

**BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
March 1, 2021 at 6:30 PM**

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

Excused: Selectman Michael Crockwell

Staff: Town Administrator David Jodoin

**I. Call to Order:**

Vice-Chairman Sandy Goulet called the meeting to order at 6:32pm.

**II. Citizens Comment:**

None

**III. Scheduled Meetings**

Selectman Goulet made a motion to temporarily change position to Chairman and for Selectman Bond to temporarily change to Vice-Chairman. Selectman Bond seconded the motion. Motion passed 4-0.

Tom Serafin – Town Meeting Discussion

Tom Serafin, Town Moderator, discussed March Town Meeting with the Board. Selectman Bond stated there have been discussions in Town regarding a mask-less section. The Governor's emergency order is still in effect requiring masks. There will be masks available for people who do not have one when they enter the building. On the March 9<sup>th</sup> voting day, Jim Goff is able to go outside of the building to assist people who cannot wear masks. Tom gave a recommendation to once again have one entrance for people coming in and one for going out. Microphones can also be walked to people rather than having people come up to use the same microphone.

**IV. Old Business:**

Conservation Commission – OHRV's on Range Roads

Ammy Heiser, Chair of Conservation Commission, discussed the damage happening on the Range Roads by larger wheeled vehicles. In 2011, the Town voted to change the regulations to limit vehicles over 1,800 pounds from traveling on the roads. Unfortunately, people still travel the roads in violation of that order. Most towns do

not allow travel on class 6 roads on times that it is typically muddy. Pembroke is the only town currently allowing this. The snowmobile clubs are putting money into the roads and the damage being caused by ATV's and OHRV's is making it difficult for the groomers. The natural resources on the roads are being destroyed as well as private property and wetlands. The Commission would like to change the travel restriction for all wheeled vehicles from December 16 to May 31. Selectman Yeaton asked if this would restrict land owners. Wendy Weisiger, Conservation Commission, answered that the Board can work with land owners and grant provisions for when roads are posted. Brian Mrazik, 357 Pembroke Hill Road, stated that if anyone is out there for recreational purposes and are not in or on a wheeled vehicle, they would be excluded the proposed ordinance.

Selectman Goulet asked where the dates came from. Ammy Heiser explained this is the muddy season of year and is the standard in most towns. Ayn Whytemare, Conservation Commission, shared that in 2011 the snowmobile clubs proposed the dates because they are doing improvements during this time. One of those improvements is draining the mud puddles before the winter freeze. When they are trying to do work, the ATV's come through and destroy all the progress they made and then the formation of ice puddles begins to cause problems. The damage to the roads has caused the puddles to become so large and so deep that now the only people who can use the roads, are the ones causing the damage. If there is one type of user that is ruining a town resource for the rest of the residents, the Selectman have the right to regulate the usage of that group.

Selectman Goulet asked for clarification on the difficulties for the Police Department and their enforcement from this past spring. Chief Gilman stated that whether the roads are closed or not closed, the officers will still need to patrol. Closing them does not necessarily mean it will save the Police Department time because there are so many entrances to these roads. When COVID first hit and these issues arose, the Chief came to the Board asking for help and he did not get it. He needed the help in the Spring when there was a large influx of people coming to town and the only avenue the department had to get help was to go to the State for signs about parking. These issues that Conservation is bringing up are not new. Emergency vehicles have a tough time getting into the roads but it is doable. Transporting out has some difficulties. The Chief expressed support for the December – May restrictions. The Chief stated that homeowners should be posting their land for no wheeled vehicles. It gives the Police Department enforcement tools for prosecution when they can prove a person knew they shouldn't be on the land. It is a misdemeanor offense and the person can be held responsible for fixing any damage they cause. Ayn Whytemare asked how adding the dates would it change their enforcement actions if they can prove a recreation wheeled vehicle knew they were not allowed to be there between December and May. Chief Gilman stated it will make it somewhat easier to know whether or not the person is supposed to be there because no one is supposed to be there. They stop everyone regardless right now when they are out patrolling. Paul Gagne, Pembroke Fire Department, shared they have the ability to get out there without issue right now but supports the time restriction. The current damage and

conditions of the roads doesn't make it impossible for them to get out there but it may make them take longer.

Selectman Yeaton asked for clarification on the signs on Buck Street. Chief Gilman explained he called the State on April 21, 2020 to get the no parking signs and they were only valid until the Governor's orders expired. We are not in the same situation that we were back then and the Chief does not feel the signs should still be up. Selectman Yeaton asked what it would take to have the signs installed permanently. The Chief answered it would take a letter to the State asking them to come look at it.

Susan Plante, 260 Church Road, asked when the Department noticed the increase in activity started last year. Chief Gilman answered it was the middle of March last year. This sport is picking up drastically and we will likely see an uptick soon in usage.

Chief Gilman asked if the roads are owned by the land owners or the Town. Brian Mrazik explained that his research showed the Range Roads and most other class 6 roads are held in trust for transportation purposes. The soil under the roads and trees along them belong to adjacent property owners. The Town holds a transportation easement for the roadway. If the road was abandoned then all rights would revert back to adjacent owners.

Selectman Yeaton supports a suggestion from the Conservation Commission to form a Range Road Committee to manage and monitor the Range Roads.

A public hearing will be held on March 15<sup>th</sup> to determine whether or not the Range Roads will be closed December to May.

#### Tax Deeds

Tax deed lien certified letters went out Friday. If 2020 taxes are not paid by May 6, 2021, then the town can take ownership of the property through a tax deed. Lien notices are also out for the delinquent 2020 taxes and if not paid by April 2<sup>nd</sup> they lien will be placed and recorded at the registry of deeds.

#### Easement – Church Parking Lot Update

David stated he has not heard back from the Church yet. They are bringing the paperwork from the Town Lawyer to their Board of Directors. David spoke with Primex and the parking will be covered by insurance.

#### William Evans Appeal to Housing Board

David explained that Mr. Evans has filed an appeal with the State of NH Housing Appeals Board. The Town Attorney does not feel the newly formed State Housing

Appeals Board is the proper avenue for William Evans. A building was not technically denied. The road opening was denied and the hope is that the Board will dismiss the appeal.

#### Hazard Mitigation Committee

The current hazard mitigation plan expires in 2022. The Fire Chief, Tri-Town, Police Chief, DPW, Building Inspector, Planner, Board of Selectman Rep, and Central NH Regional Planning are on the committee. The Committee will meet during the day remotely. Selectman Yeaton will be the Board of Selectman rep.

### **V. New Business**

#### Appointments

Selectman Goulet motion to appoint Clint Hanson Jr to planning Board. Selectman Bond seconded the motion. Motion passed 4-0.

#### Manifests/Abatements

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

#### Minutes 2/18/21; Non-Public 12/21/20, 2/1/21, 2/18/21

The minutes of 2/18/21 were tabled to the next meeting.

Selectman Goulet made a motion to accept the non-public minutes of 12/21/20 and 2/1/21. Selectman Bean seconded the motion. Motion passed 4-0.

### **VI. Town Administrator Report:**

The State of NH sent a letter stating the Department of Transportation has reviewed the final plans for the North Pembroke Road Bridge and find the plans acceptable. The timeline for the project will now be pushed out past April.

David explained that retired Fire Chief Paulsen was working on trying to get a forestry vehicle but those plans had since fell through the cracks. The current forestry vehicle needs a new tank. The plans were to get a new vehicle, take the tank off, and put it on the truck we already own. They can't get the new truck but they still want to get a new tank to place on the truck they already have. Chief Gagne explained the current truck is from 1981. The highway department stated it will pass inspection for the next year. The 1,000-gallon tank on it is rotting out. The new tank they want is 1,500. They have been in the process of designing and ordering a new tank. The cost came to a total of \$12,000. The State found them a new truck

from Pennsylvania that will cost \$2,800 to get it transported here. They prefer to wait to find a truck they can drive around rather than buy something sight unseen. They would like to still purchase the new tank now and outfit the old truck to carry it until they can find something else.

Selectman Goulet made a motion to approve the purchase of the tank in the amount of \$12,000 and to withdraw the funds from the Fire Small Equipment Capital Reserve Fund. Selectman Yeaton seconded the motion. Motion passed 4-0.

**VII. Committee Reports:**

Selectman Yeaton – None

Selectman Bean – None

Selectman Bond – Planning Board heard a conceptual design for 33 apartment units at the old Village School.

Selectman Goulet – Proposed changing the Selectman’s meetings to Wednesdays starting in April. The Board is not opposed to changing the date.

**VIII. Other Citizens Comment:**

None

**IX. Non-Public Session:**

None

**X. Adjourn:**

Selectman Goulet made a motion to adjourn at 7:56 PM. Selectman Yeaton seconded the motion and it was approved unanimously.

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Sandy Goulet, 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.