

**BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
JANUARY 19, 2021 at 6:30 PM**

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

Selectman Ann Bond participated via Go To Meeting

Excused: Selectman Michael Crockwell

Staff: Town Administrator David Jodoin

**I. Call to Order:**

Vice-Chairman Sandy Goulet called the meeting to order at 6:34pm.

Selectman Goulet motion to proceed and authorize Selectman Bond to participate in the meeting RSA 91-A:2 III, Selectman Yeaton seconded the motion. Motion passed 3-0.

**II. Citizens Comment:**

Stacey Kallelis, 254 Beacon Hill Road, stated she established a petition to maintain the status of class 6 road on Lower Beacon Hill Road. The petition has 280 signatures and was presented the Selectmen.

**III. Scheduled Meetings**

Deliberations on opening of Upper Beacon Hill Road

Selectman Goulet read a prepared statement to the meeting “As a Board member it is our job and responsibility to review a layout petition in accordance with state laws and Town regulations. No matter how compelling it may be to listen to the emotional side, we cannot let that affect our judgement.

A town resident has the right to follow the State Laws and request that a road be opened up as a public highway in accordance with RSA 231:8, just like they have a right to use their property in accordance with the Town regulations. Regardless if it’s a sub-division, a large-scale complex or a single-family home, the layout process is the same.

The only item that the Board is acting on is the request to open a portion of Beacon Hill Road. Other planning or zoning relevant items such as is this an appropriate use of the lot, traffic, wetlands etc. all come under the purview of other Boards, and we cannot veer into their jurisdiction over those matters. In other words, our job is to be

laser focused on only the question of whether to make this part of Beacon Hill Road Class V.

When discussion starts on this item, it will be a discussion among Board members. Audience questions and answers ended when the public hearing was closed and the Board will not entertain any new comments or testimony on the issue.

I will now ask each of the Board to give their comments on the matter before us. At the end of our deliberation, I will ask for a vote from the members”.

The following criteria was used in the determination of “occasion” when considering a layout petition:

Public Interest Factors:

1. Integration within existing road system
2. Ease of existing traffic flow
3. Improvement to convenience of travel
4. Facilitation of transportation of school children
5. Improved accessibility to business district and employment centers
6. Improved accessibility for fire, emergency, and police
7. Whether it would benefit a significant portion vs. small fraction of town’s tax base or year-round residents
8. Anticipation frequency of road use.

Town Burden Factors:

1. Anticipated construction costs to bring road to town standards
2. Ongoing maintenance costs for the road itself
3. Impact on town’s infrastructure due to town’s growth. Should not consideration of impact from any potential future development proposed for this property if the layout is approved.

Selectman Bond gave her reasoning based on the above criteria for public interest factors:

1. The project would integrate into the current road system. The resident lives on the section would have access to build on their property. For individuals to develop their property.
2. Could not make a determination of yes or no because there is nothing there currently
3. Yes, approving this would allow resident able to build on his property.
4. Found this was not applicable to this project.
5. Found this was not applicable to this project.
6. Yes, the application would have access to whatever is built on properties.
7. Yes, year-round residents will live on property
8. Yes, residents would be able to travel.

Selectman Bond gave her reasoning based on the above criteria for Town burden factors:

1. The applicant will pay for construction.
2. On-going maintenance would be the Town's responsibility
3. There is not impact as of today on the Town's infrastructure.

Selectman Yeaton gave her reasoning based on the above criteria for three additional interests to be balanced against each other:

1. The public convenience and public necessity. Reclassifying 300 feet of Beacon Hill as a convenience or necessity. This is cause to vote against.
2. The financial burden to be imposed upon for the Town's taxpayers for construction and maintenance. There is no burden to the Town for construction. This is cause to vote for.
3. The rights of owners, if any, whose land would have to be taken for the public ROW. At the time the road was re-classified to a class 6, it rendered his property undevelopable which removed a significant amount of value. This is a cause to vote for.

Balancing these three items, Selectman Yeaton came to a 2-1 decision to vote for the road opening.

Selectman Yeaton gave her reasoning based on the above criteria for public interest factors:

1. There are no integration impacts to consider. This is cause to vote for.
2. This petition does not cause a connection of roads or roadways. Impacts to ease of existing traffic flow is non. This is cause to vote for.
3. Found this was not applicable to this project.
4. Found this was not applicable to this project.
5. Found this was not applicable to this project.
6. Found this was not applicable to this project.
7. This petition only benefits a small fraction of the Town's tax base. This is cause to vote against.
8. Road use will be restricted to the approved use of the lot. While the Town has not approved as use for this yet, this question asks them to consider the proposed use of the property. This is cause to vote against.

Balancing these eight items, Selectman Yeaton came to a 2-4-2 decision to vote for the road opening.

Selectman Yeaton gave her reasoning based on the above criteria for Town burden factors:

1. The petitioner will assume construction costs. This cause to vote for.
2. This project will be around 1/16 of a mile which is insignificant. This is cause to vote for.
3. The 300 feet of reclassification does not impact Town growth and infrastructure. This is cause to vote for.

Balancing these three items, Selectman Yeaton came to a 3-0 decision to vote for the road opening

Based on this assessment, Selectman Yeaton votes to approve the petition to reclassify 300 feet of Beacon Hill Road.

Selectman Bean stated he is not in favor of opening the road based on the following reasons for public interest factors:

1. No positive significance
2. There will be an impact on Upper Beacon Hill Road
3. Does not see that with the number of people who will be in the development that there will be an improvement to the convenience of travel.
4. No one in complex will have a child.
5. No improved accessibility to the business district.
6. Found this was not applicable to this project.
7. Will not benefit a significant portion of the tax base.
8. Up to two people in each apartment, there will be an increase in the frequency of the road use.

Selectman Bean gave his reasoning based on the above criteria for Town burden factors:

1. He is unsure
2. There will be maintenance costs.
3. There will absolutely be an impact.

Selectman Goulet gave her reasoning based on the above criteria for public interest factors:

1. It will integrate with the existing road way.
2. Will not ease existing traffic flow.
3. There is no improvement to convenience of travel.
4. Found this was not applicable to this project.
5. Found this was not applicable to this project.
6. Yes.
7. Will not benefit anyone to open the road.
8. Yes.

Selectman Goulet gave her reasoning based on the above criteria for Town burden factors:

1. The petitioner is taking care of the costs.
2. Yes, there will be an increase in costs to the Town.
3. Yes.

Selectman Goulet will be voting no to opening the road.

Selectman Goulet made a motion to approve the applicants lay out request to re-classify a portion of Upper Beacon Hill Road to a class 5 and to open 300 feet of roadway. Selectman Yeaton seconded the motion. Motion failed 2-2.

The roll call vote is as follows:

Selectman Bond - Yes

Selectman Yeaton – Yes

Selectman Bean - No

Selectman Goulet - No

#### **IV. Old Business:**

##### Donald and Jacqueline Zeaman Letter

The Board has drafted a letter to the Zeamans. Selectman Goulet read the letter aloud to the meeting. The letters explained that the Town has a limited obligation and cannot provide any assurances they seek in regards to their well.

#### **V. New Business**

##### Trust Fund Requests

Selectman Bean made a motion to request the following transfers; \$792.50 from Police Small Equipment Fund, \$11,158.50 from the Town Building Fund, \$1,133.98 from the Town Equipment Fund, and \$5,665 from the Recreation Capital Reserve Fund. Selectman Yeaton seconded the motion. Motion passed 3-0.

##### Appointments

Selectman Bean made a motion to appoint Dwayne Gilman as the Emergency Management Director and Paul Gagnon as the Fire Chief. Selectman Yeaton seconded the motion. Motion passed 3-0.

Selectman Goulet made a motion to appoint the Forest Fire Wardens as presented. Selectman Yeaton seconded the motion. Motion passed 3-0.

##### Letter from Suncook Methodist Church

The Selectman received a letter from the Suncook Methodist Church. It appears that after the Town took steps to maintain and repair the parking spaces on Union Street, there was supposed to be a transfer of ownership to the Town. That deed transfer never took place. The letter is asking the Town to perform the deed transfer. David stated the Police Chief and Public Works Director will come to the next meeting to talk about this further.

##### Manifests/Abatements

Selectman Goulet made a motion to accept the manifests and abatements as presented. Selectman Bean seconded the motion. Motion passed 3-0.

Minutes 1/4/21, 1/11/21; Non-Public 12/21/20, 1/11/21

Selectman Goulet made a motion to accept the minutes of 1/4/21 Selectman Yeaton seconded the motion. Motion passed 3-0.

The minutes of 1/11/21 and the non-public minutes of 1/11/20 were tabled until the next meeting.

Selectman Goulet made a motion to approve the December 21, 2020 as presented. Selectman Yeaton seconded the motion. Motion passed 2-0. Selectman Yeaton abstained

**VI. Town Administrator Report:**

Tom Serafin, Town Moderator, joined the meeting to discuss the upcoming Town Elections. Budget Committee is working on the public hearing and will finalize the method on Thursday. Tom talked with Jim and town elections will proceed normally. Delaying town meeting to warmer weather. Moderator has the ability to delay the meeting and it should be done in conjunction with the school district. Selectman Yeaton delaying deliberative but having the normal elections on schedule. There are options to delay due to covid we would need to upgrade technology to allow for social distances and will need to have a virtual meeting. They would need to hold to virtual meeting and drive by voting. People seem far more comfortable with that option. Selectman Yeaton stated the average for the town is 120 people and the average for the school is 250-300. The PA gymnasium would be large enough to physically hold a socially distanced meeting. Have they discussed this as an option? David, Josh did the numbers and 175 is max in the gymnasium. Tom asked concern for waiting. Selectman Goulet people not being around and meeting potentially be less than they already are. Selectman Yeaton the burden is on why change it and not why not to change it. Tom strong sentiment that whatever is done for the town it should be the same for the school. Tom concerns that the school is asking for a significant increase and there are a lot of older folks in town that would not feel comfortable and we want to make sure all voices that want to be heard are heard. Sandy Goulet clarified it is ultimately toms decision when to hold the meeting. David it is up to the different boards to set the dates but the moderator has the ability to delay it. David they hold elections on date, they hold the date and delay until May. Tom would like to hear what the consensus of the Selectboard is.

**VII. Committee Reports:**

Selectman Yeaton – The Budget Committee met with the School District and the Committee began to opine on the budget. There are concerns for the amount of the increase. The School Board members are taking suggestions on ways they may reduce things.

Selectman Bean – Solid Waste Committee met with the haulers to talk about the changing permit process. The haulers did not have any objections. They will meet again in February and then they will come before the Board of Selectman for approval of the changes.

Selectman Goulet – None

**VIII. Other Citizens Comment:**

None

**IX. Non-Public Session:**

Selectman Goulet made a motion to enter into non-public session in accordance with RSA 91-A:2 I(a) Strategy or negotiations with respect to collective bargaining, seconded by Selectman Yeaton at 7:43pm

Roll Call Vote:

Selectman Goulet	Yes
Selectman Bean	Yes
Selectman Yeaton	Yes

The Board came out of non-public session at 7:48 PM.

**X. Adjourn:**

Selectman Bean made a motion to adjourn at 7:49 PM, Selectman Yeaton seconded the motion and it was approved unanimously.

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Sandy Goulet, Vice Chairman

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