

AGENDA
BOARD OF SELECTMEN
January 4, 2023 AT 6:30 PM
Pembroke Town Hall, Paulsen Room

- I. CALL TO ORDER
- II. CITIZEN COMMENT
- III. SCHEDULED MEETINGS:
 - a. Loretta Hill – Potential 1 lot subdivision on Class VI Roadway- Third Range Road
 - b. Energy Committee – update on Community Power
 - c. Approve 2023 Warrant Articles
- IV. OLD BUSINESS:
 - a.
- V. NEW BUSINESS:
 - a. Manifest/Abatements
 - b. Minutes 12/21/22
- VI. TOWN ADMINISTRATOR REPORT
- VII. COMMITTEE REPORTS
- VIII. OTHER/CITIZEN COMMENT
- IX. 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 request shall be granted.
- X. ADJOURN

2023 TOWN MEETING WARRANT TOWN OF PEMBROKE, NH

To the inhabitants of the Town of Pembroke in the County of Merrimack in said State qualified to vote in town affairs. Voters are hereby notified to meet at the Pembroke Academy Gymnasium at 209 Academy Road in Pembroke, NH on Tuesday March 14, 2023 from 11:00 a.m. until 7:00 p.m. for the casting of ballots. Voters are further notified to meet at Pembroke Academy Auditorium at 209 Academy Road in Pembroke, NH on Saturday March 18, 2023, at 10:00 a.m., to discuss, amend and act upon the following articles, proposed 2023 budget and all other matters to come before the meeting.

***MARCH 4, 2023 – FIRST SESSION OF ANNUAL TOWN MEETING
(Official Ballot Voting)***

ARTICLE 1 – To choose all necessary officers for the ensuing year.

OFFICE	TERM/Years
<i>Town Clerk</i>	<i>1 yr</i>
<i>Moderator</i>	<i>2 yrs</i>
<i>Treasurer</i>	<i>1 yr</i>
<i>Selectman</i>	<i>1 yr</i>
<i>Selectman</i>	<i>3 yrs</i>
<i>Selectman</i>	<i>3 yrs</i>
<i>Sewer Commissioner</i>	<i>1 yr</i>
<i>Sewer Commissioner</i>	<i>3 yrs</i>
<i>Water Commissioner</i>	<i>5 yrs</i>
<i>Library Trustee</i>	<i>3 yrs</i>
<i>Library Trustee</i>	<i>3 yrs</i>
<i>Trust Fund Trustee</i>	<i>1 yr</i>
<i>Trust Fund Trustee</i>	<i>3 yrs</i>
<i>Supervisor of the Checklist</i>	<i>6 yrs</i>

***ARTICLE 2 – AMEND ZONING ORDINANCE
circumstances.***

MARCH 18, 2023 – SECOND SESSION OF ANNUAL TOWN MEETING (Deliberative)

ARTICLE 3 – To see if the Town will vote to rescind the following unissued bond authorization which was previously approved as Article 3 at the March 14, 2011 Town Meeting or take any action relative thereto.

To see if the Town will vote to raise and appropriate the sum of \$1,400,000 for the Roadway Improvement and reconstruction project for the following streets; Broadway, Pine, Maple, Prospect and Pleasant, and to authorize the issuance of not more than \$1,400,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; (2/3 ballot vote required)

ARTICLE 4 – Shall the Town vote to adopt the provisions of RSA 72:28-b, All Veteran's Tax Credit? If adopted, the credit will be available to any resident who is a veteran, as defined in RSA 21:50, and served not less than 90 days on active service in the armed forces of the United States and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, provided that training for active duty or state active duty by a member of the national guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35. If adopted, the credit granted will be \$500, the same amount as the optional veterans' tax credit voted by the Town under RSA 72:28.

NOTE: Though this article was approved in 2022, this update is required because the legislature expanded the eligibility criteria for this credit to include individuals who have not yet been discharged from service in the armed forces.

ARTICLE 5 – To see if the Town will vote to raise and appropriate the Budget Committee's recommended amount of \$10,681,098 for the 2023 municipal operating budget, not including appropriations by special warrant articles and other appropriations voted separately.

ARTICLE 6 – To see if the Town will vote to raise and appropriate the sum of \$1,112,850 to be deposited into the following Capital Reserve Funds established as indicated below: The sum to come from 2022 Fund Balance/surplus and no amount will be raised by taxation.

Town Equipment Capital Reserve Fund	\$275,000
Police Cruiser Capital Reserve Fund	\$ 60,000
Municipal Facilities Capital Reserve Fund	\$100,000
Fire Major Equipment Capital Reserve Fund	\$154,350
Fire Small Equipment Capital Reserve Fund	\$350,000
Roadway and Infrastructure Capital Reserve Fund	\$100,000
Revaluation Capital Reserve Fund	\$ 30,000
Cemetery Capital Reserve Fund	\$ 11,000
Police Small Equipment Capital Reserve Fund	\$ 10,000
Recreation Capital Reserve Fund	\$ 15,000
Town Clock Fund	\$ 7,500

\$1,112,850

ARTICLE 7 – To see if the Town will vote to raise and appropriate the sum of \$250,000 to purchase a new 6 Wheel Dump/Plow Truck with accessories and to authorize the withdrawal of a sum not to exceed \$250,000 from the Town Equipment Capital Reserve Fund.

ARTICLE 8 – To see if the Town will vote to raise and appropriate the sum of \$65,000 to purchase a new Wood Chipper and accessories for Public Works and to authorize the withdrawal of a sum not to exceed \$65,000 from the Town Equipment Capital Reserve Fund.

ARTICLE 9 – To see if the Town will vote to raise and appropriate the sum of \$55,420 to purchase a new Police Cruiser and accessories and to authorize the withdrawal of a sum not to exceed \$55,420 from the Police Cruiser Capital Reserve Fund.

ARTICLE 10 – To see if the Town will vote to raise and appropriate the sum of \$24,000 to repair the soccer roof and dugouts and to authorize the withdrawal of a sum not to exceed \$24,000 from the Recreation Capital Reserve Fund.

ARTICLE 11 – To see if the Town will vote to create a Capital Reserve Fund under the provisions of RSA 35:1 called Ambulance Replacement and Equipment Fund for the purpose of replacing future ambulances and equipment, and to further raise an appropriate the sum of \$5,000 to be deposited into this fund.

ARTICLE 12 – To see if the Town will vote to adopt the Pembroke Community Power Plan, finalized November 1, 2022 by the Pembroke Energy Committee, and to further authorize the Select Board to develop and implement Pembroke Community Power, and to take all action in furtherance of, the Pembroke Community Power Plan, pursuant to RSA 53-E.

The Community Power Plan includes a more flexible electricity procurement mechanism than NH utilities and thus is expected to provide lower electricity rates. Additionally, the Plan will provide local involvement in electricity procurement and development of energy initiatives and offerings that are of interest to Pembroke.

The Pembroke Community Power Plan includes an Opt-out enrollment mechanism. All residential electricity customers currently on utility default electricity supply will receive a mailing at least 30 days prior to launch that they will be enrolled in the program at a specified electricity rate unless they notify CPCNH that they will Opt-out of the program. Residential customers already on a competitive electricity supply alternative will be notified how to Opt-in to the program. All residents may leave or join the Pembroke Community Power program at no cost, any time. **Additionally, the program will not launch unless the electricity rate is equal to or less than the default utility electricity rate.**

ARTICLE 13 - To transact any other business that may legally come before said meeting.

Given under our hands and seal this _____ day of **February** 2023.

Karen Yeaton, Chairman

Sandy Goulet, Vice Chairman

Richard Bean

Peter Gagyí

Richard Frederickson

Board of Selectmen
Town of Pembroke, NH

TOWN MEETING WARRANT FOR PEMBROKE, NEW HAMPSHIRE

Posting Certification

We hereby certify that we gave notice to the inhabitants within named, to meet at the time and place and for the purpose within mentioned, by posting an attested copy of the attached Warrant at the Pembroke Town Hall, Pembroke Library, and Pembroke Academy on the _____ day of February, 2023.

Karen Yeaton, Chairman

Sandy Goulet, Vice Chairman

Richard Bean

Peter Gagyí

Richard Frederickson

Board of Selectmen
Town of Pembroke, NH

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
December 21, 2022 at 6:30 PM**

DRAFT,

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

Staff: Town Administrator David Jodoin

Excused: Selectman Sandy Goulet

I. Call to Order:

Chairman Yeaton called the meeting to order at 6:30pm.

II. Citizens Comment:

None

III. Scheduled Meetings:

Public Hearing – RSA 31:95-b III (b) Acceptance of the Distracted Driving Enforcement Highway Safety Grant in the amount of \$1,600

Police Chief Gary Gaskell discussed current grants available to the Police Department. The grant they are receiving is covers 4-hours of dedicated time to distracted driving enforcement up to a max of \$1,600. The grant covers time and half for the officer as it is considered a special detail. The Department would need to submit quarterly updates to the state on patrol hours and outcomes.

Selectman Yeaton opened the public hearing at 6:37pm.

Selectman Yeaton closed the public hearing at 6:38pm.

Selectman Frederickson made a motion to authorize Chief Gaskell to sign the Distracted Driving Enforcement Highway Safety Grant. Selectman Gagy seconded the motion. Motion passed 4-0.

Perley/Rowe Parking Review

Chief Gaskell shared they started observing Perley and Rowe starting the day after Thanksgiving for a total of 12.5 days. Officers were in the area a total of 22 different times covering different hours of the day. They did not observe cars prohibiting trash pickup, blocking driveways, or interfering with buses. There have been two previous complaints to the Police Department about traffic and parking. Since they

did not witness anything concerning, Chief would consider the events sporadic and that there is no need to change signage or town code.

Selectman Gagyi asked why the school is parking buses down Perley Ave. Chief Gaskell explained that when they did the Safe Routes to School changes, walking paths down Rowe and Perley were added. The buses go down Perley and drop the kids off to the school door and the playground then they are able to leave and continue the route to Three Rivers. Having buses and parents use Belanger, created a dangerous situation because it is a two-lane road and parents and buses have to go in and out. There should not be any parent pick up along Rowe and Perley.

Selectman Yeaton stated this should be a school issue. Chief Gaskell explained Josh Coughlin was concerned there were teachers parking there but when they ran the plates of the cars parked, they were residents of the area.

The Board decided to stay aware of the situation and if there are any resident complaints, they will be forwarded to the Police Department and they will look into it.

Public Hearing RSA 31:95-b III (b) Acceptance of the 1988 ATV in the amount of \$605

Fire Chief Paul Gagnon asked the officers at Bear Brook to be put on a list for an ATV or UTV that would be low to no cost to the Town to take possession of. The only conditions were that it is operable and close by. They called about a 1988 Yamaha 350 ATV that has been sitting in storage for several years that they decided to release. They delivered the ATV to the station and it is operationally sound. There is no cost to the town to take possession but there will be some maintenance costs that would come with an older machine. The Chief did explore grants for a newer machine but was denied. Those grants are getting harder to come by.

Selectman Yeaton opened the public hearing at 7:04pm.

Matt Miller, Brickett Hill Road, asked if they did a complete maintenance check over. Chief Gagnon explained they have a fire fighter who runs a small engine shop and he has been looking at and taking care of a lot of their other small engine equipment. The machine has been at the station for 3-weeks where other fire fighters who are ATV enthusiasts have also gone over it. This is a state vehicle that has been given as an open-ended loan and if it fails, it can go back. The \$605 is the Kelly Blue Book value for the insurance purposes. It is not a payment going to any entity.

Selectman Yeaton closed the public hearing at 7:08pm.

Selectman Gagyi made a motion to accept the donation of a 1988 Yamaha ATV for the Fire Department from the State of New Hampshire Division of Forest and Lands

and to authorize the Chairman of the Board to sign the documents. Selectman Frederickson seconded the motion. Motion passed 4-0.

Energy Committee – Warrant Article Discussion and Update on Community Power

Matt Miller, Energy Committee, presented two proposed warrant articles for community power. Warrant article one is more detailed and explains the opt out mechanism and warrant article two simply asks the Town to adopt the Community Power Plan and meets the State's requirements as far as approval. Both articles would require a majority vote to pass. The Energy Committee prefers warrant article one.

Matt explained 16% of Pembroke's residents are on a competitive electric supply program, they would need to opt into the program. The remainder of the residents that are on a default supply program would need to opt out.

Selectman Gagy asked if they can change the plan to all residents are opt in and asked if they will have a two-tier system for residents who are interested in supporting energy initiatives and others who just want the lowest rate possible. Matt answers yes it can be an opt in. They are recommending an opt out model based on the research that has been done about the most effective mechanism for this type of program. One of the biggest issues is non-participation due to being unaware the program exists. Participation by the community is the driving factor behind getting the best rates. Every other utility is an opt-out structure, so this type of enrollment is equivalent.

David shared concerns for angry residents who are automatically opted into a program they didn't choose. Matt explained they will send out a mailing to inform residents of the changes and explain the way to opt out. Matt agrees education of residents will be a hurdle but they are trying their best to get the word out so this is not a surprise to anyone. There will also be a call center that David can direct people to.

Selectman Yeaton shared the opinion that this program has no risks to the residents. This program is an attempt to save them money and if it doesn't work, nothing has been lost. They can do away with the program. If this works, there is a lot of value being added to the Town. The best shot the program has is for an opt out mechanism. The intention of this program is to provide reduced rates to residents and the best way to meet the mission is to have as many residents as possible on the program.

David asked if the warrant article should pass, what would be the next steps. Matt answered they would submit the plan to Public Utilities Commission and within 60 days they would approve or deny it. The Selectman would also need to approve the 3 policies and the cost sharing agreement. They would then need to select the power plans they want and sign a service agreement. It could take a few months or a year.

Selectman Gagyi would like to see the words “the program will not launch unless the electricity rate is equal to or less than the default electricity rate” be bolded. The part regarding the procurement and development of energy and initiatives should be thoroughly explained. Matt explained the initiatives would be developed by the Town and they will be prepared to explain.

Selectman Frederickson made a motion to approve the proposed community power warrant article one for town meeting as amended. Selectman Bean seconded the motion. Motion passed 4-0.

IV. Old Business

None

V. New Business

2023 Meeting Schedules

David sent the 2023 meeting schedule to all department heads so they know when to submit bills for the manifest.

Manifests/Abatements

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

Minutes - 12/7/22, 12/15/22

Selectman Frederickson made a motion to accept the minutes of December 7, 2022 as presented. Selectman Bean seconded the motion. Motion passed 4-0.

Selectman Frederickson made a motion to accept the minutes of December 15, 2022 as presented. Selectman Gagyi seconded the motion. Motion passed 3-0 Selectman Bean abstains

I. Town Administrator Report:

David had a discussion with Dubois and King and explained the Board’s frustration with the extra bill and overall communication. They are working on finalizing the draft report.

Kevin Gagne, NH Trail Dawgs, sent an email informing the Town they are actively working on Range Roads projects. They may not be finished by the 12/15 deadline.

Town received \$18,111.41 from the State of NH for unanticipated revenue.

Town will receive a one-time bridge payment from the State based on the passage of SB 401 in the amount of \$98,494.45 in FY 2023. I hope this could be used to pay a portion of the North Pembroke Road Bridge.

Conservation Commission is looking to encumber funds for the work on deed easements. Steven Whitley of Drummond Woodsum stated the work would meet or exceed \$2,400 in legal fees.

There was a water back up on Simpson Ave and the Public Works Department said it appears whoever purchased the Village School damaged the lines. If that is the case, the replacement would not be the town's responsibility.

II. Committee Reports:

Selectman Yeaton – None

Selectman Fredrickson – Planning had a workshop to discuss zoning ordinances.

Selectman Bean – None

Selectman Gagyí – Budget met with the Special Education heads. School budget booklets should be at town hall this week.

Zoning moved the issue of the Old TD Bank building to January due to a sewer capacity issue.

III. Other Citizen Comment:

None

IV. Non-Public Session:

Selectman Gagyí 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 request shall be granted, seconded by Selectman Frederickson at 8:42pm

Roll Call Vote:

Selectman Yeaton	Yes
Selectman Bean	Yes
Selectman Bond	Yes
Selectman Gagyí	Yes

The Board came out of non-public session at 9:12 PM

Motion by Selectmen Bean, seconded by Selectmen Gagyi to approve a 2% Merit for the Town Administrator.

V. Adjourn:

Selectman Frederickson made a motion to adjourn at 9:13 PM. Selectman Gagyi seconded the motion, and it was approved unanimously.

Karen Yeaton, 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.