

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
January 20, 2015 at 6:30 PM**

Present: Chairman Justine Courtemanche; Vice Chairman Fred Kline; Selectman David Sheldon; Selectman Vincent Greco; Selectman Michael Crockwell

Staff: David Jodoin, Town Administrator

1. CALL TO ORDER

Chairman Courtemanche called the meeting to order at 6:30 PM.

2. CITIZENS COMMENT

None

3. SCHEDULED MEETINGS

Continued Public Hearing Solid Waste Fees

The Selectmen reviewed and discussed the proposed revised fee schedule at the transfer station. Selectman Sheldon prepared and reviewed a version that includes mostly flat rate fees with a few exceptions. He also noted several items that will be no charge and agreed that fees for construction debris should be increased. He feels that his schedule simplifies the process making it fair, easier to follow, and affordable for most people. He believes that the Town should not profit from recycling and that the schedule he prepared should allow the Town to break even. A smoke detector was used as an example. People will not pay more than an item is worth to dispose of it but would be more likely to throw it in the trash instead. It would serve the Town and the environment better to charge a lower rate or no charge at all in an effort to have the items disposed of properly.

Determining minimum and maximum loads for construction debris was discussed. Mr. Boisvert stated that the amount of the load is determined by the attendant on duty. Selectman Sheldon asked how the load is determined. Carl Barker, DPW, stated that minimum load is used for a full size pick up filled from the top of the wheel wells down. Maximum load is anything larger. If the load is significantly larger, a 1½ load or 2 maximum loads will be charged.

Mr. Boisvert stated that he has received complaints that the DPW is charging for things that cost little to dispose of. Further, Casella will not accept tires therefore they must be disposed of at an alternate location and fees will apply.

Chairman Courtemanche reopened the public hearing at 6:40 PM and asked for public comments.

Larry Preston, Resident, stated that he is in favor of Selectman Sheldon's proposed fee schedule.

Peter Gailunis, 415 Fourth Range Road, asked why there is a charge for metal when the Town profits from it. He noted that there are other ways to dispose of metal and people can be proactive in finding disposal sources. Mr. Gailunis does not feel that the Town should charge for metal as they receive revenue for it. Selectman Sheldon stated that there is dumpster and hauling fees and the cost for some items, such as metal, offset the cost for low cost or no cost items such as leaves and brush, computers, small appliances, etc.

John Duggan, Resident, commented that Dirt Doctors will take leaves and brush for free. He asked if the Town is making money on cardboard. Mr. Boisvert responded that this month the Town paid \$4.02 per ton to dispose of recycling; last month \$3.07 per ton. This information can be found on the website. Mr. Duggan asked why it keeps changing. Mr. Boisvert explained that it is a commodity that fluctuates with the market. He further stated that the Town has saved the tax payers \$56,000 in tipping fees due to recycling. Mr. Duggan said that he appreciates the fact that this issue is being looked at sensibly and considers it to be a good concept to simplify the fee schedule.

Carl Barker, DPW, asked Selectman Sheldon why he is increasing the cost for mattresses and upholstered furniture. Selectman Sheldon replied that he took an average of all items in this category and made them all a flat rate.

Mr. Gailunis asked if the Town pays to dispose of refrigerators, freezers, and air conditioners. Mr. Boisvert replied that it costs approximately \$2 per item to properly evacuate them then they must be hauled away. Mr. Gailunis noted that the cost to dispose of these items is \$15 and it only costs the Town \$2. Selectman Sheldon explained that \$15 is a decrease from what was proposed by the DPW. The hope with the new schedule is to find a balance for all items accepted at the Transfer Station.

Dan Crean, Eastview Drive, agrees with Selectman Sheldon. He believes that the facility must be looked at as a whole as it is providing a service to the Town. Contributing factors that must be considered include site costs, labor, transportation, hauling, etc. The costs to provide this service should be defrayed and not just paid by the taxpayers.

Carl Barker asked about electronics e.g. computers, printers, etc. and stated that the Town still has to pay to dispose of them and they can be heavy. Selectman Sheldon reiterated that these items were turned into a flat rate fee in an attempt to form a more balanced plan.

There being no further comments, Chairman Courtemanche closed the public hearing at 6:57 PM.

Action: Selectman Sheldon moved to accept the new simplified fee schedule for the Transfer Station as written. Selectman Greco seconded. Motion passed 4-0. Selectman Kline abstained as he was not present for this discussion in its entirety.

The new fee schedule will become effective March 1st. The fee schedule will be posted at the Transfer Station as well as on the website and in the DPW's upcoming newsletter. Mr. Jodoin will follow up.

Noise Complaint

This item was again postponed until the Town is in receipt of the completed noise study being performed by Clean Energy. Mr. Jodoin will add this item to the agenda for the next Board of Selectmen meeting.

Pembroke Hill Project

Mr. Vignale explained that the SRTS federal funds require that temporary easements/rights of way are acquired and paid for at 100% using the federal funds allocated to the project. It is anticipated that the cost will be relatively small and there should be enough in the budget to cover the cost. He explained the new and complicated process set forth by the DOT of procuring rights of way. This will include several steps including obtaining an abstract of title and establishing a waiver evaluation team to visit all affected properties and to determine the assessed value of each temporary easement. This process is only required for the SRTS portion of the project and the process used similar to the Broadway project can be used for the Town portion of the project. Mr. Jodoin asked if there would be a conflict of interest for the evaluation team to consist of Town employees. Mr. Vignale replied that the DOT is aware of this and has no issues with Town personnel being on the team. Mr. Jodoin stated that he would like this in writing.

Mr. Vignale explained that should a homeowner choose not to agree to temporary easement, the sidewalks/roads can be re-designed to accommodate what needs to be done. This portion of the project is set to go out to bid however the temporary easement process must first be completed. There are a total of 18 temporary easements required for the entire project, seven of which are for the sidewalks.

Mr. Vignale stated that the final plans for the SRTS project are complete and he is ready to proceed with the bidding process once the right of way process is complete. The next steps include putting together the waiver evaluation team and Mr. Vignale will work with the DOT on the format of the forms which he hopes to submit this week. It can then be determined how to proceed. Once the process is complete and approved, property owners can then be contacted.

Selectman Crockwell asked if any property is being taken in the project area. Mr. Vignale replied that there is none.

Mr. Vignale stated that the plans for the Pembroke Hill Road project are complete and is ready to be sent out to bid. Mr. Jodoin stated that the bond is all set and there is \$300,000 available to begin. This project will be sent out to bid first with the SRTS project to follow as soon as the temporary easement process is complete. The project is estimated to begin in April but a firm date cannot be set until the bids are in.

Mr. Jodoin asked if all utilities have been contacted. Mr. Vignale confirmed and stated that there are 3-4 poles that will require relocation.

Jim Boisvert asked if regular road paving should be included in the project. The Selectmen agreed to keep the project and regular road paving separate.

Mr. Vignale explained that he will soon be filing for an Alteration of Terrain Permit. He is unsure of the cost but will forward the information when available. Selectman Kline asked if the fee could be waived. Mr. Vignale does not think so but he will inquire.

Various other aspects of the processes involved in the project were briefly reviewed, including the order in which each process must be completed. Selectman Kline asked about the option of using the same vendor for both the sidewalks and road project. Mr. Vignale stated that this can be done however it would mean that the road project will be subject to the same State guidelines as the sidewalk project. It could however end up being the same vendor dependent upon the bidding process. Mr. Vignale will keep the Selectmen informed as the project moves forward.

2015 Roads Discussion

The Selectman reviewed and discussed the road paving list which is prioritized 1-10. Mr. Jodoin explained that there is \$272,654 available for roadwork next year which takes into account \$300,000 allocated to the Pembroke Hill Road project and the first interest payment of \$27,346 for the bond. \$33,000 is needed for drainage work on Kimball Street leaving the actual amount available \$242,654. Mr. Jodoin indicated that the tonnage was estimated high therefore the costs could be lower. Mr. Jodoin suggested that all overlay be taken care of first with the remaining funds used for paving. Selectman Sheldon suggested that any roads requiring engineering work be postponed if there are inadequate funds available to complete all road projects.

Open versus select bid options were briefly discussed. The Selectmen were in favor of open bidding and requested that the road paving be sent out to bid. Mr. Boisvert will follow up.

4. OLD BUSINESS

Sub-Committee for Noise Study

The Selectmen suggested some possibilities for committee members. Selectman Crockwell agreed to represent the Board of Selectmen providing the meetings are not held on Wednesday evenings.

Sewer – Proposed Warrant Article

Mr. Jodoin stated that the Selectmen must either recommend or not recommend the warrant article requested by the Sewer Commission to raise \$30,000 for an Asset Management Program.

Action: Selectman Kline moved to *not* recommend the warrant article proposed by the Sewer Commission in the amount of \$30,000 for an Asset Management Program. Selectman Sheldon seconded. Motion passed 5-0.

5. NEW BUSINESS

Execute Agreement for 2014 Audit

Action: Selectman Kline moved to authorize the Chair to sign the audit documents and the 2014 engagement letter with Vachon, Clukay and Company. Selectman Sheldon seconded. Motion passed 5-0.

Proposed Changes to Police Review Forms

The Board briefly reviewed the updated Police review forms. Selectman Crockwell informed the Selectmen that there are additional changes that may be needed to the non-supervisory/ administrative evaluations. Mr. Jodoin will follow up and will add this item to the agenda for next meeting scheduled for February 2nd to be finalized.

Manifest/Abatements

Action: Selectman Sheldon moved to approve the Manifest and Abatements as presented. Selectman Greco seconded. Motion passed 5-0.

Minutes 12/29/14, 1/5/15

Action: Selectman Kline moved to approve the Minutes of 12/29/2014 as presented. Selectman Greco seconded. Motion passed 5-0.

Action: Selectman Kline moved to approve the Minutes of 1/5/2015 as presented. Selectman Greco seconded. Motion passed 3-0. Selectman Sheldon and Selectman Crockwell abstained as they were not present at the meeting.

6. TOWN ADMINISTRATOR REPORT

Mr. Jodoin informed the Board that there is interest on a Town owned parcel of land located on Borough Road.

Action: Selectman Sheldon moved to authorize the Town Administrator to enter into an agreement to sell the parcel of land located on Borough Road. Selectman Greco seconded. Motion passed 5-0.

7. COMMITTEE REPORTS

Chairman Courtemanche reported that the Budget Committee will begin deliberations this week.

Selectman Kline reported on the most recent TIF Committee meeting and provided an update on the loop road project including road specifications and other various issues. The TIF Committee has unanimously voted to move forward with the project at an estimated cost of \$3.7 million and has authorized Selectman Kline to present information regarding the project to the Board of Selectmen and the Budget Committee. If approved, the TIF Committee will be ready to send the project out to bid immediately after Town Meeting. (At the inception of the TIF District in 2005, this project was estimated at \$3.1 million.)

Selectman Kline explained that the TIF document states that all utilities will be underground and the cost difference between that and overhead utilities will be shared by the benefiting properties. However, at that time there was no development in the area and Associated Grocers and Clean Energy has since paid to install underground utilities at their locations. The TIF Committee does not feel it is appropriate to request that these companies pay for the utilities for this road project but rather it should be included in the overall project cost.

The TIF Committee is requesting to submit two Warrant Articles for Town Meeting; to raise and appropriate up to \$4 million to be bonded for the building of the loop road; and to raise the contribution to the TIF District fund to 35% from 10%, with both articles to be contingent upon each other. These funds are set aside in a dedicated reserve fund with a current balance of \$487,905.71. It is the TIF Committee's recommendation to take a conservative financial approach and to secure a 20 year bond for the project in its entirety. The current balance of the TIF fund will be retained in the event money is needed to help cover bond payments due to possible fluctuations on assessed values.

Selectman Kline stated that there is no problem with sewer availability as a significantly higher capacity was previously allocated for future development in the area.

Selectman Kline further explained that Pembroke is the number one prospect, of 40 applicants, to receive a substantial grant for this project from a Community Economic Development (CED) program through the State of New Hampshire.

Action: Selectman Greco moved to support both warrant articles described above. Selectman Crockwell seconded. Motion passed 5-0.

Action: Selectman Greco moved to authorize Selectman Kline to present information regarding this project to the Budget Committee on behalf of the Board of Selectmen. Selectman Sheldon seconded. Motion passed 5-0.

Mr. Jodoin will schedule a public hearing regarding this project for the next Board of Selectmen meeting scheduled for February 2nd.

8. OTHER/CITIZEN COMMENT

Dan Crean, Energy Committee, spoke on the establishment of the Energy Fund and reviewed the lighting project in the Village area that the initial funds will be used for. The Energy Committee is still unsure of the total project cost and the payback period but hope to have the information soon. The Committee is also looking into remote monitoring and various lighting and fixture options. Mr. Crean suggested the possibility of installing signs prior to roadways which would eliminate the need for lighting at some intersections.

9. NON PUBLIC RSA 91-A:3 II (b) The hiring of any person as a public employee

Action: Selectman Sheldon moved, and seconded by Selectman Greco, to enter into non-public session in accordance with RSA 91-A: 3 II (b) at 8:36 PM.

Roll Call Vote
Chairman Justine Courtemanche (yes)
Vice Chairman Fred Kline (yes)
Selectman David Sheldon (yes)
Selectman Vincent Greco (yes)
Selectman Michael Crockwell (yes)
Vote: Unanimous

The Selectmen came out of non-public session at 8:38 PM.

Motion by Selectmen Sheldon to hire Noelle Rohde to handle the part time janitorial duties at the rate of \$11.38 per hour, seconded by Selectmen Greco, vote unanimous.

10. ADJOURNMENT

Action: Selectman Sheldon moved to adjourn the meeting at 8:39 PM. Selectman seconded Greco. Motion passed 5-0.

Accepted by the Board of Selectmen

Justine M. Courtemanche, Chair