

AGENDA
BOARD OF SELECTMEN
December 15, 2021 AT 6:30 PM
Pembroke Town Hall, Paulsen Room

- I. CALL TO ORDER
- II. CITIZEN COMMENT
- III. SCHEDULED MEETINGS:
 - a.
- IV. OLD BUSINESS:
 - a.
- V. NEW BUSINESS:
 - a. Manifest/Abatements
 - b. Minutes 12/1/21
- VI. TOWN ADMINISTRATOR REPORT
- VII. COMMITTEE REPORTS
- VIII. OTHER/CITIZEN COMMENT
- IX. ADJOURN

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
December 1, 2021 at 6:30 PM**

DRAFT,

Present: Selectman Richard Bean, Selectman Sandy Goulet, Selectman Peter Gagy, Selectman Karen Yeaton

Excused: Selectman Ann Bond

Staff: Town Administrator David Jodoin

I. Call to Order:

Chairman Richard Bean called the meeting to order at 6:32pm.

II. Citizens Comment:

None

III. Scheduled Meetings

Congregation Church – Church Road Land

David Jodoin explained the right of way (ROW) in question was drafted several years ago when there were discussions surrounding the realignment of a dangerous S-curve that was at the corner of Cross Road and Church Road. The Church owns land and would like to sell. There has been interest on the parcel but there is no frontage on a class 5 road in order to get a building permit.

Randall Shuey, Chair of Trustees for Pembroke Congregational Church, presented a history of land sales and purchases over the years in that area. The parcel in question, was part of an agreement to sold to Taylor Communities for Phase 2 of the Meetinghouse Commons project. Part of the agreement was if Phase 2 never came to fruition, the property would be transferred back to the Church. In 2010 when it was clear Phase 2 was never going to happen, the property reverted back to the Church. Meetinghouse Commons was eventually sold to Gamache Properties out of Manchester. The parcel as it currently stands is approximately 24 acres with frontage on 3rd Range Road. The Church has never had a need for the property. There are renovations to the Church building that need to happen and selling this piece of property would give them the funds to do that. The parcel went on the market in the Spring of 2021 and they received multiple offers but not having frontage has been a barrier. The Church would like to have access through the ROW off Church Road or out to Third Range Road in order to sell and develop the piece of land.

David explained that the easement was drafted before the s-curve on Church Road was straightened out. Once the road was straightened, there was no longer a need for it. In reality, the proposed road would never have made it out to Third Range since other abutting property owners were not granting the easement across their property. Therefore, there is no legal frontage to the property without putting in a road. If the easement was turned into a cul-de-sac and brought up to town specs, that would give them the frontage to be able to develop the property. The expense of creating the cul-de-sac wouldn't be worth it for a single-family home. Randall explained that he has done a conceptual design that would allow for 5 house lots which would make it worth the expense.

David asked if they have talked to the Conservation Commission to see if they have any interest in the property. Randall stated he has not but he has heard that the Commission is aware of the property. The Church doesn't care if it is bought by a developer or Conservation but the property does about an existing conservation easement and there is a high value wetlands system in there. David asked what it is on the market for. Randall answered \$150,000.

Selectman Bean asked if the property has been logged at all. Randall answered that it has been close to 20 years ago.

Randall explained the Church is not interested in using Third Range Road for frontage. They want to use the ROW and build that up to access the property regardless if it connects to Third Range or not. Selectman Yeaton asked if someone wanted to purchase the property and develop it, would the path to doing so be easier through the ROW or Third Range. David answered it would likely be easier to go through Third Range. VJ Ranfos, Public Works Director, stated the sub-division rules for roads are 20 feet wide. If they did Third Range, they would probably be asked to build it up to 24 feet wide with 2-foot shoulders. Randall believes it would be easier to build a road and stay within the 50-foot Town ROW using the access from Church Road than staying within the Town ROW on Third Range Road.

Selectman Gagyí asked if the houses on either side of the right-of-way were built before or after the agreement was put into place. Marie Brezosky, 246 Church Road and Susan Plante, 260 Church Road, stated her houses were built in 1993 which is about the same time the agreement was signed. Randall explained those two house lots and the right of way all came out of this parcel of land.,

David Plante, 260 Church Road, asked the Board to consider the people who have purchased their properties based on the security of the development ordinances that are in place and that their needs and interests are not weighed any less than anyone else's.

Susan Plante, 260 Church Road, shared she has brought the property to the attention of the Conservation Commission and the easement precluded them from making a decision on it. The property has not been walked by the Commission. When both

residents purchased their properties, it was explained that in order to use that easement, it would have to go out to Third Range and through all the different property owners along that route. It was likely never to happen. The purpose of the easement has been alleviated when they straightened out Church Road.

Selectman Goulet asked if the Town could sell half of the ROW to each of the owners of the abutting properties at Town Meeting. David stated that they technically could but it would need to go through legal first. There could be issues because it would technically land lock the Church property since Third Range is closed subject to gates and bars.

Susan Plante reiterated that the easement was put in because of the dangerous s-curve and the inability to use Third Range Road. That purpose does not exist anymore.

Selectman Yeaton stated there is an understanding that the original purpose was for the curve but language was not put in that if the Town resolves the s-curve then the right of way is no longer valid.

Parking Permit

Pemboke Police Chief Dwayne Gilman called into the meeting to discuss the Police Department issuing parking permits for overnight parking in the municipal lots. There is a lot of outstanding debt in Town from parking tickets. They spend a lot of time tracking individuals down to pay their tickets. Having the Police Department issue the permits would help them keep an eye who is supposed to be parking downtown and who is not since they will all be able to access the list of people who purchased permits from their cruisers, When it comes to renew, they will be able to tell if someone has an outstanding balance. A lot of man hours are put into collections for parking tickets. Right now, residents go to Public Works and they have no way to know if someone owes money. This will be a smoother procedure for issuing permits and collecting fees.

Selectman Goulet asked how that would work for permits to the transfer station. Chief Gilman explained this would be completely separate from the Transfer Station permit. If you want to park in the municipal lots overnight, you would need to get a permit through the Police Department. They can get 1,000 permits for \$377 and they would charge resident's \$1. David stated that Public Works will need to educate residents as they hand out transfer station stickers that this no longer covers the municipal lots. Chief Gilman explained that with the PD taking over issuing parking permits, it would no longer be up to DPW to explain parking rules and regulations if someone asks a question while purchasing the permit. DPW will continue to handle the transfer station and white sands parking and the PD will handle municipal parking. The Transfer Station attendants have no reason to know all the ins and outs of the town code.

Selectman Goulet commented on the inconvenience of having to go to two places to get the stickers and how that may be a barrier. Chief Gilman stated they haven't created a whole procedure yet but the Police Department is open 24/7. Anything issued overnight, could be logged by the administrative staff the next day.

Selectman Yeaton asked what the current procedure is to issue a parking permit. Selectman Goulet explained a resident goes to the transfer station, hands over their car registration, the attendant takes it and makes a copy, and then places a sticker in the window. The sticker is a different color every year and it gets you into the transfer station, overnight in municipal lots, and the white sands areas.

Selectman Yeaton asked if there are going to be more administrative costs to implement this. Chief Gilman answered that it will be a wash as far as administrative costs because it will take a few moments to enter into the computers but what it will save them is time and manpower chasing fees and sending letters.

Selectman Goulet made a motion to accept the proposal for the Police Department to issue parking permits. Selectman Yeaton seconded the motion. Motion passed 4-0.

Chief Gilman stated there are 177 transfer station permits handed out for 2022. They would honor the permits that have already been given and not charge them but they still need to figure out how to go about doing that. Selectman Goulet said they can put it on Facebook, put it on the safety center sign, transfer station sign, and the transfer station attendants can tell people. David suggested sending notifications to the 177 directly if they live in the Village.

VJ Ranfos asked for the start date. Chief Gilman answered he would ideally start January 1, 2022 but as soon as the permits come in, they could start.

Selectman Goulet suggested not charging for 2022 because this is happening so quickly. Selectman Yeaton supports waiting and then by then we will have a better idea of actual costs for the program. Selectman Bean and Selectman Gagyi also support waiting until 2023 to start charging.

Mutual Aid Discussion – Code Enforcement

David explained the Mutual Aid and Assistance Agreement between Pembroke and Allenstown for the Code Enforcement Officer. This agreement was once in place with Allenstown but it was allowed to expire when they no longer had a full time Officer. In the past, there has also been agreements with the Town of Hooksett.

Selectman Goulet feels it is good to have in place in the event there is an unexpected need. Selectman Gagyi asked if this agreement has worked out well in the past. David answered that it did work well.

Selectman Yeaton asked why it was allowed to expire. David answered it was allowed to expire because Allenstown did not have a full-time Officer and the idea

behind the agreement is that everyone has a full-time Officer and this is just to be used as back-up so no one Town is using resources from another Town too much.

Safety Center Roof Quotes

David explained the issues with the roof have dated back to 2010. The leaks have been nicely covered but we are at a point where the issue is beyond repairs and patches. They have gotten a proposal from structural engineer TF Moran Inc. and an architect proposal with Lauer Architects P.A. Fire Chief Gagnon explained under the roof, the skin is deteriorating. It is no longer holding the screws that hold on the panels. There are leaks all over the building.

Selectman Goulet asked why they need an architect. David explained a few years ago, there was a small roof/entryway built over the door on the side of the building. Years ago, snow was flying off the roof and icing up and it was dangerous so they also put snow breaker bars over the door. The school building trades class built the structure. They do not know the snow load capabilities of that roof and they need a structural engineer look at it. The architect is going to design the new roof for the whole building. They need the two to work together to get a structurally sound roof. Selectman Goulet asked if the plan is to put a new metal roof on or shingles. David answered it is not shingles now it's a membrane style roof but the structural engineer and architect will design it and come back with recommendations for the best options for the building.

Selectman Goulet made a motion to authorize the Town Administrator to sign the contractual agreements with Laurer Architects P.A. and TF Moran Inc. Selectman Yeaton seconded the motion. Motion passed 4-0.

Selectman Yeaton asked what the time frame is for the project to start. David answered they are going to go and look at it right away and start putting something together so the request for proposals can get out early 2022 and hopefully they can start after Town meeting.

IV. Old Business:

All Veterans Credit per RSA 72:28-b

Monica Hurley from Corcoran Consulting had discussed with the Board adopting the All Veterans Credit. The credit has not shown to have a drastic impact on taxes in the communities that have adopted it. The Board agreed to have David move forward with drafted the warrant article for the credit to voted on at March Town Meeting.

V. New Business

Manifests/Abatements

Selectman Goulet made a motion to accept the manifests and abatements as presented. Selectman Yeaton seconded the motion. Motion passed 4-0.

Minutes - 11/17/21

Selectman Goulet made a motion to accept the minutes of November 17, 2021 as presented. Selectman Yeaton seconded the motion. Motion passed 3-0. Selectman Bean abstained.

VI. Town Administrator Report:

Selectman Goulet made a motion to authorize the request from the Trustee of Trust Funds in the amount of \$147,073 for the Town Equipment Fund. Selectman Yeaton seconded the motion. Motion passed 4-0.

Devine Millimet submitted an engagement letter to act as bond counsel for the \$1.3M road bond. It will cost between \$5,000-7,500.

Selectman Goulet made a motion to approve the engagement with Devine Millimet and to authorize the Town Administrator to sign. Selectman Yeaton seconded the motion. Motion passed 4-0.

The County submitted their preliminary budget which is showing a 1.59% increase but that may go down by Town Meeting time.

Annual Permission request from NH TrailDawgs came in to use the Range Roads. Selectman Goulet made a motion to authorize the Town Administrator to sign the snowmobile and trail permissions slip with the NH Trail Dawgs. Selectman Yeaton seconded the motion. Motion passed 4-0.

The boards energy consultant shopped the Towns current electric rates and came back with numbers from Constellation for terms of 12, 24, 36, 48-month. Currently, the Town is paying .07/kwh. A 48-month agreement with Constellation is projected at 8.2/kwh. Selectman Yeaton asked if the Energy Committee builds a plan to get lower rates in Town and the Town is not participating in that program because we are locked in with Constellation for four years, will that give confidence to residents in this town. Selectman Goulet shared concerns for waiting and having the rates rise. David suggested locking in for 2 years rather than 4 years if they feel confident that it could be done in that time.

Selectman Goulet made a motion for the Town Administrator to sign the 48-month contract for \$8.24/kwh. Selectman Yeaton seconded the motion. Motion passed 4-0

VII. Committee Reports:

Selectman Bean – None

Selectman Yeaton – Energy Committee is working on getting members to help them develop the Community Power Plan.

Selectman Goulet – None

Selectman Gagyi – Planning met with the owner of John's Wrecker Service who are looking to rent out to spaces in their building. There will be no exterior work done to the building. There is ample parking for the new tenants. The Commission also worked to clean up language on the sub-division regulations.

VIII. Other Citizen Comment:

VJ Ranfos explained he had applied for a planning loan through Clean Water State Revolving Loan Fund in the amount of \$100,000 loan with up to \$75,000 forgiveness to help with the MS-4 Storm Water Permitting Process. Since the new ARPA funds were released, they turned the loans into grants and approved everyone who had applied. Originally a warrant article was going to go to Town Meeting but now they do not need to. They are not sure when they will receive the funds and they will need to hold a public hearing to formally accept the grant funds.

IX. Non Public:

Selectman Goulet made a motion to enter into non-public session in accordance with RSA 91-A:3 II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the requests shall be granted. seconded by Selectman Yeaton at 8:25pm

Roll Call Vote:

Selectman Gagyi	Yes
Selectman Goulet	Yes
Selectman Bean	Yes
Selectman Yeaton	Yes

The Board came out of non-public session at 8:30 PM

Motion by selectmen Goulet to approve 2% merit increases for the Town Administrator and Town Clerk, seconded by Selectmen Yeaton. Motion passed 4-0.

X. Adjourn:

Selectman Goulet made a motion to adjourn at 8:31 PM. Selectman Bean seconded the motion and it was approved unanimously.

Richard Bean, Vice Chairman

For more detailed information, the meetings are now taped and can be seen on www.townhallstreams.com click on Pembroke NH and look for the day of the meeting under the month.