

AGENDA
BOARD OF SELECTMEN
May 4, 2020 AT 6:30 PM
TOWN HALL, PAULSEN MEETING ROOM

- I. CALL TO ORDER
- II. CITIZEN COMMENT
- III. SCHEDULED MEETINGS:
 - a.
- IV. OLD BUSINESS:
 - a. Tax Deeds Update
 - b. Tax Deed Waivers
 - c. Letters to Delinquent 2017 taxpayers
 - d. Road Paving Bids
 - e. ATV issues
 - f. Meadowlark Lane
 - g. Borough Road Speed
- V. NEW BUSINESS:
 - a. Proposed changes to Chapter 165 Financial Policies
 - b. Supervisors of Checklist
 - c. Manifest/Abatements
 - d. Minutes 4/20/20; 4/21/20
- VI. TOWN ADMINISTRATOR REPORT
- VII. COMMITTEE REPORTS
- VIII. OTHER/CITIZEN COMMENT
- IX. Non Public Session
 - RSA 91-A:3 II (b) The hiring of any person as a public employee
- X. ADJOURN

Residents can watch the meeting live by accessing the Town's website at www.pembroke-nh.com. Go to recorded meetings and click on Pembroke NH.

If anyone has questions while the meeting is going on you can email the Town Administrator djodoin@pembroke-nh.com.

While we are complying with the Governors order of no more than 10, we are doing our best to still allow for public input.

<u>Tax Deed date is May 8, 2020</u>		<u>NAME</u>	<u>PROPERTY ADDRESS</u>	<u>MAILING ADDRESS</u>	AMOUNT DUE THROUGH <u>5/8/2020</u>	MAP/LOT
Karen Batting David Mcewen			105 Glass Street Pembroke, NH 03275	105 Glass Street Pembroke, NH 03275	539.97	VE-199
			235-4 Dearborn Road Pembroke, NH 03275	1235-4 Dearborn Road Pembroke, NH 03275	735.66	266-76-104
William Boutillier (4)			337 Pembroke Hill Road Pembroke, NH 03275	337 Pembroke Hill Road Pembroke, NH 03275	9,777.67	264-76
Sally Copp			342 Pembroke Hill Road Pembroke, NH 03275	337 Pembroke Hill Road Pembroke, NH 03275	999.70	264-79
Sally Copp (L) Linda Iaramie			78-8 Sheep Davis Road Pembroke, NH 03275	78-8 Sheep Davis Road Pembroke, NH 03275	878.6	632-11-108
Wendy Cray (4)			153A Tina Drive Pembroke, NH 03275	153A Tina Drive Pembroke, NH 03275	4,628.43	266-85-41A
Richard and Gwen King			Merrimack River	41 Pleasant Street Pembroke, NH 03275	203.44	VW-183
Antonio and Raymond Leclair (L)			24 Kimball Street Pembroke, NH 03275	24 Kimball Street Pembroke, NH 03275	7558.71	VE-111
John and Judith Mader			668-1A Thompson Road Pembroke, NH 03275	664 Thompson Road #1 Pembroke, NH 03275	428.99	870-33-1
Brian and Heather Mudgett (4)			Broadway Pembroke, NH 03275	311 Pembroke Street Pembroke, NH 03275	217.02	VE-15-1
Owners Unknown *			Main Street Pembroke, NH 03275	311 Pembroke Street Pembroke, NH 03275	128.02	VW-114-1
Owners Unknown *						

Owners Unknown *	Pembroke Street	311 Pembroke Street Pembroke, NH 03275	289.83	266-27-2
George and Lorette Richard**	313 Buck Street Pembroke, NH 03275	313 Buck Street Pembroke, NH 03275	9743.36	941-1
Andrea Smith	629-635 Fourth Range Pembroke, NH 03275	310 Beacon Hill Road Pembroke, NH 03275	452.86	561-112-1
Michael and Cassandra Smith	204 Buck Street Pembroke, NH 03275	204 Buck Street Pembroke, NH 03275	3175.81	266-131
THC Realty Trust * Elliot Konner Trustee	Main Street Pembroke, NH 03275	PO Box 10545 Bedford, NH 03110-0545	2,186.11	VE-179-2
Lance Tremblay	307-2 Dearborn Road Pembroke, NH 03275	34 Dover Street Manchester, NH 03102	2,372.60	266-73
Webster Falls Inc *	Mills Fall Off Pembroke, NH 03275	116 So River Road Bldg A Bedford, NH 03110	231.63	VE-179-1

* Deed issues or potential contaminated land

** both are deceased

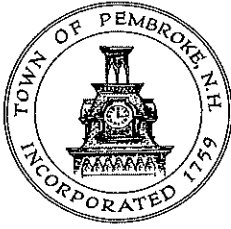
*** IRS LIEN

(4) Mobile Home
(L) land only

44,548.41

4/14/2020

EXAMPLES



**TOWN OF PEMBROKE
TAX COLLECTORS OFFICE**
311 Pembroke Street, Pembroke, NH 03275
Tel: 603-485-4747 Fax: 603-485-3967

DEED WAIVER

The property located at tax map 266-76-101 (Boutilier Mobile Home) is due to be tax deeded to the Town of Pembroke, NH for non payment of 2017 taxes.

The Town of Pembroke, Board of Selectmen hereby notifies the Tax Collector that they will not accept the Tax Collectors deed Due to the restrictions imposed on them for non-eviction due to COVID -19.

Board of Selectmen

Ann Bond, Chairman

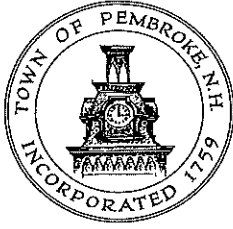
Sandy Goulet

Michael Crockwell

Richard Bean

Karen Yeaton

EXAMPLES



TOWN OF PEMBROKE
TOWN ADMINISTRATOR'S OFFICE
311 Pembroke Street, Pembroke, NH 03275
Tel: 603-485-4747 Fax: 603-485-3967

May 18, 2020

Karen Batting
David Mcewen
105 Glass Street
Pembroke, NH 03275

Dear Ms. Batting and Mr. Mcewen,

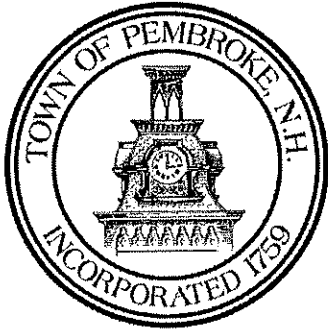
This letter is to inform you that due to Presidential orders surrounding COVID-19 and evictions, the Town of Pembroke was not able to execute a Tax deed, or take ownership of your property for the delinquent 2017 taxes.

The process will continue in 2021 and at this time you will be required to pay both 2017 and 2018 taxes in full by May 7, 2021 to avoid the Town taking your property for non-payment of taxes.

The balance due by May will be \$4035.19. We would suggest that you make payments over the next 12 months so that the balance is cleared up by the deeding date. In order to accomplish this, you would need to pay \$336.27 per month

Sincerely,

Pembroke Board of Selectmen

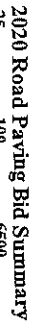


Town of Pembroke
Department of Public Works

8 Exchange Street, Pembroke, NH 03275
Phone: (603) 485-4422 Fax: (603) 485-2613

To: Board of Selectmen
From: Roads Committee
CC: David Jodoin
Date: April 9, 2020
Re: Paving Bid Award Recommendation 2020

The Roads Committee recommends the bid be awarded to GMI Asphalt, LLC for paving North Pembroke Road and shim on Dudley Hill Road for approximately \$160,000.00.



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David Jodoin

From: VJ Ranfos <vranfos@pembroke-nh.com>
Sent: Friday, April 17, 2020 10:47 AM
To: David Jodoin
Cc: jboisvert@pembroke-nh.com
Subject: FW: chip seal options

Hi David,

I received this today from All States. I believe that the Selectpersons are talking about the paving bids on Monday. This might be something to consider.

Thanks,
V.J.

From: Bruce Davis [<mailto:bdavis@asmg.com>]
Sent: Friday, April 17, 2020 8:06 AM
To: vranfos@pembroke-nh.com
Subject: chip seal options

Due to the Town's uncertainty with delayed tax revenues, I wanted to reach out to extend an option to you. Given our desire to help you move forward during the short construction season, we are able to explore options for extending payment terms beyond our normal 30 days. Consistent with similar relief that businesses and communities are providing for various bill payments, we could potentially provide a 60 or 90 day delay on payment for work completed during this season. If this is something that would be helpful, please let me know and we can discuss further. Have a good weekend.



**All States
Materials Group^{INC}**

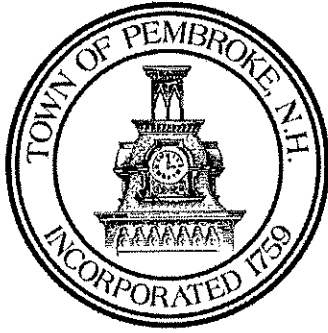
Bruce Davis

Sales

Cell : 603-496-3053

Email: bdavis@asmg.com

Website: www.asmg.com



Town of Pembroke
Department of Public Works

8 Exchange Street, Pembroke, NH 03275
Phone: (603) 485-4422 Fax: (603) 485-2613

To: Board of Selectmen

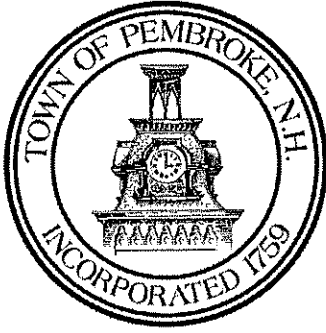
From: Roads Committee

CC: David Jodoin

Date: April 9, 2020

Re: Full Depth Reclamation w/Injected Asphalt Stabilization Bid Award Recommendation 2020

The Roads Committee recommends the bid be awarded to All States Asphalt, Inc. for North Pembroke Road for approximately \$80,022.00.

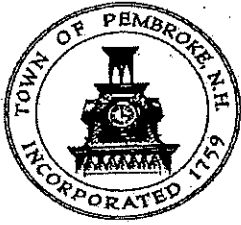


Town of Pembroke
Department of Public Works

8 Exchange Street, Pembroke, NH 03275
Phone: (603) 485-4422 Fax: (603) 485-2613

To: Board of Selectmen
From: Roads Committee
CC: David Jodoin
Date: April 9, 2020
Re: Chip Sealing Bid Award Recommendation 2020

The Roads Committee recommends the bid be awarded to All States Asphalt to apply Double Chip Seal to Ryan Drive for approximately \$19,468.00.



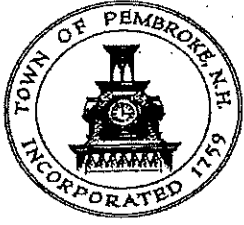
Town of Pembroke

Department of Public Works

8 Exchange Street, Pembroke, NH 03275
Phone: (603) 485-4422 Fax: (603) 485-2613

2020 Chip Sealing Bid Summary

		Per Pound	Comments
All States Asphalt, Inc. P.O. Box 91 Sunderland, MA. 01375	Single	2.55 Sq. Yd.	Certificate of insurance/ Yes
	Double	5.95 Sq. Yd.	



Town of Pembroke

Department of Public Works

8 Exchange Street, Pembroke, NH 03275
Phone: (603) 485-4422 Fax: (603) 485-2613

2020 Bid Summary/Full Reclaim w/ Injected Asphalt

	Per Pound	Comments
All States Asphalt, Inc. P.O. Box 91 Sunderland, MA. 01375	6.20 Sq.Yd., 3.50 gal	Certificate of insurance/ YES
Advanced Excavating & Paving P.O. Box 581 Suncook, N.H. 03275	7.75 Sq. Yd., 4.50 gal	Certificate of insurance/ YES

Pembroke
Buck Street
361-2020-01


STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

PARKING REGULATION

In accordance with RSA 265:71 and RSA 236:1 along with New Hampshire Executive Order 2020-04 and relevant subsequent Executive Orders related to the Novel Coronavirus (COVID-19) pandemic, a temporary parking ban on Buck Street in the town of Pembroke, New Hampshire, along both sides of the roadway starting 550 feet east of Sixth Range Road and running westerly approximately 1100 feet to a distance 550 feet west of Sixth Range Road is hereby restricted and within the area so described the parking of vehicles of any type is prohibited at any time. This regulation is in response to Governor Sununu's issue of a state of emergency and shall remain in effect until the state of emergency has been lifted.

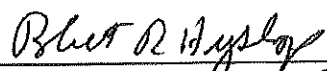
Starting Coordinates		Ending Coordinates		Maintained by
N43.159546	W-71.411218	N43.157550	W-71.414383	State

Given under my hand this 21st day of April, 2020
New Hampshire Department of Transportation



State Traffic Engineer
For Director of Operations

In accordance with Revised Statutes Annotated 236:2 I have caused to be filed a copy in the records of the New Hampshire Department of Transportation and with the Clerk of the Town of Pembroke, New Hampshire.



Authorized Agent of the Commissioner

Date 4/21/2020

CHAPTER 165

FINANCIAL POLICIES

[HISTORY: Adopted by the Board of Selectmen of the Town of Pembroke 2-21-2007 by Res. No. 2007-01. Amended 9-8-2009; Approved BOS 9-19-11]
GENERAL REFERENCES

Purchasing procedures — See Ch. 178.

INVESTMENT POLICY

§ 165-1 Introduction.

This investment policy is established under the authority of State Statute RSA 41:29 for the purpose of providing guidance to Town of Pembroke officials as to the investment of public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the Town and conforming to all laws governing the investment of public funds.

§ 165-2 Scope.

This investment policy applies to all financial assets under the care of the Board of Selectmen and in the custody of the Town Treasurer for the Town of Pembroke, New Hampshire. These funds are accounted for in the Town's annual audited financial reports and include the following: General Fund, Capital Projects Fund, Special Revenue Funds, Escrow Funds and Agency Funds. Any new funds created by the Town, unless specifically exempted by the governing body, in accordance with law, or by-law.

§ 165-3 Objectives.

The primary objectives, in primary order, of investment activities:

A. Safety (of principal and preservation of capital): Safety of principal is the foremost objective of the investment program. Investments shall be undertaken to ensure the preservation of capital in the overall portfolio.

B. Liquidity (maintain sufficient liquidity to meet operating requirements and other cash needs): The portfolio shall retain sufficient liquidity to meet all operating requirements that may be reasonably anticipated. To ensure adequate funds are available to pay projected financial obligations, investments will be

purchased or deposits made to reasonably match anticipated cash disbursements.

C. Yield (rate of return): The portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles that is as close to market average as possible, taking into account liquidity needs, investment risk, and capital preservation.

§ 165-4 Risks.

A. Credit risk (loss due to failure of security issuer): The Town shall minimize credit risk by limiting investments to the safest types of securities, and diversifying the portfolio.

B. Market risk (changes in the financial market could reduce the value of a security): The Town shall minimize market risk by limiting investments that are subject to rapid market swings, and by varying investment maturity dates.

§ 165-5 Investment instruments.

In accordance with RSA 41:29, funds may be invested in the following:

1. U.S. Treasury bills, notes, and bonds
2. U.S. Government Agency Securities which carry the full faith and credit guarantee of the U.S. Government
3. U.S. Government Instrumentality Securities when contractually managed by a qualified financial advisor
4. Money market deposit accounts
5. Certificates of deposit
6. Sweep Accounts
7. Repurchase agreements, collateralized by U.S. Government Securities
8. Local government investment pools
9. Savings bank deposits

§ 165-6 Collateralization.

All deposits shall be fully collateralized with the delivery of U.S. obligations, or obligations in the State of New Hampshire in market value at least equal to 100% of the cash deposit in each case.

§ 165-7 Standards of care.

A. Delegation of authority: In accordance with New Hampshire Law, responsibility for conducting investment transactions resides with the elected Town Treasurer. The Deputy Treasurer may be appointed to assist in performing investment functions.

B. Prudence: Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

C. Ethics: Key personnel, as listed in Exhibit B, *Editor's Note: Exhibit B is on file in the Town offices.* who are involved with the investment function of the Town, shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions. Key personnel shall also inform the Administration and Board of Selectmen of any relationships, either personal or professional, with any financial institution conducting business with the Town that may, or give the appearance that it may, constitute a conflict of interest.

§ 165-8 Internal controls.

A. The Town Accountant is responsible for establishing and maintaining an internal control structure designed to ensure the assets of the Town are protected from loss, theft or misuse.

B. The Town Administrator is responsible for ensuring that separation of transaction authority from accounting and recordkeeping, and written confirmation of transactions for investments are maintained.

C. The Board of Selectmen shall establish an annual process of independent review of the investment function. This review will provide internal control by assuring compliance with established policies and procedures.

§ 165-9 Policy review.

This policy will be reviewed by the Board of Selectmen and Treasurer on annual basis, and when there is a change in key personnel. Performance of the current investments shall also be reviewed on at least an annual basis. This policy may be reviewed if there is a change in the investment environment, a change in an approved financial institution, or for the purposes of continuous improvement. If a change occurs in investment law which is not reflective of this policy, the law will prevail.

FUND BALANCE POLICY

§ 165-10 Preface.

The Town of Pembroke through its Board of Selectmen establishes and will maintain reservation of Fund Balance, as defined herein, in accordance with Governmental Accounting Standards Board ("GASB") Statement No. 54, Fund Balance reporting and Governmental Fund Type Definitions. This policy shall only apply to the Town's governmental funds. In accordance with GASB statement No. 54, fund balance shall be composed of nonspendable, restricted, committed, assigned, and unassigned amounts.

In accordance with the Governmental Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, effective for the period ending December 31, 2020, the Board of Selectmen recognizes the following with regards to fund balance.

§ 165-11 Purpose.

The purpose of this policy is to establish a key element of the financial stability of the Town by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the Town maintain adequate levels of unassigned fund balance to mitigate financial risks that can occur from unforeseen revenue fluctuations, unanticipated expenditures, emergencies, and similar circumstances. The fund balance also provides cash flow liquidity for the Town's general operations.

§ 165-12 Definitions.

- a. ***Nonspendable Fund Balance*** – includes amounts that are not in a spendable form (such as inventory or prepaid expenses) or are required to be maintained intact (such as principal of an endowment fund).

- b. **Restricted Fund Balance** – includes amounts that can only be spent for specific purposes, such as grant, library, income balance of permanent funds, and capital project funds that cannot change purpose.
- c. **Committed Fund Balance** – amounts that can only be used for specific purposes pursuant to a formal vote at Town Meetings; such as expendable trust funds (capital reserve), nonlapsing appropriations, and other special revenue funds not listed under restricted and can change purpose via a vote at Town Meeting.
- d. **Assigned Fund Balance** – amounts intended by the Board for specific purposes. For all governmental funds other than the general fund, any remaining positive amounts are to be classified as “assigned”. Items that fall under this classification for the general fund would be encumbrances properly approved by contract, purchase order, or other such actions as required.
- e. **Unassigned Fund Balance** – includes amounts that are not obligated or specifically designated and is available for any purpose. The residual classification of any General Fund balance to be reported here. Any deficit balance of another fund is also classified as unassigned.

§ 165-13 Spending Prioritizations.

When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, restricted fund balance is considered to have been spent first.

When expenditures are incurred for the purposes for which amounts in any of the unrestricted fund balance classifications can be used, committed amounts should be reduced first, followed by assigned amounts and the unassigned amounts.

§ 165-14 Minimum Level of Unassigned Fund Balance.

It is the objective of the Board of Selectmen to maintain will strive to maintain an Unassigned Fund Balance of 10% to 20% of gross current General Fund budgeted expenditures, in its general fund equal to the guidelines established by the NH Government Finance Officers Association (NHGFOA) which areas follows:

The Town considers a balance of less than 10% to be a cause for concern and, considering factors that may require a higher than normal maximum level of Unassigned Fund Balance, a balance of more than 20% as excessive.

In the event Unassigned Fund Balance is less than 10%, restorative steps shall be taken in the immediate and subsequent calendar years.

In the event that Unassigned Fund Balance is more than 20%, steps should be taken to reduce the excess balance in the immediate subsequent calendar years, or a plan for doing so over a reasonable period should be prepared, including an explanation of how the excess fund balance will be reduced to an acceptable level. An amount more than 20% may be considered to reduce tax levy requirements determined in conjunction with the annual budget process, as a capital improvement component, for reservation to accumulate funding for future capital improvements, or for any legal purpose deemed appropriate and desirable by the Board of Selectmen.

- a. ~~Retention of 8% to 17% of regular general fund operating revenues or no less than 2 months of general fund operating expenditures. This is calculated by adding the municipality's general fund operating appropriations, the state education tax amount, the local school net tax commitment, and the county appropriation.~~

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§ 165-15 Annual Review.

Compliance with the provisions of this policy should be reviewed as part of the annual budget process.

Updated 5/4/20

Pembroke Police Department

Memo

To: Dave Jodoin Town Administrator
From: Chief Dwayne Gilman
Date: May 4 2020
Re: Borough Road Complaint

To the Board,

During the last Selectman's meeting Town Administrator Dave Jodoin brought to your attention a letter from a resident of Borough Road. The letter outlined his issue of attempting to pull out of his driveway onto Borough road daily in a safe manner. The resident spoke about traffic's speed as well as his driveway being hidden as traffic crests a hill.

I have taken a look at the area and recorded a video driving the road both North and South. Below are my thoughts of how we can handle the complaint. The video is also narrated with the information below.

1. Install a speed limit sign traveling North between Fourth Range Road and the residents address in the area of Old Borough Road.
2. Install a "Blind Driveway" sign in the same area as the speed limit sign but not on the same post.
3. Install a second speed limit sign traveling South on Borough in the area of Rosedale and Clough Mill.
4. One other possible solution is to lower the speed to 25 Mph in that area from Clough Mill to Route 106.

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
APRIL 20, 2020 at 6:30 PM**

DRAFT

Present: Chairman Ann Bond, Selectman Mike Crockwell, Selectmen Richard Bean, Selectman Karen Yeaton

Staff: Town Administrator David Jodoin

Excused: Selectmen Sandy Goulet

I. Call to Order:

Selectman Bond called the meeting to order at 6:31 pm.

II. Citizen Comment:

None

III. Scheduled Meetings:

None

IV. Old Business:

Tax Deeds

David presented the Board with an updated tax deed listing for 2020. This list is for non-payment of 2017 taxes. Deeding date is May 8, 2020.

V. New Business:

Road Paving Bids 2020

Selectman Yeaton explained that the Roads Committee received three bids for paving and repairing portions of Dudley Hill Road, North Pembroke Road, and Ryan Drive. They had hoped to work on Exchange Street and Front Street; however, the cost came in at around \$40,000 and after some discussion, the Committee decided to put those projects on hold. The Roads Committee is recommending awarding the bid to All States Asphalt, Inc for the double chip seal on Ryan Drive and a portion of North Pembroke Road and to award the annual paving contract to GMI Asphalt, LLC for paving North Pembroke Road and shim Dudley Hill Road.

David stated that he received a letter from All States Asphalt explaining that with the uncertainty of tax revenues due to COVID-19, they are offering extended payment terms beyond the usual 30 days.

Selectman Yeaton asked if they gave an extension on how long the bid is good for. David stated that GMI said they would hold the cost per ton quoted price but there is an escalation clause for the cost of fuel. Selectman Yeaton shared concerns for putting off making the decision as to whether or not they will do the projects because other towns are likely doing the same thing and it could lead to a back log that makes projects takes longer and cost more.

Selectman Yeaton explained that the Roads Committee has concerns of the condition on Dudley Hill breaking a plow this winter because it has deteriorated so much They do not feel they can wait to do North Pembroke Road or Ryan Drive either.

Selectman Crockwell shared concerns for not having the cash flow to pay for the paving by the end of the summer.

David suggested holding off until then next meeting to make a decision. The Selectmen are meeting with the School Board on April 21st and they will have a better idea of how the Town may fair financially in the coming month.

Selectmen Bean asked if we could talk to the companies to see if they are willing to hold their bids or potentially lower their bids between now.

David explained that you couldn't do that since you already did a sealed bid, and if that was the case that you would need to re-bid.

Selectman Crockwell made a motion to table awarding the contracts until the May 4th Selectmen's meeting. Selectman Yeaton seconded the motion. Motion passed 4-0.

Manifests/Abatements

Selectman Crockwell made a motion to approve the manifests and abatements as presented. Selectman Bond seconded the motion. Motion passed 4-0.

Minutes 3/30/20

Selectman Bean made a motion to approve the minutes of March 30, 2020 as amended. Selectman Yeaton seconded the motion. Motion passed 4-0.

Non-Public Minutes 3/16/20

Selectman Bean made a motion to approve the non-public minutes of March 16, 2020 as amended. Selectman Crockwell seconded the motion. Motion passed 4-0.

Minutes 4/6/20

Selectman Bean made a motion to approve the minutes of April 6, 2020 as amended. Selectman Yeaton seconded the motion. Motion passed 3-0. Selectman Crockwell abstained

VI. Town Administrator Report:

The annual State Auction auction has been postponed.

David received a letter that there will be an emergency dig by the Tennessee Gas Pipeline who find it necessary to excavate within the existing right of way for maintenance on May 18-July 31, 2020 all located within their easement on Pleasant Street in Pembroke. Selectman Bean made a motion to authorize the Town Administrator to sign the emergency order granting Tennessee Gas Pipeline access. Selectman Yeaton seconded the motion. Motion passed 4-0.

Construction for the tempered plate glass barrier walls for the Tax Collector and Town Clerk are being scheduled.. The Town Hall is scheduled to re-open on May 4th. The Governor at this point has not extended the stay at home order. David recommends not re-opening until the walls have been installed. There are also concerns that there is currently no way to keep people coming into the office and maintaining a 6-foot distance especially during a busy time when people are trying to pay their tax bills. Selectman Bean asked when tax bills are going out. David answered end of May and due first week of July. Selectman Crockwell suggested opening Town Hall following the Governor's guidelines and potentially asking residents to make appointments to pay their taxes. David suggested adding a sign to the door asking no more than three people in the building at a time. Selectman Bond asked if the employees at town hall sit 6 feet apart. David stated that everyone is 6 feet apart. They made need to come up with something for Muriel (Welfare Officer) who does not have a way to meet with residents and maintain the safe distance. The Board decided to monitor the Governor's decision and make a decision at the next meeting.

North Pembroke Road Bridge is going out to bid end of April/beginning of May with construction to start late summer or fall. The project estimate for the Town is currently \$435,000. The money has been encumbered from prior years.

Chief of Police is monitoring ATV use on the Range Roads. Normal ATV trails do not open until the end of May so people are looking for non-approved trails to ride on. He will come to the Board with comments and concerns at the next meeting. There major concerns are for parking along the openings of Range Roads, driving an unauthorized vehicle on the roads, dumping trash, and riding on private property.

David received an email concerns for speed and safety on Borough Road. David will forward the email to the Police Department.

The Board discussed issues on Meadowlark Lane which his located across from the high school. There are on-going neighborly disputes regarding vehicles turning around on private property and concerns for the trash truck having to back up the road making residents move their trash carts to one side which end up on other resident's properties. A survey was located for the street and the Board will discuss this further at the next meeting.

The Board is meeting with the School District via conference call on April 21, 2020 at 6:30. Selectman Bond is both Chair of the Select Board and on the School Board Therefore, Selectman Yeaton will Chair the meeting for the Selectmen. The portion meeting involving the Selectmen will be recorded and available on Town Hall Streams.

Selectman Yeaton asked if the LogMeIn license is available to the rest of the Town. David stated that different Boards can use it and residents can call in to it. There was a yearly \$1,600 cost and there will be an \$0.08/minute charge for each call. These will be added to the costs that are associated with COVID-19 and we will seek reimbursement.

Selectman Yeaton asked what the foundation settlement survey was. David answered that every year the public works building gets monitored for movement because it is built on a landfill. The landfill itself is also monitored.

VII. Committee Reports:

Selectman Bean – None.

Selectman Bond – Planning went over the remaining, existing, and future land use section of the master plan. Selectman Yeaton asked if they are discussing Range Roads. Selectman Bond stated they are reviewing the surveys they have from residents on the Range Roads. The master plan will state that residents would like the range roads to remain for recreation. Selectman Crockwell shared that the Conservation Commission has discussed trying to have the roads shut down to all wheeled vehicles in the past. San-Ken will be back in next week.

Selectman Crockwell – None.

Selectman Yeaton –

VIII. Other/Citizen Comment:

None.

IX. Non-Public Session

None.

X. Adjourn:

Motion by Selectman Bean, seconded by Selectmen Yeaton to adjourn at 7:41 PM.
Motion Passes 4-0.

Ann Bond, 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.

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
APRIL 21, 2020 at 6:30 PM**

DRAFT

Present: Selectman Sandy Goulet, Selectmen Richard Bean, Selectman Karen Yeaton, Selectmen Mike Crockwell

Via Conference Call Chairman Ann Bond, Selectman Sandy Goulet

Staff: Town Administrator David Jodoin, Recording Secretary Jillian McNeil

I. Call to Order:

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

II. The Pembroke Board of Selectmen will be meeting electronically with the Pembroke School Board to discuss issues involving COVID-19. This meeting is being run by the Pembroke School Board.

Patty Sherman, Superintendent SAU 53, read an email she had sent to the Selectmen on April 6, 2020. The email states that when the Governor issued the emergency stay at home order; the budget was immediately frozen. Patty explained that current budget projections for FY2020 does not include adjustments for remote learning. At this point in time, the School District is projecting a surplus of \$380,000 in Fund One and a revenue surplus of \$117,000. It is too early to know the full impact on the budget at this time and they will still need to assess any surplus that may happen due to the buildings being closed. From this point forward, only essentials will be ordered as needed. At the point that the email was sent, school was not officially closed for the remainder of the year. Now that the Governor has made that official, there is more work to do to figure out the full impact. For example; now that sports are cancelled, money budgeted for officials and transportation will free up. Special Ed services are still being required by law to be provided to all students. They are being done remotely. If they are unable to perform all services, they will need to offer compensatory education. While the budget will remain frozen, there may still be some needs for technology. They have been able to keep up on demand for devices as Chromebooks went to every student that needed them. It is a fluid situation and a serious one and they understand they need to try and return every cent that they can to the tax payers.

Ann Bond, Selectman and School Board Member, asked if the letter was sent to the Selectmen. Andy Camidge, Chair of the School Board, stated that it was attached to an email he sent to David Jodoin, Town Administrator. Ann asked if a copy could be sent to the entire School Board. Andy stated that he will make sure everyone gets it. Amy Manzelli, School Board, asked that all communication with the Select Board be included in their meeting packets on the shared drive.

David Jodoin stated that the Governor in recent communications stated that he had to plan for the worst and hope for the best. David stated that he has to take the same approach for the Town.

The Town's first sign of impact is with motor vehicle registrations. With the exception of property taxes, the second highest revenue generator for the Town is motor vehicle permits. In the first three months, registrations are down \$23,000. If this continues through the end of the year, the Town could be down \$100,000 or more on motor vehicles permits alone.

The second highest revenue generator is from the State of New Hampshire for the Meals and Rooms Tax. Restaurants are closed and are seeing revenue losses of 80-100%. Last year, the Town received \$361,000. David feels that the Town will be lucky to get half of that this year if things continue.

Last Thursday, the Governor stated that the State is currently \$200 Million in the hole and heading towards \$500 Million by the end of June 2021. The Governor also discussed the additional billion dollars that was put into the budget, of which some of that was for direct aid to cities, towns, and school districts. Several communities as well as NHMA are concerned that the State is no longer going to not fund state aid as planned.

David explained that by law, the Selectmen have to give a commitment for property taxes to the Tax Collector by May 15th. The bills will go out and if people cannot pay their taxes, that will negatively affect the Town's cash flow. The School District is the Town's largest debt with the School District receiving over a million dollars every month.

Whatever is saved by the school at the end of June 2020, can be applied to the 2020 tax rate in the fall. At the end of June, the Town has to make a \$1.5 Million payment to the school and \$1.250 Million for two months after that. David is requesting that The SAU look at these payments and see if they can be adjusted lower. The ideal plan would be to notify me that you need money when the A/P and payroll manifests for the School are created. Transfers can be made within a day or so. David is concerned for the Town's cash flow and the Town being put into a position where they may need to borrow. Pembroke has not needed to borrow to cover its cash flow since 2003. The Town only budgeted a dollar for interest costs this year. Several communities are concerned that they will need to borrow.

David explained that the Selectmen have implemented a spending freeze. Standard expenditures and emergency items are acceptable. The cruiser and loader purchase for now has been postponed to the end of the year. The Town has reached out to the department of revenue and NHMA to see if a request could be made to the State to see if they could relax the restrictions on public hearing notices on special meetings. The Selectmen have discussed not funding Capital Reserve this year if that were allowed saving \$462,000. By law, the money has to be transferred to the Trustee of Trust Funds by December 15th.

David explained that the anticipated surplus from the School District is a moving target. Right now, the anticipated \$500,000 coming back to tax payers could mean approximately \$0.65 coming off the tax rate for the November 2020 bills. However, the School District could have unexpected expenditures that makes that number drop or they may be able to

give back more. It is a fluid number. Money saved from the 2021 school year budget will be not applied as surplus to this year's tax bill. It would be applied to next year's tax rate. However, if they were able to drop the number on some of the expenditures for the fiscal year beginning in July of 2020, it would greatly help the cash flows for the Town.

David explained that the Selectmen compiled a list of questions they would like to ask the School Board. Since this is the first time the School Board is hearing of the list, the Select Board asked that they schedule another meeting together where they would be able to discuss the answers. David read examples from the list as where are highs and lows on the 19/20 budget, what are they looking at for a potential 2021 budget, will they be postponing any of the new expenditures aside from the teachers contract, and what is the kindergarten ratio.

David expressed gratitude for the School Board agreeing to meet this evening. And was hoping that the School Board would work with the Town for what is best for the community. David also suggested that this was a good time for everyone to be kind and suggested that people thank their first responders, teachers, and essential employees for everything they are doing.

David asked when they are having another meeting and will they be able to get back to the Selectmen. School Board Chairman Andy Camidge clarified that the most important and most immediate impact that the School can have is by maximizing the surplus at year end on June 30, 2020. They would need to discuss further impacts they could have on next year's budget and the effect that would have on the Town because the monthly payments would be able to be lowered.

David answered that is correct. Chairman Camidge stated that the option to not fund warrant articles has to wait until the Governor makes a proclamation before they could take any sort of action. David stated they could have a special meeting but not with the current social distancing guidelines. The regulation surrounding how many people need to be at that meeting is what they are trying to get relaxed. Chairman Camidge stated that the general expectation is that there would be more than the \$500,000 to give back but that is not a guarantee at this moment. Chairman Camidge stated they will go through all the questions that the Selectmen have sent over in a timely fashion. The next School Board meeting is currently scheduled for May 5th. That meeting date will be a topic of discussion later in this meeting. Chairman Camidge would not be opposed to scheduling more meetings with the Selectmen and clearly expressed a willingness to do whatever they can to work closely with the Town to do what is best for the community.

School Board Member Bond asked if Patty Sherman would be able to look at the questions and see how long it would potentially take to answer the questions so they could set a follow up meeting. Patty Sherman stated that she will work to get all the answers for the next School Board meeting but it depends on how many questions there are, the type of questions, and when she gets them.

School Board Member Bond asked if the \$300,000 surplus is after the warrant articles are paid. Patty answered that it is not. Ann stated that that would mean \$111,000 comes off that

total that will be returned to the Town. Patty answered that is correct. Later in the meeting they will be discussing grant funding under the CARES act how that may be able to cover some of the \$111,000. School Board Member Bond asked if there will be savings from the SAU budget. Patty stated that there will likely not be much to save from that budget because it is largely salaries and there are not a lot of extras in the budget. Patty will look into it.

School Board Member Manzelli stated that if there are straight forward questions that are easy for Patty to answer and do not require discussion, she could just send those to the Selectmen and CC the School Board. Patty stated that she could do that and then add the email to the School Board drive so it would become part of the record. The School Board discussed and agreed with this.

Selectman Yeaton asked if there are additional opportunities for increasing the surplus for the 19/20 school year, specifically a document that was presented at the March 7th School Deliberative Session that represented \$800,000 in proposed cuts. The list appears to have many non-essential items such as furniture and books but it also lists five new hires. Chairman Camidge answered that the list was for next year's budget. While it is a good list for them to start with when considering cuts for next year, the cuts would not be able to be implemented and take effect for the tax relief of this year. Gene Gauss, School Board Member, clarified that the list had five positions they would cut. Only one of the positions was a new hire. The other four were existing positions. Ann Bond School Board Member, clarified that the list sent was for the 2021 budget would not help with the surplus but would help with the tax rate that the tax payers would be paying for 2021. Chairman Camidge stated that the tax rate set in November wouldn't actually be lowered because that rate is set based on what was voted in March. The list of cuts would mean a surplus at the end of the 2021 budget and be returned June 2021 and would lower the tax rate for the November 2021 bills. David stated that any cuts would help the Town with cash flow but it is correct that any cuts to next years budget would help next years tax rate and not this year.

David stated as a recap, that his main priority is the Town's cashflow. He would like the Administration to look at the allotment payment schedule and see if the numbers can be reworked and lowered. If that doesn't happen, the Town could be pushed to borrow. Chairman Camidge stated that he will work on that with the appropriate people. Patty asked if they knew their two-week manifest would be lower, could he make a payment change relatively quickly. David stated that he could fund their manifests as they happen.

Ann Bond School Board, asked if David could explain what it would look like if the Town does have to borrow. David stated that it depends on the amount that would be needed and the interest rate. There is \$1 dollar budgeted to pay for interest so it could potentially be a big hit and another part of the budget would have to cover the cost. Borrowing is a worst-case scenario, and should be avoided at all costs if possible.

Chairman Camidge asked if there has been any chatter through the Municipal Association or elsewhere that any Federal stimulus money may be available to the Towns to help. David explained that the New Hampshire Municipal Association (NHMA) put out a survey to see the potential need for tax anticipation notes around the state as well as other expenses related to COVID 19. The Town is planning to submit for reimbursement for any technology that

has been needed due to COVID-19, PPE equipment, and meeting noticing. Along with anything else that could be considered extra due to the pandemic.

Right now in reality people are waiting to hear that the Governor is not going to try and balance the state budget by making cuts to municipalities. NHMA is working really hard on behalf of Towns to ensure this doesn't happen.

April Villani, School Board Member, asked what the allotment schedule agreement between school and town is and is it something that is regulated by the State of New Hampshire. David answered that it is not regulated by the State. It is a yearly schedule that is put together by the SAU and is a schedule for monthly town appropriations. The Town sends \$4,750,000 combined for the months of July, August, September, and October. November and December are typically less being closer to \$850,000 and \$750,000.

Selectman Bean asked if there are any savings on transportation costs with schools being out. Chairman Camidge stated that they are under contract for the regular school busing so there will not be any savings but there will be savings to realize in sports busing. Special Education busing is a different transportation company and is separated out. Contracted bus drivers are still being paid. Patty Sherman stated that Dale Transportation gave them fuel credits back.

School Board Member Gauss asked if there are any other savings with bus companies. Patty stated the fuel credits will be the only reduction. They did request to negotiate the cost of the contract down and the bus company came back that they are not willing to negotiate the current contract. It will be discussed more in depth later in this meeting.

School Board Member Bond clarified that by the end of the School Board meeting they will have a date for a next meeting with the Selectmen. Chairman Camidge stated they are having a general discussion later in the meeting about future meetings.

III. Adjourn

Selectmen left the School Board Meeting at 7:49pm.

Sandy Goulet, 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.

David Jodoin

From: Margaret Byrnes <mbyrnes@nhmunicipal.org>
Sent: Monday, April 27, 2020 9:39 AM
To: David Caron; Stephen Fournier; Conner MacIver; Laura Buono
(laura@hillsboroughnh.net); Jeanie Forrester; townmanager@lincolnnh.org; David Jodoin
Cc: Stephen Buckley; Cordell Johnston; Natch Greyes; Barbara Reid; Shaun Mulholland
Subject: Authority to reduce or rescind appropriations
Importance: High

Good morning—

As many of you know, one of the issues that has been brought to both NHMA's and DRA's attention is the authority of towns to reduce or rescind appropriations in a town's budget. Many towns would like to take this action in an effort to reduce the tax rate, given the fact that the economy is not what it was when their budget was adopted, but doing so requires a special town meeting under RSA 31:5.

NHMA has been communicating with DRA about the possibility of an emergency order that would allow towns to reduce or rescind appropriations without a special town meeting. I am hoping you would agree to serve as sort of "sounding board" for NHMA on this issue. We would share ideas in an effort to come out with language that could be proposed as an EO to create a solution to this problem.

I have included Dave Caron because I believe Derry's charter provides authority for the council to take action without a meeting or court approval, and this could serve as a model for what we are trying to do. I have included David Jodoin, town administrator in Pembroke, because David was the first municipal official to bring the idea to my attention. This group also has several different counties represented.

Let me know if you're willing to help with this effort. Thank you!

Margaret



Margaret M.L. Byrnes
Executive Director
NH Municipal Association
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Concord, NH 03301
Tel: (603) 224-7447
Email: mbyrnes@nhmunicipal.org
www.nhmunicipal.org

United States Senate

WASHINGTON, DC 20510

April 26, 2020

The Honorable Steven Mnuchin
Secretary
Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

Dear Secretary Mnuchin:

We write regarding the Treasury Department's Coronavirus Relief Fund Guidance to urge you to promptly revise your interpretation so states, Tribal, and local governments can use these funds to prevent further economic damage.

While the term "lost revenue" does not appear specifically in Title V of the Coronavirus Aid, Relief and Economic Security (CARES) Act, a plain text reading of the law leads to the logical conclusion that lost or delayed revenues are a direct cost created by the coronavirus that were never accounted for in any budget. Therefore, we believe it is fully within your authority and the intent of the CARES Act that these funds may be used to replace lost or delayed tax revenues and maintain public services. In the midst of an economic collapse, the intent of the entire CARES Act is to provide flexible help to a wide range of Americans. To prevent the flexible use of these relief funds is a choice that is neither required nor intended by law.

We are not alone in this view. Governors and Senators from both sides of the aisle have set aside ideology and urged you to follow the law as written instead of creating more bureaucratic red tape in the middle of a public health emergency and ensuing economic crisis. Of all the regulations that this Administration seeks to cut, it should start with this one.

We all have a common interest in preserving as much of our economy as possible so that we are well positioned for a robust recovery. A critical component of our economy is our state, Tribal, and local governments as they not only serve as customers for our local businesses, but also provide the essential services, such as effective law enforcement, public infrastructure, a strong education system, and other necessary conditions that provide the business certainty that make our country attractive to businesses and investors throughout the world. We should preserve and maintain this critical comparative advantage.

To avoid distracting states, Tribes, and localities from meeting the crisis at hand, the Treasury Department should publicly confirm that states, Tribes and localities may use these funds to maintain their essential services as the CARES Act clearly permits.

We thank you for your consideration and urge you to act promptly.

Sincerely,

Jack Reed
United States Senator

Charles E. Schumer
United States Senator

Patrick Leahy
United States Senator

Sherrod Brown
United States Senator

Tim Kaine
United States Senator

Doug Jones
United States Senator

Sheldon Whitehouse
United States Senator

Martin Heinrich
United States Senator

Mazie Hirono
United States Senator

Angus S. King, Jr.
United States Senator

Jon Tester
United States Senator

Amy Klobuchar
United States Senator

Kirsten Gillibrand
United States Senator

Edward J. Markey
United States Senator

Thomas R. Carper
United States Senator

Robert P. Casey, Jr.
United States Senator

Richard Blumenthal
United States Senator

Mark R. Warner
United States Senator

Ron Wyden
United States Senator

Chris Van Hollen
United States Senator

Tom Udall
United States Senator

Richard J. Durbin
United States Senator

Patty Murray
United States Senator

Bernard Sanders
United States Senator

Jeffrey A. Merkley
United States Senator

Tina Smith
United States Senator

Dianne Feinstein
United States Senator

Robert Menendez
United States Senator

Benjamin L. Cardin
United States Senator

Tammy Baldwin
United States Senator

Catherine Cortez Masto
United States Senator

Brian Schatz
United States Senator

Tammy Duckworth
United States Senator

Christopher A. Coons
United States Senator

Christopher S. Murphy
United States Senator

Jacky Rosen
United States Senator

Elizabeth Warren
United States Senator

Cory A. Booker
United States Senator

Margaret Wood Hassan
United States Senator

Jeanne Shaheen
United States Senator

Kamala D. Harris
United States Senator

Joe Manchin III
United States Senator

Michael F. Bennet
United States Senator

Kyrsten Sinema
United States Senator

Gary C. Peters
United States Senator

Debbie Stabenow
United States Senator