errors will occur and that is why letters were sent to property owners recommending that they review their property assessment information and schedule a meeting with assessing if they had any questions. Mr. Lessard explained that the Department of Revenue Administration reviews the revaluation process as done by MRI and reviews a sample of properties to determine if the revaluations and being done correctly. DRA found the MRI revaluation to be well within acceptable parameters. Mrs. Halias asked where the company who did the 2004 revaluation was located. Mr. Lessard said they are

located in Massachusetts and the project manager on the 2004 reval was from Goffstown. Mr. Halias stated that Mr. Ingalls is a great guy who came to them and explained the situation. Mr. Halias said a local assessor like Mr. Ingalls understands the geography of the town whereas someone from Massachusetts would not and may make assumptions that are incorrect. The abatement request from Mr. and Mrs. Halias for their 2006 taxes is on the agenda and has been recommended for abatement. The abatement resulted in a reduction of \$464.71 in taxes for Mr. and Mrs. Halias.

Abatement Request

Action: Selectman Crean moved to grant the 2006 abatement request on 434 Deerpath Lane as recommended by the Assessor. Selectman Young seconded. Motion passed 3-0. Selectman Preston abstained.

Investment Policy Review - Geoff Ruggles, Finance Director

Mr. Ruggles reviewed the investment policy and explained that he made some changes. It was recommended language be changed regarding collateralization to include a formal written agreement. Mr. Ruggles will make the change.

Action: Selectman Crean moved to approve the investment policy as recommended by the Finance Director with changes as discussed tonight. Selectman Young seconded. Motion passed 4-0.

4. CITIZENS COMMENT

Mark Dumas, 318 Beacon Hill Road, voiced his support of the School Resource Officer position to be voted on at Town Meeting. Mr. Dumas has been in law enforcement for 13 years and wholeheartedly supports this position. From his background in law enforcement he sees drugs and gang activity increasing and there is a great need for the School Resource Officer in Pembroke. Mr. Dumas is concerned with the funding coming only from the Pembroke taxpayers and feels that a partnership with the other towns who are part of the School District should be considered. It was recommended that Mr. Dumas come to the public hearing on the school budget that will be held on February 3, 2007 to make his recommendation for the funding partnership.

5. OLD BUSINESS

2006 Encumbrances

Geoff Ruggles explained the 2006 encumbrances. There was discussion of the costs of the emergency repairs of the North Pembroke Road bridge. Mr. Ruggles explained that the encumbrance for road paving can be reduced if the bill comes in for the bridge.

Action: Selectman Crean moved to encumber the funds as recommended by the Finance Director. Selectman Tufts seconded. Motion passed 4-0.

Health and Dental Coverage Domestic Partners

Mr. Brown asked for further clarification as to the prior action taken to provide health care coverage for domestic partners. Mr. Brown believed the intent of the action was to provide coverage to same sex domestic partners. A date for the open enrollment period needs to be scheduled. Selectman Young stated that it could be a high cost if coverage is allowed to opposite sex partners living together. It was asked if there could be a restriction as to who is eligible. Mr. Brown explained that the insurance provider does allow for the restriction which is why he has asked for clarification.

Action: Selectman Crean moved to provide Health and Dental Insurance benefits to domestic partners regardless of their sex if they meet the requirements for coverage. Selectman Tufts seconded. Motion passed 3-1. Selectman Young was opposed.

Comcast Renewal

Selectman Crean has finished his review of the contract and is asking for another extension until January 26, 2007.

Action: Selectman Crean moved to approve the renewal of the extension for one month and authorize the Chair to sign. Selectman Young seconded. Motion passed 4-0.

Warrant Articles

Mr. Brown reviewed the draft of the warrant articles. Laura Scott, Town Planner, will be attending the January 3, 2007 meeting to review the Planning Board articles.

Appointment of Deputy Tax Collector

Peggy Yeaton is currently the Deputy Tax Collector. Mrs. Yeaton is also the assistant in the Town Clerk's office. Due to increased activity in each department, Nancy Clifford, Tax Collector asked that Linda Williams be appointed her deputy. Mr. Brown is in favor of the appointment of Linda Williams and would also want Mrs. Yeaton to continue to be a back-up tax collection clerk. Selectman Tufts recommended that job descriptions be updated to reflect these changes.

Action: Selectman Tufts moved to appoint Linda Williams as Deputy Tax Collector. Selectman Young seconded. Motion passed 4-0.

Minutes

December 6, 2006 Public Minutes

Action: Selectman Tufts moved to approve the public minutes of December 6, 2006 as amended. Selectman Young seconded. Motion passed 4-0.

December 6, 2006 Non-public Minutes

Action: Selectman Tufts moved to approve the non-public minutes of December 6, 2006 as presented. Selectman Young seconded. Motion passed 4-0.

TA Report

Mr. Brown met this week with representatives from Concord regarding the North Pembroke Road bridge. The bridge is currently open with a temporary fix which it is hoped will last until a permanent fix can be determined. The meeting with Concord did not produce any plan for permanent repair as the representatives for Concord did not find the North Pembroke Road bridge to be a priority to any of their residents and were not interested in providing any assistance to repair it. Mr. Brown will be contacting the State to see what assistance they will provide. It may be necessary to restrict trucks from using the bridge.

Manifest

Action: Selectman Crean moved to accept the manifest as presented. Selectman Tufts seconded. Motion passed 4-0.

Tax Abatements, exemptions and credits.

Action: Selectman Crean moved to approve the tax abatements, exemptions and credits as recommended by the assessor. Selectman Young seconded. Motion passed 4-0.

Committee Reports

Selectman Young reported that the Perry Eaton building renovations have been done by the tenant and are beautiful. Areas have been carpeted and the woodwork cleaned and some areas have been painted.

Budget Committee – In the information gather phase and discussing the full time position for the Library.

Salary Survey – The committee met today and went over the basic criteria needed. They plan to get an organizational chart and town report from all the towns to be included in the survey. A list of questions will be drafted and the towns will be contacted for their answers. The committee plans to get the information back to the Board by January 2007.

6. NON-PUBLIC SESSION

RSA 91-A:3, II (a)– Employee Review

Action: Selectman Crean moved to go into non-public session under the provisions of RSA 91-A:3, II (a). Selectman Tufts seconded. Sel. Preston -yes; Sel. Young-yes; Sel. Tufts-yes; Sel. Crean-yes. Motion passed 4-0 and the Board went into non-public session at 9:26 p.m.

Action: Selectman Crean moved to come out of non-public session and hold the minutes confidential. Selectman Tufts seconded. Motion passed 4-0 and the Board came out of non-public session at 10:30 p.m.

7. ADJOURNMENT

Action: Selectman Crean moved to adjourn. Selectman Young seconded. Motion passed 4-0 and the meeting adjourned at 10:31 p.m.

Accepted by the Board of Selectmen

Larry J. Preston, Chair