

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
August 17, 2015 at 6:30 PM**

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

Staff: David Jodoin, Town Administrator

Excused: Selectman David Sheldon

1. CALL TO ORDER

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

2. CITIZENS COMMENT

None

3. SCHEDULED MEETINGS

Anthony Tomacchio – 21-23 Broadway

Mr. Tomacchio began by thanking the Board for taking the time to meet with him. He explained that he was present to appeal the decision made by the Selectmen on August 3rd to deny his request for lawn repair as he feels it contradicts what he believes was agreed upon on July 6th by the Board. He was under the impression that the Board was in agreement to fix the curb on his steps as well as the portion of his lawn that was affected during the Broadway project. He quoted from the July 6th meeting minutes “Selectman Sheldon feels, and the Selectmen agreed, that the soil and grass, as well as the granite on the sides of steps, are issues that the Town can address.” He explained that he was happy with the outcome however he has since learned that the vote regarding the sod and seed was not in his favor. He asked why the decision was changed and noted his concern that Selectmen presence differed between July 6th and August 3rd.

Selectman Crockwell replied that Mr. Tomacchio had an opportunity to install a retaining wall, at his expense, during the time the project was underway. He noted his concern that the same soil and seed was added to all properties at the same time where needed without similar issues. He asked Mr. Tomacchio if he maintained the area for growth i.e. watering. Mr. Tomacchio replied that he did not water the area after construction. Selectman Crockwell further indicated that the difficulty Mr. Tomacchio has while mowing will still be present. Mr. Tomacchio said he was not aware that a retaining wall could be installed but if he had, he believes it would have been cost prohibitive. Further, Mr. Tomacchio indicated that he will deal with the mowing issue.

Selectman Greco asked about the condition of his lawn prior to construction. Mr. Tomacchio provided a photo of his lawn and replied that it was a nice lawn and the slope was not as steep. He requested that his lawn be returned to its previous state.

Selectman Kline read into the record, a statement from Selectman Sheldon which states: *"First, I am writing so you can share this with the Board as I will not be in attendance again next week as I will be heading to Phoenix. I went back to the minutes and read through them carefully. You were correct that a motion was not made and that the action was for Jim to get back to us with cost to do the granite and grass. It was also clear through my comments that our intention was to take these two actions and in fact if you recall, I asked the homeowner if he was okay with this and in that conversation it included that he would be responsible from this point forward for lawn maintenance including watering, cutting, etc. Now with that said and subsequent vote by the Board, I would ask that we reconsider that vote and that we do provide seeding for this portion of the property. I would also ask that if we decide to take this approach that we get it in writing that the homeowner accepts that this is the final action that the Town will take in regard to this matter and once again we get in writing that he understands from this point forward, he will be responsible for the upkeep. I believe this will make it clear what the Town's future responsibilities will be"*

Mr. Tomacchio inquired as to what action was supposed to have been taken by Mr. Boisvert as a result of the July 6th Board of Selectmen meeting other than asking the Cemetery Commission if there was available granite. Chairman Courtemanche explained that Mr. Boisvert was also asked to measure the area for sod and seed.

Selectman Kline noted that the Board approved the purchase of granite in the amount of up to \$1,000. A quote was received for granite from Jade Stone and Landscaping Design in the amount of \$2,250 including installation. It was agreed to obtain additional pricing.

Action: Selectman Kline moved to pursue additional quotes for the granite work at 21-23 Broadway. Selectman Greco seconded. Motion passed 4-0.

Selectman Greco stated that he is in favor of loaming and seeding the area at Mr. Tomacchio's property but he is not in favor of sod. He believes that the area must be watered and cared for after the loam and seed is applied and noted that the homeowner must nurture the grass seed. Mr. Tomacchio stated that he could handle this with no problem. Mr. Jodoin added that if loam was used, he believes that it would wash down with first rainstorm. Further, if sod and seed is used, fertilizer will be needed.

The cost estimate for loam and seed received from Jade Stone and Landscaping is \$3,000 for 1,385 square feet. Selectman Greco asked if this can be done by the Department of Public Works or if it must be hired out. Mr. Jodoin is concerned with setting precedent. Mr. Tomacchio shared a personal story and asked that the Board consider that damage done by contractor should be fixed and paid for by the contractor.

Action: Selectman Kline moved to request that the homeowner mow down the area and to approve delivery of up to 3 yards of loam at the Town's expense; the first delivery will be 2 yards then a second delivery of the final yard if needed; and to authorize the reimbursement to the homeowner up to \$100 for grass seed; the homeowner will be responsible to rake-out and apply seed. Selectman Greco seconded. Motion passed 4-0.

Mr. Jodoin will have Public Works follow up and obtain cost for loam.

Selectman Greco suggested that Mr. Tomacchio apply hay over the area once the loam and seed are spread.

RSA 41:14-a Slope and Drainage Easement Acceptance

Action: Selectman Kline moved, according to RSA 41:14-a, to authorize the Town Administrator to sign the Slope and Drainage Easement for Clean Energy. Selectman Crockwell seconded. Motion passed 4-0.

RSA 231:51 Dedicated Ways Quitclaim Deed Whitehouse Place

Action: Selectman Kline moved, according to RSA 231-51, to authorize the Selectmen to execute the Quitclaim Deed for Whitehouse Place. Selectman Greco seconded. Motion passed 4-0.

Action: Selectman Kline moved to release and discharge, in accordance with RSA 231-51, any public servitude that may remain for this road, to the extent the road was properly dedicated to the Town as part of the subdivision approval and/or subsequent deeding to the Town. Selectman Greco seconded. Motion passed 4-0.

The new easement must be signed before a Notary Public.

4. OLD BUSINESS

None

5. NEW BUSINESS

Signage on Town Property

Selectman Kline reviewed the history of some of the signs/plaques at Memorial Field. Chairman Courtemanche is concerned with setting precedent with installing signs. Selectman Kline noted that any signs must first be approved by the Board of Selectmen. It was agreed that Recreation must come before the Board with all donations and requests for signage.

Manifest/Abatements

The purchase by Recreation of cardboard no parking signs was briefly reviewed. Also discussed was the Police Department's purchase of a gun light with strobe and remote door switch. Mr. Jodoin will contact Chief Gilman for more information.

Action: Selectman Kline moved to approve the Manifest and Abatements as presented. Selectman Greco seconded. Motion passed 4-0.

Minutes 7/20/2015; 8/3/2015; 8/10/2015. Non Public Minutes 7/20/2015; 8/3/2015; 8/10/2015

Action: Selectman Kline moved to approve the minutes of 7/20/2015 as presented. Selectman Greco seconded. Motion passed 3-0. Selectman Kline abstained as he was not present at the meeting.

Action: Selectman Kline moved to approve the minutes of 8/3/2015 as amended, to change the vote on the large gathering permit request for Old Home Day from 3-0 to 2-1 as Selectman Kline stated that he voted no. Selectman Greco seconded. Motion passed 3-0. Selectman Greco abstained as he was not present at the meeting.

Action: Selectman Kline moved to approve the minutes of 8/10/2015 as presented. Selectman Greco seconded. Motion passed 4-0.

Action: Selectman Kline moved to approve the non-public minutes of 7/20/2015 as presented. Selectman Greco seconded. Motion passed 3-0. Selectman Kline abstained as he was not present at the meeting.

Action: Selectman Kline moved to approve the non-public minutes of 8/3/2015 as amended. Selectman Greco seconded. Motion passed 3-0. Selectman Greco abstained as he was not present at the meeting.

Action: Selectman Kline moved to approve the non-public minutes of 8/10/2015 as presented. Selectman Greco seconded. Motion passed 4-0.

6. TOWN ADMINISTRATOR REPORT

Mr. Jodoin provided photos of the retaining wall at 4 Union Street which is in substantial disrepair. This will be included with the survey that is being performed at Village Lane. Mr. Jodoin will contact the surveyor for an update. He hopes that the survey will be complete by September.

The Selectmen signed another copy of the MS 5.

The land at Safety Center that is owned by the School District (approximately 50 feet) was discussed. Mr. Jodoin stated that Mr. Vignale has drawn up plans which show the possibility of expanding the parking lot without obtaining the land. He is in receipt of a quote from KV Partners showing the cost of the project in the amount of \$20,900. Additionally, landscaping would be applied near the building and the roof rakes removed from the roof. He indicated that he is still in the process of obtaining further pricing for the project and will keep the Board informed.

Mr. Jodoin updated the Board on the Safe Routes to School project. Two bids were received and both are extremely over budget; \$203,000 and \$215,975. Mr. Jodoin is trying to arrange a meeting with the State to discuss any additional funding that may be available for this project.

Mr. Jodoin is in receipt of the cost for replacement mailbox posts in the amount of \$2,360. This does not include labor or mailboxes which will be purchased only if necessary.

Mr. Jodoin received an email from Jim Garvin regarding indigent burials. The Cemetery Commission intends to recommend, in the near future, changes to Town Code regarding indigent burials as well as plantings.

Mr. Jodoin will be on vacation 8/21/2015 through 8/28/2015. He requested time off on 8/21/2015, 10/15/2015, and 10/16/2015.

Action: Selectman Kline moved to approve Mr. Jodoin's vacation requests for 8/21/2015, 10/15/2015, and 10/16/2015. Selectman Greco seconded. Motion passed 4-0.

Mr. Jodoin stated that siding work has begun at Town Hall. He questioned what the Board would like to do regarding a handicap entrance at the front of the building. He suggested that the side door be kept unlocked and handicap swing bars installed there versus making the front entrance handicap accessible. He will be meeting with Granite State Glass to discuss options for new front doors and accessibility.

Due to the upcoming holiday, the next Selectmen meeting will be Tuesday, September 8th.

The employee/volunteer appreciation cookout is August 29th at Memorial field starting at 11:00 AM

7. COMMITTEE REPORTS

Chairman Courtemanche noted a change to the CIP Report to strike the line regarding no replacement police cruiser.

Selectman Crockwell reported that the Conservation Commission discussed a sub division on Buck Street.

Selectman Crockwell reported that the CIP Committee completed their ranking process and will meet one final time to review and approve their final report. Gerry Fleury will present their final report to the Selectmen on September 8th.

The bathroom renovations at Memorial Field were discussed including possible options.

Selectman Greco reported that the major topic of conversation at the most recent Roads Committee meeting was roadwork at the upper section of Beacon Hill Road.

Selectman Greco reported that he and Rose Galligan were the only attendee's at the most recent Recreation Commission meeting. Their main topic of discussion was the bathroom renovations.

8. OTHER/CITIZEN COMMENT

Selectman Kline spoke to tuition for out of district schools. He explained that the per-child cost was set last March at School District Meeting. However, it came to his attention that the Hooksett parents were not notified until August 16, 2015. The increase results in a \$700 difference and the School Board is requesting the funds up front.

9. ADJOURNMENT

Action: Selectman Kline moved to adjourn the meeting at 7:56 PM. Selectman Crockwell seconded. Motion passed 4-0.

Accepted by the Board of Selectmen

Justine Courtemanche, Chair